the Treasury as income taxes and are thus credited against the U.S. tax liability of the foreign operation.

This is true even though many of these countries do not have general income taxes and this tax is quite specific to petroleum—indeed, it is quoted in dollars per barrel just as royalties or excise taxes would be. There are, in other words, strong grounds for believing that payments to the host country should be treated either as a royalty or an excise tax, both of which are only deductible, and not as a creditable income tax. Because the high creditable taxes, about 90 percent of profits, generally exceed the low U.S. tax liabilities, U.S. oil companies have accumulated large amounts of unused credits. Through another provision, they have been allowed to apply these unused credits to mineral-related operations in low-tax third countries to reduce U.S. tax liabilities there. The relationship of these provisions then seems calculated to inspire investment in oil-related operations in low-tax third countries—Caribbean refineries and tankers registered in Liberia, Honduras, and Panama—rather than domestic investment.

At present, therefore, the large U.S. oil companies typically pay no U.S. tax at all on their foreign operations, and worse, they usually have excess credits which they can use to make tax-free investments in low-tax third countries. This is a clear subsidy of foreign investment in these third countries at the expense of domestic investment—contrary to the goal of encouraging independence from foreign trade—and encourages the growth of large, vertically integrated multinational companies, which conflicts with antitrust objectives.

Certain steps could be taken to redress these shortcomings. President Nixon proposed in his January 1974 energy message that depletion allowances be eliminated for the computation of taxes on the operations of foreign branches of U.S. oil companies. Whatever the merits of domestic depletion allowances, this seems a step in the right direction. The President also asked the Treasury to review its regulations that treat payments to foreign governments as income taxes and not as royalties or excise taxes, the intention being that only about half these payments would be creditable. The Treasury estimates that these provisions together would increase U.S. government revenues by only a small amount, say by $0.1 to $0.2 billion, but they would substantially eliminate the excess foreign credits and limit the inducement to tax free investment in third countries. Further steps, which might also be desirable to limit this inducement and increase revenues even more, would be to consider the entire payment to foreign governments deductible and to introduce a per-country limitation which would not allow excess credits from one foreign operation to reduce the tax liability from operations in other countries.

DR. JOSEPH J. H. SMITH—SERVICE ABOVE AND BEYOND THE CALL OF DUTY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BROWN of California. Mr. Speaker, this coming Saturday, the first of June, a group of my constituents will gather in Colton, Calif., to honor Dr. Joseph J. H. Smith, who is retiring this summer after 38 years of dedicated service to the people of Colton.

Thirty-eight years. That is a long time to serve in any position. One can more easily appreciate how long ago Dr. Smith began his Colton practice by realizing that he came to Colton in the middle of Franklin Delano Roosevelt's first campaign for reelection to the Presidency. And that was not even the beginning of Dr. Smith's career; he had already completed a year as an intern at Los Angeles County Hospital, another year practicing in Pomona, and 6 years in the Riverside County community of Blythe before he came to Colton in 1936.

During these many years Dr. Smith has served the citizens of the Colton area in many ways. Apart from his practice, he has been active in the Tuberculosis Association, the Cancer Society, and the Easter Seal Society. He served as president of the County Medical Society in the mid-forties, and in 1966 as president of staff at San Bernardino Community Hospital. In the period from 1970 through 1972, Dr. Smith served as president of the Administrative Board of Community Hospital.

I certainly do not want to give the impression, Mr. Speaker, that all of Dr. Smith's community service has been related to the medical world. Despite his extensive donations of time and effort in that area, such a statement would be quite inaccurate. Dr. Smith served on Colton's School Board for 9 years. He has been a member of the Library Board since 1949, and currently serves as its president. I could go on in great detail about Dr. Smith's activities and offices held in the Kiwanis Club, the Masonic Lodge, the Order of the Eastern Star, and other organizations for some time. But in the interest of conserving time here today I will elaborate on only one more of Dr. Smith's associations: his membership in my own Colton Methodist Church. Dr. Smith has been a member of our congregation since his arrival at Colton, and has served on many committees within the church. He was chairman of the Building Committee during the construction of the church's Sanctuary and Wesley Hall, and from 1960 until 1964, he devoted a particular great amount of his time to the church as a speaker on Southeast Asian missions, traveling throughout southern California and even into Arizona to speak in other churches.

Mr. Speaker, Dr. Smith is obviously an outstanding citizen of Colton, well-deserving of the testimonial and recognition dinner which his many friends and neighbors have planned for him this Saturday evening. I join them in their sentiments, and I will be happy to convey the greetings and respect of the House of Representatives to this distinguished humanitarian, along with our wishes for a happy and fulfilling future in this new period of his life.

SENATE—*Friday, May 31, 1974*

The Senate met at 12 o'clock noon and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Our Father-God, hallowed be Thy name in this Chamber, in every office, in every concourse, and in all our work. Lift our duties into service for Thee. May no task seem trivial, no duty too small, no program without meaning, no day without its splendor. Hold us to truths higher than ourselves, to standards which keep us striving for improvement, to principles tested by time and confirmed in experience. May we ever be receptive to new insights, to fresh revelations of truth, and free us from scorn of that which is old simply because it is old. May we go forth to our temporal duties with a sense of the transcendent and eternal in our hearts.

We pray in Thy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 31, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 30, 1974, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated

to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Acting President pro tempore (Mr. NUNN) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 2957) relating to the activities of the Overseas Private Investment Corporation, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CULVER, Mr. MORGAN, Mr. ZABLOCKI, Mr. WOLFF, Mr. FRELINGHUYSEN, Mr. BURKE of Florida, and Mr. VANDER JAGT were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 3203) to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mr. THOMPSON of New Jersey, Mr. FORD, Mr. CLAY, Mr. QUIE, Mr. ASHBROOK, and Mr. ERLENBORN were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 10265) to provide for an audit by the General Accounting Office of the Federal Reserve Board, banks, and branches, to extend section 14(b) of the Federal Reserve Act, and to provide an additional $80,000,000 for the construction of Federal Reserve bank branch buildings, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10265) to provide for an audit by the General Accounting Office of the Federal Reserve Board, banks, and branches, to extend section 14(b) of the Federal Reserve Act, and to provide an additional $80,000,000 for the construction of Federal Reserve bank branch buildings, was read twice by its title and referred to the Committee on Banking, Housing and Urban Affairs.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, with the exception of Calendar No. 145.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar, with the exception of Calendar No. 145, will be stated.

DEPARTMENT OF DEFENSE

The second assistant legislative clerk read the nomination of Robert Ellsworth, of New York, to be an Assistant Secretary of Defense.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

The second assistant legislative clerk read the nomination of David P. Taylor, of Virginia, to be an Assistant Secretary of the Air Force.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. AIR FORCE

The second assistant legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The second assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The second assistant legislative clerk read the nomination of Adm. James L. Holloway III, U.S. Navy, to be Chief of Naval Operations.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS ON THE SECRETARY'S DESK

The second assistant legislative clerk proceeded to read sundry nominations in the Marine Corps, which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. STAFFORD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, for not to exceed 15 minutes, with statements therein limited to 5 minutes.

THE ISRAELI-SYRIAN DISENGAGEMENT

Mr. ROBERT C. BYRD. Mr. President, I want to congratulate President Nixon and Dr. Kissinger on the remarkable achievement of having reached an Israeli-Syrian disengagement.

Considering all of the age-old problems and deep-rooted prejudices involved, I know that the frustrations that confronted Dr. Kissinger in his persistent efforts must have seemed at times overwhelming. But with his usual tenacity and some flexibility, his great knowledge and skill, he has finally been successful in achieving the goal he set out to gain.

I think we all realize that in reaching this goal, Dr. Kissinger had the full support of President Nixon and acted at all times with the authority of President Nixon.

The Nation should be grateful. While there are many problems that remain to be settled, I believe that our country and other peace-loving countries can certainly breathe more easily and can certainly be proud of the President and of Secretary of State Kissinger for this very extraordinary and difficult, as well as highly important accomplishment.

Mr. President, I personally congratulate the President and Dr. Kissinger. I think that Dr. Kissinger was the right man, at the right place, and at the right time.

There is no question that the countries of Israel and Syria must have had great difficulty in persuading their own people and, as a matter of fact, in many instances, difficulties in understanding really what the problems of each other's country were. They needed the highly skillful mediating force as provided by Dr. Kissinger to bring them together and help to resolve their differences.

Once again, Dr. Kissinger has shown himself worthy of the confidence of the Senate in having confirmed his nomination, worthy of the confidence of the President of the United States for having been nominated by him, and worthy of the confidence of the American people and the leaders of the various countries which have been aided by his superior mediating skills.

Mr. STAFFORD. Mr. President, I am sure that the President of the United States and Dr. Kissinger will appreciate the words of the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD) the assistant majority leader. I certainly do. I should like, in effect, to join the distinguished Senator in what he has just said. I think that Dr. Kissinger, indeed, is the architect of the first real

chance for permanent peace in the entire Mideast and that the past 32 days he spent there, serving as the principal catalyst in negotiating a cease-fire and a buffer zone between Israel and Syria are among the most important 32 days of these times.

I congratulate Dr. Kissinger on his successful efforts, and the President on his confidence in Dr. Kissinger, making him available for that purpose.

DEATH OF E. K. GAYLORD

Mr. BARTLETT. Mr. President, today marks the end of an era. Mr. E. K. Gaylord passed away last night during his 102d year, after spending the day at the office and attending a dedication.

Every Oklahoman is saddened by Mr. Gaylord's death. We will miss Mr. Gaylord perhaps more than any other of our leaders because, in a real sense, before statehood until his recent passing, he has been one of our foremost leaders.

Mr. Gaylord was an amazing man. His life was as good as it was long. He was as compassionate as he was courageous, as conscientious as he was determined, as energetic as he was visionary, as sensitive as he was honest. He was a gentleman—a genuine gentleman.

Mr. Gaylord's spartan and religious life overflowed with accomplishments and greatness. His productivity and record will stand forever as an example and a challenge to every Oklahoman and American. He will be remembered as a great man among the great men of Oklahoma and our country.

When from time to time the history of Oklahoma is written, the imprint of Mr. Gaylord will be readily apparent. That imprint will be a mark of progress and goodness. Because Mr. Gaylord continually planned for the future, we will profit from his life for years to come.

In thinking about Mr. Gaylord's long life, it is apparent that, from beginning to end, he seemed, on every single day, to fulfill the philosophy expressed by Theodore Roosevelt.

It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

ORDER FOR CONSIDERATION OF S. 3000, AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT

Mr. ROBERT C. BYRD. Mr. President, I announced on yesterday that upon the disposition of the wilderness bill today, the Senate would proceed—without votes, but for the purpose of having opening statements, if desired, by Senators—to the consideration of S. 3000, to authorize appropriations for military procurement. That is still the intention of the leadership.

I ask unanimous consent that, on Monday next, after the transaction of routine morning business, the Senate proceed to the consideration—or resume consideration, whichever the case may be—of S. 3000.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I assume that action will be completed on the Wilderness Act today. There is no time agreement thereon, as of this moment.

I ask unanimous consent that upon the disposition of the Wilderness Act today, the Senate proceed to the consideration of S. 3000, for the purpose only of opening statements thereon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. NUNN) laid before the Senate the following letter, which was referred as indicated:

PROPOSED LEGISLATION FROM SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 216(b) (1) of the Merchant Marine Act, 1936 (with accompanying papers). Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on the Judiciary, with an amendment:

S. 572. A bill to waive the statute of limitations with regard to the tort claims of certain individuals against the United States (Rept. No. 93-889); and

H.R. 6979. A bill for the relief of Monroe A. Lucas (Rept. No. 93-890).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. McGEE (for himself, Mr. KENNEDY, Mr. HASKELL, Mr. HANSEN, and Mr. CRANSTON):

S. 3558. A bill for the relief of John Bruce Dodds. Referred to the Committee on Armed Services.

By Mr. DOLE:

S. 3559. A bill to prohibit the use of dogs in research and experiments conducted by departments, agencies, and instrumentalities of the United States when such use is likely to result in needless or excessive suffering by such dogs. Referred to the Committee on Commerce.

By Mr. RANDOLPH:

S. 3560. A bill to amend the Solid Waste Disposal Act so as to encourage to the greatest extent practicable the recovery of materials and energy from solid waste residues, to authorize regional solid waste system and resource recovery planning grants, to provide incentives for the recovery of resources from solid wastes, and for other purposes. Referred to the Committee on Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McGEE (for himself, Mr. KENNEDY, Mr. HASKELL, Mr. HANSEN, and Mr. CRANSTON):

S. 3558. A bill for the relief of John Bruce Dodds. Referred to the Committee on Armed Services.

Mr. McGEE. Mr. President, today several of my colleagues, Mr. KENNEDY, Mr. HASKELL, Mr. HANSEN, and Mr. CRANSTON, have joined me in introducing a private bill for the relief of Air Force Academy Cadet Second Class John Bruce Dodds. Bruce is the son of a military family who maintain a home in the Wind River Mountain Range, near Pinedale, in Wyoming, and he was my nominee to the Academy.

Early this spring Cadet Dodds was discovered to have a malignant tumor in his thigh, and his leg was removed at Fitzsimmons Hospital in Denver. I have been informed that all medical authorities believe that the operation was successful and that as far as they can determine there is no evidence of any spread of the cancer. Cadet Dodds was back in classes at the Academy on crutches in time to ctach up on his academic work and take his final exams. I have just been advised that he has again earned the academic honor of a position on the dean's list. Later this year he will be fitted with a prosthesis and receive the necessary training to enable him to do everything he once did with two legs—except run.

However, the Air Force has determined that, without exception, they have no authority to keep a cadet at the Academy who is not fully qualified for commissioning as an officer in the U.S. Air Force upon his graduation.

Cadet Dodds' life has been spent as a part of a military family, and his goal has always been to attend the Air Force Academy, graduate, and spend his life in the service of his country. His desire remains to continue at the Academy and graduate with his class, although he realizes that he could not be commissioned. His father, Col. John Dodds, has spent a considerable period of time in Washington these last few weeks meeting with Air Force officials in an effort to obtain a waiver which would allow Bruce to finish his education at the Academy. Colonel Dodds has also been advised that there is no authority for such a waiver. The bill we introduce today would allow this cadet to graduate with his class.

This young man's future has been changed by an "act of God." His morale and determination can be strengthened by such an opportunity to continue his academics at the Academy, where he has many friends among the Cadet Corps. The effect of such a humanitarian act by Congress would not only influence the life of Cadet Second Class John Bruce Dodds, it would also affect the Academy, the entire Cadet Corps, and the total image of the military in the eyes of the public—at a time when the United States is endeavoring to effectuate an "all-volunteer" Army.

Mr. President, this is indeed a case where time is of the essence. Our prompt

favorable action is imperative prior to the fall semester at the Academy.

By Mr. DOLE:

S. 3559. A bill to prohibit the use of dogs in research and experiments conducted by departments, agencies, and instrumentalities of the United States when such use is likely to result in needless or excessive suffering by such dogs. Referred to the Committee on Commerce.

Mr. DOLE. Mr. President, last December I wrote to John L. McLucas, Secretary of the Air Force, to protest experiments using beagle dogs to test environmental pollutants at Wright-Patterson Air Force Base in Ohio. I considered these experiments conducted on mute victims to be cruel and inhumane. I was assured at that time that it was not the policy of the U.S. armed services to conduct experiments that would cause needless suffering and torture of these domestic animals.

I now understand that the Edgewood Arsenal Research Center has advertised for 450 beagle puppies to be used in experiments with toxic materials used in chemical and biological warfare. I have been informed that the research center has used 446 beagles for these tests since July 1, 1973. Those dogs that do not die during the painful experiments are killed later for autopsies to study the effects of the gases. In many cases these animals are "debarked" so they cannot emit so much as a whimper during these experiments.

At present there are no laws to protect dogs in laboratories, no regulations at all as to what can be done to them, no requirements that they be handled humanely—only suggested guidelines. It is obvious to me that it will take more than the public outcry to halt these experiments and provide for the humane treatment of these domestic animals.

It is the public policy in this Nation to prevent the inhumane treatment of both domestic and wild animals as evidenced by the excellent and often thankless work of the SPCA and various humane societies. The Congress itself has taken a stand on the treatment of wild horses and has set stiff anticruelty regulations on trapping practices. The taxpayers resent their tax dollars being used to finance these experiments where no safeguards have been provided to insure that the methods used are painless, or that more humane, alternative procedures could not achieve the same research results.

I believe it is time for the Congress to help stop this barbaric cruelty. Therefore, I am introducing legislation today that would prohibit the departments and agencies of the Federal Government from using dogs in these experiments, causing needless suffering and inhumane treatment of these domestic animals.

I would hope that the Congress will respond swiftly to this problem, will accord my bill full and complete consideration, and will act to put an end to these practices which are so abhorrent to the American people. I will welcome the cosponsorship and support of my colleagues as this legislation receives consideration. And I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3559

A bill to prohibit the use of dogs in research and experiments conducted by departments, agencies, and instrumentalities of the United States when such use is likely to result in needless or excessive suffering by such dogs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds it is against the public policy of the United States to use dogs in scientific research or experiments when such use results in needless or excessive suffering by such dogs. It is the purpose of this Act to require all departments, agencies, and instrumentalities of the United States to comply with that policy.

SEC. 2. Section 14 of the Federal Laboratory Animal Welfare Act (7 U.S.C. 2138) is amended by inserting "(a)" immediately after "Sec. 14.", and by adding at the end of such section a new subsection as follows:

"(b) Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States may use any dog in any scientific, quasi-scientific, medical, or quasi-medical research or experiment if the use of such dog in such research or experiment is likely to result in needless or excessive suffering by such dog."

By Mr. RANDOLPH:

S. 3560. A bill to amend the Solid Waste Disposal Act so as to encourage to the greatest extent practicable the recovery of materials and energy from solid waste residues, to authorize regional solid waste system and resource recovery planning grants, to provide incentives for the recovery of resources from solid wastes, and for other purposes. Referred to the Committee on Public Works.

INTRODUCTION OF THE SOLID WASTE UTILIZATION ACT OF 1974

Mr. RANDOLPH. Mr. President, we are familiar with the major problems facing urban communities in the United States. A recent study conducted by the National League of Cities surveys these critical problems.

Mayors and councilmen throughout our country have ranked refuse and solid waste problems at the top of the list of 28 major problems facing urban areas throughout America. This concern is considered more significant than those of law enforcement, streets and highways, fiscal tax policies, and some 24 other major problems facing cities throughout the United States. Only in the West does refuse and solid waste rank behind law enforcement, relationships with the county, planning and zoning, downtown development, streets and highways, and public transit.

Nearly half of our cities, some 46.5 percent, anticipate running out of current landfill capacity between 1974 and 1978. Solid waste disposal is the third largest expenditure funded solely from local revenues.

The Environmental Protection Agency estimated that in 1971 about 125 million tons of municipal waste, or 3.2 pounds per person per day, were generated from residential and commercial sources.

In response to the problems, I introduce the Solid Waste Utilization Act of 1974. This measure establishes a national policy of encouraging the greatest practicable degree of recovery of resources and energy from solid waste. The bill also would require the environmentally safe disposal of solid waste residues. In the furtherance of this policy, the bill, in summary, contains the following provisions:

First. The Environmental Protection Agency would be required to promulgate standards for the disposal of solid waste from any municipality with a population of 2,500 or more. Such standards must prohibit all open dumping or open burning of solid waste and require compliance with provisions of the Clean Air Act and Federal Water Pollution Control Act. Similar standards would be required for the disposal of industrial, agricultural, and mineral solid wastes not collected by municipal systems.

Second. An authorization of $5 million each year is provided for technical assistance to States, municipalities, and regional solid waste planning agencies for the planning and installation of resource recovery systems, for the planning of hazardous waste management systems, and the implementation and operation of efficient conventional solid waste disposal systems.

Each metropolitan area and a surrounding territory of sufficient size to economically justify regional management would be required to have appropriate processes for regional planning of solid waste management, resource recovery, and hazardous waste disposal systems. The Governor, in accordance with Federal guidelines, would be required to designate regional planning agencies composed at least in part of local elected officials.

This provision is patterned after section 208 of the Federal Water Pollution Control Act. However, the planning entities designated under this provision also would be authorized to construct and operate resource recovery systems.

Third. The bill would provide loans to municipalties or regional agencies for resource, including energy, recovery systems. In addition, the Administrator would be authorized to guarantee loans made to private industry by lending institutions for the construction of resource and energy recovery systems. These loans and guarantees could be made until July 1, 1979, and would be repaid out of user charges after providing a reasonable rate of return on any private capital involved.

Fourth. The bill also seeks to provide markets for recovered resources by requiring Federal agencies to give preference in procurement to goods and materials manufacutred by recovered resources. Such goods and materials are eligible for purchase at an incentive price of up to 125 percent of the current market price for equivalent goods or materials. In addition, grants can be made for the establishment and operation of recycling centers.

Fifth. In order to assure a market for resource recovery, manufacturers of containers or manufacturers of primary materials such as aluminum, glass, plastic and steel, used in containers, are required to guarantee the purchase of all recov-

ered resources from containers recovered by resource recovery systems constructed with assistance under this act. Guarantees are for purchases at the prevailing market value or recovered resources meeting market specifications.

Sixth. Any State or political subdivision which receives assistance under the proposed act and in which such guarantees are provided, would be preempted from adopting or implementing any controls, taxes or deposits on containers. This preemption would prevent any such controls from placing an unreasonable burden on commerce or substantially altering the distribution system for containers or their contents.

Seventh. Conforming amendments are provided in the existing Solid Waste Disposal Act, including authority to make contracts for demonstration with any private organization or individual.

Eighth. For resource recovery demonstration system grants and contracts, $140 million is authorized for fiscal years 1975 and 1976. This is identical to the existing authorization under this section. In order to carry out the new provisions of the act, $200 million is authorized for each of fiscal years 1975, 1976, and 1977. Thus the total authorization in the bill, over 3 years, would be $880 million.

ANNOUNCEMENT OF HEARINGS

The Committee on Public Works will conduct hearings on this bill and other related measures on July 9, 10, and 11. The hearings will be held by the new Panel on Materials Policy which was established this week in our Subcommittee on Environmental Pollution.

The uncertainty and increasing cost of energy supplies has placed increased emphasis to the need to obtain maximum use and reuse of our dwindling nonrenewable natural resources. The Panel on Materials Policy, which I will chair, will deal exclusively with issues relating to resource management and materials policy and will be the focal point of Committee activities in this area.

Other members of the Panel are Senator EDMUND S. MUSKIE, chairman of the Subcommittee on Environmental Pollution, Senator LLOYD BENTSEN, Senator JOSEPH R. BIDEN, JR., Senator ROBERT T. STAFFORD, Senator JAMES A. MCCLURE, and Senator PETE V. DOMENICI.

In addition to the bill I introduce today, the July hearings will also consider S. 3549, the Energy Recovery and Resource Conservation Act, introduced by Senator MUSKIE; S. 3277, the Energy and Resource Recovery Act, introduced by Senator DOMENICI; and administration proposals in this field.

Prior to these hearings on legislative proposals, the Panel on Materials Policy, on June 11, will consider the report of the National Commission on Materials Policy. On the following day, June 12, representatives of the Environmental Protection Agency will appear to discuss issues associated with the disposal of hazardous wastes. State and local officials will testify before the panel on June 13 to review Federal-State relationships in the solid waste and resource recovery field.

Both of these sets of hearings will begin at 9:30 a.m. each day in room 4200, Dirksen Building.

MATERIALS POLICY

With enactment of the Resource Recovery Act of 1970—Public Law 91-512—the Congress also created (title II) the National Commission on Materials Policy "to enhance environmental quality and conserve materials." In recognition of the need to "utilize present resources and technology more efficiently and to anticipate future materials requirements of the Nation and the world," the Comision was asked to make recommendations "on the supply, use, recovery, and disposal of materials."

In the June 27, 1973, final report of the Commission, found that the goal of a national materials policy for the United States should be to—

First. Provide adequate energy and materials supplies to satisfy not only the basic needs of nutrition, shelter, and health, but a dynamic economy, without indulgence in waste;

Second. Rely on market forces as a prime determinant of the mix of imports and domestic production in the field of materials but at the same time decrease and prevent wherever necessary a dangerous or costly dependence on imports;

Third. Accomplish the foregoing objectives while protecting or enhancing the environment in which we live;

Fourth. Conserve our natural resources and environment by treating waste materials as resources and returning them either to use or, in a harmless condition, to the ecosystem; and

Fifth. Institute coordinated resource policy planning which recognizes the interrelationship among materials, energy, and the environment.

In summary, the United States needs a national materials policy which recognizes the need for simultaneous achievement of energy, materials, and environmental policies. The economy and the environment do not represent polar interests; rather, they are part of the same system.

Three basic policy directives evolved from the Commission's deliberations geared toward "meeting the challenges of securing a sufficient supply of materials while managing and conserving the physical basis of our national life":

Strike a balance between the "need to produce goods" and the "need to protect the environment" by modifying the materials system so that all resources, including environmental, are paid for by users.

Strive for an equilibrium between the supply of materials and the demand for their use by increasing primary materials production and by conserving materials through accelerated waste recycling and greater efficiency of use of materials.

Manage materials policy more effectively by recognizing the complex interrelationships of the materials—energy—environment system so that laws, Executive orders, and administrative practices reinforce policy and not counteract it.

The Commission considered resource recovery among the highest national priorities and encouraged the Congress and the executive branch to establish recycling as an explicit national goal.

ENERGY CONSERVATION

Recent concerns for the adequacy of United States energy supplies and environmental quality have focused attention on the conservation of natural resources as well as energy and on the effects of the use of these resources on the environment. Faced with continued growth in the consumption of energy and materials and the generation of waste, attention is presently being directed to the conservation of energy and the improvement on current energy and materials uses and effective management practices.

Mr. President, significant savings in energy consumption can be made through better solid waste management and resource recovery methods. Energy conservation is possible through four means; source reduction, energy recovery, recycling, and improved collection. The potential savings in energy consumption through improved solid waste management was recently discussed in a paper by Robert A. Lowe of the Environmental Protection Agency Office of Solid Waste Management Programs. Through a combination of source reduction, recycling, and improved collection there is an estimated national energy savings equivalent to some 521,000 barrels of oil per day.

By comparison, this is equal to: 7 percent of all the fuel consumed by utilities in 1970; 14 percent of all the coal consumed by utilities in 1970; 35 percent of the oil projected to be delivered through the Alaskan pipeline; 5½ percent of the crude oil imported directly from the Middle East in September 1973; or 1.5 percent of all energy consumed in the United States in 1970.

These four energy conservation opportunities can be developed if they are properly reflected in a solid waste management plan which considers the flow of materials through our economy from the point of acquisition of material resources through processing and manufacturing, to product use, and ultimate waste disposal.

HAZARDOUS WASTE DISPOSAL

With enactment of the Resource Recovery Act of 1970, the Congress recognized the need for establishment of a national system for the storage and disposal of hazardous wastes. In its 1974 mental Protection Agency concluded that—

> The management of the Nation's hazardous residues—toxic chemical, biological, radioactive, flammable, and explosive wastes—its generally inadequate; numerous case studies demonstrate that public health and welfare are unnecessarily threatened by the uncontrolled discharge of such waste materials into the environment.

Mr. President, the technology is available to treat most of these hazardous wastes by physical, chemical, thermal, or biological methods, and for disposal of the resultant residues. According to the EPA, the chief programatic requirement to bring adequate management of hazardous wastes is the creation of demand and an adequate capacity for treatment and disposal of such wastes. A national policy on hazardous waste management is needed, taking into consideration environmental protection, equitable distribution of costs among sources, and recovery of waste material.

To insure adequate protection of public health and the environment, a regu-

latory approach is deemed best for achievement of such a material hazardous waste management policy.

The EPA concluded in its report to the Congress that:

(1) a hazardous waste management problem exists and its magnitude is increasing; (2) the technical means to solve the problem exist for most hazardous waste but are costly in comparison with present practices; (3) the legislative and economic incentives for using available technology are not sufficient to cause environmentally adequate treatment and disposal in most cases; (4) the most effective solution at least direct cost to the public is a program for the regulation of hazardous waste treatment and disposal; (5) a private hazardous waste management service industry exists and is capable of expanding under the stimulus of a regulatory program; (6) because of inherent uncertainties, private sector response cannot be definitely prescribed; (7) several alternatives for Government action are available, but, based on analyses to date, EPA is not convinced that such actions are needed.

For the reasons set forth in this study the proposed Solid Waste Utilization Act of 1974 contains provisions for the development of regional hazardous waste disposal systems as well as solid waste management and resource recovery systems.

I ask unanimous consent that the summary and conclusions of the 1974 report of the Environmental Protection Agency to the Congress on the disposal of hazardous wastes be printed in the RECORD at this point.

There being no objection, the summary and conclusions were ordered to be printed in the RECORD, as follows:

SUMMARY AND CONCLUSIONS

The management of the Nation's hazardous residue—toxic chemical, biological, radioactive, flammable, and explosive wastes—is generally inadequate; numerous care studies demonstrate that public health and welfare are unnecessarily threatened by the uncontrolled discharge of such waste materials into the environment

From surveys conducted during this program, it is estimated that the generation of nonradioactive hazardous wastes is taking place at the rate of approximately 10 million tons yearly. About 40 percent of these wastes by weight is inorganic material and about 60 percent is organic; about 90 percent occurs in liquid or semiliquid form.

Hazardous waste generation is growing at a rate of 5 to 10 percent annually as a result of a number of factors: increasing production and consumption rates, bans and consumption rates, bans and cancellations of toxic substances, and energy requirements (which lead to radioactive waste generation at higher rates).

Hazardous waste disposal to the land is increasing as a result of air and water pollution controls (which capture hazardous wastes from other media and transfer them to land) and denial of heretofore accepted methods of disposal such as ocean dumping.

Current expenditures by generators for treatment and disposal of such wastes are low relative to what is required for adequate treatment and disposal. Ocean dumping and simple land disposal costs are on the order of $3 per ton whereas environmentally adequate management could require as much as $60 per ton if all costs are internalized.

Federal, State, and local legislation and regulations dealing with the treatment and disposal of nonradioactive hazardous waste are generally spotty or nonexistent At the Federal level, the Clean Air Act; the Federal Water Pollution Control Act; and the Marine Protection, Research, and Sanctuaries Act provide control authority over the incineration, and water and ocean disposal of certain hazardous wastes but not over the land disposal of residues. Fourteen other Federal laws deal in a peripheral manner with the management of hazardous wastes. Approximately 25 States have limited hazardous waste regulatory authority.

Given this permissive legislative climate, generators of waste are under little or no pressure to expend resources for the adequate management of their hazardous wastes. There is little economic incentive (e.g., the high costs of adequate management compared with costs of current practice) for generators to dispose of wastes in adequate ways.

Technology is available to treat most hazardous waste streams by physical, chemical, thermal, and biological methods, and for disposal of residues. Use of such treatment and disposal processes is costly, ranging from a low of $1.40 per ton for carbon sorption, $10 per ton for neutralization/precipitation, and $13.60 per ton for chemical oxidation to $95 per ton for incineration. Several unit processes are usually required for complete treatment and disposal of a given waste stream. Transfer and adaptation of existing technology to hazardous waste management may be necessary in some cases. Development of new treatment and disposal methods for some wastes (e.g., arsenic trioxide and arsenites and arsenates of lead, sodium, zinc, and potassium) is required. In the absence of treatment processes, interim storage of wastes on land is possible using methods that minimize hazard to the public and the environment (e.g., secure storage and membrane landfills).

A small private hazardous waste management industry has emerged in the last decade offering treatment and disposal services to generators. The industry currently has capital investments of approximately $25 million and a capacity to handle about 2.5 million tons of hazardous materials yearly, or 25 percent of capacity required nationally. However, the industry's current throughput of hazardous waste is about 24 percent of installed capacity, or 6 percent of the national total. The low level of utilization of this industry's services results from the absence of regulatory and economic incentives for generators to manage their hazardous wastes in an environmentally sound manner. This industry could respond over time to provide needed capacity if a national program for hazardous waste management, with strong enforcement capabilities, was created. This industry would, of course, be subject to regulation also.

The chief programmatic requirement to bring about adequate management of hazardous wastes is the creation of demand and adequate capacity for treatment and disposal of hazardous wastes. A national policy on hazardous waste management should take into consideration environmental protection, equitable cost distribution among generators, and recovery of waste materials.

A regulatory approach is best for the achievement of hazardous waste management objectives. Such an approach ensures adequate protection of public health and the environment. It will likely result in the creation of treatment and disposal capacity by the private sector without public funding. It will result in the mandatory use of such facilities. Costs of management will be borne by those who generate the hazardous wastes and their customers rather than the public at large, thus, cost distribution will be equitable. Private sector management of the wastes in a competitive situation can lead to an appropriate mix of source reduction, treatment, resource recovery, and land disposal.

A regulatory program will not directly create a prescribed system of national disposal sites because of uncertainties inherent in the private sector response. EPA believes that the private sector will respond to a regulatory program. However, full assurance cannot be given that treatment and disposal facilities will be available in a timely manner for all regions of the Nation nor that facility use charges will be reasonable in relation to cost of services. Also, private enterprise does not appear well suited institutionally to long-term security and surveillance of hazardous waste storage and disposal sites.

Given analyses performed to date, EPA believes that no Government actions to limit the uncertainties in private sector response are appropriate at this time. However, if private capital flow was very slow and adverse environmental effects were resulting from the investment rate, indirect financial assistance in forms such as loans, loan guarantees, or investment credits could be used to accelerate investment. If facility location or user charge problems arose, the Government could impose a franchise system with territorial limits and user charge rate controls. Long-term care of hazardous waste storage and disposal facilities could be assured by mandating use of Federal or State land for such facilities.

EPA studies indicate that treatment and disposal of hazardous wastes at central processing facilities are preferable to management at each point of generation, in most cases, because of economies of scale, decreased environmental risk, and increased opportunities for resource recovery. However, other forces may deter creation of the "regional processing facility" type of system. For example, the pending effluent limitation guidelines now being developed under authority of the Federal Water Pollution Control Act may force each generator to install water treatment facilities for both hazardous and nonhazardous aqueous waste streams. Consequently, the absolute volume of hazardous wastes requiring further treatment at central facilities may be reduced and the potential for economies of scale at such facilities may not be as strong as it is currently.

Given these uncertainties, several projections of future events can be made. Processing capacity required nationally was estimated assuming complete regulation, treatment, and disposal of all hazardous wastes at the earliest practicable time period. Estimates were based on a postulated scenario in which approximately 20 regional treatment and disposal facilities are constructed across the Nation. Of these, 5 would be very large facilities serving major industrial areas, each treating 1.3 million tons annually, and 15 would be medium-size facilities, each treating 160,000 tons annually. An estimated 8.5 million tons of hazardous wastes would be treated and disposed of away from the point of generation (off site); 1.5 million tons would be pretreated by generators on site, with 0.5 million tons of residues transported to off-site treatment and disposal facilities for further processing. Each regional processing facility was assumed to provide a complete range of treatment processes capable of handling all types of hazardous wastes; and, therefore, each would be much more costly than existing private facilities.

Capital requirements to create the system described are approximately $940 million. Average annual operating expenditures (including capital recovery and operating costs) of $620 million would be required to sustain the program. These costs are roughly estimated to be equivalent to 1 percent of the value of shipments from industries directly impacted. In addition, administrative expenses of about $20 million annually for Federal and State regulatory programs would be necessary. For the reasons stated earlier, however, capacity and capital requirements for a national hazardous waste management system may be smaller than indicated and more in line with the capacity and capital availability of the existing hazardous waste management industry.

In summary, the conclusions of the study are that (1) a hazardous waste management

problem exists and its magnitude is increasing; (2) the technical means to solve the problem exist for most hazardous waste but are costly in comparison with present practices; (3) the legislative and economic incentives for using available technology are not sufficient to cause environmentally adequate treatment and disposal in most cases; (4) the most effective solution at least direct cost to the public is a program for the regulation of hazardous waste treatment and disposal; (5) a private hazardous waste management service industry exists and is capable of expanding under the stimulus of a regulatory program; (6) because of inherent uncertainties, private sector response cannot be definitely prescribed; (7) several alternatives for Government action are available, but, based on analyses to date, EPA is not convinced that such actions are needed.

EPA has proposed legislation to the Congress that is intended both to fulfill the purposes of Section 212 of the Solid Waste Disposal Act as amended and to carry out the recommendations of this report. The proposed Hazardous Waste Management Act of 1973 would authorize a regulatory program for treatment and disposal of EPA-designated hazardous wastes; the States would implement the program subject to Federal standards in most cases. All studies performed in response to Section 212 will be completed in time to serve as useful input to congressional consideration of our legislative proposal.

NATIONAL MATERIALS POLICY ISSUES

Mr. RANDOLPH. Resource recovery from solid wastes represents a major and virtually untapped source of materials at a time when we are faced with emerging supply-demand deficits. It is becoming increasingly difficult for the United States to satisfy its growing demand for raw materials from virgin materials, even at increasing prices. In the majority of cases the gap between the U.S. requirements for basic materials and the remaining easily accessible world supplies is continuing to widen.

A 1972 report of the National Academy of Engineering, National Academy of Science, indicated that, except for a short period during World War I, when the United States was a net exporter of minerals, until shortly before World War II, we have imported far more minerals than we have exported. Demands have increasingly been satisfied by the import of raw materials. In 1970, this amounted to a balance-of-payments deficit of about $4 billion. If the trends of the last 20 years continue, by the year 2000 this deficit could grow to over $60 billion per year.

Some 20 minerals are involved, including such key minerals as chromimum, aluminum, nickel, and zinc. Supplies of many of these vital minerals are controlled by a handful of countries. For example, 80 percent of the world's export supply of copper is controlled by four countries and 98 percent of the U.S. imports of tin are controlled by Malaysia, Thailand, and Bolivia.

Even before the recent oil embargo, many experts were expressing concern about the U.S. vulnerability to group action by producing countries of other basic minerals. Whether these countries could impose the same pressures as the oil producers is subject to debate. I ask unanimous consent that a table be printed in the RECORD at this point to indicate the percentage of U.S. mineral requirements imported during 1972.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Percentage of U.S. mineral requirements imported during 1972. Data derived from Mining and Minerals Policy 1973, a report by the Secretary of the Interior to the Congress

Mineral, Percentage Imported, and Major Foreign Sources

Platinum group metals, 100, U.K., U.S.S.R., South Africa, Canada, Japan, Norway.
Mica (sheet), 100, India, Brazil, Malagasy.
Chromium, 100, U.S.S.R., South Africa, Turkey.
Srontium, 100, Mexico, Spain.
Cobalt, 98, Zaire, Belgium, Luxembourg, Finland, Canada, Norway.
Tantalum, 97, Nigeria, Canada, Zaire.
Aluminum (ores and metals), 96, Jamaica, Surinam, Canada, Australia.
Manganese, 95, Brazil, Gabon, South Africa, Zaire.
Fluorine, 87, Mexico, Spain, Italy, South Africa.
Titanium (rutile), 86, Australia.
Asbesto, 85, Canada, South Africa.
Tin, 77, Malaysia, Thailand, Bolivia.
Bismuth, 75, Mexico, Japan, Peru, U.K., Korea.
Nickel, 74, Canada, Norway.
Columbium, 67, Brazil, Nigeria, Malagasy, Thailand.
Antimony, 65, South Africa, Mexico, U.K., Bolivia.
Gold, 61, Canada, Switzerland, U.S.S.R.
Potassium, 60, Canada.
Mercury, 58, Canada, Mexico.
Zinc, 52, Canada, Mexico, Peru.
Silver, 44, Canada, Peru, Mexico, Honduras. Australia.
Barium, 43, Peru, Ireland, Mexico, Greece.
Gypsum, 39, Canada, Mexico, Jamaica.
Selenium, 37, Canada, Japan, Mexico, U.K.
Tellurium, 36, Peru, Canada.
Vanadium, 32, South Africa, Chile, U.S.S.R.
Petrolum (includes liquid natural gas), 29, Central and South America, Canada, Middle East.
Iron, 28, Canada, Venezuela, Japan, Common Market (EEC).
Lead, 26, Canada, Australia, Peru, Mexico.
Cadmium, 25, Mexico, Australia, Belgium, Luxembourg, Canada, Peru.
Copper, 18, Canada, Peru, Chile.
Titanium (ilmenite), 18, Canada, Australia.
Rare earths, 14, Australia, Malaysia, India.
Pumice, 12, Greece, Italy.
Salt, 7, Canada, Mexico, Bahamas.
Cement, 5, Canada, Bahamas, Norway.
Magnesium (nonmetallic), 8, Greece, Ireland.
Natural gas, 9, Canada.
Rhenium, 4, West Germany, France.
Stone, 2, Canada, Mexico, Italy, Portugal.

Mr. RANDOLPH. Mr. President, many of these imported minerals have their end in the solid waste stream. Resource recovery offers the potential for returning large fractions of many of these imported minerals into the raw materials supply system. Accomplishment of this objective will require the formulation of a comprehensive national materials and environmental policy. The Solid Waste Utilization Act of 1974, which I introduce today, builds on the policy set forth in the Resource Recovery Act of 1970 toward the eventual creation of such a national materials policy keyed to resource recovery.

Mr. President, I ask unanimous consent that the text of the Solid Waste Utilization Act of 1974 be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections in accordance with the following table of contents, may be cited as the "Solid Waste Utilization Act of 1974."

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DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the national policy to encourage to the greatest extent practicable the recovery of resources, including energy from solid waste. In the furtherance of this policy, it is the objective of this Act—

(a) to prohibit all open burning or open dumping of solid waste;

(b) to provide technical assistance and financial assistance for the construction of resource recovery systems;

(c) to require the planning of solid waste management systems, resource recovery systems, and hazardous waste disposal systems on a regional basis;

(d) to enhance markets for recovered resources through (1) a preference in Federal procurement policies for goods or materials containing recovered resources and (2) the authorization of payment of those additional procurement costs associated with such goods or materials; and

(e) to require a market for all resources recovered from containers which are guaranteed by the manufacturers of such containers or the manufacturers of the primary materials from which such containers are produced.

SEC. 3. The Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970 (84 Stat. 1230), is amended by inserting after section 212 the following new sections and renumberng succeedng sectons accordingly:

"SOLID WASTE DISPOSAL STANDARDS

"SEC. 213. (a) The Administrator shall, within one hundred and eighty days after the enactment of the Solid Waste Utilization Act of 1974, promulgate solid waste disposal standards, including methods and operational procedures, for the disposal, including storage.

Such standards shall apply (1) to the disposal, including storage, of all industrial solid waste not collected by any municipal solid waste management system, (2) to the disposal of solid waste from any municipality which has a population greater than

2,500, and (3) to the disposal of agricultural and mineral solid wastes not collected by any municipal solid waste management system.

"(b) Such standards, at the minimum, shall require—

"(1) the prohibition of all open burning or open dumping of solid wastes;

"(2) compliance with effluent limitations, schedules or timetables for compliance or other requirements established under an implementation plan pursuant to section 110 of the Clean Air Act, as amended (84 Stat. 1680), or any new source standard of performance promulgated under section 111 of such Act;

"(3) compliance with any effluent limitation or condition of a permit under the Federal Water Pollution Control Act, as amended (86 Stat. 816), and any requirement for area-wide sources established under section 208 of such Act; and

"(4) consideration of the total impact of such disposal on (A) the environment, including groundwaters, and (B) any established or proposed land use plans for the effected area.

"(C) In order to provide for the enforcement of standards promulgated under this section, after the effective date of such standards each system for the disposal of solid waste shall be deemed a point source within the meaning of the Federal Water Pollution Control Act, as amended (86 Stat. 816), and shall be required to obtain a permit in accordance with section 402 of such Act.

"TECHNICAL ASSISTANCE

"SEC. 214. (a) In carrying out the purposes of this Act, the Administrator is authorized to provide technical assistance to States, municipalities, and agencies designated pursuant to section 215 of this Act, to facilitate—

"(1) the planning and implementation of resource recovery systems, including systems intended to recover significant amounts of energy from municipal solid waste;

"(2) the implementation and operation of efficient conventional solid waste management systems;

"(3) the planning and implementation of solid waste management systems for the disposal of solid waste residues resulting from air pollution control and water pollution control requirements of Federal, State, or local government agencies; and

"(4) the planning and implementation of solid waste managements systems for the disposal, including storage, of hazardous wastes.

"(b) Such assistance shall include, but not be limited to, project planning and feasibility studies, management and operational assistance, the provision of expert consultation, and the dissemination of technical information. Such assistance may be provided through (1) personnel of the Environmental Protection Agency, including detail of such personnel to an agency eligible for assistance under this section, (2) the payment of funds authorized for this section to other departments or agencies of the Federal Government, (3) the employment of private individuals, partnerships, corporations, or suitable institutions under contracts entered into for such purposes, or (4) grants-in-aid to such State, municipality or intermunicipality agency designated pursuant to section 215 of this Act.

"(c) Of the funds authorized in Section 222 of this Act for each fiscal year beginning after June 20, 1974, $5,000,000 shall be available to carry out clause (a)(2) of this section.

"REGIONAL SOLID WASTE MANAGEMENT AND RESOURCE RECOVERY SYSTEM PLANNING

"SEC. 215. (a) For the purpose of encouraging and facilitating the development and implementation of regional solid waste management system, resource recovery system, and hazardous waste disposal system planning—

"(1) The Administrator, within ninety days after the date of enactment of the Solid Waste Utilization Act of 1974 and after consultation with appropriate Federal, State, and local authorities, shall by regulation publish guidelines for the identification of those solid waste management areas which, as a result of urban-industrial concentrations or other factors, are appropriate planning units for the establishment of regional solid waste management systems, resource recovery systems, and hazardous waste disposal systems, and the siting of facilities for intermunicipal systems. Each such area shall contain at least one urban center and the maximum surrounding territory which can be identified with such urban center by trading patterns, labor markets, geographic features, political boundaries, or other factors associated with the more efficient solid waste management and with the facilitation of more economic recovery of resources from solid wastes.

"(2) The Governor of each State, within sixty days after publication of the guidelines issues pursuant to paragraph (1) of this subsection, shall identify each solid waste management area within the State which, complies with such guidelines. Not later than one hundred and twenty days following such identification and after consultation with appropriate elected and other officials of local governments having jurisdiction in such areas, the Governor shall designate (A) the boundaries of each such area, and (B) a single representative organization, including elected officials from local governments, or their designees, capable of developing effective regional solid waste management, resource recovery, and hazardous waste disposal system plans for such area. The Governor in the same manner at any later time may identify any additional area (or modify an existing area) for which he determines regional planning to be appropriate and designate the boundaries of such area, and may designate an organization capable of developing effective regional plans for such area.

"(3) With respect to any solid waste management area which, pursuant to the guidelines published under paragraph (1) of this subsection, is located in two or more States, the Governors of the respective States shall consult and cooperate in carrying out the provisions of paragraph (2) of this subsection, with a view toward (A) designating the boundaries of such interstate solid waste management area for the purpose of developing the most effective regional solid waste management, resource recovery, and hazardous waste disposal system plans, and (B) designating, within one hundred and eighty days after publication of guidelines issued pursuant to paragraph (1) of this subsection, a single representative organization capable of developing effective regional plans for such area.

"(4) If a Governor does not act, either by designating or determining not to make a designation of a solid waste management area under paragraph (2) of this subsection within the time required by such paragraph or if, in the case of an interstate solid waste management area, the Governors of the States involved do not designate a planning organization within the time required by paragraph (3) of this subsection, the chief elected officials of local governments within an area may be agreement designate (A) the boundaries of such an area, and (B) single representative organization including elected officials from such local governments, or their designees, capable of developing a regional plans for such area.

"(5) Existing regional agencies may be designated under paragraphs (2), (3), and (4) of this subsection.

"(6) Designations under this subsection shall be subject to the approval of the Administrator.

"(b)(1) Within one year after the date of designation of any organization under subsection (a) of this section such organization shall have in operation a continuing regional solid waste management, resource recovery, and hazardous waste disposal system planning process consistent with section 213 of this Act. Plans prepared in accordance with this process shall contain alternatives for solid waste management, resource recovery, and hazardous waste disposal and shall be applicable to all solid wastes generated within the area involved. The initial plan prepared in accordance with such process shall be certified by the Governor and submitted to the Administrator not later than two years after the planning process is initiated.

"(2) Any plan for a solid waste management area prepared under such planning process shall include, but not be limited to—

"(A)(i) the identification of solid waste management, resource recovery, and hazardous waste disposal needs over five-, ten-, and twenty-year periods, updated every three years, including public and private facilities, and any requirements for the acquisition of land and (ii) a program to provide the necessary financial arrangements to meet such needs;

"(B) the establishment of construction priorities for such systems or facilities and time schedules for their initiation and completion;

"(C) the establishment of a regulatory program to regulate the location, modification, and construction of any facilities;

"(D) the identification of those agencies necessary to construct, operate, and maintain all facilities required by the plans and to otherwise carry out the plans;

"(E) the identification of the measures necessary to carry out the plans including (i) financing, (ii) the period of time necessary to carry out the plans, (iii) the costs of carrying out the plans within the time period specified, and (iv) the economic, social and environmental impact of carrying out the plans within such time period; and

"(F) provisions to assure compliance with section 213 of this Act.

"(3) Solid waste management, resource recovery, and hazardous waste disposal system plans shall be certified annually by the Governor or his designee (for Governors or their designees, where more than one State is involved) as being consistent with applicable statewide policies. Such plans shall be submitted to the Administrator for his approval.

"(c)(1) The Governor of each State, in consultation with the planning agency designated under subsection (a) of this section, at the time any plan is submitted to the Administrator, shall designate one or more management agencies (which may be an existing or newly created local, regional, or State agency or political subdivision) for each solid waste management area designated under subsection (a) of this section and submit such designations to the Administrator.

"(2) The Administrator shall accept any such designation, unless, within one hundred and twenty days of such designation, he finds that the designated management agency (or agencies) does not have adequate authority—

"(A) to carry out appropriate portions of regional plans developed under subsection (b) of this section;

"(B) to manage effectively related facilities serving such area in conformance with any plan required by subsection (b) of this section;

"(C) directly or by contract, to design and construct new systems or facilities, and to operate and maintain new and existing systems or facilities, as required by any plan developed pursuant to subsection (b) of this section;

"(D) to accept and utilize grants, or other funds from any source, for these purposes;

"(E) to raise revenues, including the assessment of solid waste collection or disposal charges;

"(F) to incur short- and long-term indebtedness;

"(G) to assure in implementation of such plans that each participating municipality pays and receives proportionate share of costs and revenues;

"(H) to refuse to receive any wastes from any municipality which does not comply with any provisions of an approved plan under this section applicable to such area; and

"(I) to accept solid wastes from industrial sources.

"(d) After a management agency having the authority required by subsection (c) of this section, has been designated pursuant to such subsection for an area and a plan for such area has been approved pursuant to subsection (b) of this section, the Administrator shall not make any grant or loan under this Act within such area except to such designated agency and for systems or facilities in conformity with such plan.

"(e) No permit under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 816), shall be issued for any point source which is in conflict with a plan approved pursuant to subsection (b) of this section.

"(f)(1) The Administrator shall make grants to any planning agency designated under subsection (a) of this section for payment of the reasonable costs of developing and operating a continuing planning process under subsection (b) of this section.

"(2) The amount granted to any agency under paragraph (1) of this subsection shall be 100 per centum of the costs of developing and operating a continuing planning process under subsection (b) of this section for each of the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977, and shall not exceed 75 per centum of such costs in each succeeding fiscal year.

"(3)(A) Each applicant for a grant under this subsection shall submit to the Administrator for his approval each proposal for which a grant is applied for under this subsection. The Administrator shall act upon such proposal as soon as practicable after it has been submitted, and his approval of that proposal shall be deemed a contractual obligation of the United States for the payment of its contribution to such proposal.

"(B) There is authorized to be appropriated to carry out this subsection not to exceed $50,000,000 for the fiscal year ending June 30, 1975, not to exceed $75,000,000 for the fiscal year ending June 30, 1976, and not to exceed $100,000,000 for the fiscal year ending June 30, 1977.

"LOANS AND LOAN GUARANTEES FOR RECOVERY SYSTEMS

"SEC. 216. (a) The Administrator is authorized to purchase evidences of indebtedness and to make loans (which for purposes of this section shall include participation in loans) to municipalities or agencies designated pursuant to section 215 of this Act to aid in financing any project in connection with a resource or energy recovery system serving all or a substantial part of the recipient's jurisdiction.

"(b) The Administrator is authorized to guarantee loans made to private borrowers by private lending institutions in connection with a resource, including energy, recovery system serving all or a substantial part of the jurisdiction of the municipality or regional agency designated pursuant to section 214 of this Act in which it is located.

"(c) Funds loaned or the repayment of which is guaranteed under this section shall be used for the purchase or development of land and facilities (including machinery and equipment) and for working capital necessary for a resource or energy recovery system, and shall not be used for operation or maintenance of any element in such system after an initial start-up period.

"(d) Loans and loan guarantees under this section shall be made upon such terms and conditions as the Administrator may by regulation prescribe: *Provided, however,* that no such guarantee shall at any time exceed 90 per centum of the amount of the outstanding unpaid balance of such indebtedness.

"(e) No loan or loan guarantee under this Act shall be made after July 1, 1979.

"(f) Loan guarantees under this section shall be made only after the Administrator determines that the resource, including energy, recovery system being financed is consistent with the plans established pursuant to section 215 of this Act.

"(g) Loans made and loans guaranteed under this section shall be repaid out of charges paid by the users of the solid waste disposal system or from recovered resources, including energy, after the owner or operator of such system receives out of such charges and proceeds the costs of operating and maintaining such system and a reasonable rate of return, as determined by the Administrator.

"MARKETS FOR RECOVERED RESOURCES

"SEC. 217. (a)(1) Each Federal agency which procures goods, materials, or energy for its own use or for the use of other government agencies, whether through advertisements for bids or through any other process of procurement, shall give preference to the purchase of energy and of goods and materials manufactured in whole or in part from or with recovered resources, and shall give additional preference to the purchase of goods and materials manufactured with the greatest proportion of recovered resources among competing items.

"(2) The Administrator, in cooperation with the Administrator of General Services, within 60 days after the enactment of this section shall publish guidelines for the use of Federal agencies in carrying out the requirements of paragraph (1) of this subsection. Such guidelines may provide that a minimum percentage of each agency's procurement be set aside for the purchase of recovered resources, including energy, or that certain classes or categories of goods or materials procured for use by any Federal agency contain at least a minimum percentage of recovered resources.

"(3) In order to encourage the development of stable markets for recovered resources, during the five full fiscal years following enactment of this section, any Federal agency may purchase recovered resources, including energy or goods and materials manufactured with a substantial use of recovered resources at a price no more than 125 per centum of the current market price for equivalent goods or materials purchased without regard to the requirements of this subsection; *Provided, however,* that when a purchase of a single item, or a class or category of items, is being made from among competing suppliers where the percentage of recovered resources is essentially the same, the purchase shall be so as to be to the greatest advantage to the Government.

"(4) The provisions of subsection apply to the procurement of energy or materials necessary for the production of energy.

"(b) The Administrator is authorized to make grants to any State, municipality, agency designated pursuant to section 215 of this Act, or private non-profit organization serving all of an area designated pursuant to section 215 of this Act for the establishment and operation of centers for the collection of solid waste from which recyclable containers or other recoverable resources may be recovered. Such grants shall be made in cases where the concentration of such materials in such centers makes economical the recovery of resources, including energy, or the transportation of such materials under circumstances which otherwise would not be economically feasible.

"RESPONSIBILITIES OF PRIMARY PRODUCERS AND PACKAGING AND CONTAINER MANUFACTURERS

"SEC. 218. (a) In order to assure the development of markets for recovered resources, (1) a manufacturer of primary materials from which containers are manufactured, including but not limited to aluminum, glass, paper, plastic and steel, or (2) a manufacturer of containers, directly or through contract with manufacturers of such primary materials, shall as a condition of entering such containers into interstate commerce guarantee purchase of all recovered resources from containers recovered from resource recovery systems constructed under section 208 or section 216, if requested to do so by the Administrator. Such guarantee shall be for the purchase at prevailing market value (at the primary manufacturer's place of business or at the appropriate resource recovery system) of recovered resources that meet market specifications. Such guarantees shall be made in accordance with regulations promulgated by the Administrator. In such regulations the Administrator shall provide for the consideration of the manufacturer's contribution to the total container market, the chemical or metallurgical capacity of such manufacturer's production process to utilize such recovered resources, and any other factor affecting such manufacturer's ability to utilize such recovered resources or otherwise guarantee utilization of such recovered resources.

"(b) No State or political subdivision thereof which receives assistance under this Act, or in which funds under this Act are expended, may adopt or enforce any restrictions, prohibitions, taxes, fees, deposits or other controls on the manufacture or sale of containers based on the disposal characteristics of such containers, when such restriction, prohibition, tax, fee, deposit or other control would place an unreasonable burden on interstate commerce or substantially alter or modify the distribution system for containers or their contents in such area. This subsection shall apply only in jurisdiction where the guarantees required by subsection (a) of this section are provided and in cases where the facilities for collection and recovery of resources from such containers are present in such State.

SEC. 4. (a) Subsection (a) of section 208 of the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970 (84 Stat. 1230), is amended by inserting after "agency" the words ", and contracts with any private organization or individual,".

(b) Section 208 of the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970 (84 Stat. 1230), is amended by inserting "or contract" after "grant" wherever it appears and by inserting "or contracts" after "grants" wherever it appears.

(c) Subsection (b) of section 208 of the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970 (84 Stat. 1230), is amended by adding at the end thereof the following new paragraph:

"(c) Grants or contracts under this section shall encourage the demonstration of new resource recovery systems and components thereof and the demonstration of the replicability or applicability of such systems under varying conditions of size, location, and other factors."

SEC. 5. Section 203 of the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970 (84 Stat. 1228), is amended by adding at the end thereof the following new paragraph:

"(11) The term "container" means the immediate container or package used for the transport and delivery of any commodity to household consumers, but does not in-

clude any container or package in which such immediate container or package is placed for display or for other purposes nor any box, carton, or other container in which one or more such immediate containers or packages are shipped."

"Sec. 222. (a) There are authorized to be posal Act (as so redesignated by section 3 of this Act) is amended to read as follows:

"Sec. 222 (a). There are authorized to be appropriated to carry out the provisions of this Act, other than section 208, not to exceed $200,000,000 for each of the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

"(b) There are authorized to be appropriated to carry out section 208 of this Act not to exceed $140,000,000 for each of the fiscal years ending June 30, 1975, and June 30, 1976."

ADDITIONAL COSPONSORS OF A BILL

S. 3357

At the request of Mr. BURDICK, the Senator from Arizona (Mr. GOLDWATER) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 3357, to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, and for other purposes.

DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1975—AMENDMENTS

AMENDMENTS NOS. 1368 THROUGH 1370

(Ordered to be printed, and to lie on the table.)

Mr. PROXMIRE submitted three amendments, intended to be proposed by him, to the bill (S. 3000) to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads, and for other purposes.

NOTICE OF HEARINGS ON COAL SLURRY PIPELINES

Mr. JACKSON. Mr. President, on April 9, I introduced legislation designed to facilitate the construction of coal slurry pipelines—(amendment 1175 to S. 2652). I wish to inform all Senators and the public that on June 11, the Committee on Interior and Insular Affairs will hold a hearing on my proposal.

It is increasingly clear that coal slurry pipelines are going to be needed to move the coal required to meet our energy needs. My proposal would do two things. First, it would amend the law governing issuance of rights-of-way over Federal lands for oil and gas pipelines. The existing law was recently updated by the Congress in connection with its consideration of the trans-Alaska pipeline and is found in title I of the Act of November 16, 1973. Thus, the most modern and environmentally responsible Federal law would apply to coal slurry pipelines on Federal lands.

Second, my proposal would give a right of eminent domain over private property to the operator of a coal slurry pipeline, if the Secretary of the Interior makes certain findings with respect to the pipeline involved.

Anyone wishing more information should call Mike Harvey of the committee staff—225–1076. The hearing will begin at 10 a.m. in room 3110, Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

REQUEST THAT SUPREME COURT FORGO ITS RECESS

Mr. MANSFIELD. Mr. President, I have today, written a letter to Chief Justice Warren E. Burger, requesting that the Supreme Court forgo its 4-month recess, beginning on Monday next. If the Court goes out on Monday next, it will not return, under its usual procedure, until October 1, which would create a 4-month interregnum.

It is my very strong belief that, in these troubled times, the Supreme Court should stay in session throughout this period, as the Congress and the President will, so that any matters which come before it for adjudication, could be considered on a reasonably expeditious basis and not postponed until the return of the Court on October 1.

In other words, I believe the Supreme Court, in these troublous times, should stay in session during the 4-month period that it usually recesses so that there will be no unconscionable delays in consideration of Watergate or related matters which might be placed before it. Like the President I want to see Watergate behind us as soon as possible, but I feel that before this can be done, both the Congress and the Judiciary, including the Supreme Court, must remain in session to face up to their awesome responsibilities.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter to Chief Justice Warren E. Burger, dated May 31, 1974.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., May 31, 1974.

Hon. WARREN E. BURGER,
Chief Justice, Supreme Court of the United States, Washington, D.C.

DEAR MR. CHIEF JUSTICE: In view of the troubled times which confront our nation today and the possible need for the services of the Supreme Court over the next four-month period, I would most respectfully request that you consider the possibility of the Court remaining in session during that period.

The reason is, if, in view of the troubled times which confront us, the Court is called upon for action, it would be much more advisable to have it "at the ready" rather than in recess until October 1, 1974. If the Supreme Court goes out of session and there are any questions affecting Watergate and related matters before it at that time, it would mean, unless the Court decides otherwise, that there would be a delay of four months, at least, before a decision could be reached. Like the President, I want to get Watergate behind us, and it is with that thought in mind that I make this request to you and the Associate Justices of the Court.

Furthermore, if the Supreme Court were to stay in session over the next four months, it would set an excellent example, along with the President and the Congress and would show to the American people that not only are we on the job but, as far as the Courts are concerned, that justice does not move slowly.

I would appreciate your giving this matter your most urgent consideration because I think the needs of the times call for such action as I have requested.

Must close now, but with best wishes, I am

Sincerely yours,

MIKE MANSFIELD.

FREEDOM OF INFORMATION ACT AMENDMENTS

Mr. HUGH SCOTT. Mr. President, as a member of the Judiciary Committee, I participated in deliberations on S. 2543, the so-called Freedom of Information Act Amendments. A constructive compromise was worked out in committee between Senators KENNEDY and HRUSKA, with my full support. Hence, I voted to report the bill to the Senate floor.

Yesterday, however, two very damaging amendments were tacked onto the bill. I voted against each one.

Subsequently, I voted for final passage of the bill in the hope that a more acceptable bill could be worked out in conference. If the bill reported back to each House and passed, still contains the objectionable amendments added by the Senate, I expect the President to veto it—and I may vote to sustain if the opportunity presents itself.

The bill originally reported by the committee was a good one. Its stated purposes were fourfold:

First. To facilitate freer and more expeditious public access to government information;

Second. To encourage more faithful compliance with the terms and objectives of the FOIA;

Third. To strengthen the citizen's remedy against agencies and officials who violate the act; and

Fourth. To provide for clear congressional oversight of agency performance under the act.

Unfortunately, the delicate balance worked out in the committee was upset by the Senate's action in adopting some very unwise amendments.

OLDER AMERICANS

Mr. WILLIAMS. Mr. President, May is Older Americans month. This Nation owes much to her senior citizens. They are to be thanked heartily for the contributions they have made to our country's growth and they are to be acknowledged as vital and participating members of our communities.

Today, I would like to take a few minutes to commend a very special group of older Americans, those who are giving their time, knowledge and energy as ACTION Volunteers.

Not long ago, an elderly person who also was handicapped might have lived out his or her life politely ignored within the walls of a nursing home, veterans' hospital, or at home.

But today, the blind man, the woman in a wheelchair, the victim of cerebral palsy are refusing to be ignored. They have found ways to live productive lives.

Helped by private foundations, public training programs, and an increasingly aware public, the handicapped aged are leaving their quiet corners and are moving into the mainstream of society.

One of the routes to fuller lives they have found is RSVP, the retired senior volunteer program. This nationwide program is part of ACTION, the Federal agency for volunteer service. RSVP offers men and women over 60 the chance to take part in a variety of community-sponsored service activities.

In a New York City RSVP project, volunteer Jeanne Hornstein, 69 and blind, has been visiting patients at Creedmore State Hospital since 1971. Every Tuesday, she and her "friends" knit and talk. Sometimes, one of the patients will read to her.

Before her regular visiting starts, Mrs. Hornstein leads 50 or more patients and other volunteers in reciting the Lord's Prayer, singing, and exercising. She explains and demonstrates each exercise, encouraging patients to join her. She said:

Volunteering has given me a feeling of being needed. The patients look forward to my coming, and this makes me feel food.

At the same hospital, Connie Seirkes, 63, works with 8 to 10 children who are blind and deaf. With very little sight herself, Miss Seirkes is trying to teach these children the concept of braille.

One blind, deaf, and mentally ill woman at the hospital also has an impaired sense of touch, which makes learning braille especially difficult.

To help her learn, Miss Seirkes decided to press into service a device developed by the Lighthouse for the Blind. The device, a board with screws which can be lifted out and put back, helped her to feel the letters. It worked, and together Miss Seirkes and her student have progressed to the letter F.

In Spanish Lake, Mo., a therapeutic hobby turned into a volunteer trade for a 67-year-old man.

Raymond Wamhoff of St. Louis took up woodworking after losing his hand in an industrial accident in 1941. He began his hobby he said, to keep his arm from atrophying from disuse.

After retiring from an office job many years later, Wamhoff began, on his own, to visit hospital patients—"especially patients who were despondent or who had lost a hand."

Later, looking for additional activity, he joined RSVP. Now he is teaching woodworking at the Missouri Hills Home for Boys in Spanish Lake, where 90 teenagers are under court commitments for a variety of offenses. He said:

Some of these fellows haven't a friend in the world, if someone tries to help them, it can make them feel life is worth living.

John P. Poyo, 73, of Jersey City, N.J., emigrated to the United States from Spain. He married, raised a family, and worked for more than 30 years as a bookkeeper and manager for a Catholic publication. After retirement, Mr. Poyo found he enjoyed teaching his grandchildren to speak Spanish, and this led to his assignment with RSVP. A few days each week, Mr. Poyo, now a senior volunteer with the Jersey City RSVP, teaches Spanish to classes of all age groups at the Zabriskie Street Branch of the Jersey City Public Library. When these Spanish classes are over, he enjoys helping out with the toddler story hour in the library. In addition to his regular assignment, Mr. Poyo took on a temporary special assignment; for several months, he offered one-to-one counseling to a student in the Harrison School system who had recently emigrated from Spain and was having adjustment problems. Mr. Poyo also contributes to the Jersey City RSVP newsletter, and is a member of the American Association of Retired Persons.

In another ACTION program for older volunteers, the foster grandparent program, cerebral palsy victim William Kleinglass, 62, cares for a 14-year-old Ronnie at the Walter E. Fernald State School in Waltham, Mass. Ronnie is both blind and severely retarded.

Kleinglass, taken out of school after the fourth grade because of his disability, was never able to hold a regular job. But since he became a foster grandparent 2 years ago, he has served 4 hours a day, 5 days a week. Kleinglass has been able to help Ronnie improve his own ability to cope with the world.

Easily frightened by strangers, Ronnie used to sit for hours with his hands over his eyes. But now, at the sound of Kleinglass' voice, the hands come down and the boy's face breaks into a grin. The two spend hours together walking the grounds of the hospital. His hands guided by Kleinglass, Ronnie has begun to discover such wonders as grass and flowers.

Mrs. Betty Eckman of Mt. Holly, N.J., is a foster grandparent at the New Lisbon State School in New Lisbon, N.J. Two years ago, Brett was assigned to her as her "foster grandchild." Through her daily work with Brett, Mrs. Eckman quickly realized that the boy, althought classified as retarded, was actually quite intelligent, and that his main problem was a severe hearing loss resulting in inability to speak. Mrs. Eckman had learned some sign language as a child, and she began to teach it to Brett. She also began teaching him how to read and write. Though she only has a grade school education herself, she began schooling herself in new subjects in order to help Brett more. And although she, like all foster grandparents, is of low income, she cannot help buying new books that she thinks will help Brett. Because of the progress Mrs. Eckman has made with Brett, the child is now able to work with a speech therapist, and is expected to be released to a more advanced training school in another year.

In addition to the service opportunities offered to older Americans through RSVP and the foster grandparent program, the Service Corps of Retired Executives—SCORE—enables retired business executives to apply their years of business know-how to helping small, struggling enterprises.

SCORE Volunteer Wilfred Gallow of Detroit counsels small businessmen with management problems. Gallow, a retired real estate broker, lost his sight 13 years ago.

ACTION's older volunteers serve in the Peace Corps and VISTA, in addition to SCORE, RSVP, and the foster grandparent program.

Not only are they helping others, but they are also helping themselves to fuller lives.

Asked to testify in 1972 before a U.S. Senate subcommittee on the effectiveness of the foster grandparent program, 80-year-old Bertha Bailey said:

I have arthritis, and I used to use a cane. When I came to interview for a volunteer position, I was afraid they would think I was too weak if they saw the cane.

So, I left it in the car. I haven't used it since.

Today there are almost 100,000 older Americans participating in ACTION volunteer programs across the Nation and throughout the world. I commend them for their spirit and their service to their fellow man. And I support the continued growth of the ACTION programs which provide the vehicle through which our older Americans can offer their knowledge and assistance to those in need.

PETROLEUM COMPANY PROFITS

Mr. HRUSKA. Mr. President, recently there has been a great deal of concern expressed over the large profits being earned by petroleum companies. Much of the analysis has dwelled on the dollar volume of profits or on the increase in 1974 over a comparable period in 1973 or 1972.

In a recent edition of the Omaha World-Herald there appeared an article by Edward T. Foster, a general contractor, which analyzes the profits from a different perspective. He argues that there are factors other than dollar profits to be considered in evaluating an oil firm's performance.

So that my colleagues may get another view of the profit situation, I ask unanimous consent that the World-Herald article, "Head Mistells Corporate Story," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEAD MISTELLS CORPORATE STORY

(By Edward T. Foster)

Statements in a recent Associated Press story in The World-Herald about Standard Oil of Ohio were absolutely true.

I have objected to most of the press headlining such financial news in a manner that leads uninformed and cursory readers to reach untrue conclusions.

To many readers, your headline means that Sohio is making 29 per cent profit, which is excessive. For any corporation to make $22.6 million per quarter appears to some readers to be almost criminal—but it is not true.

(The head read: Standard of Ohio Profits Rise 29 Pct.)

Here is more complete data: Anyone with $56 can become a part owner of Sohio. Sohio is owned largely by many small investors. At current dividend rates, the owner of a $56 share will get for a whole year's use of his money $1.36 or 2.428 per cent.

It frequently happens that a corporation—after paying 50 per cent tax on earnings—might make 10 cents a share one year and

$1 a share the following year. Without question, that is a profit increase of 1,000 per cent, but it falls far short of complete reporting. In the case cited there could have been no dividend the first year and, say, 50 cents the following year. Expressed in sheer mathematical terms, this is an infinite percentage increase in dividends.

The Sohio profit percentage increase to less than 4.5 per cent is, in my opinion, quite reasonable. The $1.36 per share that stockholders receive for use of each $56 invested compares very unfavorably with the 10 per cent one can get through lending his funds through certificates of deposit to many competing sellers.

The opportunity to invest in Sohio and to participate in the allegedly fantastic profits is open to anyone. I am astounded that anyone keeps Sohio stock at such a lousy yield (16th largest corporation in U.S.A.) When the man on the street sees an earning report of nearly $23 million, he yells, "Robbers—break 'em up!"

If it were not for the large corporations and their tremendous reservoir for investment by small stockholders, our current mass production and distribution facilities would not exist. Each of us would still be stirring a small plot of ground, making his or her clothes, and be in the horsedrawn era.

Everyone who owns an insurance policy is an indirect investor in large business; likewise anyone with a bank account or a home mortgage. It appears impossible for the ordinary citizen to grasp the concept that money is stored labor for which the owner is as entitled to rent as an owner is entitled to rent on a house or a horse or a truck. The fact some such money may have been inherited does not alter the fundamental rights of current ownership; inheritance and estate taxes are taking care of this rapidly.

The fundamental problem is that the news media reports the truth but not the "whole truth." The whole truth is needed to dispel the popular fallacy that big corporations are owned by such families as the Rockefellers, Cabots, Lodges and Kennedys. The fact is that most corporation ownership lies in small lots with thousands of small investors, who have sacrificed and saved for the proverbial rainy day. Many widows and orphans are able to live in dignity because a provident husband and father had the foresight and wisdom to invest in large corporations corporate stocks, or to buy insurance, which is a secondary investment in such stocks. The only alternative for such families if a very poor one—to go on welfare.

The great influence of the press, I believe, imposes a concurrent responsibility to more effectively portray the facts. Full reporting along the lines I suggest would tend to eliminate the growing class polarization, the downright communist belief that bigness is badness, that all wealth should be shared on a per capita basis, and that money is not entitled to reasonable rent.

Comments on this page reflect diverse points of view which are not necessarily those of The World-Herald.

SALARY INCREASES

Mr. McGEE. Mr. President, earlier this month I noted with interest a story in the New York Times reporting approval by the State assembly in Albany of a supplemental budget bill.

In this report in the Times for May 15, reporter Alfonso A. Narvaez stated that the budget bill contained approval of $15,000 salary increases for the controller and attorney general of the State of New York, which would bring their pay up to $60,000 a year, or to a point equal with that paid members of the President's Cabinet.

In the same report, the Times went on to say that the New York State bill would provide for an acceleration of scheduled salary increases for members of that State's judiciary. Raises originally due January 1, 1975, would come in July instead, bringing the salary of court of appeals judges to $60,575 and of the chief judge to $63,143.

Thus, members of New York's highest court would be paid rates slightly above those of Associate Justices of the U.S. Supreme Court, who now are compensated for at the rate of $60,000. So too, the New York chief judge would be paid at a slightly higher rate than the Chief Justice of the United States, whose present rate of compensation is set at $62,500.

New York Supreme Court judges and court of claims judges would see their salaries rise to $48,998 a year, compared with the $42,500 a year paid judges of U.S. Circuit Courts of Appeals, and the $40,000 now paid Federal district court judges.

Increases ranging from about $6,000 a year to almost $11,000 also would be provided for judges in lower courts of the New York system.

Mr. President, I believe this report points out the gap which virtually every day grows wider between the compensation of top Federal officials, including the judiciary, and what reason would seem to dictate that they should be paid. I am quite sure that the legislature of the State of New York is engaged in no giveaway, but I must say that it has faced up to the situation better than we in Washington.

Federal officials in all three branches of the Government have been watching their buying power erode. They have been going without an increase in compensation since 1969. And, as a result of this body's vote of March 6, there is no relief now in sight.

Having reviewed the situation relative to judges in the State of New York, let me relate what the Commission on Executive, Legislative, and Judicial Salaries had to say in its report last year on the topic of the Federal judiciary:

> The Commission is sincerely concerned about the current level of compensation paid Federal judges. They are career employees with little opportunity to supplement their judicial salaries. During the past four years increases in the cost of living without compensating salary increases have intensified the economic pressures and financial sacrifices required for judicial service. Judges are recruited from a well-paid profession and the difficulty of attracting outstanding lawyers to the Federal bench and retaining them is increasing as judicial compensation falls further behind that of practicing lawyers.

THE ISRAELI-SYRIAN DISENGAGEMENT

Mr. McGEE. Mr. President, the Israeli-Syrian disengagement of forces agreement, which has now been signed in Geneva, adds to the long string of achievements Secretary of State Henry Kissinger has scored in the foreign policy area. Yet, it is also a tribute to President Nixon's persistence in his attempts at bringing stability to the international community.

The latest accord represents another vital step on a very difficult road toward a long-term and viable Middle East peace. Yet, it represents a highly significant and important element that few believed could be possible just a few months ago.

Once again, Secretary Kissinger has demonstrated his remarkable skills in utilizing the United Nations as an important element in his peace initiatives. The United Nations Emergency Force on the Egyptian front has proven to be a stabilizing influence on that situation. Now, we see the United Nations playing an important role as a buffer between Syrian and Israeli forces. The Secretary is to be commended for utilizing the tools of international diplomacy available to him in achieving these breakthroughs. It has not only resulted in substantive steps being taken in the Middle East, but it has also strengthened the United Nations as a vital international institution, as well as demonstrated how indispensable the United Nations is to the world community.

The Israeli-Syrian disengagement was particularly difficult due to the long, traditional animosity and mistrust which has existed between the two nations. Thus, there are few people who cannot help but be tremendously impressed with what Secretary of State Henry Kissinger has achieved with the latest agreement.

The latest Middle East accord is but a part of the much larger picture of international problems and international concerns. What the Secretary has achieved should drive home the point to Congress that we should not act as an obstacle to foreign policy initiatives aimed at lessening tensions around the world and building a stable international community which can truly address itself to the problems of starvation, illiteracy, and disease. We will all pay the price for shortsightedness if the Congress retreats into an isolationist posture and fails to work in a constructive relationship with the Secretary in achieving these ends.

Again, the American people and the international community owe Secretary Kissinger a debt of gratitude for his latest achievement. The road ahead in the Middle East remains a difficult one. However, the Secretary has achieved important goals in assuring that we are still headed in the direction of a viable Middle East peace.

The Secretary has performed with empathy and imagination. He has demonstrated his deep understanding of, and appreciation for, the forces at play in that area of the world. He has also exhibited patience and unmatched physical endurance. All these elements were important ingredients in his remarkable achievement.

THE FARM COMMODITY PRICE SITUATION

Mr. HRUSKA. Mr. President, the farm commodity price situation continues to worsen. Yet, there is no reflection of this price drop in retail stores. Recently, Agriculture Secretary Earl Butz was quoted in the Des Moines Register as deploring the situation. He said:

> It is high time that these lower farm prices

show up more fully in lower retail store prices.

I agree wholeheartedly with Mr. Butz's assessment of the situation. There are cattle feeders in my State going broke because their costs are far exceeding the prices they are receiving for their products.

As Mr. Butz correctly related in the Register story, "People should understand that when farm costs go up, they stay up." But commodity prices go up and down, and currently, they are declining.

So that my colleagues may be better informed about the commodity price situation in comparison to retail prices, I ask unanimous consent that the Department of Agriculture News Release entitled "Farmers Hit With Price Declines" be printed in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

FARMERS HIT WITH PRICE DECLINES

WASHINGTON, May 10.—"Farmers have taken a major adjustment in price in the last several weeks," Secretary of Agriculture Earl L. Butz said today. "Prices of major farm commodities have dropped 20 to 40 percent since January and February.

"It is high time that those lower farm prices show up more fully in lower retail store prices," Secretary Butz said. "While food prices at stores have leveled off some, margins are still higher than normal."

Secretary Butz pointed out that wheat flour which in February cost bakers about 16 cents a pound (enough to bake a 1½-pound loaf, now costs the bakers about 10 cents a pound—6 cents a loaf less. Supermarkets, which paid about 87 cents a pound wholesale for beef (whole carcasses) in February are now paying only about 67 cents a pound.

"The prices that consumers pay at the stores should be reflecting the drop in farm prices in the coming weeks. The increases in retail food prices should be behind us except for occasional items, primarily those that may show seasonal shortages," Secretary Butz said.

"Farmers have tackled inflation with the best antidote there is to inflation—higher production and more output per man hour. Farm people are leading the way in the inflation fight. My hat is off to them. The country owes them a debt of gratitude and understanding," Secretary Butz said.

Some farmers, such as beef and hog producers and poultrymen have taken a real beating lately, Secretary Butz indicated. "Dairymen are also beset with high costs. All farmers are, for that matter," Secretary Butz said. "Farm costs are 16 percent higher than a year ago. Fertilizer costs have skyrocketed, for instance.

"People should understand that when farm costs go up, they stay up. But prices of farm commodities go up and down—and they have been coming down sharply for several weeks. We should all be aware that farmers are in the front lines of the fight against inflation and they are taking some hard shots," Secretary Butz said.

On May 7, the Department of Agriculture reported that the winter wheat crop will be largest ever produced in the United States—27 percent more than last year's record crop. "Farmers are going all out to grow more wheat, feed grains and cotton this year. They are doing it even though machinery is hard to get, fertilizer and other costs have jumped through the roof, and interest rates are high. Farmers are doing a terrific job," Secretary Butz said.

NATIONAL SECURITY AND THE CONSTITUTION—ADDRESS BY SENATOR MATHIAS

Mr. ERVIN. Mr. President, last Friday evening my good friend, Senator "MAC" MATHIAS addressed the American Law Institute on a subject which is very dear to my heart—the Constitution. His wise remarks about the dangers posed to individual rights by the misuse of the so-called "national security power" were received with much enthusiasm by the distinguished members of the American Law Institute.

I would like to share with my colleagues Senator MATHIAS' outstanding address on "National Security and the Constitution." Therefore, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

*NATIONAL SECURITY AND THE CONSTITUTION

(By CHARLES MCC. MATHIAS, JR.)

The position of world power, the greatest the world has yet seen, has brought with it increasing strains upon our most cherished liberties. In the 198 years of this country's existence, technical progress has carried us to the position of world leadership with all the glory such worldly preeminence brings. Power has also brought problems of unimagined magnitude. Our power is so great that we have the means to annihilate civilized life on earth, or we can do much to make the life of mankind one of peace and tranquility. This nation holds fate in its hands, but it is the very sense of almost apocalyptic power that has made many believe that we must do everything possible to strengthen the ability of this nation to make its decisions on the most rational basis possible.

As life in the United States has become more complex, as our population has grown, as modern science has created new means of transportation and communication, enhanced public services and created annihilative military forces, these developments have been accompanied by the growth of huge bureaucracies.

Scientific progress, technical advance and the disciplined hierarchical chains of command that dictate bureaucratic efficiency are uneasy partners with individual liberties and the egalitarian principles so familiar to us in the Declaration of Independence, the Constitution and the bill of rights.

President Abraham Lincoln's description of the American system of government as being "of the people, by the people and for the people," has unquestionably been eroded by the growth of the efficient bureaucracies created to serve the people. The needs of technology and the bureaucracies that use the ever advancing and more efficient technologies have been expressed in ways that have become familiar to us in formulas such as the "needs of the State," "National security," "foreign policy," "defense," or "inherent Executive powers." All of these vague terms have worked as a relentlessly erosive force against the foundations of individual liberties found in the guarantees of the Constitution.

The forgotten amendment of the Bill of Rights, the Ninth and Tenth Amendments:

ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

were placed in the Bill of Rights to meet the expected pressures from any of the three branches should they attempt to exceed the prescribed powers contained in the basic articles of the Constitution.

The Constitution does not specify any inherent powers, or prescribe extraordinary authority in the Executive Branch or any other branch of government to meet so-called "national security", "foreign policy," or "national defense." The duty to repel invasion and to meet internal rebellion and to command the armed forces according to rules and regulations made by the Congress is clear and explicit. Any actions that go beyond these clearly expressed duties, in my view should be governed by the Ninth and Tenth Amendments.

The Youngstown Steel decision and particularly Justice Jackson's concurring opinion in that case has proved a good guide. Justice Jackson's argument stressed the obligation of the Executive to carry out the laws passed by the Congress. In his conclusion, he said:

"With all its defects, delays and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary deliberation."

There is clearly a need for new legislative guidelines in many of the most fundamental areas of our national life.

There is widespread agreement that we must meet the challenges caused by the failure of policy that have taken place over the last decade. These policy shortcomings are reflected in the Vietnam war, Watergate, the energy crisis, the deterioration of our schools, and cities. The need for better health plans, better care for the aged and the under-privileged and our increasing problems with law and order—all of these difficult issues serve as warning that our system of government is not fully meeting the needs of the country. These warnings have caused thoughtful men to examine not only the particular instances that have bred division and discontent in the land, but more importantly, has caused an examination of the fundamental institutions of our government. It was Sir William Blackstone, the eminent 18th Century English jurist whose *Commentaries* were the handbook for the founding fathers of the American Republic, who most fittingly expressed the nature of the law as "the principal and most perfect branch of ethics."

It is my view that our fundamental laws still reflect the ethos of this nation. But I am also convinced, and I know many of you here tonight will share my conviction, that serious challenges to our constitutional foundations have been made which must be answered. The root causes of these challenges are a direct result of the growth of bureaucracies and the rapid advance of technology.

The most damaging and serious challenges, in my view, have been in the area of the 4th Amendment to the Bill of Rights. In this regard, Justice Brandeis, in his opinion written for the Olmstead case in 1927 (277 US 438) in a prophetic way foretold many of the problems created by new technology that we now recognize as threats to our liberties:

"Time works changes, brings into existence new conditions and purposes. Therefore, a principle to be vital must be capable of wider application than the mischief which gave it birth. This is peculiarly true of constitutions. They are not ephemeral enactments, designed to meet passing occasions. They are, to use the words of Chief Justice Marshall 'designed to approach immortality as nearly as human institutions can approach it.' The future is their care and provision for events of good and bad tendencies of which no prophecy can be made. In the application of a constitution, therefore, our contemplation cannot be only of what has been

but of what may be. Under any other rule a constitution would indeed be as easy of application as it would be deficient in efficacy and power. Its general principles would have little value and be converted by precedent into important lifeless formulas. Rights declared in words might be lost in reality.

"When the Fourth and Fifth Amendments were adopted, 'the form that evil had therefore taken' had been necessarily simple. Force and violence were then the only means known to man by which a Government could directly effect self-incrimination.

"It could compel the individual to testify—a compulsion effected, if need be, by torture. It could secure possession of his papers and other articles incident to his private life—a seizure effected, if need be, by breaking and entry. Protection against such invasion of 'the sanctities of a man's home and the privacies of life' was provided in the Fourth and Fifth Amendments by specific language. Boyd v. United States, 116 U.S. 616, 630. But 'time works changes, bring into existence new conditions and purposes.' Subtler and more far-reaching means of invading privacy have become available to the Government. Discovery and invention have made it possible for the Government, by means far more effective than stretching upon the rack, to obtain disclosure in court of what is whispered in the closet."

It is quite apparent that refined and subtle techniques of electronic surveillance, computer technology and other scientific advances have out-distanced the law and the ability of the Courts to rationally, and on the basis of knowledge and sound judgment decide what constitutes a reasonable search and seizure.

The Pentagon Papers and the Ellsberg break-in and so-called "national security leaks," have all contributed to weaken the protections to privacy guaranteed by the Fourth Amendment. In the Pentagon Papers case, some of our most important newspapers were restrained for a time by court order from publishing documents from the Defense Department study known as the Pentagon Papers on the grounds of "national security."

I am informed that in a few weeks one of our most distinguished publishing houses will publish the first censored book in American history. It is a book, I am informed, on the role of the Central Intelligence Agency and its clandestine operations. Large portions of its text have been deleted prior to publication on grounds related to the need of "national security." In the Pentagon Papers case, the opinions of the Justices of the Court clearly expressed unease about limiting First Amendment rights, because of the uncertain and loosely defined needs of "national security." While the Court ruled that the Pentagon Papers should be published, I accept, and I am sure that many of my colleagues in the Congress also accept, the opinions expressed in that case that the Legislature needs to enact statutes to clarify a most troublesome area of the law.

In the so-called Keith case (U.S. v. U.S. District Court Eastern District of Michigan) in which the Court unanimously decided that in matters of domestic surveillance warrantless wiretaps constituted illegal acts, the court expressly avoided judgment on the so-called "foreign policy," "national security," "national defense," area. The court went on to suggest that the Legislature should clarify for the Court and the country through statutory guidelines the boundaries of "foreign intelligence surveillance," which is yet another aspect of the amorphous area called "national security."

After a year of study, hearings and consultations with law professors and practitioners of the law, I introduced a month ago with Senator Sam Ervin of North Carolina and the Majority Leader, Senator Mansfield, Senator Hart and others, a bill whose purpose would be to strengthen the guarantees of privacy contained in the Fourth Amendment. It has the support. I am happy to say, of the Attorney General. The bill is entitled "The Bill Of Rights Procedures Act of 1974. The genesis of the bill lies in the views expressed by the Court in the Pentagon Papers and Keith cases and I have, therefore, attempted to provide firm statutory guidelines to prescribe the limited circumstances under which reasonable searches and seizures would be permitted.

In my view, the protections of the Fourth Amendment should not be abridged by arbitrary action on the part of the Executive Branch alone or indeed, by any of the three branches. After hearing extensive testimony from members of the Federal Bureau of Investigation and other enforcement agencies who are now serving or who have served in the past two dacades, I am of the view that any valid concern for our national security would not be endangered by the requirement that exceptions to the protections of the Fourth Amendment prohibiting searches and seizures, breaking and entering, wire tapping, the procurement and inspection of records, should be permitted only if a warrant is issued by a Federal Court. The warrant must account for the reasons for the exception and must meet the test of probable cause that a crime had been or was about to be committed. In addition, there would be a requirement for a regular and consistent procedure for accounting for the reasons for the exception and the disposition for the actions taken under the exception. This accounting would be in the form of regular reports made to the appropriate judicial and Congressional bodies which shall in turn, be required to protect the privacy of the individuals affected as called for by the Fourth Amendment. The record of actions, not the substance, would be made available to the Courts and the Congress with full and appropriate protections for the individuals concerned in order to assure that those who must maintain oversight do not in turn abuse the Fourth Amendment they are under oath to protect.

The basic premise of the Bill of Rights Procedure Act is that there can be no matters of public policy which can be determined except through constitutional processes.

I am convinced we cannot allow policy loopholes to continue if we are to remain a Democracy. There can be no national security, foreign policy, or national defense exceptions—all of which vague incantations translate to mean the needs of those who are at any given time in charge of the State. If we accept Blackstone's view that the law is the highest ethical expression of our society and since the making of law is the constitutional way policy is made by the government of the United States, it is crucial that the Congress adapt itself to meet the changes brought about by new technology and bureaucracy so that it can make the law as the Constitution intended.

It is all too evident that in many important areas of public policy Congress does not make the law. This is particularly true in the areas of complex technology, foreign policy and national defense. It is unfortunately true that most often bills concerning these matters are written by the Executive Branch and they are drafted in such a way to give maximum flexibility, open-ended authority and broad discretionary power to the Executive. It is also not surprising that information concerning the matters contained in these bills are carefully controlled by the Executive.

We have become familiar with the phrase "as the President may determine," or "if the President, in his discretion deems it necessary." As a result of studies made by a special Senate Committee formed to address the problems created by the 500 statutes conferring extraordinary power in time of war and emergency, it is evident that a pervasive pattern of Executive law-making of the kind I have just suggested has grown up by a gradual process of accretion over the past 40 years.

Despite the clear responsibilities assigned by the Constitution that only Congress shall make the law, in areas of scientific complexity, high technology, foreign policy and military weaponery, Congress, as a general rule, has deferred to the judgment of the Executive Branch. A prime reason for this reliance upon the Executive Branch, and for the delegation of law-making to the Executive is that Congress has not given itself the required means to make reasoned judgments on these matters. It has not yet provided itself with the staff necessary, nor has it insisted on the information required to make rational judgments required for sound law and sound policy although important efforts are now being made to do so.

Accountability for the actions taken to carry out national policy is another area where significant reforms are necessary. The Congress has not performed its oversight function, again, largely because it does not have the information or staff competence to do so. In addition, practices have grown up whereby the usual means to accountability have been bypassed for reasons of State. For example, the Federal Register Act was passed in 1935 in order to give public notice of Executive actions taken pursuant to statute or constitutional authority. As the law was written, it prescribed that all proclamations and Executive orders were to be recorded in a *Federal Register*. But in recent decades most important Executive decisions in the area of national security, foreign policy, and defense have been called by other names than Executive Orders and are not recorded in either a classified or unclassified form.

As a consequence, neither the Congress nor the public is aware of vital actions which have legal effect, that is, require the compliance of individuals or institutions or the expenditure of public funds. By evading the term "Executive Order" and calling Presidential directives by some other name, such as National Security Directives, the purposes of the Federal Register Act have been circumvented, and an important means of accountability has been weakened. I shall soon introduce in the Senate, remedial legislation to require the accounting for all Executive actions having legal effect in either a classified or unclassified register as appropriate, and it is my hope that through this means we can close this enormous loophole which, in my view, has weakened our government of constitutional processes.

It is evident to me that the lack of adequate staff and information and the inability of the Congress thus far to keep pace with technology and the imperatives of increasingly larger bureaucracies is also true of our judicial system. The kind of questions that came before the Courts in the Pentagon Papers and the Keith case are symptomatic of fundamental problems which face the country. As a consequence, I respectfully suggest the Courts must find independent means of giving themselves the ability to make independent authoritative judgments rather than relying so heavily on the point of view of the Executive Branch which, understandably perhaps, has shown itself in many instances to be anything but a dispassionate party.

As we approach the Bicentennial, I can think of no more rewarding or necessary objective for the United States than to strengthen the ability of our government to decide all questions of policy, no matter how technical or urgent, in accord with the constitutional processes set forth in the Constitution and the Bill of Rights.

I would like to quote the still relevant and stirring words contained in the last para-

graph of Justice Brandeis's opinion in Olmstead written 45 years ago:

"Decency, security and liberty alike demand that Government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the Government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means—to declare that the Government may commit crimes in order to secure the conviction of a private citizen—would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face."

We have had clear and unmistakeable warnings in the form of recent abuses of the Constitution. We have had formal requests from the Courts to setforth statutory guidelines; and we have continuing unrest, discontent, and divisiveness in the country over unresolved questions. It is my view that these warnings and requests must be heeded, and that actions of the kind I have discussed with you tonight are necessary if we are to continue as a democracy.

GENOCIDE: END THROUGH INTERNATIONAL COOPERATION

Mr. PROXMIRE. Mr. President, the act of genocide has occurred throughout history with countless examples of wars of annihilation and extermination. The past two generations have been shocked by a more recent and most barbarous example of man's inhumanity to man. The painful memory of the atrocities committed by the Nazis against the Jews in World War II prompted action on an international scale which had never before been possible.

With the organization of the United Nations, the hope is that by international cooperation between nations, crimes, such as genocide can be effectively curtailed. In 1946 the United Nations adopted a resolution against genocide, which reads as follows:

Genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right of existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations . . . the punishment of the crime of genocide is a matter of international concern.

Since that time, people have forgotten the full nature of the pain and suffering that is the result of the crime of genocide.

Fortunately, the United Nations followed this resolution with the International Convention on the Prevention and Punishment of the Crime of Genocide, which defined the act and sought to make it an international crime.

The crime of genoicide can only be prevented through international cooperation plus a moral stand against the crime by all people. The United States publicly can state its opposition to this terrible crime by joining with 78 other nations in ratification of the Genocide Convention. I urge my colleagues to consider prompt passage of this necessary treaty.

THE 50TH ANNIVERSARY OF THE PLAINFIELD, N.J., KIWANIS CLUB

Mr. WILLIAMS. Mr. President, last week I had the honor of participating in the 50th anniversary celebration of the Plainfield Kiwanis Club in New Jersey.

The event had a special personal meaning for me because I was representing my father who passed away this year. He was the last surviving founding member of the club.

I found the experience to be a moving one, particularly in these most troubled times. These are people who are justifiably proud of what they have done as individuals and even more proud of the many, many civic contributions they have made through the Kiwanis Club.

And, they expressed an attitude which clearly is the only solution for our problems—a determination to keep trying to do even better things for the community.

In short, it was a microcosm of what this country is all about and what made us great.

I found the remarks of the current president of the club, Thomas E. Williams, to be most appropriate, and so that they may be shared, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY THOMAS E. WILLIAMS

What's it all about?

This is a glorious night. It is an opportunity to look back and honor all of the past presidents and officers and look at their contributions and accomplishments. Looking back is great because it gives us an even greater insight and motivation for the future.

For those of you who are not familiar with Kiwanis, let me tell you what it means to me and my fellow Kiwanians who sincerely believe in its concepts. Kiwanis is sharing—Kiwanis is giving of yourself for the benefit of your fellow man. Kiwanis is working to make a community a better place to work and/or live in. As you read the past history in your journal, you'll get a brief idea what Kiwanis is all about.

Most cities are going through a traumatic period and the answer to a great deal of it is better education and people evaluation. The more we evaluate—the more we understand and the more we understand the more we love. The more we love—the more we understand. It is a happy unending cycle. It is a period where we Kiwanians must become more deeply involved. Perhaps within the next 50 years we can have it all put together.

I'm not trying to put a damper on our 50th anniversary. I am just putting a realism to all of our city problems in the past 50 years. If you want it solved as business and professional people, you better start getting involved—and Kiwanis holds many keys—let's use them.

Tonight as we celebrate our 50th anniversary, and rightfully we have earned it. However, one club does not make a city, therefore, at this time I want to salute all of our fellow service clubs, civic, cultural and fraternal organizations because as a composite we have made Plainfield a fine city.

EXECUTIVE WAGES RISE

Mr. McGEE. Mr. President, there are today approximately 4,200 Federal employees in the so-called supergrades, grades GS–16, 17 and 18, and another 1,000 employees in the top step of GS–15 who are being paid $36,000 annually, as are employees at the senior levels of the other Federal pay systems.

These employees, along with those on the Executive Schedule, have seen no pay raises lately. The executive, legislative and judicial salaries were last adjusted in 1969, when the pay rate for Level V of the Executive Schedule was set at its present position, thus imposing a ceiling on career employees in the supergrades. GS–18 employees reached that ceiling in January of 1971 and the compression has been great ever since, so that now we have a situation in which 85 percent of the supergraders and 1,000 GS–15 employees are at the ceiling.

Without action by the Congress, the situation will remain unchanged another 3 years, further eroding the purchasing power of these people, widening the gap between what Government and private industry pay for high-level help, and destroying any sense of rationality in the pay structure.

Last year, while nothing was being done to rectify this situation in Government, executive pay in private industry rose an average of 6 percent, with total compensation including bonuses increasing by 7.1 percent.

Mr. President, I ask unanimous consent that an article taken from the April 4, 1974, Washington Post which deals with executive pay in the private sector last year, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXECUTIVES' WAGES RISE 6 PERCENT IN 1973

(By James L. Rowe Jr.)

The Cost of Living Council reported yesterday that executive salaries rose an average of 6 per cent last year, while total executive compensation, including bonuses rose 7.1 per cent.

The report came in a preliminary survey of 579 companies with annual sales of more than $250 million.

Cost of Living Council Director John T. Dunlop told reporters that he felt the survey demonstrated that the council's control of executive salaries and other compensation had been effective.

Last week, Sen. William Proxmire (D-Wisc.) wrote Dunlop charging that the council's enforcement of controls on executive compensation was "scandalous" and cited several executives whose increases during 1973 were much higher than 10 per cent.

Executive salaries are tied to the same 5.5 per cent standard "which has been applied with some flexibility to hourly workers," according to a council statement. Average hourly earnings increased by about 6.2 per cent for non-farm workers during 1973, the Bureau of Labor Statistics reported, slightly higher than the 6 per cent salary increase registered by executives.

The figures cover 5,865 executives who were neither promoted nor demoted during 1973.

When bonuses are added in, the council report said, the average compensation for these executives rose by 7.1 per cent. However, the report said, the "bonus amounts allowed" under the council's regulations were 40 per cent less than these companies would have

paid the executives under the formulas most of them use to determine bonus payouts.

For the 3,284 executives who received bonuses in 1972 and 1973, their salary increases averaged 6.3 per cent and their increases in compensation averaged 7.4 per cent. The executives who got no bonuses in either year had average increases in salary last year of 5.7 per cent.

LEGAL SERVICES CORPORATION

Mr. JAVITS. Mr. President, it is expected that the Senate will consider early next week the conference report on H.R. 7824, the Legal Services Corporation Act of 1974, which the House already approved on May 16, by a vote of 227 to 143.

This measure would establish, as requested by the President, a new independent nonprofit legal services corporation, to conduct the legal service program, now under OEO administration, under the governance of an 11-member Board of Directors, appointed by the President, with the advice and consent of the Senate; a majority of the Board must be members of the bar.

The conference report, which was signed by all conferees, represents a reasonable accommodation between the Senate and the House measures, toward the objective of establishing such a corporation, an objective which has already been frustrated twice: first by veto by the President in December 1971 and then the following year when the corporation provisions were dropped from the Economic Opportunity Amendments of 1972, by virtue of disagreement over the Board and other terms.

It is very heartening that the American Bar Association, which has been the strongest independent advocate of this legislation, outside the executive and congressional branches themselves, has through its board of governors, on May 23, 1974, resolved its support for the concept of a new independent corporation and for the conference report in particular.

The resolution concludes as follows:

Now, therefore, be it resolved, That the American Bar Association reaffirms its support for a National Legal Services Corporation; and

Further resolved, That the American Bar Association urges the United States Senate to expeditiously act favorably on H.R. 7824; and

Further resolved, That the President of the United States is urged to approve and enact H.R. 7824 if and when it is approved by the Senate; and

Further resolved, That the President of the American Bar Association is authorized to communicate the position of the Association to the Senate, the President and to state and local bar associations.

The president of the American Bar Association, has transmitted the resolution to each of the major State and local bar associations listed in the ABA Redbook, together with a memorandum which states:

The legislation, unanimously approved by a Committee of Conference of the House and Senate, has been passed by the House and is expected to be taken up by the Senate shortly after the Memorial Day recess. There has been considerable pressure mounted by the opponents of legal services to secure a veto of the legislation when cleared by the Congress. While I personally am inclined to the belief that the president favors the legislation, I am hopeful that those who support legal services will contact the White House so that the President will have that information.

I ask unanimous consent that there be printed in the RECORD a copy of a letter to me from the president of the ABA dated May 29, 1974, together with the text of the resolution, the covering memorandum, and the most recent ABA listing of State and local bar associations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION,
Washington, D.C., May 29, 1974.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I am pleased to transmit to you as a principal sponsor of H.R. 7824, the Legal Services Corporation Act, the enclosed memorandum which was forwarded to state and local bar associations with a resolution adopted by the Board of Governors of the Association at its meeting in Washington last week.

We are actively working to secure the enactment of this most important legislation which will provide a framework through which a professional program of legal services to the poor may be continued and expanded.

Sincerely,

CHESTERFIELD SMITH.

AMERICAN BAR ASSOCIATION

RESOLUTION ADOPTED BY BOARD OF GOVERNORS, WASHINGTON, D.C., MAY 23, 1974

Whereas, The American Bar Association since 1970 has vigorously supported the enactment of legislation authorizing a federally-funded, nonprofit corporation to succeed the Legal Services Program of the Office of Economic Opportunity; and

Whereas, The U.S. House of Representatives on May 16, 1974, passed H.R. 7824, the Legal Services Corporation Act of 1974, as reported by a Committee of Conference of the House and Senate; and

Whereas, H.R. 7824 reflects a compromise of differing versions of legislation passed by both Houses of Congress after four years of Congressional consideration of the concept of a legal services corporation during which period the interests and concerns of all interested constituencies, including the organized bar, have been fully considered, debated and resolved; and

Whereas, H.R. 7824, in its current form provides framework which will allow the continuation of a professional program of legal services to the poor;

Now, therefore, be it resolved, That the American Bar Association reaffirms its support for a National Legal Services Corporation; and

Further resolved, That the American Bar Association urges the United States Senate to expeditiously act favorably on H.R. 7824; and

Further resolved, That the President of the United States is urged to approve and enact H.R. 7824 if and when it is approved by the Senate; and

Further resolved, That the President of the American Bar Association is authorized to communicate the position of the Association to the Senate, the President and to state and local bar associations.

MEMORANDUM

AMERICAN BAR ASSOCIATION,
Washington, D.C., May 24, 1974.

To: State and Local Bar Associations Listed in ABA Redbook.
From: Chesterfield Smith.
Subject: Board of Governors Action on Legal Services Corporation Legislation.

I am pleased to transmit for the information and appropriate action of your association a resolution adopted by the Board of Governors of the Association at its meeting in Washington, D.C. yesterday. The Board, in reaffirming the Association's support for a national legal services corporation, specifically urged favorable action on H.R. 7824 upon the Senate and enactment of the legislation, if passed, on the President.

The legislation, unanimously approved by a Committee of Conference of the House and Senate, has been passed by the House and is expected to be taken up by the Senate shortly after the Memorial Day recess. There has been considerable pressure mounted by the opponents of legal services to secure a veto of the legislation when cleared by the Congress. While I personally am inclined to the belief that the President favors the legislation, I am hopeful that those who support legal services will contact the White House so that the President will have that information.

A copy of the Conference Report is being forwarded to the state bar office with this memorandum. Please contact John Tracey of the Association's Washington Office for further information or any assistance needed on this matter by your association.

CHESTERFIELD SMITH.

DIRECTORY OF BAR ASSOCIATIONS

This is the latest edtion of our Directory of Bar Associations. You will note that the Directory lists, in addition to the current president and executive director or secretary of each bar association, the president-elect or vice president, where this information was made available; the year in which the bar association was founded; the approximate number of members in the bar association; and the date of the association's next annual meeting. Where a listing is incomplete or inaccurate, it is usually because we have not received complete or accurate information from that bar association. If each bar association keeps us informed with this kind of information this publication will be more valuable to all of our readers.

Keys—
*Integrated Bar
**Partially Integrated
A/M: Date of Annual Meeting

STATE BAR ASSOCIATIONS

*Alabama State Bar, Founded 1879, 3,500 Members, A/M: July, 1974; *president,* M. Roland Nachman, Jr., P.O. Box 668, Montgomery 36101, 205–262–5721; *president-elect or vice president,* Alto V. Lee, III, P.O. Box 1665, Dothan 36301, 205–892–4516; *executive director,* Reginald T. Hamner, P.O. Box 2106, Montgomery 36103, 205–269–1515.

*Alaska Bar Association, Founded 1955, 549 Members, A/M: June, 1974; *president,* L. S. Kurtz, Jr. 825 W. 8th Ave., Anchorage 99501, 907–279–2411; *president-elect or vice president,* James R. Blair, P.O. Box 2251, Fairbanks 99701, 907–452–1201; *executive director,* Mary F. LaFollette, P.O. Box 279, Anchorage 99510, 907–272–7469.

*State Bar of Arizona, Founded 1894, 4,000 Members, A/M: May, 1974; *president,* Richard A. Segal, 234 N. Central, Suite 300, Phoenix 85004, 602–258–8792; *president-elect or vice president,* Stanley G. Feldman, 111 S. Church St., Tucson 85701, 602–792–3836; *executive director,* Eldon L. Husted, 234 N. Central, Suite 858, Phoenix 85004, 602–252–4804.

**Arkansas Bar Assn., Founded 1898, 1,768 Members, A/M: January, 1974; *president,* James A. West, Merchants Natl. Bk. Bldg., Fort Smith 72901, 501–782–0361; *president-elect or vice president,* James B. Sharp, Bk. of Brinkley Bldg., Brinkley 72021, 501–734–4060; *executive director,* C. E. Ransick, 408 Donaghey Bldg., Little Rock 72201, 501–375–4605.

*State Bar of California, Founded 1909, 38,000 Members, A/M: September, 1974; president, Seth M. Hufstedler, 2220 Crocker-

Citizens Plaza, Los Angeles 90017, 213–626–0671; executive director, John S. Malone, 601 McAllister St., San Francisco 94102, 415–922–1440.

Colorado Bar Assn., Founded 1897, 4,168 Members, A/M: October, 1974; president, Anthony W. Williams, P.O. Box 338, Grand Junction 81501, 303–242–6262; president-elect or vice president, Donald S. Stubbs, 1200 American Natl Bk. Bldg., Denver 80202, 303–892–9400; executive director, William B. Miller, 200 W. 14th Ave., Denver 80204, 303–222–9421.

Connecticut Bar Assn., Founded 1875, 4,100 Members, A/M: October, 1974; president, James R. Greenfield, 900 Chapel St., New Haven 06510, 203–787–6711; president-elect or vice president, William K. Cole, 799 Main St., Hartford 06103, 203–278–0700; executive director, Daniel Hovey, 15 Lewis St., Hartford 06103, 203–249–9141.

Delaware State Bar Assn., Founded 1922, 635 Members, A/M: June, 1974; president, Irving Morris, 1201 Market Tower, Wilmington 19801, 302–658–5278; president-elect or vice president, William Prickett, 1201 Market Tower, Wilmington 19801, 302–658–5278; executive director, Richard H. May, 1201 Market Tower, Wilmington 19801, 302–658–5278.

*District of Columbia Bar, Founded 1972, 17,000 Members, A/M: June, 1974; president, Charles T. Duncan, 1700 Pennsylvania Ave., N.W., Washington 20006, 202–872–0404; president-elect or vice president, John W. Douglas, 888 16th St., N.W., Washington 20006, 202–293–3300; executive director, Raymond F. Garraty, 1730 Pennsylvania Ave., N.W., Suite 440, Washington, D.C. 20006, 202–785–9130.

Bar Assn. of the District of Columbia, Founded 1872, 4,700 Members, A/M: June, 1974; president, Austin F. Canfield, Jr., 4400 Jenifer St., N.W., Washington 20015, 202–244–5695; president-elect or vice president, Lawrence E. Carr, Jr., 1001 Connecticut Ave., N.W., Washington 20036, 202–659–4660; executive director, William M. Huey, 1819 H. St., N.W., Suite 300, Washington 20006, 202–223–1480.

*The Florida Bar, Founded 1906, 14,634 Members, A/M: June, 1974; president, Earl B. Hadlow, P.O. Box 4099, Jacksonville 32201, 904–354–1100; president-elect or vice president, James A. Urban, P.O. Box 633, Orlando 32802, 305–843–4421; executive director, Marshall R. Cassedy, The Florida Bar Center, Tallahassee 32304, 904–222–5286.

*State Bar of Georgia, Founded 1883, 7,200 Members, A/M: June, 1974; president, F. Jack Adams, P.O. Drawer 150, Cornelia 30531, 404–778–2251; president-elect or vice president, Cubbege Snow, Jr., P.O. Box 4987, Macon 31208, 912–742–1424; executive director, Mrs. Grant Williams, 1510 Fulton Natl. Bk. Bldg., Atlanta 30303, 404–522–6255.

Bar Assn. of Hawaii, Founded 1899, 950 Members, A/M: November, 1973; president, Wallace S. Fujiyama, P.O. Box 26, Honolulu 96810, 808–536–0802; president-elect or vice president, Harold W. Nickelsen, P.O Box 26, Honolulu 96810, 808–521–2611; executive director, Eleanor I. Pierce, P.O. Box 26, Honolulu 96810, 808–537–1868.

*Idaho State Bar, Founded 1925, 856 Members, A/M: August, 1974; president, John H. Bengtson, P.O. Box 446, Lewiston 83501, 208–743–4526; president-elect or vice president, Thomas G. Nelson, P.O. Box 525, Twin Falls 83301, 208–733–3722; executive director, Ronald L. Kull, P.O. Box 895, Boise 83701, 208–342–8958.

Illinois State Bar Assn., Founded 1877, 17,392 Members, A/M: June, 1974; president, William P. Sutter, 1 First Natl. Plaza, Ste. 5200, Chicago 60670, 312–786–6616; president elect or vice president, John R. Mackay, P.O. Box 846, Wheaton 60187, 312–668–7800; executive director, John H. Dickason, Illinois Bar Center, Springfield 62701, 217–525–1760.

Indiana State Bar Assn., Founded 1896, 4,600 Members, A/M: October, 1974; president, William S. Gordon, 533 Warren St., Huntington 46750, 219–356–4100; president elect or vice president, Gerald H. Ewbank, 114 W. High St., Lawrenceburg 47025, 812–537–2522; executive director, E. B. Lyle, 330 Bankers Trust Bldg., Indianapolis 46204, 317–639–5465.

Iowa State Bar Assn., Founded 1872, 3,850 Members, A/M: June, 1974; president, F. W. Tomasek, 815 Fifth Ave., Grinnell 50112, 515–236–3109; president elect or vice president, D. J. Goode, Hubbell Bldg., 10th Floor, Des Moines 50309, 515–284–1940; executive director, Edward H. Jones, 1101 Fleming Bldg., Des Moines 50309, 515–243–3179.

Kansas Bar Assn., Founded 1882, 2,750 Members, A/M: May, 1974; president, J. Richards Hunter, P.O. Box 1343, Hutchinson 67501, 316–662–3331; president elect or vice president, Leonard Thomas, Home State Bk. Bldg., Kansas City 66101, 913–321–7500; executive director, Ken Klein, P.O. Box 1037, Topeka 66601, 913–234–5696.

*Kentucky Bar Assn., Founded 1871, 5,155 Members, A/M: May, 1974; president, Glenn W. Denham, 2121½ Cumberland Ave., Middlesboro 40965, 606–248–2765; president elect or vice president, Viley O. Blackburn, 101 W. Mt. Vernon St., Somerset 42501, 606–678–8171; executive director, Leslie G. Whitmer, 243 State Capitol Bldg., Frankfort 40601, 502–564–3795.

*Louisiana State Bar Assn., Founded 1941, 6,500 Members, A/M: May, 1974; president, M. Truman Woodward, Jr., 1100 Whitney Bldg., New Orleans 70130, 504–581–3333; president-elect or vice president, Kent Breard, P.O. Box 6134, Monroe 71201, 318–387–8000; executive director, Thomas O. Collins, Jr., 301 Loyola Ave., New Orleans 70112, 504–522–9172.

Maine State Bar Assn., Founded 1891, 1,006 Members, A/M: January, 1974; president, Merrill R. Bradford, 6 State St., Bangor 04401, 207–947–0111; president-elect or vice president, Charles W. Smith, 199 Main St., Saco 04072, 207–284–7421; executive director, Edward M. Bonney, P.O. Box 788, Augusta 04330, 207–622–7523.

Maryland State Bar Assn., Founded 1896, 5,510 Members, A/M: June, 1974; president, Norman P. Ramsey, 10 Light St., 17th Fl., Baltimore 21202, 301–539–5040; president-elect or vice president, Hal C. B. Clagett, 14803 Pratt St., Upper Marlboro 20870, 301–627–5500; executive director, Manley E. Davis, Jr., 905 Keyser Bldg., Baltimore 21202, 301–685–7878.

Massachusetts Bar Assn., Founded 1911, 8,400 Members, A/M: June, 1974; president, Frederick G Fisher, Jr, 28 State St, Boston 02109, 617–742–9100; president-elect or vice president, Charles J. Kickham, Jr., 1318 Beacon St., Brookline 02146, 617–566–5990; executive director, Carl A. Modecki, One Center Plaza, Boston 02108, 617–523–4529.

*State Bar of Michigan, Founded 1935, 13,000 Members, A/M: September, 1974; president, Carl Smith, Jr., 703 Washington Ave, Bay City 48706, 517–892–2595; president-elect or vice president, Stephen C. Bransdorfer, 465 Old Kent Bldg., Grand Rapids 49502, 616–459–8311; executive director, Michael Franck, 306 Townsend St., Lansing 48933, 517–372–9030.

Minnesota State Bar Assn., Founded 1883, 5,099 Members, A/M: June, 1974; president, Gene W. Halverson, 700 Providence Bldg., Duluth 55802, 218–727–6833; president elect or vice president, Roger P. Brosnahan, 68 E. Fourth St., Winona 55987, 507–454–2925; executive director, Gerald A. Regnier, 100 Minnesota Federal Bldg., Minneapolis 55402, 612–335–1183.

*Mississippi State Bar, Founded 1886, 3,300 Members, A/M: June, 1974; president, Joe H. Daniel, P.O. Box 1084, Jackson 39205, 601–352–5607; president-elect or vice president, James H. Ray, P.O. Drawer 409, Tupelo 38801, 601–842–1721; executive director, George H. Van Zant, P.O. Box 1032, Jackson 39205, 601–948–4471.

*The Missouri Bar, Founded 1880, 8,126 Members, A/M: September, 1974; president, Robert L. Hawkins, Jr., P.O. Box 456, Jefferson City 65101, 314–635–7166; president-elect or vice president, Arthur H. Stoup, 950 Home Savings Bldg., Kansas City 64106, 816–842–6422; executive director, Wade F. Baker, P.O. Box 119, Jefferson City 65101, 314–635–4128.

Montana Bar Assn., Founded 1886, 900 Members, A/M: June, 1974; president, Henry Loble, P.O. Box 176, Helena 59601, 406–442–0070; president-elect or vice president, Douglas R. Drysdale, P.O. Box 1122, Bozeman 59715, 406–587–4425; executive director, Diana Dowling, Room 324 Power Block, Helena 59601, 406–442–7660.

*Nebraska State Bar Assn., Founded 1876, 4,299 Members, A/M: October, 1974; president, Bert L. Overcash, 1241 N Street, Lincoln 68508, 402–432–0321; president-elect or vice president, Bernard B. Smith, P.O. Box 699, Lexington 68850, 308–324–2393; executive director, Burton E. Berger, 1019 Sharp Bldg., Lincoln 68508, 402–477–7717.

*State Bar of Nevada, Founded 1928, 805 Members, A/M: May, 1974; president, George M. Dickerson, 630 S. Third St., Las Vegas 89101, 702–382–9191; president-elect or vice president, William P. Beko, P.O. Box 191, Tonopah 89049, 702–482–6666; executive director, Robert R. Herz, P.O. Box 2125, Reno 89505, 702–329–0252.

*New Hampshire Bar Assn., Founded 1873, 1,100 Members, A/M: June, 1974; president, Shane Devine, 1838 Elm, Manchester 03104, 603–669–1000; president-elect or vice president, Aronold P. Hanson, 110 Pleasant St., Berlin 03570, 603–752–5200; executive director, Joseph S. Hayden, 77 Market St., Manchester 03101, 603–669–4869.

New Jersey State Bar Assn., Founded 1898, 9,000 Members, A/M: May, 1974; president, Harold J. Ruvoldt, Sr., 168 Ocean Ave., Jersey City 07305, 201–434–7559; president-elect or vice president, Stanley S. Brotman, 1179 E. Landis Ave., Vineland 08360, 609–691–1200; executive director, Francis J. Bolduc, 172 W. State St., Trenton 08608, 609–394–1101.

*State Bar of New Mexico, Founded 1925, 1,580 Members, A/M: October, 1974; president, Russell D. Mann, P.O. Drawer 700, Roswell 88201, 505–622–6221; president-elect or vice president, George T. Harris, Jr., P.O. Box 2168, Albuquerque 87103, 505–243–4511; executive director, Earl R. Cooper, 1117 Stanford, N.E., Albuquerque 87131, 505–842–3063.

New York State Bar Assn., Founded 1876, 22,500 Members, A/M: January, 1974; president, Ellsworth VanGraafeiland, 700 Midtown Tower, Rochester 14604, 716–232–6500; executive director, John E. Berry, One Elk St., Albany 12207, 518–449–5141.

*North Carolina State Bar, Founded 1933, 5,412 Members, A/M: October, 1974; president, Ralph H. Ramsey, Jr., P.O. Box 426, Brevard 28712, 704–833–4113; president elect or vice president, Kenneth R. Hoyle, P.O. Box 1087, Sanford 27330, 919–775–5524; executive director, B. E. James, P.O. Box 25850, Raleigh 27611, 919–832–0518.

North Carolina Bar Assn., Founded 1899, 3,400 Members, A/M: July, 1974; president, Joseph C. Moore, Jr., P.O. Box 309, Raleigh 27202, 919–833–3644; president-elect or vice president, Walter F. Brinkley, P.O. Box 657, Lexington 27292, 704–246–2324; executive director, William M. Storey, 1025 Wade Ave., Raleigh 27605, 919–828–0561.

*State Bar Assn. of North Dakota, Founded 1900, 705 Members, A/M: June, 1974; president, Alan B. Warcup, P.O. Box 1617, Grand Forks 58201, 701–772–8111; president-elect or vice president, Ward M. Kirby, P.O. Box 1097, Dickinson 58601, 701–225–8143; executive director, Robert P. Schuller, 314 MDU Office Bldg., Bismark 58501, 701–255–1404.

Ohio State Bar Assn., Founded 1880, 12,560 Members, A/M: May, 1974; president, Walter A. Porter, 390 Talbott Tower, Dayton 45402, 513–228–2222; president-elect or vice president, William L. Howland, 325 Masonic Bldg., Portsmouth 45662, 614–353–1157; executive director, Joseph B. Miller, 33 W. 11th Ave., Columbus 43201, 614–421–2121.

*Oklahoma Bar Assn., Founded 1904, 6,633 Members, A/M: November, 1973; president, John R. Wallace, P.O. Box 1168, Miami 74354, 918–542–5501; president-elect or vice president, Deryl L. Gotcher, 1700 Fourth Natl. Bk., Tulsa 74119, 918–583–1115; executive director, Harold J. Sullivan, P.O. Box 53036, Oklahoma City 73105, 415–524–2365.

*Oregon State Bar, Founded 1935, 4,028 Members, A/M: October, 1974; president, Wesley A. Franklin, 3232 1st Natl. Bk. Tower, Portland 97205, 503–225–0870; president-elect or vice president, Lynne W. McNutt, P.O. Box 1136, Coos Bay 97420, 503–269–5821; executive director, John H. Holloway, 808 S.W. 15th Ave., Portland 97205, 503–229–5788.

Pennsylvania Bar Assn., Founded 1895, 10,622 Members, A/M: January, 1974; president, William M. Power, 102 N. Main St., Doylestown 18901, 215–345–7500; president-elect or vice president, Lewis H. Van Dusen, Jr., 1100 Philadelphia Natl. Bk. Bldg., Philadelphia 19107, 215–491–7216; executive director, Frederick H. Bolton, 401 N. Front St., P.O. Box 186, Harrisburg 17108, 717–238–6715.

*Bar Assn. of Puerto Rico, Founded 1840, 3,196 Members, A/M: September, 1974; president, R. Elfren Bernier, P.O. Box 20955, Rio Peidras 00928, 809–767–8902; president-elect or vice president, Arturo Negron-Garcia, P.O. Box 1900, San Juan 00903, 809–764–8960; executive director, Oswaldo Rivera-Cianchini, P.O. Box 1900, San Juan 00903, 809–724–3358.

Rhode Island Bar Assn., Founded 1898, 1,500 Members, A/M: September, 1974; president, Paul M. Murray, 2 Kay Street, New Port 02840, 401–847–0380; president-elect or vice president, Michael A. Monti, 732 Industrial Bk. Bldg. Providence 02903, 401–421–1061; executive director, Edward P. Smith, 17 Exchange St., Providence 02903, 401–421–5740.

*South Carolina State Bar, Founded 1968, 2,735 Members, A/M: June, 1974; president, William M. Wilson, P.O. Box 504, Camden 29020, 803–432–7606; president-elect or vice president, James C. Parham, Jr., P.O. Box 10207, Greenville 29603, 803–242–3131; executive director, Barbara Babb, P.O. Box 11297, Capitol Station, Columbia 29211, 803–256–8067.

Association, South Carolina Bar Assn., Founded 1884, 1,867 Members, A–M: May, 1974; president, Harold W. Jacobs, 1231 Washington St., Columbia 29201, 803–779–5200; president-elect or vice president, deRosset Myers, P.O. Box 250, Charleston 29402, 803–723–9447; executive director, Ralph C. McCullough II, 1515 Green St., Columbia 29208, 803–777–6617.

*State Bar of South Dakota, Founded 1897, 1,046 Members, A–M: June, 1974; president, Ross H. Oviatt, 17 Second Ave., S.W., Watertown 57201, 605–886–5812; president-elect or vice president, William F. Day, Jr., P.O. Box 690, Winner 57580, 605–842–1676; executive director, William K. Sahr, 222 E. Capitol, Pierre 57501, 605–224–7554.

Tennessee Bar Assn., Founded 1875, 3,900 Members, A–M: June, 1974; president, Harlan Dodson, P.O. Box 2524, Nashville 37201, 615–244–6840; president-elect or vice president, F. Graham Bartlett, P.O. Box 550, Knoxville 37901, 615–637–1440; executive director, Billie Bethel, 1717 West End Ave., Ste 600, Nashville 37203, 615–329–1601.

*State Bar of Texas, Founded 1882, 23,000 Members, A–M: July, 1974; president, Leroy Jeffers, 2010 First City, Natl. Bk. Bldg., Houston 77002, 713–236–2330; president-elect or vice president, Lloyd Lochridge, 900 Congress Ave., Austin 78701, 512–476–6982; executive director, H. C. Pittman, P.O. Box 12487, Capitol Station, Austin 78711, 512–476–6823.

*Utah State Bar, Founded 1932, 1,965 Members, A–M: July, 1974; president, LaVar E. Stark, 2651 Washington Blvd., Ogden 84401, 801–393–8688; president-elect or vice president, Joseph Novak, 520 Continental Bk. Bldg., Salt Lake City 84101, 801–328–4737; executive director, Dean W. Sheffield, 203 Kearns Bldg., Salt Lake City 84101, 801–322–5273.

Vermont Bar Assn., Founded 1878, 666 Members, A–M: October, 1974; president, Peter P. Plante, Municipal Bldg., White River Junction 05001, 802–295–3151; president-elect or vice president, John H. Downs, P.O. Drawer 99, St. Johnsbury 05819, 802–748–3188; executive director, C. John Holmes, P.O. Box 25, Chalotte 05445, 802–425–2861.

*Virginia State Bar, Founded 1939, 9,587 Members, A–M: June, 1974; president, James A. Howard, 1530 Virginia Natl. Bk. Bldg., Norfolk 23510, 804–627–2991; president-elect or vice president, Howard W. Dobbins, P.O. Box 242, Richmond 23202, 804–643–7301; executive director, N. Samuel Clifton, Imperial Bldg., 5th & Franklin Sts. Richmond 23219, 703–770–2061.

Virginia Bar Assn., Founded 1890, 3,000 Members, A–M: July, 1974; president W. Gibson Harris, 1400 Ross Bldg., Richmond 23219, 804–643–8341; president-elect or vice president, Thomas V. Monohan, Winchester 22601, 703–667–1096; executive director, Peter C. Manson, University of Virginia School of Law, Charlottesville 22901, 804–924–3416.

*Washington State Bar Assn., Founded 1933, 5,600 Members, A–M: September, 1974; president, Cleary S. Cone P.O. Box 499 Ellensburg 98926 509–925–3191; executive director, G. Edward Friar, 505 Madison, Seattle 98104, 206–622–6054.

*West Virginia State Bar, Founded 1947, 2,060 Members, A–M: October, 1974; president, Ernest C. Swiger Union Bank Bldg. Clarksburg 26301 304–624–5601; president-elect or vice president, James O. Porter, P.O. Box 2185, Huntington 25722, 304–529–6181; executive director Forest J. Bowman, E–404, State Capitol Charleston 25305, 304–346–8414.

Association, West Virginia Bar Assn., Founded 1886, 1,140 Members, AM: September, 1974; president, Charles A. Tutwiler, McDowell Cty. Bk. Bldg., Welch 24801, 304–436–3135; president-elect or vice president, James P. Robinson, P.O. Box 273, Charleston 25322, 304–344–4081; executive director, F. Witcher McCullough, P.O. Box 346, Charleston 25322, 304–342–1474.

*State Bar of Wisconsin, Founded 1878, 9,300 Members, AM: June, 1974; president, Victor A. Miller, St. Nazianz 54232, 414–773–2147; president-elect or vice president, Patrick T. Sheedy, 110 E. Wisconsin Ave., Milwaukee 53202, 414–272–4344; executive director, Philip S. Habermann, 402 W. Wilson St., Madison 53703, 608–257–3838.

*Wyoming State Bar, Founded 1915, 781 Members, AM: September, 1974; president, Thomas Morgan, P.O. Box 1070, Gillette 82716, 307–682–7213; president-elect or vice president, William J. Kerven, 104 Fort Street, Buffalo 82834, 307–684–2248; executive director, Joseph E. Darrah, 275 N. Bent, Powell 82435, 307–754–2934.

LOCAL BAR ASSOCIATIONS REPRESENTED IN THE ABA HOUSE OF DELEGATES

Arizona

Maricopa County Bar Assn., Founded 1914, 1,626 Members, AM: December, 1973; president, Charles T. Stevens, 100 W. Washington, Ste. 1445, Phoenix 85003, 262–252–7259; president-elect or vice president, William F. Haug, 111 W. Monroe Ave., Ste. 1800, Phoenix 85003, 262–252–5911; executive director, A. L. Meyer, 234 N. Central, Suite 862, Phoenix 85004, 262–252–6527.

California

Alameda County Bar Assn., Founded 1937, 1,658 Members, AM: November, 1973, president, John F. Guinee, 1065 A Street, Hayward 94541, 415–581–1735; president-elect or vice president, John C. Loper, 2150 Valdez St., Oakland 94612, 415–444–3131; executive director, Harold C. Norton, 208 Financial Center Bldg., Oakland 94612, 415–893–7160.

Beverly Hills Bar Assn., Founded 1931, 1,900 Members, A/M: September, 1974; president, Orlan S. Friedman, 1880 Century Park, E., Los Angeles 90067, 213–553–9696; president-elect or vice president, Edwin M. Rosendahl, 9777 Wilshire Blvd., Beverly Hills 90212, 213–273–0342; executive director, Tracy Schumacher, 300 S. Beverly Drive, Beverly Hills 90212, 213–553–6644.

Los Angeles County Bas Assn., Founded 1878, 11,132 Members, A/M: June, 1974; president, G. William Shea, 3435 Wilshire Blvd., 30th Fl., Los Angeles 90010, 213–381–3411; president-elect or vice president, Christian E. Markey, Jr., 606 S. Hill St., Los Angeles 90014, 213–626–1491; executive director, Donald O. Hagler, 606 S. Olive St., Ste. 1212, Los Angeles 90014, 213–624–8571.

Lawyers Club of Los Angeles County Founded 1931, 1,500 Members A/M: November, 1973; president, Harold I. Cherness, 412 W. 6th Street, Los Angeles 90014, 213–622–8682; president-elect or vice president, Richard G. Reinjohn, 611 W. 6th St., Ste. 700, Los Angeles 90017, 213–624–9774; executive director, Barbara Philips, 412 W. 6th St., Ste. 918, Los Angeles 90014, 213–622–8682.

Orange County Bar Assn., Founded 1901, 1,535 Members, A/M: January, 1974; persident, James W. O'Brien, 7901 Westminster Ave., Westminister 92683, 714–893–1371; president-elect or vice president, Frederick T. Mason, 2555 E. Chapman, Ste. 705, Fullerton 92631, 714–879–1010; executive director, Andrea Hall, 17291 Irvine Blvd., Suite 309, Tustin 92680, 714–838–9200.

San Diego County Bar Assn., Founded 1921, 1,739 Members, A/M: December, 1973; president, John L. Newburn, P.O. Box 272, LaJolla 92037, 714–454–4233; executive director, Julie A. Hegg, 1200 Third Ave., Suite 414, San Diego 92101, 714–232–6739.

The Bar Assn. of San Francisco, Founded 1872, 4,200 Members, A/M: December, 1973; president, Michael Traynor, Alcoa Plaza, San Francisco 94111, 415–981–5252; president-elect or vice president, Robert H. Fabiar, 555 California St., San Francisco 94120, 415–622–6095; executive director, Sue U. Malone, 20 Montgomery St., San Francisco 94104, 415–391–6102.

Lawyers Club of San Francisco, Founded 1946, 2,800 Members, A/M: January, 1974; president, Alexis J. Perillat, 605 Market St., San Francisco 94105, 415–986–0289; president-elect or vice president, Richard M. Kapland, 155 Montgomery St., San Francisco 94104, 415–982–5250; executive director, Grace Hackett, 1255 Post St., San Francisco 94109, 415–673–6025.

Santa Clara County Bar Assn., Founded — 1,287 Members, A/M: January, 1974; president, Lawrence A. Menard, 777 N. First St., Suite 333, San Jose 95112, 408–295–2522; president-elect or vice president, Conrad L. Rushing, 111 W. St. John St., Suite 666, San Jose 95113, 408–288–9100, executive director, Mary A. Davis, 12 S. First St., No. 229, San Jose 95113, 408–288–8840.

Colorado

Denver Bar Assn., Founded 1903, 2,465 Members, A/M: June, 1974; president, Gilbert M. Westa, 931 - 14th Street, Denver 80202, 303–266–4174; president-elect or vice president, Wayne D. Williams, Capitol Life Center, Denver 80203, 303–222–9424; executive director, William B. Miller, 200 W. 14th Ave., Denver 80204, 303–222–9421.

Florida

Dade County Bar Assn., Founded 1920, 1,975 Members, A/M: June, 1974; president, Irwin J. Block, 2401 Douglas Road, Coral Gables 33134, 305–443–1571; president-elect or vice president, Ben E. Hendricks, Jr., 310 Alhambra Circle, Coral Gables 33134, 305–445–3692; executive director, Johnnie M. Ridgely, 111 N.W. First Ave., Miami 33128, 305–379–0641.

Georgia

Atlanta Bar Assn., Founded 1888, 1,800 Members, A/M: May, 1974; president, Jule W. Felton, Jr., 3300 First Natl. Bk. Tower, Atlanta 30303, 404–658–9600; president-elect

or vice president, John T. Marshall, 1100 C & S Natl. Bk. Bldg., Atlanta 30303, 404–521–1900; executive director, Margaret P. Lindsey, 704 Fulton County Courthouse, Atlanta 30303, 404–521–0777.

Illinois

The Chicago Bar Assn., Founded 1873, 10,000 Members, A/M: June, 1974; president, James W. Kissel, 1 First Natl. Plaza, Suite 4700, Chicago 60670, 312–329–5422, president-elect or vice president, James P. Connelly, 77 W. Washington St., Suite 2103, Chicago 60602, 312–236–7106; executive director, Jacques G. Fuller, 29 S. LaSalle St., Suite 1040, Chicago 60603, 312–782–7348.

Association, Chicago Council of Lawyers, Founded 1969, 1,200 Members, A/M: October, 1973; president, Arnold B. Kanter, 69 W. Washington St., Suite 3000, Chicago 60602, 312–443–5097; president elect or vice president, John C. Christie, Jr., 135 S. LaSalle St., Chicago 60603, 312–263–1131; executive director, Richard K. Means, 53 W. Jackson, Room 1333, Chicago 60604, 312–427–0710.

Indiana

Indianapolis Bar Assn., Founded 1878, 1,528 Members, A/M: January, 1974; president, Karl J. Stipher, 810 Fletcher Trust Bldg., Indianapolis 46204, 317–635–4535; president-elect or vice president, Douglass R. Shortridge, One Indiana Square, Suite 1960, Indianapolis 46204, 317–635–9535; executive director, Rosalie F. Felton, One Indiana Square, Suite 2550, Indianapolis 46204, 317–632–8240.

Kentucky

Louisville Bar Assn., Founded 1900, 1,326 Members, A/M: January, 1974; president, Victor W. Ewen, 2100 Commonwealth Bldg., Louisville 40202, 502–589–1110; president-elect or vice president, William B. Stansbury, 545 Starks Bldg., Louisville 40202, 502–589–4440; executive director, Jay Crouse, 400 Courthouse, Louisville 40202, 502–583–5314.

Maryland

The Bar Assn. of Baltimore City, Founded 1880, 2,300 Members, A/M: June, 1974; president, George L. Russell, Jr., 621 Court House, Baltimore 21202, 301–396–3100; president-elect or vice president, William W. Cahill, 10 Light St., No. 1900, Baltimore 21202, 301–539–2125; William I. Weston, 621 Court House, Baltimore 21202, 301–539–5936.

Massachusetts

Boston Bar Assn., Founded 1876, 4,300 Members, A/M: May, 1974; president, John G. Brooks, 53 State Street, Boston 02109, 617–523–2100; president-elect or vice president, Edward J. Barshak, 73 Tremont St., Boston 02108, 617–227–3030; executive director, Frederick H. Norton, Jr., 16 Beacon St., Boston 02108, 617–742–0615.

Michigan

Detroit Bar Assn., Founded 1836, 4,000 Members, A/M: May, 1974; president, Ivan E. Barris, 1930 Buhl Bldg., Detroit 48226, 313–965–5565; president-elect or vice president, George T. Roumell, Jr., 700 Ford Bldg., Detroit 48226, 313–962–8255; executive director, John E. Lama, 600 Woodward Ave., Detroit 48226, 313–961–3545.

Oakland County Bar Assn., Founded 1934, 1,300 Members, A/M: May, 1974; president, Daniel C. Devine, 860 W. Long Lake Rd., Bloomfield Hills 48013, 313–647–7200; president-elect or vice president, William P. Whitfield, 804 Community Natl. Bank Bldg., Pontiac 48058, 313–333–7941; executive director, Nancy A. Galloway, 1200 N. Telegraph Road. Pontiac 48053, 313–338–2100.

Minnesota

Hennepin County Bar Assn., Founded 1919, 2,400 Members, A/M: May, 1974; president, Edward J. Schwartzbauer, 2400 First Natl. Bk. Bldg., Minneapolis 55402, 612–340–2825; president-elect or vice president, Sheldon D. Karlins, 512 Builders Exchange Bldg., Minneapolis 55402, 612–339–7131; executive director, Kay M. Runyon, 700 Cargill Bldg., Minneapolis 55402, 612–335–0923.

Missouri

Kansas City Bar Assn., Founded 1884, 1,500 Members, A/M: October, 1974; president, Max W. Foust, 1700 Home Savings Bldg., Kansas City 64106, 816–474–6050; president-elect or vice president, Roy A. Larson, Jr., 2420 Pershing Rd., No. 400, Kansas City 64108, 816–421–6767; executive director, Bobbie Lou Hunsperger, 861 Home Savings Bldg., Kansas City 64106, 816–474–4322.

A/M: Date of Annual Meeting.

Association, Bar Assn. of Metropolitan, St. Louis, Founded 1874, 2,470 Members, A/M: April, 1974; president, Frank E. Vigus, 721 Pestalozzi, St. Louis 63118, 314–577–234; president elect or vice president, Michael N. Newmark, 611 Olive St., #1555, St. Louis 63101, 314–231–5833; executive director, R. Leland Hamilton, 806 St. Charles, St. Louis 63101, 314–421–4134.

New Jersey

Essex County Bar Assn., Founded 1899, 3,000 Members A/M: April, 1974; president, William L. Kirchner, Jr., 92 Washington St., Newark 07102, 201–622–6207; president elect or vice president, Samuel S. Saiber, 92 Washington St., Newark 07102, 201–622–6207.

New York

Assn. of the Bar of the City of New York, Founded 1871, 10,000 Members, A/M: May 1974; president, Orville H. Schell, Jr., 1 Wall St., New York 10005, 212–943–6500; executive director, Paul B. DeWitt, 42 W. 44th St., New York 10036, 212–MU 2–0606.

New York County Lawyers Assn., Founded 1908, 9,000 Members, A/M: May, 1974; president, Henry N. Ess, III, Wall Street, New York 10005, 212–HA 2–8100; president elect or vice president, Wilbur H. Friedman, 300 Park Ave., New York 10022, 212–593–9000; executive director, Julius Rolnitzky, 14 Vesey St., New York 10007, 212–267–6646.

Ohio

Cincinnati Bar Assn., Founded 1872, 1,600 Members, A/M: April, 1974; president, Robert O. Klausmeyer, 2900 DuBois Tower, Cincinnati 45202, 513–621–8550; president elect or vice president, Frank G. Davis, 805 Tri-State Bldg., Cincinnati 45202, 513–721–7296; executive director, Martha H. Perin, 26 E. 6th St., Suite 400, Cincinnati 45202, 513–381–8213.

The Bar Association of Greater Cleveland, Founded 1873, 3,700 Members, A/M: May, 1974; president, Norman W. Shibley, 1500 Natl. City Bank Bldg., Cleveland 44114, 216–696–3232; president-elect or vice president, Robert G. McCreary, Jr., 1144 Union Commerce Bldg., Cleveland 44115, 216–696–1144; executive director, Peter P. Roper, 1044 Terminal Tower, Cleveland 44113, 216–696–3525.

Columbus Bar Assn., Founded 1869, 1,700 Members, A/M: June, 1974; president, Russell Leach, 100 E. Broad St., Columbus 43215, 614–221–6651; president-elect or vice president, John M. Adams, 88 E. Broad St., Columbus 43215, 614–224–6139; executive director, Judy Stoothoff 22 N. Front St., Columbus 43215, 614–221–4112.

Cuyahoga County Bar Assn., Founded 1927, 1,800 Members, A/M: May, 1974; president, David I. Sindell, 1400 Leader Bldg., Cleveland 44114, 216–781–8700; president-elect or vice president, Albert J. Morhard, 810 Natl. City Bank Bldg., Cleveland 44114, 216–781–9191; executive director, David Arnold, 3000 Terminal Tower, Cleveland 44113, 216–696–6010.

Oklahoma

Oklahoma County Bar Assn., Founded 1903, 1,050 Members, A/M: January, 1974; Stewart W. Mark, 100 Park Ave. Bldg., 5th Floor, Oklahoma City 73102, 405–235–9621; president-elect or vice president, John L. Belt, 600 Hightower Bldg., Oklahoma City 73102, 405–235–9371; executive director, Carol Stevens, 412 Mercantile Bldg., Oklahoma City 73102, 405–236–8421.

Association, Tulsa County Bar Assn., Founded 1903, 1,066 Members, A/M: December, 1973; president, Floyd L. Walker, 405 Mayo Bldg., Tulsa 74103, 918–584–4136; president-elect or vice president, John Boyd, 217 W. 5th, Tulsa 74103, 918–582–2244; executive director, Losi M. McIlroy, 822 Beacon Bldg., Tulsa 74103, 918–584–5243.

Oregon

Multnomah Bar Assn., Founded 1906, 1,500 Members, A/M: January, 1974; president, James Spiekerman, 1200 Standard Plaza, Portland 97204, 503–222–9981; president-elect or vice president, John R. Faust, Jr., 1408 Standard Plaza, Portland 97204, 503–226–7321.

Pennsylvania

Allegheny County Bar Assn., Founded 1870, 3,361 Members, A/M: December, 1973; president, Robert Raphael, 1330 Grant Bldg., Pittsburgh 15219, 412–471–8822; president-elect or vice president, Daniel B. Dixon, 919 Oliver Bldg., Pittsburgh 15222, 412–281–3311; executive director; executive director, James I. Smith, III, 920 City-County Bldg., Pittsburgh 15219, 412–261–0518.

Philadelphia Bar Assn., Founded 1802, 5,200 Members, A/M: December, 1973; president, Joseph N. Bongiovanni, Jr., 617 Four Penn Center, Philadelphia 19103, 215–LO–3-1166; president-elect or vice president, William R. Klaus, The Fidelity Bldg., 20th Floor, Philadelphia 19109, 215–KI–5-1234; executive director, Philip R. Goldsmith, 423 City Hall Annex, Philadelphia 19107, 215–MU–6-5687.

Texas

Dallas Bar Assn., Founded 1873, 2,465 Members, A/M: November, 1973; president, John L. Estes, 3600 Republic Bank Tower, Dallas 75201, 214–744–4511; president-elect or vice president, Louis J. Weber, Jr., 917 Republic Bank Tower, Dallas 75201, 214–744–4023; executive director, Jo Anna Moreland, Adolphus Hotel, Dallas 75221, 214–742–4675.

Houston Bar Assn., Founded 1870, 3,200 Members, A/M: July, 1974; president, Vincent W. Rehmet, 1200 The Main Bldg., Houston 77002, 713–224–7272; president-elect or vice president, Ralph S. Carrigan, 3000 One Shell Plaza, Houston 77002, 713–229–1219; executive director, Gaye Platt, 200 Houston Bar Center Bldg., Houston 77002, 713–222–1441.

Washington

Seattle-King County Bar Assn., Founded 1906, 2,040 Members, A/M: June, 1974; president, Burroughs B. Anderson, 1900 Washington Bldg., Seattle 98101, 206–682–8770; president-elect or vice president, William Wesselhoeft, 929 Logan Bldg., Seattle 98101, 206–622–1711; executive director, Helen M. Geisness, 320 Central Bldg., Seattle 98104, 206–623–2551.

Wisconsin

Milwaukee Bar Assn., Founded 1858, 1,550 Members, A/M: May, 1974; president, Lawrence J. Bugge, 736 N. Water St., Milwaukee 53202, 414–273–0800; president-elect or vice president, Jackson M. Bruce, Jr., 735 N. Water St., Milwaukee 53202, 414–271–6110; executive director, Georgeanne Rude, 740 N. Plankington Ave., Milwaukee 53203, 414–271–3833.

LOCAL BAR ASSOCIATIONS WITH MEMBERSHIPS OVER 300 WHICH ARE NOT REPRESENTED IN THE ABA HOUSE OF DELEGATES

Alabama

Birmingham Bar Assn., Founded 1885, 847 Members, A/M: December 1973; president, Timothy M. Conway, 800 First Natl.-Southern Natural Bldg., Birmingham 35203, 205–328–8141; president-elect or vice president, Robert D. Norman, 1103 City Federal Bldg., Birmingham 25203, 205–328–6643; executive director, Beth Carmichael, 900 Jefferson County Courthouse, Birmingham 35203, 205–251–8006.

A/M: Date of Annual Meeting.

Mobile Bar Assn., Founded, 360 Members, A/M: December, 1973; president, Alex T. Howard, Jr., P.O. Box 1988, Mobile 36601, 205–432–7682; president-elect or vice president,

Nicholas S. McGowin, P.O. Box 23, Mobile 36601, 205–433–3991; executive director, Conrad P. Armbrecht, II, P.O. Box 290, Mobile 36601, 205–432–6751.

Arizona

Pima County Bar Assn., Founded, 450 Members, A/M: June, 1974; president, Robert F. Miller, 111 S. Church, Tucson 85701, 602–792–3883; president-elect or vice president, W. E. Dolph, 2 E. Congress, 9th Floor, Tucson 85701, 602–792–4800; executive director, Doris Mindell, 220 State Bldg., 415 W. Congress, Tucson 85701, 602–882–5508.

Arkansas

Pulaski County Bar Assn., Founded, 350 Members, A/M: June, 1974; president, Philip E. Dixon, 1550 Tower Bldg., Little Rock 72201, 501–375–9151; president-elect or vice president, Dean R. Morley, 2900 Percy Machin Dr., North Little Rock 72114, 501–758–2955; executive director, John M. Bilheimer, 622 Pyramid Life Bldg., Little Rock 72201, 501–374–3758.

California

Fresno County Bar Assn., Founded 1910, 389 Members, A/M: December, 1973; president, Harold D. Sandell, 510 Security Bk. Bldg., Fresno 93721, 209–486–2500; president-elect or vice president, Stephen Barnett, Guarantee Savings Bldg., 4th Floor, Fresno 93721, 209–233–5713; executive director, Val Weston, 409 T. W. Patterson Bldg., Fresno 93721, 209–264–0137.

Long Beach Bar Assn., Founded 1919, 550 Members, A/M: January, 1974; president, Edwin J. Wilson, 444 W. Ocean Blvd., Suite 1700, Long Beach 90802, 213–435–9111; president-elect or vice president, Walter J. Desmond, 614 Heartwell Bldg., Long Beach 90802, 213–437–2839; executive director, Nila Alcock, 444 W. Ocean Blvd., Suite 500, Long Beach 90802, 213–432–6929.

Sacramento County Bar Assn., Founded 1949, 900 Members, A/M: December, 1973; president, Kneeland H. Lobner, 2401 Capitol Ave., Sacramento 95816, 916–444–2140; president-elect or vice president, Jerome R. Lewis, 1431-22nd St., Sacramento 95816, 916–444–7674; executive director, J. Richard Glade, 901 H Street, Suite 101, Sacramento 95814, 916–448–1087.

San Bernardino County Bar Assn., Founded 1875, 326 Members, A/M: June, 1974; president, George W. Porter, 1047 W. 6th Street, Suite 104, Ontario 91764, 714–986–3851; president-elect or vice president, Edgar C. Keller, 323 W. Court, Suite 302, San Bernardino 92401, 714–889–2681; executive director, Willard B. Tappan, 364 N. Arrowhead Ave., San Bernardino 92401, 714–888–6791.

San Fernando Valley Bar Assn., Founded 1926, 885 Members, A/M: January, 1974; president, Kevin G. Lynch, 501 S. Brand Blvd., San Fernando 91340, 213–361–1121; president-elect or vice president, LeVone A. Yardum, 15300 Ventura Blvd. #405, Sherman Oaks 91403, 213–788–4841; executive director, Sue Keating, 14540 Hamlin St., Suite D, Van Nuys 91401, 213–786–5055.

San Mateo County Bar Assn., Founded 1931, 650 Members, A/M: November, 1973; president, Harlan K. Veal, 1710 Industrial Rd., San Carlos 94070, 415–593–1871; president-elect or vice president, Xenophon Tragoutsis, 128 Brentwood Dr., South San Francisco 94080, 415–589–4089; executive director, Ramon S. Lelli, 333 Bradford St., Redwood City 94063, 415–364–5600.

Southeast District Bar Assn., Founded 1950, 342 Members; president, Roger J. Pryor, 411 S. Long Beach Blvd., Compton 90221, 213–631–2738; president elect or vice president, James E. Pearce, 18300 Pioneer Blvd., Suite B, Artesia 90701, 213–869–5011; executive director, Rose Reina, 12720 Norwalk Blvd., Norwalk 90650, 213–868–6787.

Connecticut

Bridgeport Bar Assn., Founded 1920, 475 Members; president, Maurice J. Maglinick, 955 Main St., Bridgeport 06604, 203–367–4421; president-elect or vice president, C. David Munich, 945 Main St., Bridgeport 06604, 203–335–3501.

Hartford County Bar Assn., 1,600 Members; president, William R. Davis, 75 Lafayette St., Hartford 06106, 203–522–1196; president-elect or vice president, Maxwell Heiman, 43 Bellevue Ave., Bristol 06010, 203–589–4343; executive director, Frances Krilyno, 266 Pearl St. Hartford 06103, 203–525–8106.

New Haven County Bar Assn., Founded 1907, 600 Members; president, Roger J. Frechette, 215 Church St., New Haven 06507, 203–865–2133; president-elect or vice president, Stephen I. Traub, 152 Temple St., New Haven 06507, 203–777–7615.

Florida

Broward County Bar Assn., Founded 1956, 800 Members; president, Nicholas J. DeTardo, 4747 Hollywood Blvd., Hollywood 33021, 305–987–3400; president-elect or vice president, William F. Leonard, 2810 E. Oakland Pk. Blvd., Ft. Lauderdale 33306, 305–563–2671; executive director, Norma B. Howard, 735 N.E. Third Ave., Ft. Lauderdale 33304, 305–764–8040.

Hillsborough County Bar Assn., Founded 1937, 675 Members, A/M: May, 1974; president, Ronald D. McCall, P.O. Box 1438, Tampa 33601, 813–228–7411; president-elect or vice president, Leonard H. Gilbert, P.O. Box 3239, Tampa 33601, 813–223–5366; executive director, Dorothy D. Vines, P.O. Box 26, Tampa 33601, 813–226–6431.

Jacksonville Bar Assn., Founded 1897, 765 Members, A/M: May, 1974; president, John M. McNatt, Jr., 1500 American Heritage Bldg., Jacksonville 32202, 904–354–0624; president-elect or vice president, James M. McLean, 1300 Florida Title Bldg., Jacksonville 32202, 904–356–3911; executive director, Alice Elwes, 1101 Barnett Bank Bldg., Jacksonville 32202, 904–354–2144.

Orange County Bar Assn., Founded 1887, 735 Members, A/M: May, 1974; president, Michael R. Walsh, 1751 S. Orange Ave., Orlando 32806, 305–841–9370; president-elect or vice president, Fred M. Peed, P.O. Box 1273, Orlando 32802, 305–843–9500; executive director, Patricia A. Sambrook, 55 E. Washington St., Orlando 32801, 305–422–4537.

Palm Beach County Bar Assn., Founded 1922, 555 Members, A/M: May, 1974; president, Raymond W. Royce, 450 Royal Palm Way, Palm Beach 33480, 305–655–8433; president-elect or vice president, Peter Van Andel, P.O. Box 71, Palm Beach 33480, 305–655–1980; executive director, Mary Burdick, County Courthouse, Room 339, West Palm Beach 33401, 305–655–5200.

St. Petersburg Bar Assn., Founded 1925, 385 Members, A/M: June, 1974; president, Charles W. Burke, 616 First Federal Bldg., St. Petersburg 33701, 813–822–3124; president-elect or vice president, John D. Harris, Jr., Florida Natl. Bank Bldg., St. Petersburg 33701, 813–822–3943.

Illinois

DuPage County Bar Assn., Founded 1879, 400 Members, A/M: June, 1974; president, Clifford M. Carney, 4915 Main St., Downers Grove 60515, 312-969-2300; president elect or vice president, Alan C. Hultman, 5106 Main St., Downers Grove 60515, 312–968–5112; executive director, Florine McKay, 202 W. Front St., Suite 3B, Wheaton 60187, 312–653–7779.

Lake County Bar Assn., Founded 1912, 320 Members, A/M: June, 1974; president, Donald M. Lonchar, Jr., 33 N. County St., Waukegan 60085, 312–623–0112; president elect or vice president, Donald S. Flannery, 200 N. Milwaukee Ave., Libertyville 60048, 312–362–1515; executive director, Michael L. Roach, 25 N. County St., Waukegan 60085, 312–244–0600.

Peoria County Bar Assn., Founded 1906, 325 Members, A/M: July, 1974; president, Mishael O. Gard, 1900 Savings Center Tower, Peoria 61602, 309–673–0741; president elect or vice president, John C. Newell, Jr., 1210 Lehmann Bldg., Peoria 61602, 309–674–3163; executive director, Mary Louise Jacquin, Peoria County Courthouse, Room 209, Peoria 61602, 309–676–4611.

West Suburban Bar Assn., Founded 1942, 420 Members, A/M: December, 1973; president, Alexander O. Walter, 1936 S. Austin Blvd., Cicero 60650, 312–656–4955; president elect or vice president, Robert D. Goldstine, 7660 W. 62nd Pl., Summit 60501, 312–458–1253.

Indiana

Allen County Bar Assn., Founded 1901, 360 Members, A/M: October, 1973; president, James R. Grossman, 1210 Lincoln Bank Tower, Fort Wayne 46802, 219–422–4706; president elect or vice president, James R. Solomon, 1212 Anthony Wayne Bank Bldg., Fort Wayne 46802, 219–423–3331; executive director, Barbara Carto, 1012 Fort Wayne Bank Bldg., Fort Wayne 46802, 219–743–8221.

Iowa

Polk County Bar Assn., Founded 1886, 725 Members, A/M: May, 1974; president, James E. Cooney, 920 Liberty Bldg., Des Moines 50309, 515–243–7611; president-elect or vice president, John A. McClintock, 803 Fleming Bldg., Des Moines 50309, 515–244–2141.

Kansas

Topeka Bar Assn., Founded 1905, 351 Members; president, Robert R. Irwin, First Natl. Bank Tower, Topeka 66603, 913–232–0551; president-elect or vice president, Donald Patterson, First Natl. Bank Tower, Topeka 66603, 913–232–7761; executive director, Edward B. Soule, First Natl. Bank Tower, Suite 610, Topeka 66603, 913–232–0545.

Wichita Bar Assn., Founded 1915, 587 Members, A/M: June, 1974; president, Patrick F. Kelly, 612 Union National, Wichita 67202, 316–267–2212; president-elect or vice president, Lee Woodard, 518 Century Plaza, Wichita 67202, 316–265–1688; executive director, Jonalou M. Pinnell, 505 Beacon Bldg., Wichita 67202, 316–262–4537.

Louisiana

Baton Rouge Bar Assn., Founded 1949, 425 Members, A/M: March, 1974; president, Rolfe H. McCollister, P.O. Box 2706, Baton Rouge 70801, 504–348–5961; president-elect or vice president, Frank W. Middleton, Jr., P.O. Box 2471, Baton Rouge 70821, 504–348–3221; executive director, Billy O. Wilson, 714 Louisiana Natl. Bank Bldg., Baton Rouge 70801, 504–342–7775.

New Orleans Bar Assn., Founded 1924, 1,800 Members, A/M: November, 1973; president, Moise W. Dennery, 1003 Maritime Bldg., New Orleans 70130, 504–525–7453; vice president, Harry McCall, Jr., 1003 Maritime Bldg., New Orleans 70130, 504–525–7453; executive director, Gloria Phares, 1003 Maritime Bldg., New Orleans 70130, 504–525–7453.

Shreveport Bar Assn., 345 Members A/M: October, 1974; president, Ben King, Commercial Natl. Bank Bldg., Shreveport 7110, 318–423–6177; executive director, Fred C. Sexton, Jr., 501 Caddo Parish Courthouse, Shreveport 71101, 318–422–0711.

Maryland

Baltimore County Bar Assn., Founded 1921, 313 Members, A/M: January, 1974; president, William Baldwin, 24 W. Pennsylvania Ave., Towson 21204, 301–823–0260; president-elect or vice president, John T. Welsh, 44 W. Chesapeake, Towson 21204, 301–823–1578.

Montgomery County Bar Assn., Founded 1894, 750 Members, A/M: June, 1974; president, Robert L. Kay, 5330 Wisconsin Ave., Chevy Chase 20015, 301–654–6767; president-elect or vice president, James T. Wharton, 100 S. Washington, Rockville 20850, 301–763–7770.

Massachusetts

Hampden County Bar Assn., Founded 1864, 631 Members, A/M: May, 1974: president, Frank L. Uman, 31 Elm St., Suite 447, Springfield 01103, 413–737–9624; president-elect or vice president, Charles Cohen, 1500 Main St. Springfield 01103, 413–732–2147.

Middlesex County Bar Assn., Founded 1898, 1,100 Members, A/M: January, 1974;

president, John V. Harvey, Middlesex Probate Court, East Cambridge 02141, 617–876–8000; president-elect or vice president, Edward D. McCarthy, 341 Broadway, Cambridge 02139, 617–491–2112; executive director, Antonio de J. Cardozo, 1 Center Plaza, Boston 02108, 617–523–7400.

Bar Assn. of Norfolk County, Founded 1886, 800 Members, A/M: May, 1974; president, Charles A. George, 10 Diauto Drive, Randolph 02368, 617–963–4733; president-elect or vice president, Leon Rubin, 1354 Hancock St., Quincy 02169, 617–773–5142.

Worcester County Bar Assn., Founded 1887, 600 Members, A/M: October, 1973; president, Philip J. Murphy, 410 Main St., Fitchburg 01402, 617–342–6081; executive director, John J. Moynihan, 340 Main St., Worcester 01608, 617–757–7457.

Association

Michigan

Grand Rapids Bar Assn., Members, A/M: February, 1974; president, Ernest A. Mika, 500 Frey Bldg., Grand Rapids 49502; 616/459–3200; president elect or vice president, Robert W. Richardson, 740 Old Kent Bldg., Grand Rapids 49502; 616–459–1171; executive director, Marjorie C. Wilcox, 1010 Old Kent Bldg., Grand Rapids, 49502, 616–454–9493.

Ingham County Bar Assn., 300 Members, A/M: June, 1974; president, Jack W. Warren, City Hall, Lansing 48933, 517–484–4557; president-elect or vice president, John L. Cole, P-K Bldg., East Lansing 48823, 517–332–3541.

Macomb County Bar Assn., Founded 1910, 400 Members, A/M: September, 1974; president Wesley J. Roberts, 28800 Van Dyke, Warren 48093; 313–756–8620; president-elect or vice president, Max D. McCullough, 15 S. Gratiot, Mt. Clemens 48043, 313–463–0597.

Minnesota

Ramsey County Bar Assn., 1,100 Members, A/M: May, 1974; president, Fred W. Fisher, 624 Endicott Bldg., St. Paul 55101, 612–222–6841; president-elect or vice president, William C. Meier, 430 Minnesota Bldg., St. Paul 55101, 612–226–8844; executive director, James H. Adams, 825 Sibley Memorial Hwy., St. Paul 55118, 612–224–8426.

Mississippi

Hinds County Bar Assn., Founded 1932, 420 Members, A/M: April, 1974; president Erwin Ward, 200 S. President St., Jackson 39205, 601–948–3033; president-elect or vice president, Martha Gerald, 402 Lamar Life Bldg., Jackson 39205, 601–948–3030; executive director, Ross Barnet, Jr., Barnett Bldg., Suite 315, Jackson 39205, 601–948–6640.

Missouri

Lawyers Assn. of Kansas City, Founded 1928, 550 Members, A/M: May, 1974; president, Jack Z. Krigel, 1210 Commerce Tower, Kansas City 64105, 816–474–8850; president-elect or vice president, William H. Woodson, 1000 Power & Light Bldg., Kansas City 64105, 816–474–8100; executive director, James H. McLarney, 1500 Commerce Bldg., Kansas City 64106, 816–842–9692.

St. Louis County Bar Assn., Founded 1931, 460 Members, A/M: April, 1974; president, George Bude, 130 S Bemiston, Clayton 63105, 314–727–5822; president-elect or vice president, Ivan Schenberg, 130 S. Bemiston, Clayton 63105, 314–726–6545.

Nebraska

Lincon Bar Assn., Founded, 325 Members, A/M: April, 1974; president, Paul Douglas, County-City Bldg., Lincoln 68508, 402–473–6321; president-elect or vice president, Theodore L. Kessner, 400 Lincoln Benefit, Life Bldg., Lincoln 68508, 402–475–5131.

Omaha Bar Assn., Founded 1924, 700 Members, A/M: January, 1974; president, Harold L. Rock, 600 Woodman Tower, Omaha 68102, 402–346–6000; president-elect or vice president, John T. Grant, 410 Acquila Court Bldg., Omaha 68102, 402–341–9929; executive director, William E. Naviaux, 1101 Farm Credit Bldg., Omaha 68102, 402–341–2616.

New Jersey

Bergen County Bar Assn., Founded 1899, 1,100 Members, A/M: December, 1973; president, Daniel Gilady, 214 Main St., Hackensack 07601, 201–489–522; president elect or vice president, Kevin M. O'Halloran, 210 Main St., Hackensack 07601, 201–487–2441; eecutive director, Bruce H. Losche, 267 Summit Ave., Hackensack 07690, 201–487–5500.

Camden County Bar Assn.; Founded 1881, 610 Members, A/M: September, 1974; president, Samuel L. Supnick, 1 Broadway, Camden 08103, 609–966–5900; president-elect or vice president, Daniel B. Toll, 1040 N. Kings Hwy., Cherry Hill 08034, 609–779–1700.

Hudson County Bar Assn., Founded 1887, 900 Members, A/M: December, 1973. president, Martin J. Brenner, 921 Bergen Ave., Jersey City 07306, 201–653–5020; president-elect or vice president, Lester Miller, 4008 38th St., Union City 07087, 201–863–4800.

Mercer County Bar Assn., Founded, 450 Members, A/M: January, 1974; president, Thomas C. Jamieson, 1 W. State St., Trenton 08608, 609–396–5511; president-elect or vice president, Richard M. Kohn, 1215 Natl. State Bank Bld., Trenton 08608, 609–392–6155; eecutive director, Rudolph A. Socey, Jr., 143 E. State St., Trenton 08608, 609–989–8300.

Middlesex County Bar Assn., Founded, 444 Members, A/M. June, 1974; president, John H. Stockel, 313 State St., Suite 608, Perth Amboy 08862, 201–431–5544; president-elect or vice president, Andrew V. Clark, 214 Smith St., Perth Amboy 08861, 201–324–1234.

Monmouth Bar Assn., Founded 1908, 750 Members, A/M: May, 1974; president, William H. Burns, Jr., Court House, Freehold 07728, 201–431–5544; president-elect or vice president, George N. Arvanitis, Court House, Frehold 07728, 201–431–5544; executive director, Patricia A. Grignard, Court House, Freehold 07728, 201–431–5544.

Morris County Bar Assn., 450 Members, A/M: January, 1974; president, Stewart G. Pollock, 10 Washington St., Morristown 07960, 201–539–1011.

Passaic County Bar Assn., Founded 1889, 746 Members, A/M: March, 1974; president, I. Lloyd Gang, 174 Gregory Ave., Passaic 0705, 201–777–7722; president-elect or vice president, Carl V. Greenburg, 663 Main Ave., Passaic 07055, 201–777–8900; executive director, Harold Valentine, 1195 Clifton Ave., Clifton 07013, 201–473–0070.

Bar Assn. of Union County, Founded 1902, 70 Members, A/M: December, 1973; president, Albert L. Simpson, 44 Elmwood Ave., Union 07083, 201–688–7700; president-elect or vice president, Robert M. Read, 328 Park Ave., Scotch Plains 07076, 201–332–6200; executive director, Alfred M. Wolin, 567 Morris Ave., Elizabeth 07208, 201–353–5700.

New Mexico

Albuquerque Bar Assn., Founded 1954, 370 Members, A/M: December, 1973; president, William E. Snead, P.O. Box 2226, Albuquerque 87103, 505–852–8177; president-elect or vice president, Phillip D. Baiamonte, 509 Roma Ave., N.W., Albuquerque 87102, 505–243–2878; executive director, Olive E. Brinkman, Simms Bldg., Room 507, Albuquerque 87102, 505–243–2615.

New York

Albany County Bar Assn., Founded 1900, 535 Members, A/M: January, 1974; president, Thomas M. Whalen, III, 35 State St., Albany 12207, 518–434–2196; president-elect or vice president, James S. Carter, 40 Steuben St., Albany 12207, 518–465–3484.

Brooklyn Bar Assn., Founded 1872, 1,950 Members, A/M: May, 1974; president John H. Finn, 123 Remsen St., Brooklyn 11201, 212–MA 4–0675; president-elect or vice president, Joseph J. Tombardo, 123 Remsen St., Brooklyn 11201, 212–MA 4–0675; executive director, K. Frederick Gross, 123 Remsen St., Brooklyn 11201, 212–624–0675.

Broome County Bar Assn., 350 Members, A/M: June, 1974; president, Chandler Y. Keller, Security Mutual Bldg., Binghamton 13901, 607–724–4328; president-elect or vice president, Donald M. Sukloff, Bankers Trust Bldg., Binghamton 13901, 607–723–7913; executive director, N. Theodore Sommer, 724 Security Mutual Bldg., New York 13901, 607–723–5341.

Bar Assn. of Erie County, Founded 1887, 1,887 Members, A/M: June, 1974; president, M. Robert Koren, 1300 Liberty Bank Bldg., Buffalo 14203, 716–856–3631; president-elect or vice president, Joseph P. Runfola, 405 Brisbane Bldg., Buffalo 14203, 716–852–4850; executive director, Carol J. Seal, 662 Ellicott Square Bldg., Buffalo 14203, 716–852–8687.

Monroe County Bar Assn., Founded 1892, 1,203 Members, A/M: December, 1973; president, Anthony R. Palermo, 16 E. Main St., Rochester 14614, 716–546–6474; president-elect or vice president, Charles F. Crimi, 700 Wilder Bldg., Rochester 14614, 716–325–2110; executive director, Milford J. Wheeler, 8 Reynolds Arcade, Rochester 14614, 716–546–1817.

Bar Assn. of Nassau County, Founded 1899, 2,700 Members, A/M: May, 1974; president, Daniel P. Sullivan, 1539 Franklin Ave., Mineola 11501, 516–746–1141; executive director, William E. Jackson, Jr., 15th & West Sts., Mineola 11501, 516–747–4070.

Nassau Lawyers Assn. of Long Island, Founded 1949, 700 Members, A/M: December, 1973; president, William J. Malone, 147 W. Merrick Rd., Freeport 11520, 516–FR 9–2500; president-elect or vice president, Samuel H. Forman, 1686 Roosevelt St., Baldwin 11510, 516–OR 8–1811.

Onondaga County Bar Assn., Founded 1875, 900 Members, A/M: December, 1973; president, Thomas H. Dyer, 28 E. Main St., Marcellus 13108, 315–673–2045; president-elect or vice president, Taylor H. Obold, 300 First Trust & Deposit Bldg., Syracuse 13202, 315–475–1611; executive director, Robert W. Dettor, 826 State Tower Bldg., Syracuse 13202, 315–471–2667.

Queens County Bar Assn., Founded 1876, 2,500 Members, A/M: March, 1974; president, Jules J. Haskel, 90–04 161st St., Jamaica 11432, 212–JA 6–6700; president-elect or vice president, Paul S. Graziano, St. John's University School of Law, 212–696–8000; executive director, Fred A. Brue, 90–35 148th St., Jamaica 11435, 212–AX 1–4500.

Richmond County Bar Assn., Founded 1909, 355 Members, A/M: February, 1974; president, Pasquale Bifulco, 15 Beach St., Staten Island 10304, 212–448–8121; president-elect or vice president, John G. Hall, 15 Beach St., Staten Island 10304, 212–447–1962.

Rockland County Bar Assn., Founded 1940, 329 Members, A/M: May, 1974; president, Irving A. Garson, 120 N. Main St., New City 10956, 914–634–8822; president-elect or vice president, Orville H. Mann., Jr., 17 S. Broadway, Nyack 10960, 914–358–0048; executive director, Eileen R. Lutz, 60 S. Main St., New City 10956, 914–634–2149.

Suffolk County Bar Assn., Founded 1908, 1,150 Members, A/M: May, 1974; president, James V. Fallon, Sr., 53 Main St., Sayville 11782, 516–567–0430; president-elect or vice president, Herman Schechter, 51 E. Main St., Smithtown 11787, 516–265–1700; executive director, Angela D. Cooney, 742 Veteran's Memorial Highway, Hauppauge 11787, 516–979–8300.

Westchester County Bar Assn., Founded 1896, 1,400 Members, A/M: March, 1974; president, Charles E. Doyle, Jr., 1010 Park Ave., Peekskill 10566, 914–737–0020; president-elect or vice president, Herbert A. Finneson, 55 Church St., White Plains 10601, 914–949–1720; executive director, Ellen M. Cherry, 65 Court St., White Plains 10601, 914–761–3707.

White Plains Bar Assn., 350 Members, A/M: December, 1973; president, Paul Gavin, 190 E. Post Road, White Plains 10601, 914–946–3942; president-elect or vice president, Charles A. Goldburger, 175 Main St., White Plains 10601, 914–949–5921.

North Carolina

Greensboro Bar Assn., 300 Members, A/M: April, 1974; president, G. Neil Daniels, P.O. Drawer U, Greensboro 27402, 919–273–2591; president-elect or vice president, A. L. Meyland, 500 W. Friendly Ave., Greensboro 27402, 919–275–8615.

Wake County Bar Assn., 400 Members, A/M: November, 1973; president, William Joslin, P.O. Box 487, Raleigh 27602, 919–828–7212; president-elect or vice president, Henry H. Sink, P.O. Box 1471, Raleigh 27602, 919–828–0684; executive director, W. Gerald Thorton, P.O. Box 1150, Raleigh 27602.

26th Judicial District Bar Assn., Founded 1955, 550 Members, A/M: May, 1974; president, Lloyd C. Caudle, Johnston Bldg., Charlotte 28281, 704–333–9037; president-elect or vice president, Larry V. Daggenhart, N.C.N.B. Bldg, Charlotte 28281, 704–376–4803.

Ohio

Akron Bar Assn., Founded 1875, 920 Members, A/M: June, 1974; president, Charles E. Pierson, 1 Cascade Plaza, Akron 44308, 216–535–2661; president-elect or vice president, Duane L. Isham, 1 Cascade Plaza, Akron 44308, 216–535–4114; executive director, Elizabeth Glymph, 407 Ohio Bldg., Akron 44308, 216–762–7453.

Dayton Bar Assn., Founded 1922, 687 Members, A/M: May, 1974; president, Hugh E. Wall, Jr., 600 I.B.M. Bldg., Dayton 45402, 513–223–8177; president-elect or vice president, William M. Cromer, 345 W. Second St., Suite 114, Dayton 45402, 513–223–5159; executive director, Mrs. G. Duffey Hegele, 601 Centre City Offices, Dayton 45402, 513–222–7902.

Mahoning County Bar Assn., Founded 1912, 415 Members, A/M: May, 1974; Arseny A. McIelnick, 610 Mahonig Bank Bldg., Youngstown 44503, 216–744–8973; president-elect or vice president, William G. Houser, 1010 Union Bank Bldg., Youngstown 44503, 216–744–4578; executive director, Mrs. Mary DeMain, Court House, Youngstown 44503, 216–746–2933.

Stark County Bar Assn., Founded 1900, 430 members, A/M: May, 1974; president, Ben M. Dreyer, 530 Renkert Bldg., Canton 44702, 216–455–5206; president elect or vice president, Richard E. Davis, 1st Natl. Bk. Bldg. No. 6122, Canton 44702, 216–456–4504; executive director, Mary L. Holland, 321 Peoples-Merchants Trust Bldg., Canton 44702, 216–453–0686.

The Toledo Bar Assn., Founded 1878, 900 Members; president, Paul M. Smart, 1200 Edison Plaza, Toledo 43604, 419–255–8220; president-elect or vice president, Thomas J. Manahan, 420 Madison, Suite 700, Toledo 43604, 419–243–6148; executive directors, Mrs. Samuel F. Hunter, 218 Huron Street, Toledo 43604, 419–242–9363.

Pennsylvania

Dauphin County Bar Assn., 415 Members, A/M: January, 1974; president, Thomas D. Caldwell, Jr., 123 Walnut St. Harrisburg 17105, 717–232–7661; president-elect or vice president, Christian V. Graf, 407 N. Front St., Harrisburg 17105, 717–236–9318; executive director, Leonard Tintner, P.O. Box 3787, Harrisburg 17105, 717–236–9377.

Delaware County Bar Assn., Founded 1872, 421 Members, A/M: January, 1974; president, John J. Maffei, P.O. Box 647, Media 19063, 215–565–3100; president-elect or vice president, Lewis B. Beatty, Jr., P.O. Box 140, Media 19063, 215–LO 6–8200.

Montgomery Bar Assn., Founded 1891, 524 Members, A/M: January, 1974; president, Morris Gerber, 18 W. Airy St., Suite 200, Norristown 19401, 215–279–6700; president-elect or vice president, Mason Avrigian, 12 E. Butler Ave., Ambler 19002, 215–MI 6–6000.

Wilkes-Barre Law & Library Assn., Founded 1872, 312 Members, A/M: January, 1974; president, J. Earl Langan, 2 William St., Pittston 18640, 717–654–4643; president-elect or vice president, Perry J. Shertz, 1000 Blue Cross Bldg., Wilkes-Barre 18701, 717–829–0511; executive director, John G. Zapotok, Court House, Wilkes-Barre 18702, 717–822–6029.

South Carolina

Richland County Bar Assn., Founded 1889, 450 Members, A/M: December, 1973; president, Clarke W. McCants, Jr., Palmetto State Life Bldg., Columbia 29201, 803–765–2312; president-elect or vice president, N. Welch Morrisette, Jr., 1306 Main St., Columbia 29201, 803–254–0335; executive director, John W. Williams, 1600 St. Julian Place, Cola 29204, 803–779–6785.

Tennessee

Chattanooga Bar Assn., Founded 1897, 390 Members, A/M: April, 1974; president Charles Gearhiser, Maclellan Bldg., Chattanooga 37402, 615–267–6723; president-elect or vice president, Mrs. Selma Cash Paty, 807 Chestnut St., Chattanooga 37402, 615–267–5404.

Memphis & Shelby County Bar Assn. Founded 1922, 900 Members, A/M: October, 1974; president, Edward P. A. Smith, P.O. Box 3007, Memphis 38103, 901–526–0606; executive director, DeAnne Downing, 200 Courthouse, Memphis 38103, 901–527–7020.

Nashville Bar Assn., Founded 1831, 760 Members, A/M: December, 1973; president, Louis Farrell, Jr., J. C. Bradford Bldg., Nashville 37219, 615–255–1113; president-elect or vice president, O. B. Hofstetter, Jr., American Trust Bldg., Suite 304, Nashville 37201, 615–255–7336.

Texas

El Paso Bar Assn., Founded 1921, 300 Members, A/M: January, 1974; president, Joe Calamia, 1604 State Natl. Plaza, El Paso 79901, 915–533–7425; president elect or vice president, Thor G. Gade, 1224 Southwest Center, El Paso 79901, 915–533–5422; executive director, James L. Gallagher, 11–D El Paso Natl. Bank Bldg., El Paso 79901, 915–533–2493.

Nueces County Bar Assn., Founded 1929, 350 Members, A/M: June, 1974; president, James H. Atwill, 1800 Guaranty Bank Plaza, Corpus Christi 78401, 512–883–6351; president elect or vice president, F. Starr Pope, Jr., P.O. Box 2446, Corpus Christi 78403, 512–884–3551; executive director, Mrs. Irene Canales, P.O. Box 1284, Corpus Christi 78403, 512–883–4022.

San Antonio Bar Assn., Founded 1873, 1,211 Members, A/M: July, 1974; president Roy R. Barrera, 424 E. Nueva, San Antonio 78205, 512–224–5811; president-elect or vice president, Henry W. Christopher, Jr., 210 Park North, Professional Bldg., San Antonio 78230, 512–349–1377; executive director, Jimmy Allison, Bexar County Courthouse, San Antonio 78204, 512–227–8822.

Travis County Bar Assn., 586 Members, A/M: May, 1974; president, William B. Hilgers, 711 W. 7th St., Austin 78701, 512–476–4731; president-elect or vice president, Jack Maroney, 900 Brown Bldg., Austin 78701, 512–472–5456; executive director, Jerome M. Smith, 1108 Lavaca St., Suite 400, Austin 78701, 512–476–4126.

Virginia

Arlington County Bar Assn., Founded 1926, 324 Members, A/M: April, 1974; president, Paul F. Sheridan, 1911 N. Fort Myer Dr., Arlington 22209, 703–524–5400; president-elect or vice president, Robert J. Arthur, 2054 N. 14th St., Arlington 22201, 703–527–0124; executive director, William B. Moore, 2009 14th St., N., Arlington 22201, 703–527–8100.

Fairfax Bar Assn., Founded 1920, 400 Members, A/M: May, 1974; Roy A. Swayze, 4085 Chain Bridge Rd., Fairfax 22030, 703–591–7100; president-elect or vice president, A. Hugo Blankinship, Jr., P.O. Box 338, Fairfax 22030, 703–273–4600; executive director, James F. DeDeo, P.O. Box 248, Fairfax 22030, 703–273–6400.

Norfolk and Portsmouth Bar Assn., Founded 1900, 560 Members, A/M: December, 1973; president Allan S. Reynolds, Plaza One Bldg., Norfolk 23510, 804–627–7705; president-elect or vice president, Jerrold G. Weinberg, Virginia Natl. Bank Bldg., Norfolk 23510, 804–623–3555; executive director, C. J Collins, 902 City Hall Bldg., Norfolk 23510, 804–441–2825.

Bar Assn. of the City of Richmond, Founded 1885, 850 Members, A/M: February, 1974; president, Eugene W. McCaul, 1005 United Virginia Bank Bldg., Richmond 23219, 804–644–5491; president-elect or vice president, Herndon P. Jeffreys, Jr., 615 Mutual Bldg., Richmond 23219, 804–644–1963; executive director, Hunter W. Martin, 1002 Mutual Bldg., Richmond 23219, 804–643–8616.

Washington

Spokane County Bar Assn., Founded 1900, 373 Members, A/M: June, 1974; president, Robert M. Brown, 902 Paulsen Bldg., Spokane 99201, 509–MA 4–3211; president-elect or vice president, Robert D. Dellwo, 1016 Old Natl. Bank Bldg., Spokane 99201, 509–624–4291.

WISCONSIN

Dane County Bar Assn., 600 Members, A/M: August, 1974; president, Roy B. Hovel, 235 E. Main St., Sun Prairie 53590, 608–837–5324; president elect or vice president, John J. Walsh, 25 W. Main St., Madison 53703, 608–257–1491; executive director, John M. Moore, 222 W. Washington Ave., Madison 53703, 608–257–3764.

ORGANIZATIONS REPRESENTED IN THE HOUSE OF DELEGATES

American Judicature Society, 46,000 Members, A/M: August, 1974; president, John S. Clark, First Natl. Bank Bldg., Petoskey, MI 49770, 616–347–3907; president-elect or vice president, Arlin M. Adams, U.S. Courthouse, 5th Fl., Philadelphia, Pa. 19107, 215–597–7317; executive director, Glenn R. Winters, 1155 E. 60th St., Chicago, IL 60637, 312–NO 7–2727.

American Law Institute, 1,513 Members, A/M: May, 1974; president, Norris Darrell, 48 Wall St., New York, NY 10005, 212–HA 2–8100; president-elect or vice president, R. Ammi Cutter, 62 Sparks St., Cambridge, MA 02138, 617–876–0032; executive director, Herbert Wechsler, 435 W. 116th St., New York, NY 10027, 212–749–0655.

American Patent Law Assn., 3,900 Members, A/M: October, 1973; president, John T. Kelton, 100 Park Ave., New York, NY 10017, 212–683–4221; president-elect or vice president, Arthur R. Whale, The Dow Chemical Co., Midland, MI 48640, 517–636–4719; executive director, Charlotte E. Gauer, 2001 Jefferson Davis Highway, Suite 203, Arlington, VA 22202, 703–521–1680.

Assn. of American Law Schools, 125 Members, A/M: December, 1973; president, Maurice Rosenberg, 435 W. 116th St., New York, NY 10027, 212–280–2694; president-elect or vice president, Soia Mentschikoff, 1111 E. 60th St., Chicago, IL 60637, 312–753–2455; executive director, Millard H. Ruud, One Dupont Circle, N.W., Suite 370, Washington, D.C. 20036, 202–296–8851.

Assn. of Life Insurance Counsel, 760 Members, A/M: May, 1974; president, Robert L. Dillard, Jr., P.O. Box 2220, Dallas, TX 75221, 214–741–1321; president-elect or vice president, Dudley Porter, Jr., Fountain Square, Chattanooga, TN 37402, 615–755–1298; executive director, Donald S. Fuerth, Prudential Plaza, Newark, NJ 07101, 201–336–2525.

Conference of Chief Justices, 53 Members, A/M: August, 1974; president Edward E. Pringle, 210 State Capitol, Denver, CO 80203, 303–892–2022; president-elect or vice president, J. Allan Crockett, 332 State Capitol, Salt Lake City, UT 84114, 801–328–5281; executive director, William L. Frederick, 36 W. 44th St., Room 1208, New York, NY 10036, 212–869–3949.

The Federal Bar Assn., 14,500 Members, A/M: September, 1974; president, Simon H. Trevas, 1709 New York Ave., N.W., Washington, D.C. 20006, 202–785–9150; president-elect or vice president, David H. Allard, 7514 Honesty Way, Bethesda, MD 20034, 202–343–3445; executive director, J. Thomas Rouland, 1815 H St., N.W., Suite 420, Washington, D.C. 20006, 202–638–0252.

Federal Communications Bar Association, 900 Members, A/M: June, 1974; president, Marcus Cohn, 1920 L St., N.W., Washington, D.C. 20036, 202–293–3860; president-elect or vice president, Jack P. Blume, 1211 Connecticut Ave., N.W., Washington, D.C. 20036, 202–293–1282; executive director, Linda A. Cinciotta, 1815 H St., N.W., Washington, D.C. 20006, 202–347–8500.

Judge Advocates Assn., 1,500 Members, A/M: August, 1974; president, James A. Bistline, 15th & K Streets, N.W., Washington, D.C. 20005, 202–628–4460; president elect or vice president, William L. Shaw, 3701 College Ave., Sacramento, CA 95818; executive director, Richard H. Love, 1010 Vermont Ave., N.W., Washington, D.C. 20005, 202–783–5858.

Maritime Law Assn. of the United States, 2,200 Members, A/M: November, 1973; president, J. Edwin Carey, 96 Fulton St., New York, NY 10038, 212–233–6171; president-elect or vice president, Warren A. Jackman, 135 S. LaSalle, Chicago, IL 60603; executive director, Francis J. O'Brien, 96 Fulton St., New York, NY 10038, 212–233–6171.

National Assn. of Attorneys General, 55 Members, A/M: June, 1974; president, Robert W. Warren, 114E State Capitol, Madison, WI 53702, 608–266–1221; president-elect or vice president, Robert B. Morgan, P.O. Box 629, Raleigh, NC 27602, 919–829–3377; executive director, John J. Hickey, P.O. Box 5377, Lexington, KY 40505, 606–252–2291.

National Assn. of Women Lawyers, 1,400 Members, A/M: August, 1974; president, Helen V. Porter, 3825 N. Alta Vista Terrace, Chicago, IL 60613, 312–353–8086; president-elect or vice president, Marjorie M. Childs, 375 Woodside Ave., San Francisco, CA 94127; executive director, Alfreda Rockwood, 1155 E. 60th St., Chicago, IL 60637, 312–493–0533.

National Bar Assn., 5,000 Members, A/M: August, 1974; president, Archie B. Weston, Sr., 8949 S. Stony Island, Chicago, IL 60617, 312–978–6500; president-elect or vice president, Charles P. Howard, Jr., 3206 N. Hilton St., Baltimore, MD 21202; executive director, Allie L. Weeden, 1721 S St., N.W., Washington, D.C. 20009, 202–387–5903.

National Conference of Bar Examiners, 600 Members, A/M: August, 1974; president, Yoshio Shigezawa, 607 Melim Bldg., 33 Queen Blvd., Honolulu, HI, 808–521–1051; president-elect or vice president, John Germany, P.O. Box 1288, Tampa, FL 33601, 813–223–1621; executive director, William H. Morris, 333 N. Michigan Ave., Suite 1025, Chicago, IL 60601, 312–641–0963.

National Conference of Commissioners on Uniform State Laws, 230 Members, A/M: August, 1974; president, Harold E. Read, Jr., One Constitution Plaza, Hartford, CT 06103, 203–278–1150; president-elect or vice president, Allan D. Vestal, University of Iowa, College of Law, Iowa City, IA 52240, 319–353–4394; executive director, William J. Pierce, University of Michigan, School of Law, Ann Arbor, MI 48104, 313–764–9336.

National District Attorneys Assn., 5,000 Members, A/M: March, 1974; president, John J. O'Hara, 605 City County Bldg., Covington, KY 41011; president-elect or vice president, Preston A. Trimble, Court House, Norman, OK 73069; executive director, Patrick F. Healy, 211 E. Chicago Ave., Chicago, IL 60611, 312–944–2667.

National Legal Aid and Defender Assn., 600 Members, A/M: October, 1973; president, E. Clinton Bamberger, Jr., 620 Michigan Ave., N.E., Washington, D.C. 20007, 202–635–5144; president-elect or vice president, Theodore Voorhees, 888–17th St. NW., Washington, D.C. 20006, 202–872–8600; executive director, James F. Flug, 1601 Connecticut Ave. NW., Washington, D.C. 20009, 202–462–1608.

SUSPENSION OF DUTY ON CERTAIN COPYING SHOE LATHES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of H.R. 8215, which will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 8215) to provide for the suspension of duty on certain copying shoe lathes until the close of June 30, 1976.

The Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments on page 2, after line 18, insert a new section, as follows:

SEC. 3. (a) Section 501 of the Internal Revenue Code of 1954 (relating to exemption from tax on corporations, etc.), is amended by redesignating subsection (f) as (g), and by inserting after subsection (e) the following new subsection:

"(f) COOPERATIVE SERVICE ORGANIZATIONS OF OPERATING EDUCATIONAL ORGANIZATIONS.—For purposes of this title, if an organization is—

"(1) organized and operated solely to hold, commingle, and collectively invest and reinvest (including arranging for and supervising the performance by independent contractors of investment services related thereto) in stocks and securities, the moneys contributed thereto by each of the members of such organization, and to collect income therefrom and turn over the entire amount thereof, less expenses, to such members,

"(2) organized and controlled by one or more such members, and

"(3) comprised solely of members that are organizations described in clause (ii) or (iv) of section 170(b)(1)(A)—

"(A) which are exempt from taxation under subsection (a), or

"(B) the income of which is excluded from taxation under section 115(a),

then such organization shall be treated as an organization organized and operated exclusively for charitable purposes.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 1973.

Mr. ROBERT C. BYRD. Mr. President, this bill has been cleared on both sides of the aisle.

In keeping with Mr. MANSFIELD'S commitment on yesterday to the Senate, based on assurances that had been given to him, no amendment was to be offered to this bill. I therefore yield the floor; and, if no Senator wishes to speak, I suggest that the Chair put the question.

First, Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. STAFFORD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "An act to provide for the suspension of duty on certain copying shoe lathes until the close of June 30, 1976, and for other purposes."

NATIONAL COMMISSION ON PRODUCTIVITY AND WORK QUALITY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of a message from the House of Representatives on S. 1752.

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1752) prescribing the objectives and functions of the National Commission on Productivity and Work Quality, which were on page 4, strike out all after line 16 over through and including line 5, page 5, and insert:

(i) The Commission shall transmit to the President and to the Congress, not later than July 1, 1974, a report covering its activities during Fiscal Year 1974 and describing in detail the program to be carried out by the Commission under this section during Fiscal year 1975. Such report shall include an explanation of how the Commission's program has complied or will comply, as the case may be, with the provisions of subsection (f).

And on page 5, strike out lines 6 through 9, inclusive, and insert:

(j) There is hereby authorized to be appropriated such sums, not to exceed $2,500,000, as may be necessary to carry out the purposes of this section during the period from July 1, 1974, through June 30, 1975.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time not be charged against either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, the bill we have before us today, S. 1752, to extend the life of the National Commission on Productivity and Work Quality, is a relatively minor bill, as bills go in the legislative process, but I think it is of very great importance. If there is any magic word, any key to the fight against inflation, or a means of righting what is wrong in the economy, it is productivity.

Mr. President, this bill is important for three reasons:

First of all, the only way we have to keep our standard of living on the rise, to continue to feed, clothe, house, and care for 210 million Americans, is to raise our productivity and efficiency. If we cannot do that, the United States will neither be able to provide for the general welfare of those at home or to provide for the defense of the country abroad.

Second, this bill is important as one of the major ways to fight inflation. If we can raise the level of productivity in the Nation, the rate of inflation is offset by that degree. So, productivity, along with fiscal and monetary policy, is the key to inflation.

Third, productivity is the key to Government efficiency. It is the major way by which Government costs can be kept down. It is the method through which more work can be produced with fewer man hours.

Until recently there was an assumption on the part of economists that there were no productivity increases in the Federal Government. It was both a naive and completely wrong assumption. About 10 years ago Kermit Gordon, who had been President Kennedy's head of the Bureau of the Budget, and who was the head of Brookings, made a study of Federal Government productivity in six agencies and found it increased very sharply in some and somewhat in others.

I persisted in trying to measure productivity throughout the Government. GAO, the Office of Management and Budget, the GSA, and other agencies have combined to do this, and I am happy to say that about 60 percent of Government activity is now measured for productivity.

One of the major jobs of this Commission is to promote that work and effort. This is the best way I know to avoid taxpayer ripoffs, to provide economy and efficiency in Government, and to give the public more services for less money.

Simply because we have not measured Government productivity in the past we have not made the decisions that would greatly improve production and efficiency and permit taxpayers to get more for their dollar or to get it at a much lower cost to the taxpayer.

The Commission already has done constructive things. They have not had much money. They had a very small staff. This bill gives them only a fraction of the amount we proposed in the Senate. Nevertheless, a great deal can be done.

As I say, there is no way we can advance the standard of living of the American people except to find ways through research, technology, improvement organization, and investing capital when it is appropriate to provide that every worker can produce more for the number of hours he works. If these measures to enhance productivity can be put into effect, the standard of living improves; if they are not, it does not improve.

We have failed to establish a program for improving productivity in this country as they have in other progressive and economically free nations. We have had a marvelously well-motivated economic system that provided great incentives for productivity, but we have not given it the overall emphasis in the Federal Government that we should. This agency will provide for that. For that reason I am delighted to speak for the proposal and I am very happy it is going to be considered at this point.

I am also delighted to see that the distinguished Senator from New York (Mr. JAVITS) is present in the Chamber. In the Joint Economic Committee the distinguished Senator from New York has been a vigorous and outspoken supporter of productivity studies, and reliance on productivity to improve the performance of our economy.

Mr. President, I yield the floor. If I have time reserved to me, I yield to the Senator from New York.

The PRESIDING OFFICER. There is 15 minutes to a side.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. We have 15 minutes to a side. I do not think there is any opposition, so I ask unanimous consent that the one-half hour may be available to the Senator from Wisconsin on the measure before us.

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

Mr. PROXMIRE. Mr. President, I yield whatever time he wishes to the Senator from New York.

Mr. JAVITS. I would like to ask a question. Is it the Senator's intention to move that we concur in the House amendment?

Mr. PROXMIRE. That was my understanding. Does the Senator have a notion that we should amend the House bill?

Mr. JAVITS. I was going to, in a sense, publicly confer with the Senator from Wisconsin on that score.

I am advised, if we look at the bill which is at the desk—I have the original papers, so the clerk does not worry, right before me, and they are, of course, available to the Senator from Wisconsin—we passed this bill on May 10, 1973. So a year later we are back with the House measure. I understand in the interim this matter has gone through quite a struggle in the other body. It took a year to get it over here, even though it was cut in half. I gathered it was dead on one occasion over there.

Mr. President, I am not one to run from a fight, but I think, with the fiscal year coming on July 1, and with no money in the till, we had better carry on this agency and do our fighting after we are sure there is a patient to fight over.

So I believed the intention of the Senator, in coming to the floor, was to ask us to take this measure, albeit with the greatest regret.

I would like to state to the Senator I agree. I think it is so close now, and this has had such a rocky road, that if we sent it to conference now, it is very unlikely we would get anything. But the Senator may wish to consider that and perhaps let us know, before the end of the debate, how he would like this matter to be handled.

Mr. PROXMIRE. I think I can respond to the Senator right now. He is absolutely right. As I said in my statement, this was a bigger bill when it passed the Senate. I think it was a bill that would do more good. Every cent provided was justified. However, as the Senator has pointed out, it had great trouble in the House. It was apparently dead and it was revived only because of efforts on the part of the administration, the Senator from New York (Mr. JAVITS), and others, who worked very hard to make the passage of the bill possible in the House, and then only on the basis of compromise.

I think it would be unrealistic and dangerous to send it back to the House in an amended form, though I agree wholeheartedly with the Senator from New York that it should be increased. I think it might very well result in the death of the bill.

I think once we get the bill enacted into law, it would be possible, on the basis of the performance of the agency, to provide for the kind of improvement and the more substantial resources that the bill justifies

Mr. JAVITS. The Senator is very gracious. I agree with him. I am glad we concur.

As to the merits of the bill, normally, this would have just gone through on a motion, and so on, and no one would have said anything about it here; but I asked the leadership to let me know so I might have a word on it.

Here is my point: There is no question about the fact that of all the misguided, wrong-end-of-the-telescope economies, this is it. We have suffered a diminution in our productivity in the last quarter of more than 6 percent, on an annual basis; and over the past year itself productivity has declined, too. You can contrive all the schemes you think of about: for example, issuing government credit for housing, Arthur Burns holding the line at the Federal Reserve, toughing it out, which apparently is the President's view on the economy, or writing standby controls, or any other scheme that anybody else thinks of. It is all meaningless if the productive base is not there. That is what this country is built on. That is why America is great. Without that, forget it—we are a second or third class power.

One does not need any mirrors for that. Look at Great Britain. Great Britain did not decline because she lost her empire. Her empire was a drain on her toward the very end. But Great Britain declined in power because she lost productivity in the tremendous race that is taking place in the world today. They have the capacity, but, for whatever reason, they are not using it.

The same thing can happen to us. It is very dangerous. And it is amazing to me that there are so few of us expressing ourselves on this subject. I am so deeply gratified by the constant fortification and support that the Senator from Wisconsin has given to this program. There are so few of us who realize that.

Let me give the Senator a practical example. In Jamestown, N.Y., I am very proud to say that, with my encouragement and with that of the local people, they have formed a labor-management council to deal with productivity in local establishments. The result has been that that made Jamestown, which was considered one of the worst labor markets in New York from the point of view of attracting business, absolutely turn 180 degrees the other way, and it is now about to get a new industrial facility which will add 25 percent to its labor force, at very high paying jobs, and will revolutionize that community. So it went from the worst to the best by that simple technique.

Mr. President, there is room for 5,000 of those councils in the country to deal with the whole range of problems of worker alienation, which workers themselves testify to—no interest in the workplace, no right to make decisions in which people can participate in some of the management decisions, no stake in the action, in the many ways in which that can be accomplished by profit sharing, stock ownership, better pensions, and a hundred other things, not even the enthusiasm that comes from campaigns against alcoholism or accidents, and a multitude of other things carried on under the head of productivity.

Then we provide $5 million, which is miniscule in this matter. We are dealing with hundreds of billions of dollars of productivity, and the House cuts that to $2.5 million. Really, we deserve to be laughed at. The industrial giant of the world has this much pride to deal with its single greatest deficiency, to wit, the decline in productivity.

So I am going to make this suggestion, Mr. President, to my beloved colleague from Wisconsin. He is very influential in his committee. This measure comes out of the Banking, Housing and Urban Affairs Committee. He may even—we are all cheering on the sidelines—be chairman of that committee. I think it is our fault that we have not made enough of our case on the productivity issue. The Senator from Wisconsin is second in command of the Joint Economic Committee. I am the ranking Republican member thereon. He is the second in command of the Banking, Housing and Urban Affairs Committee.

I am not in any way asking him, and I know it is a request which is unnecessary, because he feels as strongly about it as I do, but does he not feel that it is our fault that we have not made the issue vivid enough to the American people, on the highest priority, and that we ought to swallow this, though it is a terrible thing to do, and it is really demeaning to all of us who understand the situation of our country? But there we are. It is a democracy. There are two Houses, and we have to do the best we can. However, could not we dedicate ourselves to really making the case before the country, using the form of either the Banking Committee or the Joint Economic Committee, and stamp it with the high priority which it deserves, so that to take this is a crushig defeat—will at least give us strength and inspiration to try to convert the defeat into a victory by demonstrating to the country how shortsighted and parochial it is to devote $2½ million to the increase of productivity of American business?

What is even worse, we know the mission is entirely sound, but that makes the $2.5 million even more demeaning to help improve the morale and quality of work for American working people.

To give the Senate the order of magnitude, we are engaged in activiites in the reform of pension and welfare plans to improve the morale of American workers. The assets of welfare pensions are $150 billion, and they are increasing at the rate of $12 billion every year. If we are successful with these activities, we will make it possible for 35 million workers to have a prospect of secure retirement, as against the present half prospect, because they have, largely, only social security.

That is the order of magnitude of the morale of the American worker, and we are going to devote $2.5 million to that and for productivity. It is laughable.

Nevertheless, I think, as I have said, that we have been at fault. We have not made an adequate case, apparently, and that is what we ought to do before we swallow this particular spot of dust in a situation that needs a world of good, fresh earth on which to build.

Mr. PROXMIRE. Mr. President, I thank the Senator from New York. He has put this problem in the correct and proper perspective.

It is hard for us to comprehend what $150 billion is. It is $150,000 million. It is about 50,000 times the $2.5 million we would appropriate here for the Productivity Commission. We are speaking of 5,000 productivity commissions that we could have around the country, such as in Jamestown, N.Y., to which Senator JAVITS referred, and which is an excellent example of how productivity commissions work.

We were reminded, too, by Dr. Arthur Burns of the fact that during World War II productivity commissions were extremely helpful. They were one of the reasons why we won the war and became the arsenal of democracy. If they worked then and worked extremely well, it would seem to me that they would work now.

I did not realize the House bill provides over one-fourth of what the Senate provided. What the Senate provided is very meager indeed.

So I would agree that we should work very hard to provide the funds that would enable the agency to perform this function on a national basis, and should also provide encouragement for councils to be developed in more cities in our country. This is the answer, as the distinguished Senator from New York has pointed out, to getting productivity. It is the only way in which we can get productivity and progress in the long run.

I think the Senator from New York has made a most helpful statement.

It could be the basis of our determination to see that Productivity Commission is kept alive and provides the kind of investments that would be repaid many times over.

We talk about a benefit-cost ratio. If we could have a productivity commission working and operating effectively, it would pay for itself 100 times over—maybe 1,000 times over.

Mr. JAVITS. Mr. President, I hope we might join with other Senators—I know that the Senator from Illinois (Mr. PERCY) is deeply interested—to work on such a proposal in fiscal year 1975.

In short, I do not think we should be bound by this particular provision for the whole year. If we can make a strong case, there is no reason why we should be satisfied with this small amount. We take it because we have to. This is really only a beginning, rather than an end, so far as I am concerned.

Mr. PROXMIRE. Mr. President, I like that idea very much. The important thing is that we should try to provide more funds in fiscal 1965 as the Senator has said, rather than wait until 1976.

In the course of the hearings, the GAO testified that $500,000 was provided for the Army Procurement Depot at Joliet, Ill., requiring that information to make investments to see if they could increase their productivity.

That agency, like so many other agencies, did not have the production or the kind of incentive that the private sector has. So, they made an investment in a whole series of equipment that cost $20,000 here and $40,000 there. I can tell the Senator from New York that, altogether, the investment of $500,000 paid for itself in the first 110 days. Within 1 year, it paid back $1.8 million. Within 10 years, the average life of the equipment, it paid back $18 million.

This is the kind of saving we can get for the taxpayers if we can make the Federal Government productivity conscious.

It seems to me that this is the only way we can have progress in our economy. As I pointed out, it makes it possible to pay higher real wages and not suffer from the kind of unstable inflation which is our prime economic problem now.

Mr. JAVITS. Mr. President, I thank my colleague very much. And I am very much heartened by the fact that he will join with me and with other Senators to do what really ought to be done in this field.

The ACTING PRESIDENT pro tempore. The question is on concurring in the House amendment to S. 1752.

Mr. PROXMIRE. Mr. President, I move that the Senate concur in the House amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. PROXMIRE. Mr. President, I move to lay that motion on the table.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

EASTERN WILDERNESS AREAS ACT OF 1974

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of Calendar No. 771 (S. 3433) which will be stated.

The assistant legislative clerk read as follows:

Calendar No. 771 (S. 3433) a bill to further the purposes of the Wilderness Act by designating certain acquired lands for inclusion in the National Wilderness Preservation System, to provide for study of certain additional lands for such inclusion, and for other purposes.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, I wish to make an opening statement at this time on the pending business.

The Senate is considering today, S. 3433, a bill which extends the protection of the National Wilderness Preservation System to some national forest lands in the Eastern United States.

I am not going to take up this body's time outlining this legislation as the details are included in the Agriculture and Forestry Committee's report which has been available since May 2.

This bill represents the culmination of

legislative efforts that began on June 13, 1972, when the senior Senator from Georgia (Mr. TALMADGE) and I introduced S. 3699, a bill to establish a wild areas system in the Eastern United States.

We introduced the legislation because we felt that citizens in the Eastern United States should have the opportunity for access to wilderness areas.

This opportunity is foreclosed to the bulk of the Nation's population because most of the wilderness areas that have been established under the 1964 Wilderness Act are in the western part of the Nation.

Since the enactment of the Wilderness Act of 1964, 95 wilderness areas have been designated in the United States.

Only four of these areas have been designated in national forests east of the 100th meridian.

If Congress does not act promptly to protect primitive areas in the Eastern United States, the possibility of enjoying this type of recreation could be forever foreclosed to many Americans because of the population and development pressures on eastern forest lands.

Although S. 3973, a bill to set up an Eastern National Forest Wild Areas System, was reported by the Committee on Agriculture and Forestry and passed by the Senate in September 1972, there was not enough time for the House to act on the bill during the 92d Congress.

In January 1973, on behalf of myself, the Senator from Georgia (Mr. TALMADGE), the Senator from Minnesota (Mr. HUMPHREY), and the Senators from Alabama (Mr. SPARKMAN and Mr. ALLEN), I reintroduced this legislation as S. 22, the National Forest Wild Areas Act.

The Committee on Agriculture and Forestry took prompt action and reported S. 22 out of the committee on February 15, 1973.

The Committee on Interior and Insular Affairs requested that consideration of S. 22 be delayed until that committee had an opportunity to consider similar legislation, S. 316.

The Interior Committee felt that rather than create a new system of wild areas in the Eastern United States, it should extend the protection of the National Wilderness Preservation System to the Eastern United States.

After extensive hearings and consideration, the Interior Committee reported S. 316 on December 20, 1973.

It was apparent that there was a need to resolve the differences between these two bills.

Thus, the chairman of the Committee on Agriculture and Forestry (Mr. TALMADGE) requested that S. 316 be referred to his committee so that an accommodation could be worked out.

The product of this legislative compromise is S. 3433, the bill before the Senate at this time.

This legislation creates 19 "instant" areas in 15 States and it designates 40 "study" areas which will be preserved for their wilderness potential until a decision is made whether to include these areas as part of the National Wilderness Preservation System at some future time.

Since the Agriculture and Forestry Committee reported S. 3433, I have had continuing discussions with Senators from Western States.

In one final effort to accommodate their concerns, a block of amendments will be offered which, in effect, will let the western wilderness areas be managed under the terms of the 1964 act and the new eastern wilderness areas will be managed under the more strict provisions of S. 3433.

Senator TALMADGE and I will accept these amendments, although we feel that a very strong case can be made for applying the same strict management standards for the West as proposed for the East.

In summary, Mr. President, the opportunity is at hand now to set aside a limited number of acres east of the 100th meridian for wilderness protection.

Several times during the 15 months this matter has been hovering over the Senate, we thought that agreement among all parties had been reached only to find it disappear into thin air.

It is time for the Senate to make a decision and give the American people an answer to whether they will be able to have limited wilderness areas in the Eastern United States.

It is time for the various environmental and conservation organizations to face this issue and decide once and for all whether they really want eastern wilderness or whether they would rather delay action because they feel the time is not for bringing this matter to the Senate floor.

I urge the Senate to pass this legislation and preserve for future generations the natural beauty and primitive characteristics of some 246,000 acres of forest land in the Eastern United States.

Mr. President, in working out this new compromise bill, I want to give credit to the staffs of both the Committees on Agriculture and Forestry and Interior and Insular Affairs because they have really had a job, with people changing their minds from time to time, in working out something which we thought and hoped would be fair to every one.

Mr. President, I yield now to the distinguished Senator from Georgia (Mr. TALMADGE)—my chairman.

Mr. TALMADGE. Mr. President, the pending bill is excellent legislation. It is legislation which will preserve for future generations in the Eastern United States an opportunity to enjoy recreation in primitive or wilderness areas. It is legislation that will prevent the spoilation of those few last unspoiled areas in the East.

In this bill we recognize the fact that Eastern National Forests have been acquired primarily from private ownership and, in the past, have been subject to the highly developed works of man. Moreover, we recognize that some areas within Eastern National Forests which have been abused in the past have been restored, or are in the process of restoration to a near natural condition—a condition which is predominately primitive and undisturbed in character. S. 3433 would set aside certain of these areas to be maintained in their primitive state and to allow the process of restoration to continue, undisturbed by further intrusions of man.

Today's consideration of S. 3433 marks a significant milestone in the congressional consideration of legislation which was first introduced by the senior Senator from Vermont (Mr. AIKEN) and I on June 13, 1972. We introduced on that date S. 3699, a bill to establish a system of wild areas within the National Forest System in the Eastern United States.

Since that date this legislation has been through a long and tortuous route, but I am happy that we were able finally to resolve the differences between the wild areas bill reported by the Senate Committee on Agriculture and Forestry and the eastern wilderness bill reported by the Senate Committee on Interior and Insular Affairs. The fact that we are today considering this legislation and the fact that we were able to achieve an excellent compromise, which accommodates the views and interests of both committees, is due largely to the perseverance and leadership of the senior Senator from Vermont. We all know GEORGE AIKEN as a reasonable man, a man not given to partisan bickering. We all know him as an elder statesman of the Senate. However, those of us who know GEORGE AIKEN also know him as a very tenacious, determined, and persuasive man when he puts his mind to securing passage of important legislation. The fact that we are considering an eastern wilderness bill today is due primarily to the tenacity and perseverance, as well as the great persuasive ability of the senior Senator from Vermont.

There have been many roadblocks along the path to considering eastern wilderness legislation. There have been those who have misconstrued the motives of Senator AIKEN and other members of the Committee on Agriculture and Forestry who were interested in preserving primitive areas in the East. In fact, the legislation that we initially introduced prompted an extensive write-in campaign and many false rumors and allegations about the intent of the legislation and its authors. However, the senior Senator from Vermont was never moved by these tactics. He continued his efforts to secure passage of this legislation with the kind of self-assurance and determination that comes from having been a leading conservationist and protector of the environment long before the protection of the environment was a popular issue.

The Vermont Senator was an active conservationist in the finest sense of the world when "ecology" was only an obscure term in crossword puzzles. His record of achievement in this area dates back to the 1920's, when he began to propagate and cultivate wildflowers and ferns. He began this effort because he feared that urban growth would make wildflowers and ferns extinct.

Throughout the Senator's career in the U.S. Senate he has been a man whose interest in our natural resources and their preservation has been constant and always constructive. It has never mattered what the issue—he has always been

hard at work to secure better conservation and the wise use of our resources. I would not attempt to enumerate all of his achievements—they would make my remarks much too long and I am sure that the Senator would object.

However, I would like to mention a few of his outstanding achievements. While he was chairman of the Committee on Agriculture and Forestry in the 83d Congress, Senator AIKEN introduced legislation on administration of the National Forests, legislation to provide for their orderly use, improvement and development. Although this legislation passed the Senate, it was defeated in conference. However, it was the forerunner of the Multiple-Use and Sustained Yield Act of 1960, which Senator AIKEN helped to enact. Every major forestry bill that Congress has enacted in the past 34 years has been subject to the imprint and good work of our colleague, the senior Senator from Vermont. Time and again, he has let others take the credit for the work that he does. Time and time again, he has played a key role in shaping good legislation and helping us to avoid poor legislation. That is why I wanted to give the credit on the Eastern Wilderness Act of 1974 to the man who deserves it, GEORGE AIKEN.

As we all know, he plans to retire at the end of this session of Congress. If we, the 99 other Members of the Senate, could get together to design a perpetual monument that would be a faithful reproduction of what GEORGE DAVID AIKEN has stood for in his personal and public life, we could not pick a better one than this legislation. His life is typified by S. 3433, which seeks to secure for the American people of present and future generations the benefits of the enduring resource of wilderness.

In conclusion, Mr. President, I also want to pay tribute to the distinguished chairman of the Committee on Interior and Insular Affairs, Senator JACKSON, and to the staffs of the Committee on Agriculture and Forestry and the Committee on Interior and Insular Affairs. They have worked diligently and determinedly to perfect this bill, and I desire to pay tribute to them, also.

Mr. AIKEN. Mr. President, I do not know how to thank the Senator from Georgia for the remarks he has just made, and I hope that I may be deserving of some of them, at least.

I have been a member of the Committee on Agriculture and Forestry since the first day I came to the Senate, January 10, 1941, and have been a member of the committee ever since, serving as chairman for 2 years, and as acting chairman for 2 earlier years.

Although I feel that I have done all the work I can do in the field of agriculture and rural development—and that is by far the most important industry or occupation in the world today—and although I do not expect to be here after 7 months and 2 days more have gone by, I am extremely pleased that the Senator from Georgia is going to be here to carry on the work we have both been so much interested in and concerned with.

I want to join him in giving credit to the Senator from Washington and the staff of the Committee on Interior and Insular Affairs. They have worked well with our own loyal, faithful, hard-working staff of the Committee on Agriculture and Forestry, and I want to express appreciation for the cooperative work we have enjoyed.

I believe that the bill we have finally worked out is fair. I think it will be productive to our recreational, cultural, and agricultural affairs; and I trust that it will be approved by the Senate and will be approved very shortly by the House, without opposing votes.

Mr. TALMADGE. I thank my distinguished friend.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Minnesota (Mr. HUMPHREY).

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

PRESERVING OUR WILDERNESS

We have a National Wilderness Preservation System today because a lot of dedicated people in public and private life have recognized the full range of values of wilderness and have worked hard and long to point this out to others.

Aldo Leopold and Robert Marshall were the early activists, the wilderness pioneers, a full 50 years ago. And Howard Zahnizer recognized 20 years ago that a statutory base for wilderness was essential to the preservation of such areas.

I take some pride myself in helping to advance the concept of wilderness preservation. In 1956 I introduced the first wilderness bill in Congress. My good friend and distinguished colleague from Vermont, Senator Aiken, actually secured the first statutory recognition of wilderness with his successful 1960 amendment to the Multiple-Use and Sustained Yield Act. And, of course, there have been many others in Congress who have provided leadership in preserving wilderness in our nation.

Men like Senators Tom Kuchel and Clinton Anderson, Senator Henry Jackson and Senator Frank Church who did the yeoman work in the Interior and Insular Affairs Committee that brought us the 1964 Wilderness Act.

But I must come back again to the man who has been the quiet workhorse for securing wilderness over the years—Senator George Aiken. Here is a man who loves the land because he knows it and knows it because he is close to it.

Senator Aiken's record as a legislator is widely known. Less well known is the fact that he is a distinguished horticulturalist operating not only an orchard in Vermont, but also a unique wild flower nursery. Growing wild flowers is an art that requires that one recreate a miniature "wild" environment for the plants. Senator Aiken is one who keenly and perhaps uniquely in this Congress, recognizes man's need to understand nature's environment. I think this in part explains his life-long dedication to a very basic principle—man should be at peace not only with his fellow man but also with the world in which he lives.

The bill we now have before us represents an effort over two Congresses, on the part of the Senior Senator from Vermont, to assure that examples of wilderness will endure in National Forests in every region of our nation. Beyond this, what the bill does is recognize that while man may have changed an area, man has the capacity to work with nature to erase the traces of man's presence.

Mr. President, the 187,000,000-acre National Forest System is located in 42 of our States and the Commonwealth of Puerto Rico. We have National Forests that lie East of the 110th Meridian in 27 states. This System truly is nationwide. Today one-eighth of the National Forest System acreage lies in the East.

From the outset, the out-of-doors recreational use of the National Forests has been of major importance. Primitive trails and simple campgrounds, often undeveloped, provided those who sought an enjoyable outdoor experience in a truly natural setting the opportunity to obtain it. Even in the East, where some 95 percent of the system represents purchased lands, there were many areas that had the quality of wilderness; areas where the imprint of man's presence was substantially unnoticeable, and the remaining evidence was disappearing under the inexorable influence of natural forces.

In the West, much that is now designated as wilderness had not escaped having the impact man recorded on it. True, the American Indian did not have a culture and technology that affected the land as did the unfolding American industrial society of the 18th and 19th Century. Nonetheless, the Indian ranged across the entire continent. Much of the vegetation that the European found when he first "discovered" each new frontier was the direct result of the Indian society.

Beyond evidence of hunting and trapping, most of the areas in the West that are in designated wilderness contain substantial evidence of man's effort to find minerals, to graze, to carve out homesteads. Small reservoirs and other water developments were also undertaken as were efforts to pierce these areas with roads.

In general, the ruggedness of the terrain and the paucity of economically useable resoures in these areas mitigated against permanent development and utilization of the resources in the past. Most of the wilderness areas are forested lands. In general, due to their elevation, soil, and rainfall, they are areas of low timber growth and the general quality of the timber has been such that, by and large, they were by-passed as timbering operations moved westward. However, some areas were subjected to extensive timber cutting, some even before the National Forests were created, and this cutting was the liquidation logging that was characteristic of that earlier era.

In short, Mr. President, there are virtually no areas in the United States that man has not examined and explored, and very few where he has not attempted to develop in some fashion. Yet, there still are in the Nation lands which have those qualities that make them wilderness by virtue of their ecological, geological or other features and by their scientific, educational scenic or historical value.

The bill before us clearly recognizes this central fact.

More specifically, this legislation does three things.

First, it adds 19 small areas, all in the East, to the National Forest Wilderness System.

Second, it requires that studies be completed in five years on 40 more small areas, all in the East.

Third, it provides improved protection for all designated National Forest Wilderness Areas so that the quality of wilderness will be fully preserved. Pastoral activities, such as grazing, can be continued wherever they pose no conservation problem. Timber cutting restrictions are more clearly spelled out. Hunting, fishing and trapping may continue with due regard for the wilderness character of designated areas. Existing mining claims or permits are not disturbed. However, no new claims or permits can be issued in designated areas. Private land holdings within designated wilderness also can continue, so long as the use is consistent with wilderness.

I want to compliment my colleague from Vermont, Senator Aiken, for the constructive

and dedicated way he has sought to improve the wilderness concept. This bill's emphasis is a tribute to his leadership. The modest additions proposed in the system and the revisions in management of existing areas expand the National Forest Wildnerness System significantly because they emphasize quality rather than quantity.

Mr. JACKSON. Mr. President, it is particularly appropriate that the Senate is considering S. 3433, the Eastern Wilderness Areas Act, this year, because 1974, as we all know, marks the anniversary of the establishment of the National Wilderness Preservation System.

Many of my colleagues will recall the tremendous efforts involved in the successful passage of the 1964 Wilderness Act. With its passage, the United States began a major effort to preserve its few remaining primitive areas and protect their unique value as places for wilderness experience, solitude, scientific inquiry, and primitive recreation. Although many studies remain to be done and the legislative agenda is not completed, this effort has already borne fruit. The 1964 act designated as wilderness 54 areas covering about 9.1 million acres of land. The act also established a procedure for designating additional areas. It requires that potential wilderness areas be evaluated by the Secretaries of Agriculture and the Interior, either on their own volition or as directed by acts of Congress, and that recommendations concerning wilderness designation be made to the Congress by the President. An additional 37 areas have been added to the National Wilderness Preservation System since 1964 under this procedure, bringing the total acreage in the system to over 11 million. Studies continue, and legislative proposals are pending, for additional potential components of the Wilderness Preservation System in the national parks, forests, and wildlife refuges.

Our efforts to date, however, suffer from one major defect. This defect becomes readily apparent upon viewing a map of the United States which shows the location of the components of the wilderness system.

Mr. President, almost all of the wilderness areas are located in the West. These areas are situated at great distances from the major population concentrations in our country and, because of this, they are beyond the reach of many of the people who would most appreciate their solitude and natural beauty. In fact, less than 10 percent of the total area of wilderness is situated in the most populous, eastern region of our country, where 65 percent of our citizens reside.

This anomaly is due only partially to the physical fact that the East, in providing for its greater population, has developed far more land and thus deprived itself of much of its natural environment. Unfortunately, the failure to establish Eastern wilderness areas has also been caused by conflicting objectives and jurisdictional disputes within both the executive and legislative branches of the Federal Government. These conflicts and disputes resulted in arguments over different resource policies—development versus protection; different interpretations of the definition of "wilderness"—both generally and specifically, as it is contained in the Wilderness Act; and different views as to who should establish Eastern wilderness areas and how they should be managed. Perhaps, the highwater mark of this era of polemics was the publication of a 1971 internal report of the Forest Service in which regional foresters for the Eastern and Southeastern regions concluded that—

> There are simply no suitable remaining candidate areas for wilderness classification in the [eastern] part of the national forest system.

Mr. President, I am happy to say that this era has passed. All parties are now united in their desire to correct the imbalance in the national effort to preserve wilderness and in their recognition that there are numerous areas in the East worthy of preservation. The Forest Service, on behalf of the administration, submitted a proposal; the Agriculture Committee reported S. 22, Senator AIKEN's bill; and the Interior Committee considered S. 316, the bill I introduced on behalf of 32 cosponsors. On December 20, 1973, the Interior Committee unanimously reported S. 316, which was then re-referred to the Agriculture Committee. S. 3433, as reported by the Agriculture Committee and which we are now considering, is the product of both the Interior and Agriculture Committees and contains provisions from S. 316, S. 22, and the administration's bill.

S. 3433, as reported, would provide the truly national system of wilderness areas envisoned in the original Wilderness Act. This measure promises our eastern citizens, that, after nearly a decade of waiting, wilderness protection will at last be extended to the unique unspoiled lands and natural environments in our Eastern national forests.

Mr. President, the splendid spirit of cooperation between the two committees and their staffs had resulted in a bill far superior to those first introduced. I want to thank the chairman of the committee, the distinguished senior Senator from Georgia, for his leadership in bringing about the merger of the various bills into the strong measure that is now before the Senate. S. 3433 designates 19 wilderness areas totalling aproximately 252,000 acres and 40 study areas with approximately 373,390 acres, all located in national forests of the eastern United States. Contrast this to the weaker original bills where, for example, only S. 316 matched S. 3433's number of instant areas at 19; S. 22 had 13 and the administration's bill none. Only the administration's bill with 53 study areas had more than S. 3433's 40 study areas, S. 22 had 27 areas and S. 316 had none. Furthermore, the management provisions of S. 3433 are clearly far superior to those of the original bills.

Mr. President, no legislative proposal can ever hope to be entirely free of controversy. S. 3433 is no exception. For example, I joined S. 3433 as a cosponsor to demonstrate that S. 3433 represented the joint efforts of the two committees—Interior and Agriculture. Yet, I do have certain concerns about this bill. These concerns are shared by major environmental groups and I ask unanimous consent that their letters be inserted in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SIERRA CLUB,
Washington, D.C., May 15, 1974.

Senator HENRY M. JACKSON,
Senate Office Building,
Washington, D.C.

DEAR SCOOP: The Sierra Club appreciates the opportunity to comment on the provisions of S. 3433, as requested in your letter to us of May 13.

In general we believe that this measure to preserve significant areas of Eastern Wilderness is a much needed piece of legislation: we are appreciative of the work of both the Senate Interior Committee and the Senate Agriculture Committee, and hope that the spirit of cooperation that has prevailed thus far will result in the passage of a bill of major importance to the American public.

In your letter of May 13 you request that we address comments on three broad categories: provisions regarding mining, grazing, and condemnation as they apply to both eastern and western wilderness areas; the treatment of wilderness study areas; and the direct amendments to the Wilderness Act of 1964.

Regarding the first of these categories, our position is clear, and has been for some time. The Sierra Club believes that mining and grazing are not compatible with wilderness values, and we believe that condemnation is a useful, and in some cases essential, tool for developing an adequate system.

At the same time, we have reservations about introducing broad areas of public controversy into the eastern wilderness bill, a bill that by itself should have few, if any, provisions that are objectionable to any persons interested in our public lands. We are concerned, therefore, that the Eastern Wilderness bill may not be an appropriate vehicle for raising these issues as they apply to the system nationwide. We would not be adverse to a reversion to the language of S. 316, which bans mining and grazing on eastern lands only—a ban that we believe to be essential in light of eastern conditions—and that gives power of condemnation to the agency only in exigent cases in eastern areas. These provisions of S. 316 are generally agreed upon by all parties, and we recognize the wisdom of treating the perhaps more controversial western problems in separate legislation. The alternative—mingling the provisions of eastern and western wilderness management in a single bill—may result in no bill at all being enacted in 1974, a result that nobody would wish to envision.

The second major category of comments you requested concerns the management provisions of the wilderness study areas. Here also our position is, and always has been, unequivocal.

First, we believe that wilderness study areas should receive interim protection comparable to the permanent protection afforded designated wilderness areas. In this regard we conclude that the rather vague language of S. 3433 is defective. If nonwilderness activities are tolerated on the publicly owned lands of the wilderness study areas, it is easy to foresee unanticipated destruction to the land that would unintentionally thwart later wilderness consideration. One need only examine areas of the public land that have received heavy off-road vehicle use to realize the impact of an activity that might arguably be permitted under the language of S. 3433. We assume that the objectives are the same in both S. 3433 and S. 316, the preservation of the resource pending an ultimate determination of the Congress, but we believe that the unequivocal language of S. 316 is far more certain to achieve that goal. We urge that full wilderness protection be af-

forded the wilderness study areas until such time as the Congress has an opportunity to decide final designation.

This leads us to a second defect in the language in S. 3433 regarding wilderness study areas. Under the terms of that bill, the wilderness study designation will only be maintained for three years after a recommendation is submitted to the Congress. We appreciate the need for speedy action on these proposals, but we believe that this provision is unworkable, and, furthermore, that it violates one of the most basic concepts underlying the wilderness system.

In 1964 the Congress deliberately reserved for itself the right to designate wilderness areas, and the prerogative to return previously protected lands to multiple use management. We approve of that principle. Any area that is of sufficient quality to warrant Congressional protection in the first place deserves continuing protection until the Congress reviews its own decision. It is both illogical and in conflict with the basic premise of the Wilderness Act to permit administrative action to terminate a Congressionally mandated decision.

The Sierra Club believes that the original language of S. 316 handles the problem of wilderness study areas in a superior fashion. The provisions of S. 316 will leave the final decision to the Congress, as is appropriate within the context and history of the Wilderness Act, and will not lead to any precipitous administrative action foreclosing our wilderness options.

The final category of provisions on which you requested our views concerns the provisions in S. 3433 that directly amend the the Wilderness Act.

It is our feeling that the Wilderness Act is a strong measure that can stand on its own merits without amendment. Although we welcome such supplementary legislation as S. 316 or S. 3433, we do not believe that it is appropriate to amend the basic statute at the present time. Therefore, we would prefer not to see any such major direct action.

If the Congress should decide to enact certain amendments to the Wilderness Act, these amendments should be carefully considered. Several of the provisions of S. 3433 would, we feel, create unnecessary problems.

We are not persuaded of the need for an advisory committee. Such committees, although commendable in principle, generally serve as diversions to the important work that must be undertaken by the Congress, the agency, and the interested public. Public participation is, of course, essential, but we believe that adequate provisions direct and meaningful public participation are contained in the original Wilderness Act, S. 316, and S. 3433, without creating a highly artificial structure that is likely to be of limited value.

We prefer the original concept of an annual report to the implementation of a biennial report. The annual report serves a useful function in informing the Congress and the public as to the status of the program, and we would consider it inappropriate to forego this opportunity in these years of active wilderness decision-making.

Finally, we are skeptical of the wording of Section 8(c)(1), concerning limitations on timber stand modification. We are convinced that this language was inserted into S. 3433 for entirely laudatory purposes, but we are concerned that it might be misconstrued in the context of its placement in the Wilderness Act: the Wilderness Act clearly foresees necessary emergency action in the event of fire, insect infestations, and diseases; and timber stand modification may be an acceptable course of action in such a contingency. Our concern is that the language of Section 8(c)(1) may be interpreted to mandate this particular response in preference to other actions that may in the circumstances be more appropriate. Given the fact that the language of the original Wilderness Act clearly proscribes timber stand modification as a routine practice, and yet leaves the alternative open during times of emergency, we would prefer to avoid any misinterpretation by deleting this language altogether.

In conclusion, we are impressed by the conscientious and perceptive work undertaken by all Senators who have worked on the problem of Eastern Wilderness. We appreciate your continuing interest and enthusiasm, and we hope that these comments may be useful to you. Above all, we urge that prompt action be taken on this measure by the Senate.

Sincerely yours,

BROCK EVANS,
Director, Washington Office.

THE WILDERNESS SOCIETY,
Washington, D.C., May 16, 1974.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: We are very pleased to respond to the request from you on behalf of the Senate Interior Committee for our comments on eastern wilderness areas legislation now pending before the Senate, particularly with respect to S. 3433 as reported by the Senate Agriculture Committee. Throughout its history, the Society has been directly involved in the study, identification and management of wilderness lands in the eastern United States. We are pleased, therefore, to offer the committee our views which we hope will be of value to it.

We have examined with considerable care both S. 3433 as developed by the Senate Agriculture Committee and S. 316 as reported by the Senate Interior Committee. We have studied the provisions of these bills as they affect the Wilderness Act and as they affect the administration of designated wilderness and of wilderness study areas. We see problems with respect to the provisions in S. 3433 as they deal with mining, grazing and condemnation of in-holdings within wilderness. We recognize the desirability of uniform practices throughout the National Wilderness Preservation System and we laud the intent of the Agriculture Committee to attain this uniformity. However, the Agriculture Committee, in its bill, has recognized the validity of the 100th meridian distinction between east and west with respect to water resources projects, denying the President authority to permit these in the east while continuing that authority in the west. This distinction, in our view, is a legitimate recognition of currently different political and social circumstances east and west of the 100th meridian. We urge that this distinction be similarly established at this time with respect to mining, grazing, water resource projects, and condemnation of inholdings, and that S. 3433 generally adhere in these specifics to the language of S. 316.

Wilderness study areas should be managed in accordance with the Wilderness Act as prescribed for Primitive Areas. This is required in S. 316. S. 3433, in contrast, states that wilderness study areas shall be managed "so as to maintain their potential for inclusion in the National Wilderness Preservation System." This is a totally undefined standard without any previous definition or application. The Forest Service indicated in its written testimony before the House Interior and Insular Affairs Committee (March 26, 1974) that under this language it would permit the operation of snowmobiles and other off-road vehicles within study areas. Such intrusions would violate a major tenet of wilderness protection and could seriously endanger the wilderness character of study areas. The Wilderness Society strongly supports the language of S. 316, which ties the standard of management for wilderness study areas to the 1964 Wilderness Act by declaring that these areas "shall be administered by the Secretary in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas."

S. 3433 would limit the period of protection of a study area to a maximum of 3 years after the Presidential recommendation has been submitted to the Congress. Any limited or fixed period of protection dissipates the prerogative of the Congress to make the decision as to whether areas shall or shall not be placed in the National Wilderness Preservation System. Further, a fixed period of protection works against orderly wilderness designation by pressuring the Congress to make a decision before it may be prepared to act or by loss of the opportunity through default. This matter was a prime concern when the original wilderness bill was being considered by the Congress. It was finally agreed, by both proponents and opponents of wilderness legislation, that only the Congress should make the final determination as to what areas are to be placed in the Wilderness System. Consistent with that principle, the Congress then required through provision of the Wilderness Act that Primitive Areas—of which wilderness study areas are the equivalent—shall be protected the same as designated wilderness "until Congress has determined otherwise." This unlimited period of protection for study areas should be retained, as in S. 316.

The Society strongly opposes the "Amendments to the Wilderness Act" (beginning on page 22) of S. 3433, all of which are offered as direct amendments to the parent Wilderness Act of 1964. It is our recommendation that any direct amendment of the 1964 Wilderness Law be postponed until a later time. The urgent need at this time is for an eastern wilderness areas measure. The two needed and relevant provisions in this group of amendments pertain to water resource projects and to the requirement for a 60-day notice period for all administrative wilderness hearings. Both of these provisions can be covered without treating them as amendments to the Wilderness Act. We have already commented favorably with respect to the water resource project provision, and the 60-day notice requirement is already satisfactorily contained in S. 316.

The provisions of S. 3433 to create a citizens advisory committee on wilderness and to change the report on the status of the Wilderness System from annual to biennial frequency are undesirable. Given the numerous opportunities for citizen input which are written into the Wilderness Act, we see no need for a citizens advisory committee. The status report on the Wilderness System should be issued on an annual basis, at least in the period of the next several years when many areas are being added to the System by Congress. This report is the one official, current source of data on areas in the System and additions made and being considered during the year. It affords a much needed opportunity for presentation of any current problems related to the Wilderness Act and its administration. There is great practical need for it on an annual basis until such time as the Wilderness System is substantially completed.

We appreciate this opportunity which you have provided, Senator Jackson, to offer to you our comments on this important legislation. We trust that you and your committee will find them useful.

Sincerely,

ERNEST M. DICKERMAN,
Director of Field Services, Eastern Region.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., May 15, 1974.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your letter of May 13, 1974 requesting our views on S. 3433, a bill to establish eastern wilderness.

After reviewing S. 3433, the National Wildlife Federation offers the following comments:

The main thrust of the proposed legislation is to establish 19 "instant wilderness areas" and 40 wilderness study areas east of the 100th meridian. While we concur, in principle, with the selection of the areas identified in S. 3433, we believe that the bill is much too broad in many respects and yet fails to adequately differentiate between eastern and western wilderness. In our judgment that deficiency in the bill could result in the degradation of western wilderness.

On the other hand, the Federation is of the opinion that S. 3433 goes too far in its provisions concerning condemnation, grazing, and mining. It is highly likely that the bill, as presently worded, would be badly defeated because of the active opposition of many strong western groups concerned about extending condemnation authority, mining ban, and grazing restrictions to federal lands west of the 100th meridian. While we subscribe, in principle, to those objectives, we firmly believe it is politically unrealistic to include them in S. 3433.

The Federation has no objection to having the wilderness study areas managed to "maintain their potential for inclusion in the National Wilderness Preserving System" instead of being managed in the same manner as statutory wilderness. In our judgment, that approach will give the U.S. Forest Service some desirable flexibility in the management of the areas. On the other hand, the Federation is opposed to limiting such management protection to only three years from the date of submission to the Congress of the President's recommendation instead of until the Congress determines otherwise as under the 1964 Wilderness Act. That kind of limitation would provide a strong incentive for groups opposing wilderness to engage in stalling tactics to run out the clock.

The 1964 Wilderness Act has proven to be a sound, equitable law. We see no valid reason for the numerous amendments to the Act proposed in S. 3433. In our judgment, there is no substantive rationale for establishing a citizens advisory committee on wilderness, nor should the current annual reporting requirement be reduced to one of a biennial nature. Public hearings and review procedures presently allow for adequate citizen input during the decision-making process without establishing an advisory committee. The annual report is an extremely useful information document for both government agencies and private organizations alike and its periodicity should not be changed. With the exception of the provisions concerning extending the hearing notification time from 30 days to 60 days and prohibiting certain new construction in eastern wilderness, the remainder of the proposed amendments are redundant.

Last, the Federation notes and endorses the provision in S. 3433 for the Secretary of Agriculture to "carry out management programs, development, and activities in accordance with the Multiple-Use Sustained Yield Act of 1960 . . . within areas not designated by him for review . . ."

For the reasons stated above, the National Wildlife Federation recommends that S. 3433 be amended as follows:

(1) Revise Section 3 to add the following sentence:

"Subject to that geographical restriction, the Secretary of Agriculture may consider for review areas where man and his own works have once significantly affected the landscape but are now areas of land (1) where the imprint of man's work is substantially erased; (2) which have generally reverted to a natural appearance; and (3) which can provide outstanding opportunities for solitude or a primitive and unconfined type of recreation."

(2) Revise all language in the bill concerning condemnation, grazing, and mining so that it applies only to areas east of the 100th meridian.

(3) Revise the last part of Section 7(a) to delete the reference to a three year management requirement. In its place substitute language requiring the Secretary of Agriculture to manage wilderness study areas so as to maintain their potential for inclusion in the National Wilderness Preservation System until the Congress determines otherwise.

(4) Delete all of Section 8 except for Section 8 (b) (2) and Section 8 (c) (2) which should be retained in the bill but *not* as amendments to the Wilderness Act of 1964. (With respect to the grazing features of Section 8 (c) (2), see recommendation (2) above.)

We appreciate your thoughtfulness in seeking our views in this matter.

Sincerely yours,

THOMAS L. KIMBALL,
Executive Vice President.

THE IZAAK WALTON LEAGUE OF AMERICA,
May 30, 1974.

Hon. HENRY JACKSON,
Chairman, Senate Interior Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: In response to your letter of May 15, the Izaak Walton League of America is pleased to offer the following comments on S. 3433, the Eastern Wilderness Areas Act of 1974. As you requested, we will address three broad issues: (a) provisions regarding mining, grazing, and condemnation as applied throughout the National Wilderness System; (b) management of wilderness study areas; (c) direct amendments to the 1964 Wilderness Act.

First, the League has consistently advocated the termination of such inappropriate, non-conforming uses of wilderness as mining, grazing, and water resources development. In particular we have urged that these practices be statutorily excluded from wilderness areas designated under the Eastern Wilderness Act, due to the small and fragile nature of these remnants of wilderness. Similarly, we believe that condemnation authority can be a useful mechanism for protecting the entire wilderness system, but that it is essential in the eastern situation. We support the additional protection given to the Eastern areas by S. 3433 and firmly believe that such protection should, eventually, be extended throughout the wilderness system.

However, we can not fail to question whether this is the proper time, or whether an Eastern Wilderness bill is the appropriate vehicle, for applying these long overdue protective provisions to all willderness areas in the country. The basic provisions of the Eastern Wilderness proposals have been laboriously worked out over several years and enjoy widespread support. Now, late in the second session, the press of Congressional business leaves little time to resolve new controversies over extending condemnation authority and a ban on mining and grazing throughout the wilderness system. We believe that these proposals could better be dealt with in separate legislation (such as S. 1010, currently pending in the Senate) and that reversion to the language of S. 316 would be in order at this time.

Second, with respect to the management of wilderness study areas, we find the language of S. 316 to be far preferable to that of S. 3433, in terms of both the standards and the duration of protection. It is clear that the study areas must be managed so as to guarantee that the option of eventual wilderness designation will be retained. By providing that these areas "shall be administered by the Secretary in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas", S. 316 insures that the wilderness option will not be foreclosed except by direct Congressional action. The management standards mandated by S. 316 have been thoroughly articulated by repeated application; they are not subject to permissive construction or misinterpretation.

By contrast, the language of S. 3433 seems somewhat vague and ambiguous. The requirement that study areas be managed "so as to maintain their potential for inclusion in the National Wilderness Preservation System" could be construed to permit activities antithetical to the wilderness concept. For example, in testimony before the House Interior Committee, the Chief of the Forest Service indicated that such language would permit the operation of snowmobiles in wilderness study areas. Continued use of off-road vehicles will lead to gradual erosion of the wilderness character of these areas, and will tend to legitimize and reinforce recreational patterns that are incompatible with wilderness designation.

With respect to the period of protection of the study areas, we believe that the language of S. 316 is again superior. Under S. 3433 study area protection would terminate three years after the President submits a recommendation to the Congress. This provision violates the principle, estabisihed by the 1964 Wilderness Act, that Congress reserves to itself sole authority to designate wilderness areas and to return protected areas to multiple use management. We appreciate the fact that both Committees have acted in good faith and in pursuit of the same objective: preservation of the wilderness values of the study areas pending a timely Congressional decision as to whether or not the areas shall be placed in the National Wilderness Preservation System. We submit that the unequivocal, time-tested language of S. 316 offers a superior vehicle for accomplishing these shared objectives.

Third, we believe that the direct "Amendments to the Wilderness Act", in Section 8 of S. 3433, are an unnecessary complication of the Eastern Wilderness Areas proposals and that direct amendments to the parent statute could more appropriately be the subject of separate legislation. In any case, we question the need for an advisory committee, and oppose the shift from an annual to a biannual report. We have found the annual repart to be extremely valuable during the period of rapid growth of the wilderness system and urge that it be retained. Finally, we specifically oppose the proposed amendment on timber stand modification, Sec. 8(c)(1). While the amendment is undoubtedly intended to clarify the intent of the original statute, we believe that it may be misconstrued to give timber stand modification legal precedence as an emergency response to fire, insect infestation, and disease—whether or not it is the most appropriate action. We believe the amendment to be unnecessary, and urge that it be deleted from the bill.

The Izaak Walton League deeply appreciates the careful and dedicated work by both the Interior and Agriculture Committees on behalf of Eastern Wilderness. We believe that the proposed legislation has benefited greatly from the prevailing spirit of enthusiasm and cooperation, and we trust that any remaining differences can be resolved promptly and amicably. We hope you find these comments

useful in your continuing attempts to secure an Eastern Wilderness Act this year.

Sincerely yours,

MAITLAND S. SHARPE,
Environmental Affairs Director.

Mr. JACKSON. I will be submitting an amendment to answer these concerns. However, true to the cooperative spirit this measure has engendered, I believe this amendment is acceptable, as well, to the chairman of the Agriculture Committee.

Before closing, I wish to pay tribute to one man in particular. No man has worked longer or harder for the cause of eastern wilderness than my esteemed colleague from Vermont (Mr. AIKEN). It can truly be said that he is the father of eastern wilderness. All of us owe him a profound debt of gratitude—a debt which we can only repay by promptly passing S. 3433. Let us resolve to make a truly living monument to the Senator's tireless efforts—let us protect the eastern wilderness.

I salute, and on behalf of all of our colleagues in this great body, I pay tribute to the able and distinguished senior Senator from Vermont (Mr. AIKEN).

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the distinguished Senator from Georgia.

Mr. TALMADGE. I thank the Senator for yielding and I express appreciation for his personal references to me. Second, I concur with all he has said about our colleague, the distinguished Senator from Vermont (Mr. AIKEN).

Mr. JACKSON. I hope the Senator concurs in what I said about the distinguished Senator from Georgia.

Mr. TALMADGE. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, whatever they said about me I would like to say about the distinguished senior Senator from Georgia and the distinguished Senator from Washington, as well. I know we all have worked very hard on this matter. If only we put as much work into other legislation coming before the Senate as we have on this bill perhaps the country would be a little better off for it.

I am familiar with the amendments the Senator from Washington plans to propose very soon. I approve of them. I think we have come to an excellent solution of a problem. A lot of work has gone into the matter and I hope it can become active law before this session is over, and the sooner the better.

Mr. TALMADGE. Mr. President, I have studied the amendments to be proposed by the Senator from Washington. I concur with the Senator from Vermont. They are acceptable and I urge the Senate to accept them when the Senator from Washington proposes them.

Mr. JACKSON. I thank the distinguished Senator from Vermont and the distinguished Senator from Georgia. I shall offer the amendments in just a moment. I wish to yield first to the distinguished Senator from Alabama (Mr. ALLEN) and then offer the amendments.

Mr. President, in the meantime, I ask unanimous consent that the following individuals may be granted the privilege of the floor during the debate on the pending measure: Fred Craft, Brent Kunz, Maureen Finnerty, Jerry Verkler, Steve Quarles, Russell Brown, Mike Harvey, and William Van Ness.

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

Mr. ALLEN. Mr. President, I thank the distinguished Senator from Washington for yielding to me at this time. I am delighted that agreement has been reached on this passage of S. 3433, a bill which will create presently 19 additional wilderness areas and designate another 40 wilderness study areas east of the 100th meridian. This bill will be known as the Eastern Wilderness Areas Act of 1974. Its purpose is to further the purposes of the Wilderness Act by designating certain acquired lands for inclusion in the National Wilderness Preservation System, to provide for study of certain additional lands for such inclusion, some 39 acres, at a later date.

Mr. President, in the Wilderness Act of 1964 Congress established a national policy to secure for the American people present and future generations the benefits of an enduring resource, our wilderness. To this end the act established a national wilderness preservation system and designated as units of the system the national forest areas which had been administratively classified as wilderness, wild, or canoe.

Thus, the original components of the wilderness system were 54 national forest areas containing 9.1 million acres. Since the enactment of the Wilderness Act of 1964, 95 wilderness areas have been designated in the United States. However, only four of these have been designated a national forest east of the 100th meridian. Thus, most of the wilderness areas are in the less populous western half of the Nation, while in the more populous eastern half, including, of course, the southern portion of the United States, there are few wilderness areas.

This situation results, in part, from the position that the Forest Service has taken as to what qualifies as wilderness. The Forest Service, in contrast with the National Park Service and the Bureau of Sport Fisheries and Wildlife, has taken the position that most of the areas in the East are not sufficiently pristine to qualify as wilderness.

It cannot be questioned that those in the East have felt the impact of man possibly greater than in western areas. However, many of these areas have been restored or are in the process of restoration to a primitive and natural condition.

The Forest Service interpretation of the definition of wilderness in section 2(c) of the Wilderness Act of 1964 has come under heavy attack by certain citizen and conservation groups, and I think properly so. Many citizens have felt there is a need to set aside primitive areas in the Eastern United States, regardless of whether these areas in the past have felt the heavy impact of man.

Mr. President, I am delighted that the Committee on Interior and Insular Affairs, under the leadership of its distinguished chairman, the distinguished Senator from Washington (Mr. JACKSON), the Committee on Agriculture and Forestry, under the distinguished leadership of the able and distinguished chairman, the distinguished Senator from Georgia (Mr. TALMADGE), and the distinguished senior Senator from Vermont (Mr. AIKEN), the senior Member of this body, have reached an agreement as to the provisions of this bill. This matter has been before the committee for several years. It is certainly a tribute to the spirit of compromise among the Senator from Washington, the Senator from Georgia, and the Senator from Vermont that general agreement has been reached with respect to setting aside wilderness areas in the eastern part of the United States.

Whether they are called wilderness areas or wild areas, or whatever, just as long as they are preserved for present and future generations in their presently wild state is what is important.

One of these wilderness areas to be set aside is in the State of Alabama in the Bankhead National Forest. By alphabetical arrangement it is the first of the wilderness areas mentioned in the bill on page 3, where the bill states that there are hereby designated as wilderness and, therefore, components of the National Wilderness Preservation System—

Certain lands in the Bankhead National Forest, Alabama, which comprise about 1,200 acres, are generally depicted on a map entitled "Sipsey Wilderness Area—Proposed," and shall be known as the Sipsey Wilderness.

Mr. President, the people of the State of Alabama are anxious that this wilderness area in the Sipsey branch be set aside as a wilderness area.

My distinguished senior colleague (Mr. SPARKMAN) has given outstanding leadership to the effort to include the Sipsey area in the wilderness-preservation areas. He and I introduced a bill to accomplish this. He has been in the forefront of efforts to make of the Sipsey area a wilderness area. He strongly supports this bill (S. 3433) and he and I are cosponsors of the bill. He is delighted that at long last the efforts of Sipsey supporters are being brought to fruition with the passage of this bill.

I wish to commend and pay tribute to three of our citizens who have been working on this matter for many years, since before I came to the Senate, as a matter of fact. I know they have been working on it for more than 6 years, and I am delighted that their efforts are now culminating in the successful conclusion of this matter. I speak with confidence in this regard because I believe that, agreement having been reached here in the Senate, the House will go along with the provisions of this bill. Mrs. Mary Burks, of Birmingham, Ala., Mrs. Lindsay C. Smith, of Birmingham, Ala.; Dr. Charles S. Prigmore, of the University of Alabama at Tuscaloosa; and the Alabama Conservancy have all been very active in the inclusion of the Sipsey area into the wilderness preservation system.

The report of the Committee on Agriculture and Forestry on the bill (S. 3433)

contains a quotation from Aldo Leopold (1887–1948):

The richest values of wilderness lie not in the days of Daniel Boone, nor even in the present, but rather in the future.

And these wilderness areas are being set aside not just for the present generation but for generations yet unborn who will have the opportunity to enjoy this scenery and these primeval conditions of the wilderness area.

I pay tribute again to the efforts of the distinguished Senator from Vermont (Mr. AIKEN), to the distinguished Senator from Washington (Mr. JACKSON), to the distinguished Senator from Georgia (Mr. TALMADGE), and to the staffs of the Agriculture and Forestry Committee and the Interior and Insular Affairs Committee. It has been the staffs, working under the leadership of the three Senators whose names I have alluded to, that have really worked out this compromise which has resulted in the agreement on the bill at this time.

Mr. JACKSON. Mr. President, I want to commend the distinguished Senator from Alabama for his great interest in the wilderness bill from the very beginning since he came to the Senate. I commend him on his general statement on the philosophy of the legislation and its importance for the future of all people who live in this great country of ours.

Mr. President, I should like to call up now the unprinted amendment which is at the desk.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk proceeded to read the amendment offered by Mr. JACKSON, for himself, Mr. METCALF, Mr. HASKELL, and Mr. NELSON.

Mr. JACKSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

Without objection, the amendments will be considered en bloc.

The amendments are as follows:

AMENDMENTS

(a) (1) On page 22, between lines 19 and 20, insert a new subsection (d) as follows:

"(d) Notwithstanding the provisions of clause (4) (2) of subsection 4(d) of the Wilderness Act, commercial grazing of livestock within any wilderness area designated by or pursuant to this Act may be continued under permits consistent with the purposes of this Act."

(2) On page 24, line 7 through line 5 on page 25, strike section 8(c) (2) in its entirety and insert in lieu thereof the following:

"(2) Paragraph (4) (1) is amended by striking the semi-colon directly after "denial" and before "and" and inserting in lieu thereof ': Provided, That with respect to areas designated as wilderness by or pursuant to the Eastern Wilderness Areas Act of 1974, the President shall not authorize the establishment of any new reservoirs, water-conservation works, power projects, transmission lines, or other facilities;'."

(b) On page 18, line 8, through line 22, strike subsection 7(b) and insert in lieu thereof the following new subsection:

"(b) Notwithstanding the provisions of paragraphs (2) and (3) of subsection 4(d) of the Wilderness Act and subject to valid existing rights, federally owned lands within wilderness areas and wilderness study areas designated by or purusant to this Act or hereafter acquired within the boundaries of such areas shall be withdrawn from all forms of appropriation under the mining laws, and from disposition under all laws pertaining to mineral leasing, and all amendments thereto. Such withdrawal shall take effect in areas designated by this Act upon the date of enactment of this Act, in any area designated pursuant to this Act upon the date of enactment of the Act providing for such designation or the date of designation by the Secretary of Agriculture, and for any land acquired within the boundaries of such areas upon the date of such acquisition."

(c) (1) On page 18, line 23, and page 19, line 16, strike "national forest".

(2) On page 18, line 24, and page 19, line 4 and 17, strike "and the Wilderness Act".

(3) On page 25, lines 6 and 7, strike subsection 8(d) in its entirety.

(4) On page 25, line 8, strike "(e)" and insert in lieu thereof "(d)".

(5) On page 26, line 6, strike "(f)" and insert in lieu thereof "(e)".

(d) (1) On page 25, line 23, after the semicolon insert "and".

(2) On page 26, line 2, strike the semicolon and "and" and insert in lieu thereof a period.

(3) On page 26, lines 3 through 5, strike paragraph (3) in its entirety.

(4) On page 26, line 7, strike "12" and insert in lieu thereof "11".

(5) On page 27, lines 1 through 18, strike the new section 10 and its title in their entirety.

(6) On page 27, line 20, strike "11" and insert in lieu thereof "10".

(7) On page 28, line 4, strike "12" and insert in lieu thereof "11".

(e) On page 18, lines 4 and 5, strike "for more than three years" and insert in lieu thereof "beyond the expiration of the third succeeding Congress".

Mr. JACKSON. Mr. President, as I have said, no legislative issue is free of controversy. S. 3433 is no exception. I have held discussions with members of the Interior Committee, and have obtained the views of various national environmental groups concerning S. 3433. As a result of these discussions, our staffs have been discussing possible modifications, and I have prepared an amendment which I now send to the desk.

(1) Subsection (a) of the amendment concerns grazing. The Wilderness Act of 1964 directs that grazing shall continue in the national forest wilderness areas. S. 316, on the other hand, provided for a cut-off after 2 years of commercial grazing of livestock in eastern national forest wilderness areas. Among the reasons for this cutoff were that in a letter to the Interior Committee, Senator AIKEN requested it; that, unlike in the West, livestock can harm wildnerness characteristics in the East because they feed on hardwood shoots; and that grazing is not a significant economic activity in the proposed wilderness areas and study areas in the East.

S. 3433, however, would make the continuation of grazing in either eastern or western wilderness areas discretionary with the Secretary of Agriculture. As you undoubtedly know, commercial grazing of livestock in many national forest wilderness areas and proposed areas in the West is an activity with significant economic benefits for localities in the vicinity of those areas. Members of the Interior Committee believe that a number of western wilderness proposals which we have acted on in the past would have failed had S. 3433's language been in effect. In the last few years wilderness legislation has begun to receive strong support from ranchers and local chambers of commerce who no longer view wilderness as a threat to the local economy and instead regard it as a protection of the local lifestyle. To suddenly remove the guarantee of continued grazing in western wilderness, after 10 years of experience under the Wilderness Act, would undermine this increasing local support and seriously endanger future western wilderness legislation. To maintain S. 3433's language appears particularly unnecessary since no organization, to my knowledge, has maintained that grazing has threatened the wilderness characteristics of any western wilderness area or potential area.

Therefore, subsection (a) would maintain the grazing language of the Wilderness Act for western national forest wilderness. In deference to the Agriculture Committee's judgment concerning grazing in eastern national forest wilderness areas, the amendment would include S. 3433's discretionary authority in the East rather than S. 316's cutoff.

(2) Subsection (b) concerns mining. The Wilderness Act provided that establishment of mining rights could continue until January 1, 1984. S. 316 limited the provision in the Wilderness Act to western national forest wilderness areas and cut off new rights in eastern national forest wilderness areas and study areas as of the date of the bill's enactment. Among the many reasons for S. 316's provisions was the possibility of surface mining in a number of Appalachian areas. Surface mining would most certainly destroy any area's value as wilderness. Shaft mining, the most likely form of mining to occur on any mining rights established in western wilderness areas, is much less of an intrusion on wilderness where the areas are large. However, shaft mining could adversely affect wilderness areas and study areas in the East because of their limited size. The ban in eastern wilderness study areas as well as instant areas was to provide protection during the study. Obviously, if any study area proves to be unsuitable for wilderness and reverts to multiple use, mining rights can again be established. Furthermore, exploration can continue throughout the study period.

S. 3433 extended the ban on establishment of any new rights to western wilderness areas. I am opposed to this for basically two reasons. First, the Interior Committee is presently considering S. 1010, my bill which would amend the Wilderness Act by shifting the cutoff date from January 1, 1984, to the date of S. 1010's enactment. This bill, upon which hearings have been held, is the proper vehicle to accomplish the objectives of S. 3433's mining provision as it relates to western wilderness. Second, a mining rights cutoff in western wilderness is a difficult subject worthy of special, separate attention, which it will receive when S. 1010 is considered by the full Interior Committee.

Subsection (b) would limit the immediate mining rights cut-off to Eastern National Forest Wilderness Areas and wilderness study areas.

(3) Subsection (c) concerns condemnation authority. The original Wilderness Act removed the Forest Service's authority to condemn within National Forest Wilderness Areas. Of course, the authority to condemn in wilderness study areas and multiple-use national forest land areas continues. S. 316, as reported, would not affect the Wilderness Act provision concerning western wilderness areas. However, it would provide condemnation authority in Eastern National Forest Wilderness Areas. The authority was provided in the East because eastern acquired forest lands have not been consolidated to anywhere near the same extent as have the public domain forest lands of the West. A much higher percentage of land in the proposed eastern wilderness areas is in private ownership, and in the case of coal mining rights, in a form of private ownership which would be very detrimental to eastern wilderness. Although the wilderness areas and wilderness study areas designated by S. 3433 represent some of the best consolidated Eastern National Forest Lands, there is still about 10 percent private lands within these areas. In the West, private lands comprise much less than 1 percent of the wilderness areas, thus posing a much more minor problem. In the East, the private lands are so scattered throughout most of the wilderness areas and wilderness study areas that the wilderness quality of those areas could be jeopardized by nonconforming usage of the private lands. In several cases, just the provision of access to inholdings, as required by the original Wilderness Act, could seriously degrade the wilderness experience.

S. 3433 extends the eminent domain authority provided in S. 316 to Western National Forest Wilderness Areas. I am opposed to this extension because it is unnecessary—again, I know of no organization which has found inholdings in western areas to threaten the wilderness quality of those areas—and it, too, would erode local support for western wilderness legislation.

Subsection (c) would limit the application of the condemnation authority in National Forest Wilderness Areas to eastern areas.

(4) Subsection (d) concerns the National Wilderness Advisory Committee which would be established by subsection 8(f) of S. 3433. Neither the Wilderness Act nor S. 316 provides for such a committee. Instead, the acts, S. 316 and S. 3433, have numerous provisions providing for strong local citizen participation in wilderness decisions. Several members of my committee feel the National Advisory Committees do not adequately provide truly balanced citizen input. As the Advisory Committee is established by an amendment to the Wilderness Act which is under the jurisdiction of the Interior Committee, I have taken particular care to determine the position of the committee's members.

I believe subsection (d) to remove from S. 3433 the provisions relating to the advisory committee represents the viewpoint of most, if not all, of the members of the Interior Committee.

(5) Subsection (e) concerns the protection of study areas. Under S. 316 we provided that study areas would be protected as wilderness areas except where S. 316 specifically provided otherwise. S. 316 also provided protection of the study areas until such time as "Congress has determined otherwise." This quoted language duplicates the protection provision of the Wilderness Act concerning primitive areas. S. 3433, on the other hand, states that each study area is to be protected to maintain its "potential" for wilderness and only for 3 years after the submission to the Congress of the President's recommendations concerning it.

I have been somewhat concerned about the "potential" language, not because of anything the Agriculture Committee has done, but because of the possibility of a too flexible interpretation by the Secretary of Agriculture. A recent statement of the Chief Forester concerning offroad vehicle use in a study areas underlines this concern. Therefore, I requested a letter from the Forest Service which I feel does clarify the intent of the Department of Agriculture with respect to the protection of these study areas. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. FOREST SERVICE,
Washington, D.C., May 29, 1974.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request for an explanation of how the Forest Service would manage eastern wilderness study areas ". . . so as to maintain their potential for inclusion in the National Wilderness Preservation System. . . ." as would be required pursuant to Section 7(a) of S. 3433.

In April, the Forest Service issued a directive prescribing the management of wilderness study areas. The directive applied to the 274 new study areas (271 are west of the 100th meridian) selected by the Chief in the Roadless Area Review and Evaluation process. Its coverage was broadened in May to include the areas contained in the Administration's legislative proposal, "The Eastern Wilderness Amendments of 1973." The coverage of the directive would be extended to the study areas established pursuant to S. 3433. The directive reads as follows:

8261.1—MANAGEMENT PENDING STUDY AND FINAL DECISION.

"New study areas will be managed to protect their wilderness characteristics until detailed studies can be completed and a recommendation is accepted by the Washington Office as to their classification for wilderness or other purposes.

"No actions will be undertaken in new study areas that will change their wilderness characteristics, including harvesting timber, building roads, vegetative type changes, or constructing other permanent improvements that would not be allowed in established wilderness."

During the study period, multiple use plans would include recognition of these areas and no commitments would be made for the resources which would adversely affect future designation as wilderness. No proposed action would be permitted if its implementation would become a basis for not recommending the area for wilderness classification. Existing authorized improvements such as corrals, fences, cabins, snow courses, and hydrometeorologic instruments, could be retained until a final land management decision is made. Interim use of wilderness study areas would be permitted where wilderness characteristics of the area would not be impaired, or during certain emergencies. Wildfires would be suppressed, and insect and disease epidemics treated, if an environmental analysis indicated this was feasible and desirable. Mineral leasing, location, and entry under United States mining laws, and access to private lands would be in accordance with existing laws and regulations.

You will note from the above that our policy allows all possible uses which are compatible with maintaining the area's potential for wilderness. To do otherwise would be unfair to the other present users of the area. A wilderness study area is just that—an interim designation during the time an area is being studied for suitability or nonsuitability for wilderness. We believe that the time to institute total wilderness management is when this process is completed and decisions made.

To be specific concerning off-road vehicles, they would not be allowed in study areas where the machines would do significant damage to such things as the vegetative cover, or soil and water resources. They would be allowed if the effects were transitory and would not alter the area's qualifications for future wilderness designation.

Because these areas are restored to a near-natural condition, they become a special resource of the eastern National Forests. In our concern that such a special resource can be easily damaged, we will monitor the areas closely to preclude resource damage from legitimate use and determine the need for enforcement against violators of the laws and regulations.

Thank you for the opportunity to comment on this matter.

Sincerely,

REXFORD A. RESLER,
Associate Chief.

Mr. JACKSON. Mr. President, of more fundamental concern to me, however, is the length of protection of the study areas. Given the 5-year study period, we can most likely expect that all 40 studies will be submitted to the Congress almost simultaneously at the end of the 5th year. I believe it will be very difficult for Congress to act on all 40 studies in 3 short years, particularly when one considers that, in the Senate, alone, the study areas will have to be considered by both the Interior Committee and the Agriculture Committee.

I understand, however, that the members of the Agriculture Committee are opposed to the "until Congress decides otherwise" protection provided by S. 316.

Therefore, as a compromise position, I suggest subsection (e) of the amendment which provides in effect for a protection period for a minimum of three full Congresses.

Mr. President, I believe that this amendment will resolve the issues in a fair and equitable manner.

I want to say at this time that the distinguished junior Senator from Montana (Mr. METCALF), the distinguished junior Senator from Colorado (Mr. HASKELL), the distinguished junior Senator from Wisconsin (Mr. NELSON), all members of the committee, have done an outstanding job in hammering out the provisions that are in this bill in connection

with the hearings that the Senate Interior Committee held not only in Washington, D.C., but around the East. I want to commend all three of them, especially Senator HASKELL, for chairing most of the hearings outside of the city and, as chairman of the Public Lands Subcommittee, for taking the bill through subcommittee markup. These Senators have played an invaluable role in getting the Interior Committee bill to the floor, as have the members of the Agriculture Committee and the staffs of the two committees in working out this final version of the Eastern Wilderness Act.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. AIKEN. We have had excellent cooperation from the Senators from the Interior Committee States, I call them. In addition to the ones who have been so helpful, mentioned by the Senator from Washington, we have also had excellent cooperation from Senators HANSEN and FANNIN, and many others. There has been an upsurge of interest in this legislation within the last 30 days, I would say.

I want to give credit to all the Senators from west of the 100th Meridian for the cooperation which they have given us, and particularly the junior Senator from Montana, who is with us at this time, Senator METCALF, who has been particularly helpful in this respect.

Mr. JACKSON. I thank the Senator. I must say it is in the best tradition of the U.S. Senate that we have resolved our differences, and I think we can say the American people will be the beneficiaries of this effort; and I commend the Senator from Vermont again.

I now yield to the junior Senator from Vermont.

Mr. STAFFORD. I thank the distinguished Senator for yielding.

Mr. President, I just wanted to say at this point that, as the junior partner of the senior Senator from Vermont in connection with the very significant and important piece of legislation which we are considering this afternoon, I know the country will appreciate the efforts of many able Senators in composing this legislation, in bringing it forth, and in passing it in this body this afternoon, because I am sure it will be passed. But I am equally certain that my colleague, Senator GEORGE AIKEN, has really been the father of this bill. These proposals have been very important to him for a long time. He has had a lifelong interest in this type of legislation, and future generations will not need these wilderness areas to remember the name GEORGE AIKEN, but it will be a fitting remembrance of him as these 19 areas go into the preserved wilderness areas of the United States.

I thank the distinguished Senator for yielding.

Mr. AIKEN. Mr. President, does the Senator from Washington desire to have his amendment acted on?

Mr. JACKSON. I will call up the amendment and get a vote on it. First, I yield to the distinguished Senator from Wisconsin.

Mr. BAYH. Mr. President, at this time, I also want to express my opposition to the Nelson amendment No. 1364 which would have the effect of treating wilderness study areas the same as instant wilderness areas, and, at the same time, remove any time limitation on when Congress would have to determine whether a study area, or a modified study area, should be included in the wilderness system

I am opposed to this amendment, Mr. President, because I believe firmly that both sections of the amendment are contrary to the proper and effective consideration of study areas.

In submitting his amendment, the Senator from Wisconsin said that:

> It mandates that the 39 wilderness study areas be managed exactly the same as the 19 "instant wilderness areas."

In other words, Mr. President, this amendment would destroy the purpose of designating certain possible wilderness areas as study areas. Instead of studying an area for possible future inclusion in the wilderness system, the effect of this amendment would be to make study areas instant wilderness areas. I regard this as unfair to the people in and near study areas who, like the residents of Brown and Jackson Counties in Indiana in and around the Nebo Ridge study area, did not have an opportunity to testify before the map was drawn for the study area.

It is extremely important to bear in mind that in situations such as Nebo Ridge, where private land is included in the study area, that residents of the area have absolute assurance under the committee bill that designation of the land as a study area will not affect their private holdings during the study. As my colloquy with the Senator from Vermont showed, this is precisely why the Agriculture Committee made the proper distinction between study areas and instant wilderness areas. To destroy that distinction would be most unfair to the people directly affected by the designation of an area as a wilderness study area.

This point is especially important since the second part of the Nelson amendment increases the problem. To remove any time limitation in which Congress must make a decision on making a study area, or a modified study area, part of the wilderness system places the residents of a study area in a kind of perpetual limbo.

Moreover, if a study area is to be managed as a wilderness area, and if there is to be no time limitation on final determination as to whether a study area will be turned into a wilderness area, the net effect of the Nelson amendment would be to make Nebo Ridge and the other study areas instant wilderness areas for the indefinite future.

This would be contrary to the goal of providing the affected citizens in and around study areas an opportunity to be heard before their region is made into a wilderness area. It would effectively shortcut the proper hearings process, denying affected citizens their legitimate opportunity to be heard, and I must stress my strong opposition to such a step.

Mr. President, as was brought out in the colloquy with the able and distinguished Senator from Vermont (Mr. AIKEN) the bill as reported from the Agriculture Committee provides two fundamental protections for citizens with private holdings in study areas:

First. Nothing may be done to restrict their use of their land during the study period so long as they do not desecrate it, something the people of Nebo Ridge would never do; and

Second. The people would have ample opportunity to be heard, and Congress would have to take specific action before a study area, or any part of a study area, could be made into a wilderness area.

Amendment No. 1364 destroys those two fundamental protections and I urge strongly that if it is offered, it be defeated.

Mr. NELSON. Will the Senator from Washington yield for two questions of verification?

Mr. JACKSON. I yield.

Mr. NELSON. I understood the Senator to say that the time allowed for Congress to act, following the recommendation of the President with respect to the wilderness area, is three full Congresses subsequent to the recommendation that comes to Congress. Does that mean three full Congresses following the Congress in which the recommendation is made?

Mr. JACKSON. The Senator is correct.

Mr. NELSON. So that could mean almost 8 years?

Mr. JACKSON. It could.

Mr. NELSON. One further question. I had favored the provisions of the original Wilderness Act that would allow Congress whatever time was necessary.

Mr. JACKSON. That was also in S. 316 which the Interior Committee reported.

Mr. NELSON. Yes. I should like to ask the chairman of the Committee on Interior and Insular Affairs and also the chairman of the Committee on Agriculture and Forestry: If it appeared at some time that Congress was unable to act on the recommendations that had come to it on set-aside wilderness areas, and if it were necessary to propose a further extension, would the two chairmen be prepared to push the legislation to give and to grant an extension? I raise the question because I have had officials from a number of organizations that are interested raise it with me. They are concerned that the time might run out.

Mr. JACKSON. Mr. President, I shall yield to the distinguished chairman of the Committee on Agriculture and Forestry for his answer.

Mr. TALMADGE. I concur in the thoughts of the Senator from Wisconsin. I point out, however, that it took us but 15 months to work up this eastern wilderness bill, complex as it is. Certainly, I think that Congress could act in a period of, as the Senator has stated, almost 8 years on any study area that was recommended for inclusion in the wilderness system.

If the jurisdiction comes to the Committee on Agriculture and Forestry on any of these study areas—and it would consist of acquired land—I would pledge that my committee will always act expeditiously.

Mr. NELSON. I thank the distinguished Senator from Georgia.

Mr. JACKSON. I might add that if the Committee on Interior and Insular Affairs were involved and it would appear that both committees will be by virtue of our shared jursidiction on this bill, the Interior committee's jurisdiction over the Wilderness Act, and the Agriculture committee's jurisdiction over acquired lands—we, of course, would be prepared to extend the time for new legislation, if it could not be accomplished within the framework of this amendment.

Just this year, we passed legislation to extend the protection of wild and scenic study rivers for an additional 5 years. I think that if there were not sufficient time, we could do the same thing with respect to this bill. We would hope to be able to do it within the amendment's time framework. If we cannot, we have the power to take action, I assure the Senator from Wisconsin.

Mr. NELSON. Mr. President, I thank the distinguished Senator from Washington and the distinguished Senator from Georgia. I was personally satisfied as to what the answer would be, because I know that both the chairmen and members of both committees desire to have wilderness areas set aside. However, people from such areas, who are interested, have worried about the possibility that they might not have enough time and wanted an allowance. So it would be our intent to extend the time, if that becomes a necessity, respecting some of the recommendations relative to wilderness areas.

I should like to ask a question of the distinguished Senator from Vermont (Mr. AIKEN) respecting the use of recreation vehicles and off-the-road vehicles on public lands in the study areas, pending recommendations for permanent setasides. I am concerned about the interpretation that was put upon the language of the bill by the Chief of the Forest Service. I should like to ask the author of the bill for his interpretation of the intent of the legislation respecting the use of off-the-road vehicles on public lands within the study areas.

Mr. AIKEN. Mr. President, I am glad the Senator from Wisconsin has asked that question, because I believe the issue of off-the-road vehicles and their use in study areas should be made absolutely clear.

When the Wilderness Act of 1964 was enacted, there were very few such vehicles. Now they abound; some say there are too many of them. Some of these vehicles can negotiate almost any terrain, and many are like tanks or tractors in their impact on the vegetation and soil.

The goal of our language is to eliminate the use of off-the-road vehicles on public land in wilderness study areas, except for purposes of ingress and egress.

The Secretary will not intefere with the use of off-road vehicles on private lands, or with private property owners who must have access to their land.

There are two reasons why off-road vehicle restrictions are needed. The basic one is that the intent is to protect the study area from actions that will destroy its wilderness characteristics while the study is underway and later while the Congress is considering whether to enact a wilderness designation for the area. The second reason is that these vehicles are inimical to the wilderness concept.

Mr. NELSON. Mr. President, I thank the Senator from Vermont for that interpretation. I thought it was important to raise the question. The interpretation by the Chief of the Forest Service of the language in the bill is that off-the-road vehicles would be permittees on public lands in wilderness study areas at his discretion. I did not think that was what the language in the bill meant, and I desired to have it clarified.

The interpretation of the Chief of the Forest Service was based upon this language, line 24, page 17, of the bill, S. 3433:

> The wilderness study areas designated by or pursuant to this Act shall be managed by the Secretary of Agriculture so as to maintain their potential for inclusion in the National Wilderness Preservation System until Congress has determined otherwise * * *

I thought that that language was perfectly clear; that the wilderness study areas would be treated as the instant wilderness areas, as it had been in the past. But the Chief of the Forest Service had a different interpretation which, in my opinion, was important because it did not follow the intent of the statute nor the intent of the Congress. I am glad to have that issue clarified.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the letter from the Chief of the Forest Service, written to me on May 29, 1974.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., May 29, 1974.

Hon. GAYLORD NELSON,
U.S. Senate.

DEAR SENATOR NELSON: This is in reply to your May 22 letter regarding the use of off-road vehicles within the wilderness study areas designated pursuant to S. 3433.

In April, the Forest Service issued a directive prescribing the management of wilderness study areas. The directive applied to the 274 new study areas (271 are west of the 100th meridian) selected by the Chief in the Roadless Area Review and Evaluation process. Its coverage was broadened in May to include the areas contained in the Administration's legislative proposal, "The Eastern Wilderness Amendments of 1973." The coverage of the directive would be extended to the study areas established pursuant to S. 3433. The directive reads as follows:

8261.1—MANAGEMENT PENDING STUDY AND FINAL DECISION

"New study areas will be managed to protect their wilderness characteristics until detailed studies can be completed and a recommendation is accepted by the Washington Office as to their classification for wilderness or other purposes.

"No actions will be undertaken in new study areas that will change their wilderness characteristics, including harvesting timber, building roads, vegetative type changes, or constructing other permament improvements that would not be allowed in establishing wilderness."

During the study period, multiple use plans would include recognition of these areas and no commitments would be made for the resources which would adversely affect future designation as wilderness. No proposed action would be permitted if its implementation would become a basis for not recommending the area for wilderness classification. Existing authorized improvements such as corrals, fences, cabins, snow courses, and hydrometeorologic instruments, could be retained until a final land management decision is made. Interim use of wilderness study areas would be permitted where wilderness characteristics of the area would not be impaired, or during certain emergencies. Wildfires would be suppressed, and insect and disease epidemics treated, if an environmental analysis indicated this was feasible and desirable. Mineral leasing, location, and entry under United States mining laws, and access to private lands would be in accordance with existing laws and regulations.

You will note from the above, that our policy allows all possible uses which are compatible with maintaining the area's potential for wilderness. To do otherwise would be unfair to the other present users of the area. A wilderness study area is only that—an interim designation during the time an area is being studied for suitability or nonsuitability for wilderness. We believe that the time to institute wilderness management is when this process is completed and decisions made.

In answer to your specific question as to whether we would allow continued use or snowmobiles and other off-road vehicles in wilderness study areas—

No, we would not allow such use where the machines would do significant damage to such things as the vegetative cover, or soil and water resources.

Yes, we would allow such use if the effects were transitory and did not alter the area's qualifications for future wilderness designation. If, through our monitoring program, the land manager determined that the snowmobile and off-road vehicle use were causing residual effects which might prejudice wilderness qualifications of the land, he would terminate the use of the machines.

Thank you for the opportunity to comment on this matter.

Sincerely,

R. A. RESLER,
(For John R. McGuire, Chief).

Mr. NELSON. I emphasize this with some specificity because I think it is very important that this dialog on the floor of the Senate represent the legislative intent as to the interpretation of that sentence that I just read from the statute. The interpretation made by the Senator from Vermont would represent the unanimous intent of Congress and it is, therefore, unnecessary for me to offer my amendment. I previously thought that the language was perfectly clear until the Chief of the Forestry Service interpreted it differently.

I would just add that in reading the report of the Committee on Agriculture the intent to protect the wilderness study areas was quite clear. That report states on page 17:

> Wilderness study areas designated by or pursuant to the bill are to be managed by the Secretary so as to maintain their potential for inclusion in the National Wilderness Preservation System until Congress determines otherwise.

I am happy to have the response and the interpretation of the principal author of the bill. I think that clarifies the matter satisfactorily, and I shall not call

up my amendment respecting that provision or the length of time given for the Congress to act.

I just wish to conclude by saying that I want to commend the distinguished Senator from Vermont for his long fight in behalf of setting aside an Eastern wilderness area. I am happy to have four wilderness study areas in my own State. They are magnificent areas that ought to be preserved in their current state in perpetuity.

I commend the distinguished chairman of the Interior Committee and the members who worked so hard on this bill, as well as the chairman of the Committee on Agriculture. I think this is a piece of landmark legislation which will end up setting aside almost 800,000 acres ultimately as part of the wilderness system within, mostly within, the forests, within the public lands, although included within them are some 44,000 acres of private land.

I think an excellent job has been done on this bill. Although there are some slight points that I would have a difference with, I think it is a very, very good piece of legislation.

Mr. JACKSON. Mr. President, I again express my appreciation to the able Senator from Wisconsin for his cooperation and time and effort in trying to forge a sensible solution to the differences between S. 316 and S. 3433. I commend him because I believe the result will be the enactment in this Congress of an Eastern Wilderness Act, which, as we all agree, will be an everlasting monument to the dedicated efforts of the able senior Senator from Vermont.

Mr. President, I know of no additional requests for time. I think we are prepared to vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington (Mr. JACKSON).

The amendment was agreed to.

Mr. BAYH. I would like to express my personal appreciation to the distinguished Senator from Vermont for his longtime interest in preserving important areas of our country for our posterity to enjoy. As the Senator knows, an area in my State, Nebo Ridge in Hoosier National Forest, is among those designated as wilderness study areas under this bill.

A number of people in my State have expressed a deep interest in this particular part of the bill. If the Senator will permit I would like to direct a few specific questions to him in an effort to clarify some questions which have been raised relative to Nebo Ridge.

It is my understanding that the management standards of wilderness and study areas are different. Does the fact that Nebo Ridge is specified as a study area mean that existing roads, powerlines, and other improvements or developments in a designated study area—such as Nebo Ridge—could remain intact during the study period?

Mr. AIKEN. Yes, the management standards for wilderness study areas are different from the management standards for wilderness areas Under the bill, existing roads and other improvements in designated study areas would remain unaffected during the study period.

Mr. BAYH. Is my interpretation of this measure accurate when I say that inclusions of a region as a study area does not necessarily mean that the area will become a wilderness area?

Mr. AIKEN. The Senator is correct. The designation of an area for study does not mean that the area will necessarily be designated as wilderness. Such designation would come only after a review by the Secretary of Agriculture.

Mr. BAYH. Is it not correct that formal designation of a study area as a wilderness area could only come after public hearings—in which affected citizens could be heard?

Mr. AIKEN. Yes. In making his review of a study area, the Secretary of Agriculture is required to hold public hearings. The bill provides that notice of the hearing must be given at least 60 days in advance.

Mr. BAYH. Is it also correct that even if the Secretary of Agriculture recommends that an area be designated a wilderness area that the Congress must act before that designation could take effect?

Mr. AIKEN. After the Secretary completes his review, he submits his findings to the President. The President then submits his recommendations to the Congress, and a study area can only be designated as wilderness by a subsequent act of Congress.

Mr. BAYH. Is it fair to say that if Nebo Ridge, or any other study area, is subsequently recommended as a wilderness area that all of the land in the study area need not necessarily be included in the possible future wilderness area?

Mr. AIKEN. Once again the Senator is correct. The Secretary of Agriculture or the Congress may decide that only part of a study area should be formally designated as a wilderness area.

Mr. BAYH. I appreciate the Senator's reponse. This is an important point, especially as it relates to the guaranteed opportunity for public hearings prior to the time a study area might be designated—in whole or in part—as a wilderness area. Has it not traditionally been the firm policy of the Agriculture Committee that thorough and fair public hearings be provided in all such instances?

Mr. AIKEN. Yes. The committee has always sought to give adequate opportunity for the expression of opinion by affected citizens and this is why such a provision is written directly into the bill.

Mr. BAYH. Since there has been great concern expressed by residents in and near the proposed Nebo Ridge study area, am I correct in my understanding that the study area designation would not interfere in any way with present private residences and farms in the study area?

Mr. AIKEN. The designation of Nebo Ridge as a study area would not interfere with privately held residences or farms within the boundaries of the study area.

Mr. BAYH. To carry this a step further, persons owning land in Nebo Ridge and other designated study areas would be permitted, as I interpret your response, to sell, deed, or leave to their heirs privately owned property in such a study area?

Mr. AIKEN. The Senator is correct in his interpretation. Persons owning land within the boundaries of Nebo Ridge or any other study area designated by the bill could sell, lease, or will their property without any restrictions.

Mr. BAYH. In others words the people in Nebo Ridge may continue to use their land, this legislation notwithstanding, in exactly the same fashion they are currently using their land?

Mr. AIKEN. That is the intention of the study area designation.

Mr. BAYH. Furthermore, passage of this legislation—which involves the designation of 19 wilderness areas and 40 wilderness study areas—does not authorize the taking of private land in the Nebo Ridge area. Is that correct?

Mr. AIKEN. The enactment of the bill would not authorize the taking of privately held land in the Nebo Ridge area.

Mr. BAYH. As I understand the purpose of study area designations, it is to prevent the desecration of a given area so as to avoid the destruction of its natural beauty. Would it be correct to interpret this designation to mean that the Forest Service would be able to prevent any desecration of Nebo Ridge or any other study area during the period that such areas were being considered for possible inclusion in the National Wilderness System?

Mr. AIKEN. The Senator is correct. Under the management standard for the 40 wilderness study areas designated by the bill—including Nebo Ridge—the Forest Service must protect the wilderness potential of the areas while reviews are proceeding. No action could be taken on federally owned land in a study area that would change its wilderness characteristics—including the harvesting of timber, building new roads, or constructing other improvements which would destroy its natural beauty.

Mr. BAYH. If I may summarize my interpretation of the Senator's responses—and correct me if I am wrong—this proposed designation of Nebo Ridge as a study area means, on one hand, that nothing may be done in Nebo Ridge while it is a study area that would destroy its potential as a wilderness area, and, on the other hand, life may go on in Nebo Ridge in its present manner without disruption.

Mr. AIKEN. The Senator is correct. As I stated, the Forest Service must protect the wilderness potential of all of the study area. However, the bill does not purport to affect privately owned land in any study area, and private rights are, therefore, protected.

Mr. BAYH. I thank the able Senator from Vermont for his clarification of the legislation and his careful attention to this important matter.

Mr. HUGH SCOTT. Mr. President, after a year and a half of intense study by two Senate committees, I am pleased that the so-called Eastern Wilderness Areas Act of 1974 is now before us. I have taken an active interest in the development of this vital bill, especially as it

concerns the Allegheny National Forest in Pennsylvania. The forest is located in four of the Commonwealth's northwestern counties—Warren, McKean, Forest, and Elk.

On February 15, 1973, the Committee on Agriculture and Forestry favorably reported S. 22, a similar bill, which recommended that two areas of the Allegheny National Forest be studied by the Secretary of Agriculture for possible inclusion into the wild areas system. The two areas specified were Hickory Creek in Warren County and Tracy Ridge in Warren and McKean Counties. The acreage to be studied in each area was not detailed in the bill.

Because the Committee on Interior and Insular Affairs claimed concurrent jurisdiction over this bill, S. 22 was held on the calendar while still another bill, S. 316, was considered by that committee. On December 20, 1973, S. 316 was favorably reported with specific mention of Hickory Creek and Tracy Ridge. Unfortunately, the committee recommended reducing the acreage to be studied—from 11,200 to 8,200 in the case of Hickory Creek and from 10,000 to 7,900 in the case of Tracy Ridge.

Previously, I had urged that a total of four areas be studied—Allegheny Front in Warren County and Minister Creek in Warren and Forest Counties, in addition to the other two.

On January 23, 1974, I introduced amendment No. 939, to S. 316, expanding the acreage under study at Hickory Creek and Tracy Ridge and adding one more area for study—10,000 acres at Allegheny Front. Not enough background material was available to include Minister Creek in my amendment.

The Committee on Agriculture and Forestry then began another review of this legislation, including my amendment. On April 26, 1974, the distinguished chairman of the committee, Mr. TALMADGE, advised me that my amendment was considered and agreed to by the committee. And on May 2, 1974, the committee filed its report, along with a clean bill, S. 3433. Section 5 of the bill, which I cosponsored, specifically designates three areas of the Allegheny National Forest for review and study by the Secretary of Agriculture as to their suitability for preservation as wilderness—11,200 acres at Hickory Creek, 10,000 acres at Tracy Ridge, and 10,000 acres at Allegheny Front.

I would like to express my thanks and appreciation to Senators TALMADGE, AIKEN, JACKSON, and FANNIN for their assistance to me in this effort.

Mr. President, I am proud to have played a role in developing this bill. I hope the Senate will approve it and pave the way for swift action in the House of Representatives.

EASTERN WILDERNESS AREAS ACT OF 1974 DESIGNATES IMPORTANT AREAS IN PENNSYLVANIA

Mr. SCHWEIKER. Mr. President, the bill which we are considering today, the Eastern Wilderness Act of 1974, is a significant national conservation bill and contains important areas in Pennsylvania. Senator HUGH SCOTT and I originally offered an amendment to the bill to include specific areas and increased acreage in Pennsylvania. I am very pleased that our proposal has been included in the bill as it has been reported by the Agriculture Committee.

Our amendment, now in the bill, would establish three study areas in the Allegheny National Forest: It increases the acreage in the Hickory Creek study area to 11,200 from 8,200 acres. The acreage for the Tracy Ridge study area is increased from 7,900 to 10,000 acres. Finally, our amendment added the 10,000-acre Allegheny Front as a study area.

According to forest statistics for 1970, 1,274,604,000 board feet of timber was grown in Pennsylvania and 718,630,000 board feet of timber was removed. The growth has definitely exceeded the cut. In 1952, commercial forest lands covered 14,574,000 acres in Pennsylvania and in 1970 the acreage increased to 17,478,000, 442,000 acres of land was owned outright by the forest industry in 1952 compared to 610,000 acres in 1970. The 1960 Multiple-Use Sustained Yield Act, overwhelmingly enacted by the Congress, includes a provision for the Forest Service to create wilderness areas and to properly maintain them so long as reasonable. Pennsylvania currently has no wilderness areas. In view of the continuing growth of commercial forest acreage in Pennsylvania, I believe the designation of these wilderness areas in Pennsylvania to be reasonable.

This bill will help preserve for the millions of people in the eastern region of our country, now and in the future, unspoiled natural areas to be enjoyed in their original state. It is important that we act now to preserve these unique areas many of which are located within easy access of our most heavily populated areas. I urge my colleagues to join me in supporting this important legislation.

Mr. JACKSON. Mr. President, before I conclude my remarks and we have the vote on passage, I want to take this opportunity to express my appreciation to the staff of our committee, in particular Mr. Russell Brown, who has spent literally weeks and months pouring over the maps and doing all the technical work in connection with the many areas covered by this bill. He did the basic staffing in the field as well as for the hearings that were held here in Washington. The policy sections of the bill were the responsibility of our counsel, Mr. Steven Quarles, who has spent so much time on land-related legislation, including the Land Use Policy and Planning Assistance Act which we passed last June, the strip mining bill, and the national resource lands management legislation on which he was assisted by Michael Harvey, an area in which he is an expert. That bill will be coming up next week.

Mr. President, I know of no other amendments. I think we are prepared to go to third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The bill having been read the third time, the question is, Shall it pass?

Mr. METCALF. Mr. President, over the years the Senator from Vermont (Mr. AIKEN) has been a strong advocate of conservation measures and of wilderness protection. I can recall, as a Member of the House of Representatives, when I was a Member of that body, he as a Member of the Senate supported and defended the right of people to continue to own the public land when the Ellsworth bill would have provided for the trading of stumps in national forests for logging privileges in areas that were taken for national parks or dams, and so forth.

I remember when the D'Ewart bill came up, and he defended the provisions that would have preserved public ownership. Here is a man who, over the years, has supported and defended the right to western conservation, western wildernesses, and the protection of western forests, streams, lakes, and areas of wilderness quality.

Therefore, it is most appropriate that I stand up and note that today, at long last, the Senator's dream of an eastern wilderness program has finally come true, and the Senate is about to pass an eastern wilderness bill. After all the efforts that he has made to protect wildernesses, and for conservation of streams and forests and such areas, all over the rest of the United States, he has finally achieved recognition of the need for protection of our eastern areas. I believe this is the high point in the career of the Senator from Vermont insofar as his long-time advocacy of setting aside conservation and recreation is concerned. Finally he has by reason of his long advocacy of the use of public domain lands for environmental and conservation purposes achieved recognition of the need for an eastern wilderness.

The PRESIDING OFFICER (Mr. METZENBAUM). The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3433) was passed, as follows:

S. 3433

An act to further the purposes of the Wilderness Act by designating certain acquired lands for inclusion in the National Wilderness Preservation System, to provide for study of certain additional lands for such inclusion, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be known as the "Eastern Wilderness Areas Act of 1974".

STATEMENT OF FINDINGS AND POLICY

SEC. 2. (a) The Congress finds that—

(1) in the more populous eastern half of the United States there is an urgent need to identify, study, designate, and preserve areas for addition to the National Wilderness Preservation System;

(2) areas of wilderness in the most populous eastern half of the United States are increasingly threatened by the pressures of a growing and more mobile population, large-scale industrial and economic growth, and development and uses inconsistent with the protection, maintenance, and enhancement of the areas' wilderness character;

(3) the national forests in the eastern United States consist predominantly of acquired lands where the impact of man's past activity has been substantial, and the res-

toration of such lands for conservation purposes and specifically for wilderness purposes requires considerable effort;

(4) there is a growing need for the broad range of recreational opportunities which can be provided within the national forest system; and

(5) among these opportunities is the opportunity for present and future generations to enjoy primitive recreation in a spacious, natural, and wilderness setting.

(b) Therefore, the Congress finds and declares that it is in the national interest that areas hereinafter cited in the eastern half of the United States be promptly designated as wilderness within the National Wilderness Preservation System, and that additional areas be promptly studied. These actions are required in order to preserve such areas as an enduring source of wilderness which shall be managed to promote and perpetuate the wilderness character of the land and its specific values of solitude, physical and mental challenge, scientific study, inspiration, and primitive recreation for the benefit of all of the American people of present and future generations.

DESIGNATION OF AREAS PURSUANT TO THIS ACT

SEC. 3. Only national forest areas east of the one hundredth meridian may be designated pursuant to this Act as wilderness areas or wilderness study areas.

DESIGNATION OF WILDERNESS AREAS

SEC. 4. In furtherance of the purposes of the Wilderness Act (78 Stat. 890), the following lands (hereinafter referred to as "wilderness areas") located east of the one hundredth meridian and as generally depicted on maps appropriately referenced, dated April 1974, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Bankhead National Forest, Alabama, which comprise about twelve thousand acres, are generally depicted on a map entitled "Sipsey Wilderness Area—Proposed", and shall be known as the Sipsey Wilderness;

(2) certain lands in the Ouachita National Forest, Arkansas, which comprise about fourteen thousand four hundred and thirty-three acres, are generally depicted on a map entitled "Caney Creek Wilderness Area—Proposed", and shall be known as the Caney Creek Wilderness;

(3) certain lands in the Ozark National Forest, Arkansas, which comprise about ten thousand five hundred and ninety acres, are generally depicted on a map entitled "Upper Buffalo Wilderness Area—Proposed", and shall be known as the Upper Buffalo Wilderness.

(4) certain lands in the Appalachicola National Forest, Florida, which comprise about twenty-two thousand acres, are generally depicted on a map entitled "Bradwell Bay Wilderness Area—Proposed", and shall be known as the Bradwell Bay Wilderness;

(5) certain lands in the Chattahoochee and Cherokee National Forests, Georgia, and Tennessee, which comprise about thirty-seven thousand three hundred acres, are generally depicted on a map entitled "Cohutta Wilderness Area—Proposed", and shall be known as the Cohutta Wilderness;

(6) certain lands in the Daniel Boone National Forest, Kentucky, which comprise about five thousand five hundred acres, are generally depicted on a map entitled "Beaver Creek Wilderness Area—Proposed", and shall be known as the Upper Buffalo Wilderness;

(7) certain lands in the Hiawatha National Forest, Michigan, which comprise about six thousand six hundred acres, are generally depicted on a map entitled "Big Island Lake Wilderness Area—Proposed", and shall be known as the Big Island Lake Wilderness;

(8) certain lands in the Mark Twain National Forest, Missouri, which comprise about sixteen thousand four hundred acres, are generaly depicted on a map entitled "Glades Wilderness Area—Proposed", and shall be known as the Glades Wilderness;

(9) certain lands in the Mark Twain National Forest, Missouri, which comprise about nineteen thousand one hundred acres, are generally depicted on a map entitled "Irish Wilderness Area—Proposed", and shall be known as the Irish Wilderness;

(10) certain lands in the White Mountain National Forest, New Hampshire, which comprise about twenty thousand three hundred and eighty acres, are generally depicted on a map entitled "Presidential Range-Dry River Wilderness Area—Proposed", and shall be known as the Presidential Range-Dry River Wilderness:

(11) certain lands in the Nantahala and Cherokee National Forests, North Carolina and Tennessee, which comprise about fifteen thousand acres, are generally depicted on a map entitled "Joyce Kilmer-Slickrock Wilderness Area—Proposed", and shall be known as the Joyce Kilmer-Slickrock Wilderness;

(12) certain lands in the Sumter, Nantahala, and Chattahoochee National Forests in South Carolina, North Carolina, and Georgia, which comprise about three thousand six hundred acres, are generally depicted on a map entitled "Ellicott Rock Wilderness Area—Proposed", and shall be known as Ellicott Rock Wilderness;

(13) certain lands in the Cherokee National Forest, Tennessee, which comprise about two thousand five hundred and seventy acres, are generally depicted on a map entitled "Gee Creek Wilderness Area—Proposed", and shall be known as the Gee Creek Wilderness;

(14) certain lands in the Green Mountain National Forest, Vermont, which comprise about six thousand five hundred acres, are generally depicted on a map entitled "Bristol Cliffs Wilderness Area—Proposed", and shall be known as the Bristol Cliffs Wilderness;

(15) certain lands in the Green Mountain National Forest, Vermont, which comprise about fourteen thousand three hundred acres, are generally depicted on a map entitled "Lye Brook Wilderness Area—Proposed", and shall be known as the Lye Brook Wilderness;

(16) certain lands in the Jefferson National Forest, Virginia, which comprise about eight thousand eight hundred acres, are generally depicted on a map entitled "James River Face Wilderness Area—Proposed", and shall be known as the James River Face Wilderness;

(17) certain lands in the Monongahela National Forest, West Virginia, which comprise about ten thousand two hundred and fifteen acres, are generally depicted on a map entitled "Dolly Sods Wilderness Area—Proposed", and shall be known as the Dolly Sods Wilderness;

(18) certain lands in the Monongahela National Forest, West Virginia, which comprise about twenty thousand acres, are generally depicted on a map entitled "Otter Creek Wilderness Study Area", and shall be known as the Otter Creek Wilderness; and

(19) certain lands in the Chequamegon National Forest, Wisconsin, which comprise about six thousand six hundred acres, are generally depicted on a map entitled "Rainbow Lake Wilderness Area—Proposed", and shall be known as the Rainbow Lake Wilderness.

DESIGNATION OF WILDERNESS STUDY AREAS

SEC. 5. (a) In furtherance of the purposes of the Wilderness Act and in accordance with the procedures specified in section 3(d) of that Act, the Secretary of Agriculture shall review, as to its suitability or nonsuitability for preservation as wilderness, each area designated by or pursuant to subsection (b) of this section.

(b) Areas to be reviewed pursuant to this section (hereinafter referred to as "wilderness study areas"), located east of the one hundredth meridian and as generally depicted on maps appropriately referenced, dated April 1974, include—

(1) certain lands in the Ouachita National Forest, Arkansas, which comprise approximately five thousand seven hundred acres and are generally depicted on a map entitled "Belle Starr Cave Wilderness Study Area";

(2) certain lands in the Ouachita National Forest, Arkansas, which comprise approximately five thousand five hundred acres and are generally depicted on a map entitled "Dry Creek Wilderness Study Area";

(3) certain lands in the Ozark National Forest, Arkansas, which comprise approximately two thousand one hundred acres and are generally depicted on a map entitled "Richland Creek Wilderness Study Area";

(4) certain lands in the Ocala National Forest, Florida, which comprise approximately ten thousand acres and are generally depicted on a map entitled "Alexander Springs Wilderness Study Area";

(5) certain lands in the Appalachicola National Forest, Florida, which comprise approximately one thousand one hundred acres and are generally depicted as the "Sopchoppy River Wilderness Study Area" on a map entitled "Bradwell Bay Wilderness Area—Proposed";

(6) certain lands in the Shawnee National Forest, Illinois, which comprise two thousand eight hundred acres and are generally depicted on a map entitled "LaRue-Pine Hills Wilderness Study Area";

(7) certain lands in the Shawnee National Forest, Illinois, which comprise approximately fifteen thousand acres and are generally depicted on a map entitled "Lusk Creek Wilderness Study Area";

(8) certain lands in the Hoosier National Forest, Indiana, which comprise approximately thirty thousand seven hundred and fifty acres and are generally depicted on a map entitled "Nebo Ridge Wilderness Study Area";

(9) certain lands in the Kisatchie National Forest, Louisiana, which comprise approximately ten thousand acres and are generally depicted on a map entitled "Kisatchie Hills Wilderness Study Area";

(10) certain lands in the Kisatchie National Forest, Louisiana, which comprise approximately five thousand acres and are generally depicted on a map entitled "Saline Bayou Wilderness Study Area";

(11) certain lands in the White Mountain National Forest, Maine, which comprise approximately twelve thousand acres and are generally depicted on a map entitled "Caribou-Speckled Mountain Wilderness Study Area";

(12) certain lands in the Hiawatha National Forest, Michigan, which comprise approximately five thousand four hundred acres and are generally depicted on a map entitled "Rock River Canyon Wilderness Study Area";

(13) certain lands in the Ottawa National Forest, Michigan, which comprise approximately thirteen thousand two hundred acres and are generally depicted on a map entitled "Sturgeon River Wilderness Study Area";

(14) certain lands in the Clark National Forest Missouri, which comprise approximately seven thousand six hundred and forty acres and are generally depicted on a map entitled "Bell Mountain Wilderness Study Area";

(15) certain lands in the Clark National Forest, Missouri, which comprise approximately six thousand eight hundred acres and are generally depicted on a map entitled "Rockpile Mountain Wilderness Study Area";

(16) certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately ten thousand acres and

are generally depicted on a map entitled "Carr Mountain Wilderness Study Area";

(17) certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately fourteen thousand four hundred acres and are depicted as the "Great Gulf Wilderness xtension Study Area" on a map entitled "Presidential Range Wilderness Area—Proposed";

(18) certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately sixteen thousand acres and are generally depicted on a map entitled "Kilkenny Wilderness Study Area";

(19) certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately twenty thousand acres and are generally depicted on a map entitled "Wild River Wilderness Study Area";

(20) certain lands in the Pisgah National Forest, North Carolina, which comprise approximately one thousand one hundred acres and are generally depicted on a map entitled "Craggy Mountain Wilderness Study Area";

(21) certain lands in the Croatan National Forest, North Carolina, which comprise approximately seventeen thousand acres are generally depicted on a map entitled "Pocosin Wilderness Study Area";

(22) certain lands in the Wayne National Forest, Ohio, which comprise approximately nineteen thousand acres and are generally depicted on a map entitled "Archers Fork Wilderness Study Area";

(23) certain lands in the Allegheny National Forest, Pennsylvania, which comprise approximately eleven thousand two hundred acres and are generally depicted on a map entitled "Hickory Creek Wilderness Study Area";

(24) certain lands in the Allegheny National Forest, Pennsylvania, which comprise approximately ten thousand acres and are generally depicted on a map entitled "Tracy Ridge Wilderness Study Area";

(25) certain lands in the Allegheny National Forest, Pennsylvania, which comprise approximately ten thousand acres and are generally depicted on a map entitled "Allegheny Front Wilderness Study Areas";

(26) certain lands in the Francis Marion National Forest, South Carolina, which comprise approximately one thousand five hundred acres and are generally depicted on a map entitled "Wambaw Swamp Wilderness Study Area";

(27) certain lands in the Cherokee National Forest, Tennessee, which comprise approximately four thousand five hundred acres and are generally depicted on a map entitled "Big Frog Wilderness Study Area";

(28) certain lands in the Cherokee National Forest, Tennessee, which comprise approximately fourteen thousand acres and are generally depicted as the "Citico Creek Area" on a map entitled "Joyce Kilmer-Slickrock Wilderness Area—Proposed";

(29) certain lands in the Davy Crockett National Forest, Texas, which comprise approximately four thousand acres and are generally depicted on a map entitled "Big Slough Wilderness Study Area";

(30) certain lands in the Sabine National Forest, Texas, which comprise approximately four thousand acres and are generally depicted on a map entitled "Chambers Ferry Wilderness Study Area";

(31) certain lands in the Jefferson National Forest, Virginia, which comprise approximately four thousand acres and are generally depicted on a map entitled "Mill Creek Wilderness Study Area";

(32) certain lands in the Jefferson National Forest, Virginia, which comprise approximately eight thousand four hundred acres and are generally depicted on a map entitled "Mountain Lake Wilderness Study Area";

(33) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand acres and are generally depicted on a map entitled "Peters Mountain Wilderness Study Area";

(34) certain lands in the George Washington National Forest, Virginia, which comprise approximately six thousand seven hundred acres and are generally depicted on a map entitled "Ramsey's Draft Wilderness Study Area";

(35) certain lands in the Monongahela National Forest, West Virginia, which comprise approximately thirty-six thousand three hundred acres and are generally depicted on a map entitled "Cranberry Wilderness Study Area";

(36) certain lands in the Nicolet National Forest, Wisconsin, which comprise approximately two thousand six hundred acres and are generally depicted on a map entitled "Black Jack Springs Wilderness Study Area";

(37) certain lands in the Chequamegon National Forest, Wisconsin, which comprise approximately six thousand three hundred acres and are generally depicted on a map entitled "Flynn Lake Wilderness Study Area";

(38) certain lands in the Chequamegon National Forest, Wisconsin, which comprise approximately four thousand two hundred acres and are generally depicted on a map entitled "Round Lake Wilderness Study Area";

(39) certain lands in the Nicolet National Forest, Wisconsin, which comprise approximately two thousand seven hundred acres and are generally depicted on a map entitled "Whisker Lake Wilderness Study Area"; and

(40) certain lands in the Caribbean National Forest, Puerto Rico, which comprise approximately eight thousand five hundred acres and are generally depicted on a map entitled "El Cacique Wilderness Study Area".

(c) The Secretary of Agriculture shall, within five years from the date of this Act, send to the President his recommendations concerning the wilderness study areas designated by this Act. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as wilderness of each area submitted. Each recommendation of the President for designation of an area as wilderness shall become effective only if so provided by an Act of Congress.

(d) The Secretary of Agriculture may, through publication in the Federal Register, designate national forest system areas east of the one hundredth meridian other than those areas specified in subsection (b) of this section or any areas designated as wilderness study areas by Congress pursuant to this Act, for review as to suitability or nonsuitability for preservation as wilderness. Nothing in this section shall be construed as limiting the authority of the Secretary of Agriculture to carry out management programs, development, and activities in accordance with the Multiple-Use Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528–531) within areas not designated by him for review in accordance with the provisions of this subsection.

(e) The recommendations of the Secretary of Agriculture for each wilderness study area designated by or pursuant to this Act shall be accompanied by a report, including maps and illustrations, showing among other things the boundaries of the study area; the characteristics which make or do not make the area worthy for classification as wilderness, including scenic, natural, and wilderness attraction of the area, restorability of the area to near natural conditions, current and expected patterns of landownership, and surface and subsurface rights not held or controlled by the public; foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the system; the environmental, economic, and social consequences of designation as a wilderness area; the interrelationship of the classification of a wilderness area to the total management of the particular national forest under the applicable multiple-use management plans.

(f) Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of any wilderness study area or recommending the addition to any such area of any contiguous area predominantly of wilderness value.

FILING OF MAPS AND DESCRIPTIONS

SEC. 6. As soon as practicable after enactment of this Act, a map of each wilderness study area, and a map and a legal description of each wilderness area, designated by this Act, shall be filed with the Committees on Interior and Insular Affairs and on Agriculture of the United States Senate and House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

MANAGEMENT OF AREAS

SEC. 7. (a) Except as otherwise provided by this Act, the wilderness areas designated by or pursuant to this Act shall be managed by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act, as amended by this Act. The wilderness study areas designated by or pursuant to this Act shall be managed by the Secretary of Agriculture so as to maintain their potential for inclusion in the National Wilderness Preservation System until Congress has determined otherwise, except that such management requirement shall in no case extend beyond the expiration of the third succeeding Congress from the date of submission to the Congress of the President's recommendations concerning the particular study area.

(b) Notwithstanding the provisions of paragraphs (2) and (3) of subsection 4(d) of the Wilderness Act and subject to valid existing rights, federally owned lands within wilderness areas and wilderness study areas designated by or pursuant to this Act or hereafter acquired within the boundaries of such areas shall be withdrawn from all forms of appropriation under the mining laws, and from disposition under all laws pertaining to mineral leasing, and all amendments thereto. Such withdrawal shall take effect in areas designated by this Act upon the date of enactment of this Act, in any area designated pursuant to this Act upon the date of enactment of the Act providing for such designation or the date of designation by the Secretary of Agriculture, and for any land acquired within the boundaries of such areas upon the date of such acquisition.

(c) (1) Within wilderness areas designated by or pursuant to this Act, the Secretary of Agriculture may acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, or otherwise, such lands, waters, or interests therein as he determines necessary or desirable for the purposes of this Act. All lands acquired under the provisions of this subsection shall become national forest lands.

(2) In exercising the exchange authority granted by paragraph (1), the Secretary of Agriculture may accept title to non-Federal property for federally owned property of substantially equal value, or, if not of substantially equal value, the value shall be equalized by the payment of money to the grantor or to the Secretary as the circumstances require.

(3) The authority of the Secretary of Agriculture to condemn any private land or interest therein within any wilderness area designated by or pursuant to this Act shall not be invoked so long as the owner or owners of such land or interest holds and uses it in the same manner and for those pur-

poses for which such land or interest was held on the date of the designation of the wilderness area: *Provided, however,* That the Secretary of Agriculture may acquire such land or interest without consent of the owner or owners whenever he finds such use to be incompatible with the management of such area as wilderness and the owner or owners manifest unwillingness, and subsequently fail, to promptly discontinue such incompatible use.

(4) At least sixty days prior to any transfer by exchange, sale, or otherwise (except by bequest) of such lands or interests therein described in paragraph (3) of this subsection, the owner or owners of such lands or interests therein shall provide notice of such transfer to the supervisor of the national forest concerned, in accordance with such rules and regulations as the Secretary of Agriculture may promulgate.

(5) At least sixty days prior to any change in the use of such lands or interests therein described in paragraph (3) of this subsection which will result in any significant new construction or disturbance of land surface or flora or will require the use of motor vehicles and other forms of mechanized transport or motorized equipment (except as otherwise authorized by law for ingress or egress or for existing agricultural activities begun before the date of the designation other than timber cutting), the owner or owners of such lands or interests therein shall provide notice of such change in use to the supervisor of the national forest within which such lands are located, in accordance with such rules and regulations as the Secretary of Agriculture may promulgate.

(6) For the purposes of paragraphs (7) and (8) of this subsection, the term "property" shall mean a detached, noncommercial residential dwelling, the construction of which was begun before the date of the designation of the wilderness area (hereinafter referred to as "dwelling", or an existing agricultural activity begun before the date of the designation of the wilderness area, other than timber cutting (hereinafter referred to as "agricultural activity"), together with so much of the land on which the dwelling or agricultural activity is situated, such land being in the same ownership as the dwelling or agricultural activity, as the Secretary of Agriculture shall determine to be necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use or for the agricultural activity, together with any structures accessory to the dwelling or agricultural activity which are situated on the land so designated.

(7) Any owner or owners of property on the date of its acquisition by the Secretary of Agriculture may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for such noncommercial residential purpose or agricultural activity for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or his spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary of Agriculture shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner: *Provided,* That whenever an owner of property elects to retain a right of use and occupancy as provided for in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101 (6) of that Act.

(8) A right of use and occupancy retained or enjoyed pursuant to paragraph (7) of this subsection may be terminated with respect to the entire property by the Secretary of Agriculture upon his determination that the property or any portion thereof has ceased to be used for such noncommercial residential purpose or agricultural activity and upon tender to the holder of a right an amount equal to the fair market value as of the date of tender of that portion of the right which remains unexpired on the date of termination.

(d) Notwithstanding the provisions of clause (4)(2) of subsection (4)(d) of the Wilderness Act, commercial grazing of livestock within any wilderness area designated by or pursuant to this Act may be continued under permits consistent with the purposes of this Act.

AMENDMENTS TO THE WILDERNESS ACT

SEC. 8. The Wilderness Act is amended as follows:

(a) Section 2(c) of the Wilderness Act is amended by adding at the end thereof the following new sentence: "The term 'wilderness' shall include areas designated by or pursuant to the Eastern Wilderness Areas Act of 1974."

(b) Section 3(d) of the Wilderness Act is amended as follows:

(1) Clause (B) of paragraph (1) is amended by changing the semicolon at the end thereof to a colon and inserting the following new proviso: *"And provided further,* That the respective Secretaries shall give public notice at least sixty days in advance of any hearing or other public meeting concerning any wilderness study area; and".

(2) Clause (C) of paragraph (1) is amended to read as follows:

"(C) at least sixty days before the date of a hearing advise the Governor of each State, the governing board of each county, or in Alaska the borough, parish, town, and municipality in which the lands are located, the governing board of each appropriate substate multijurisdictional general purpose planning and development agency that has been officially designated as a clearinghouse agency, the governing board of each appropriate established environmental protection district, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing."

(c) Section 4(d) of the Wilderness Act is amended as follows:

(1) Paragraph (1) is amended by adding at the end thereof the following new sentence: "No timber stand modification shall be permitted except as provided for in this paragraph (1)."

(2) Paragraph (4)(1) is amended by striking the semicolon directly after "denial" and before "and" and inserting in lieu thereof ": *Provided,* That with respect to areas designated as wilderness by or pursuant to the Eastern Wilderness Areas Act of 1974, the President shall not authorize the establishment of any new reservoirs, water-conservation works, power projects, transmission lines, or other facilities;".

(d) Section 7 of the Wilderness Act is amended by striking the word "ANNUAL" in the title thereof and changing the section to read as follows:

"SEC. 7. (a) At the opening of each Congress, the Secretaries of Agriculture and the Interior shall jointly report to the President, for transmission to Congress, on the status of the National Wilderness Preservation System, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

"(b) There shall be included in the report—

"(1) descriptions of those wilderness study areas that are recommended for designation as components of the National Wilderness Preservation System, in accordance with the procedures specified in section 3(d) of this Act; and

"(2) descriptions of those portions of wilderness study areas that are recommended not to be designated as wilderness, together with the reasons for the recommendation."

(e) The Wilderness Act is amended by adding at the end thereof the following new sections 8 through 11:

"HUNTING, FISHING, AND TRAPPING

"SEC. 8. The Secretary of Agriculture shall permit hunting, fishing, and trapping on the lands and waters within national forest wilderness areas in accordance with applicable Federal and State laws; except that the Secretary may issue regulations designating zones where, and establishing periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use enjoyment. Except in emergencies, any regulations promulgated pursuant to this section shall be issued only after consultation with the wildlife agency of the State or States affected.

"MANAGEMENT PLAN

"SEC. 9. The Secretary of Agriculture and the Secretary of the Interior shall each prepare a management plan for each wilderness area and wilderness study area for which they have jurisdiction, utilizing a multidisciplinary approach and providing for appropriate public involvement.

"TRANSFER OF FEDERAL PROPERTY

"SEC. 10. The head of any Federal department or agency having jurisdiction over any lands or interests in land within the boundaries of these wilderness areas is authorized to transfer to the Secretary of Agriculture or the Secretary of the Interior, where appropriate, jurisdiction over such lands for administration in accordance with the provisions of this Act.

"COOPERATION WITH STATES

"SEC. 11. The Secretary of Agriculture and the Secretary of the Interior shall cooperate with the States and political subdivisions thereof in the administration of wilderness areas and in the administration and protection of lands within or adjacent to the wilderness area owned or controlled by the State or political subdivision thereof."

REGULATIONS

SEC. 9. The Secretary of Agriculture and the Secretary of the Interior are authorized to issue such rules and regulations as they deem necessary to carry out the purposes of this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TALMADGE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. AIKEN. Mr. President, I want to get S. 22 off the books.

Mr. JACKSON. Yes; does the Senator want to send it back?

Mr. AIKEN. Yes.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the bill (S. 22) be recommitted to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The Sen-

ator is advised that that bill is not on the Calendar.

Mr. TALMADGE. It is on the Calendar. I ask unanimous consent that that be done.

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

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

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

DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1975

The PRESIDING OFFICER (Mr. HELMS). Under the previous order, the Senate will now proceed to the consideration of S. 3000, which the clerk will state.

The assistant legislative clerk read as follows:

S. 3000, to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with amendments, on page 2, line 9, after the word "Army", strike out "$339,500,000" and insert "$320,300,000"; in line 10, after "Marine Corps", strike out "$2,960,600,000" and insert "$2,862,700,000"; in line 11, after "Air Force", strike out "$3,496,600,000" and insert $3,286,300,000 of which (1) $192,700,000 shall be available only for the procurement of the A–10 or the A–7D aircraft, based on the winner of a "fly-off" competition between such aircraft, as determined by the Secretary of Defense and certified to the Congress by the Secretary, such funds to be available within thirty days after certification to Congress provided no objection is interposed by any of the four authorizing or appropriation committees having jurisdiction over such procurement, and (2) $549,800,000 shall be available only for procurement in connection with the Airborne Warning and Control System, and shall be available for that purpose only if and after the Secretary of Defense determines and certifies such determination to the Congress that such system is cost effective and meets the mission needs and requirements of the Department of Defense, except that the foregoing certification requirement shall not apply with respect to the procurement of long lead time items for such system."; on page 3, after the word "Army", strike out "$458,200,000" and insert "$436,500,000"; in line 6, after the word "Navy", strike out "$620,600,000" and insert "$634,500,000"; in line 7, after "Marine Corps", strike out "$76,000,000" and insert "$74,100,000"; in line 8, strike out "$1,610,800,000" and insert "$1,572,400,000"; in line 10, after the word "Navy", strike out "$3,562,600,000" and insert "$2,881,000,000"; in line 13, after the word "Army", strike out "$331,900,000" and insert "$293,300,000"; in line 14, after "Marine Corps", strike out "$80,100,000" and insert "$74,200,000"; in line 20, after the word "Army", strike out "$53,400,000" and insert "$46,000,000"; in line 21, after the word "Navy", strike out "$25,600,000" and insert "$25,500,000"; on page 4, line 7, after the word "Army", strike out "$1,985,976,000" and insert "$1,875,243,000"; in line 8, after "(including the Marine Corps)", strike out "$3,264,503,000" and insert "$3,151,042,000"; in line 10, after "Air Force", strike out "$3,518,860,000" and insert "$3,389,470,000"; after the amendment just stated, insert a comma and "of which $81,405,000 shall be available only for research, development, testing, and evaluation in connection with the A–10 aircraft, and shall be available for that purpose only if such aircraft wins the "fly-off" competition against the A–7D aircraft;"; in line 16, after "Defense Agencies", strike out "$555,700,000" and insert "$536,657,000"; in line 24, after the word "Army", strike out "785,000" and insert "768,300"; in line 25, after the word "Navy", strike out "540.380" and insert "527,000"; on page 5, line 1, after "Marine Corps", strike out "196,398" and insert "192,800"; in line 2, after "Air Force", strike out "630,345" and insert "615,000"; after line 2, insert:

SEC. 302. (a) It is the sense of the Congress that the United States military forces in Europe have an excessive number of headquarters and noncombat military personnel relative to the number of combat personnel located in Europe. Therefore, the noncombat component of the total authorized Army strength in Europe shall be reduced by an amount not less than 20 per centum of the noncombat component strength authorized as of June 30, 1974. Such reduction shall be completed not later than June 30, 1976, and not less than 50 per centum of such reduction shall be completed on or before June 30, 1975. The Secretary of Defense may take action to increase the combat component strength of the Army in Europe by restructuring the various combat and support elements of these forces and by obtaining from other North Atlantic Treaty Organization countries as much logistical support as possible for United States forces in Europe. Except in the event of imminent hostilities in Europe, the amount of such increase in United States Army combat strength shall not exceed the number of noncombat military personnel that are reduced by this section. For purposes of this section, the combat component of the Army in Europe includes only the infantry, cavalry, artillery, armored, air defense, and missile combat units of battalion or smaller size. The Secretary of Defense shall report semiannually to the Congress on all actions taken to improve the combat proportion of United States forces in Europe. The first report shall be submitted not later than January 31, 1975.

(b) The Secretary of Defense shall undertake a specific assessment of the costs and loss of nonnuclear combat effectiveness of the military forces of the North Atlantic Treaty Organization countries caused by the failure of the North Atlantic Treaty Organization members, including the United States, to standardize weapons systems, ammunition, fuel, and other military impedimenta for land, air, and naval forces. The Secretary of Defense shall also develop a list of standardization actions that would improve the overall North Atlantic Treaty Organization nonnuclear defense capability or that would have resources for the alliance as a whole. He shall evaluate the relative priority and effect of each such action. The Secretary shall cause these assessments and evaluations to be brought before the appropriate North Atlantic Treaty Organization bodies in order that the specific actions and recommendations can become an integral part of the overall North Atlantic Treaty Organization review of force goals and development of force plans. The Secretary of Defense shall report semiannually to the Congress on the specific assessments made under the above provisions as well as the results achieved with the North Atlantic Treaty Organization allies. The first such report shall be submitted to Congress not later than January 31, 1975.

(c) The total number of United States tactical nuclear warheads located in Europe on the date of enactment of this Act shall not be increased except in the event of imminent hostilities in Europe. The Secretary of Defense shall study the overall concept for use of tactical nuclear weapons in Europe; how the use of such weapons relates to deterrence and to a strong conventional defense; reductions in the number and type of nuclear warheads which are not essential for the defense structure for Western Europe; and the steps that can be taken to develop a rational and coordinated nuclear posture by the North Atlantic Treaty Organization Alliance that is consistent with proper emphasis on conventional defense forces. The Secretary of Defense shall report to the Committees on Armed Services of the Senate and the House of Representatives on the results of the above study on or before April 1, 1975. In addition, beginning on September 1, 1974, the Secretary of Defense shall report semiannually to the Committees on Armed Services of the Senate and the House of Representatives on the number, type, and purpose of United States tactical nuclear warheads located in Europe.

SEC. 303. It is declared to be the policy of Congress that any increase in the ratio of aircrew to aircraft for the strategic airlift mission of the Air Force above the present ratio of 2.00 active duty crewmembers and 1.25 Reserve Force crewmembers per aircraft should be achieved through the components of the Selected Reserve and not by increasing the active duty force level of the Air Force. To carry out such policy the Secretary of Defense is directed to formulate a plan to increase the strategic airlift crew ratio per aircraft to the required levels by utilizing jointly the resources of the Air National Guard and the Air Force Reserve. Such plan shall specifically include: (1) restructuring the missions of Air National Guard units so as to retain an effective strategic airlift capability within the Air National Guard and the Air Force Reserve; (2) the utilization of Air National Guard units now in existence so as to avoid the loss of existing skills in those units; (3) alternatives, including, but not limited to, transfer, rotation, "hybridization", and "association," for making available to the Air National Guard and the Air Force Reserve strategic airlift aircraft in numbers sufficient to support an effective capability; (4) a test of the "hybrid concept" for Air National Guard units in the strategic airlift role using C–5 or C–141 aircraft at not

less than two existing Air National Guard facilities. The Secretary shall submit his plan to the Congress not later than ninety days after the date of enatcment of this Act, and before the implementation thereof, together with an evaluation of such plan, the proposed schedule for its implementation, and such recommendations for legislative action relating to the subject matter of this section as he may deem appropriate.

On page 9, line 10, after the word "States", strike out "379,848" and insert "390,000"; in line 11, after "Army Reserve", strike out "215,842" and insert "220,000"; in line 12, after "Naval Reserve", strike out "107,526" and insert "110,000'; in line 15, strike out "89,128" and insert "93,412"; on page 10, line 15, after the word "Army", strike out "358,-717" and insert "335,400"; in line 18, after "Marine Corps", strike out "323,-529" and insert "313,200"; in line 19, after "Air Force", strike out "269,709" and insert "261,300"; in line 22, after "(other than the military departments)", strike out "75,372" and insert "72,800"; on page 11, line 10, after the word "opportunity", strike out "program: *Provided*, That whenever the Secretary of the military department concerned or the Secretary of Defense determines that the direct substitution of civilian personnel for military personnel will result in economy without adverse effect upon national defense, such substitution may be accomplished without regard to the numbers of civilian personnel authorized by this section: *Provided further*, That when" and insert "program. Whenever"; at the top of page 12, strike out:

SEC. 502. When the Secretary of Defense determines that such action is necessary in the national interest, he may authorize the employment of civilian personnel in excess of the number authorized by section 501: *Provided*, That the number of additional personnel authorized to be employed pursuant to the authority of this section shall not exceed 1 per centum of the total number of civilian personnel authorized for the Department of Defense by section 501: *Provided further*, That the Secretary of Defense shall promptly notify the Congress of any authorization to increase civilian personnel strength pursuant to this authority.

And, in lieu thereof, insert:

SEC. 502. It is the sense of Congress that the Department of Defense shall use the least costly form of manpower that is consistent with military requirements and other needs of the Department of Defense. Therefore, in developing the annual manpower authorization requests to the Congress and in carrying out manpower policies, the Secretary of Defense shall, in particular, consider the advantage of the conversion of jobs performed by military personnel to civilian employees and vice versa. A full justification of conversions from one form of manpower to another, included in the authorization requests, shall be contained in the annual manpower requirement report to the Congress required by section 138(c)(3) of title 10, United States Code.

On page 13, line 3, after "Sec. 601.", insert "(a)"; in line 7, after the word "Army", insert "97,638"; in line 8, after the word "Navy", insert "71,279"; in line 9, after "Marine Corps", insert "26,262"; in line 10, after "Air Force", insert "52,-900"; in line 12, after the word "States", insert "12,111"; in line 13, after "Army Reserve", insert "6,673"; in line 14, after "Naval Reserve", insert "2,536"; in line 15, after "Marine Corps Reserves", insert "3,403"; in line 17, after the word "States", insert "2,359"; in line 18, after "Air Force Reserve", insert "1,126"; after line 18, insert:

(b) The average military training student loads for the Army, the Navy, the Marine Corps, and the Air Force and the Reserve components prescribed in subsection (a) of this section for the fiscal year ending June 30, 1975, shall be adjusted consistent with the manpower strengths provided in title III, title IV, and title V of this Act. Such adjustment shall be apportioned among the Army, the Navy, the Marine Corps, and the Air Force and the Reserve Components in such manner as the Secretary of Defense shall prescribe.

On page 14, after line 5, strike out:

SEC. 701. Subsection (a)(1) of section 401 of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

"(a)(1) Not to exceed $1,600,000,000 of the funds authorized for appropriation for the use of Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support Vietnamese military forces on such terms and conditions as the Secretary of Defense may determine: *Provided*, That nothing contained in this section shall be construed as authorizing the use of any such funds to support Vietnamese military forces in activities designed to provide military support and assistance to the Government of Cambodia or Laos.".

And, in lieu thereof, insert:

SEC. 701. (a) Paragraph (1) of section 401(a) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is amended to read as follows:

"(1) There is authorized to be appropriated as a single appropriation to the Department of Defense for the fiscal year ending June 30, 1975, the sum of $900,000,000, including $212,300,000 for procurement of aircraft, missiles, tracked combat vehicles, and other weapons, to support South Vietnamese military forces. Such appropriation shall be administered and accounted for as one fund and may be obligated only by the issuance of orders by the Secretary of Defense for such support. Funds appropriated pursuant to this section shall be deemed obligated at the time the Secretary of Defense issues orders authorizing support of any kind to South Vietnamese military forces. No support herein authorized may be made available in any manner unless pursuant to a specific order issued by the Secretary."

(b) That portion of paragraph (2) of such section 401(a) which precedes clause (A) is amended to read as follows:

"(2) No defense article may be furnished to the South Vietnamese forces with funds authorized for the use of the Armed Forces of the United States under this or any other Act unless the Government of the Republic of South Vietnam shall have agreed that—".

(c) Section 401 of such Public Law 89-367 is amended by striking out subsections (b), (c), and (d) and inserting in lieu thereof the following:

"(b) No funds authorized by this or any other Act to or for use by the Department of Defense may be obligated in the fiscal year ending June 30, 1975, for support of South Vietnamese military forces in any amount in excess of the amount of $900,000,000.

"(c) Any obligation incurred against funds authorized under this section shall, in the case of nonexcess materials and supplies furnished from the inventory of the Department of Defense, be equal to the replacement cost thereof at the time such obligation is incurred, and in the case of excess materials and supplies, be equal to the actual value thereof at the time such obligation is incurred.

"(d) No funds authorized by this section may be used in any way to support Vietnamese or other forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.

"(e) Within 30 days after the end of each quarter of the fiscal year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a written report regarding actual obligations incurred against funds appropriated pursuant to this section. Such report shall indicate the different purposes for which such obligations were incurred and the amounts thereof, together with such other information as the Secretary determines appropriate."

SEC. 702. Subsection (b) of section 7307 of title 10, United States Code, is amended to read as follows:

"(b)(1) After the date of enactment of this paragraph, no naval vessel in excess of 2,000 tons or less than 20 years of age may be sold, leased, granted, loaned, bartered, transferred, or otherwise disposed of unless the disposition thereof has been approved by law enacted after such date of enactment.

"(2) After the date of enactment of this paragraph, any naval vessel not subject to the provisions of paragraph (1) may be sold, leased, granted, loaned, bartered, transferred, or otherwise disposed of in accordance with applicable provisions of law only after the Secretary of the Navy, or his designee, has notified the Committee on Armed Services of the Senate and the House of Representatives in writing of the proposed disposition and 30 days of continuous session of Congress have expired following the date on which notice was transmitted to such committees. For purposes of this paragraph, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 30-day period."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1975 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $320,300,000; for the Navy and the Marine Corps, $2,862,-700,000; for the Air Force, $3,286,300,000 of which (1) $192,700,000 shall be available only for the procurement of the A-10 or the A-7D aricraft, based on the winner of a "fly-off" competition between such aircraft, as determined by the Secretary of Defense and certified to the Congress by the Secretary, such funds to be available within thirty days after certification to Congress provided no objection is interposed by any of the four authorizing or appropriation committees having jurisdiction over such procurement, and (2) $549,800,000 shall be available only for procurement in connection with the Airborne Warning and Control System, and shall be available for that purpose only if and after the Secretary of Defense determines and certifies such determination to the Congress that such system is cost effec tive and meets the mission needs and requirements of the Department of Defense, except that the foregoing certification requirement shall not apply with respect to the procurement of long lead time items for such system.

MISSILES

For missiles: for the Army, $436,500,000; for the Navy, $634,500,000; for the Marine Corps, $74,100,000; for the Air Force, $1,572,400,000.

NAVAL VESSELS

For naval vessels: for the Navy, $2,881,000,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $293,300,000; for the Marine Corps, $74,200,000.

TORPEDOES

For torpedoes and related support equipment: for the Navy, $187,700,000.

OTHER WEAPONS

For other weapons: for the Army, $46,000,000; for the Navy, $25,500,000; for the Marine Corps, $500,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1975 for the use of the Armed Forces of the United States for research, development, test and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,875,243,000;

For the Navy (including the Marine Corps), $3,151,042,000;

For the Air Force, $3,389,470,000, of which $81,405,000 shall be available only for research, development, testing, and evaluation in connection with the A–10 aircraft, and shall be available for that purpose only if such aircraft wins the "fly-off" competition against the A–7D aircraft; and

For the Defense Agencies, $536,657,000, of which $27,000,000 is authorized for the activities of the Director of Test and Evaluation, Defense.

TITLE III—ACTIVE FORCES

SEC. 301. For the fiscal year beginning July 1, 1974, and ending June 30, 1975, each component of the Armed Forces is authorized an end strength for active duty personnel as follows:

(1) The Army, 768,300;

(2) The Navy, 527,000;

(3) The Marine Corps, 192,800;

(4) The Air Force, 615,000.

SEC. 302. (a) It is the sense of the Congress that the United States military forces in Europe have an excessive number of headquarters and noncombat military personnel relative to the number of combat personnel located in Europe. Therefore, the noncombat component of the total authorized Army strength in Europe shall be reduced by an amount not less than 20 per centum of the noncombat component strength authorized as of June 30, 1974. Such reduction shall be completed not later than June 30, 1976, and not less than 50 per centum of such reduction shall be completed on or before June 30, 1975. The Secretary of Defense may take action to increase the combat component strength of the Army in Europe by restructuring the various combat and support elements of these forces and by obtaining from other North Atlantic Treaty Organization countries as much logistical support as possible for United States forces in Europe. Except in the event of imminent hostilities in Europe, the amount of such increase in United States Army combat strength shall not exceed the number of noncombat military personnel that are reduced by this section. For purposes of this section, the combat component of the Army in Europe includes only the infantry, cavalry, artillery, armored, air defense, and missile combat units of battalion or smaller size. The Secretary of Defense shall report semiannually to the Congress on all actions taken to improve the combat proportion of United States forces in Europe. The first report shall be submitted not later than January 1, 1975.

(b) The Secretary of Defense shall undertake a specific assessment of the costs and loss of nonnuclear combat effectiveness of the military forces of the North Atlantic Treaty Organization countries caused by the failure of the North Atlantic Treaty Organization members, including the United States, to standardize weapons systems, ammunition, fuel, and other military impediments for land, air, and naval forces. The Secretary of Defense shall also develop a list of standardization actions that would improve the overall North Atlantic Treaty Organization nonnuclear defense capability or that would save resources for the alliance as a whole. He shall evaluate the relative priority and effect of each such action. The Secretary shall cause these assessments and evaluations to be brought before the appropriate North Atlantic Treaty Organization bodies in order that the specific actions and recommendations can become an integral part of the overall North Atlantic Treaty Organization review of force goals and development of force plans. The Secretary of Defense shall report semiannually to the Congress on the specific assessments made under the above provisions as well as the results achieved with the North Atlantic Treaty Organization allies. The first such report shall be submitted to Congress not later than January 31, 1975.

(c) The total number of United States tactical nuclear warheads located in Europe on the date of enactment of this Act shall not be increased except in the event of imminent hostilities in Europe. The Secretary for the defense structure for Western Eu of Defense shall study the overall concept rope; how the use of such weapons relates to deterrence and to a strong conventional defense; reductions in the number and type of nuclear warheads which are not essential for the defense structure for Western Eu rope; and the steps that can be taken to develop a rational and coordinated nuclear posture by the North Atlantic Treaty Organization Alliance that is consistent with proper emphasis on conventional defense forces. The Secretary of Defense shall report to the Committees on Armed Services of the Senate and the House of Representatives on the results of the above study on or before April 1, 1975. In addition, beginning on September 1, 1974, the Secretary of Defense shall report semiannually to the Committees on Armed Services of the Senate and the House of Representatives on the number, type, and purpose of United States tactical nuclear warheads located in Europe.

SEC. 303. It is declared to be the policy of Congress that any increase in the ratio of aircrew to aircraft for the strategic airlift mission of the Air Force above the present ratio of 2.00 active duty crewmembers and 1.25 Reserve Force crewmembers per aircraft should be achieved through the components of the Selected Reserve and not by increasing the active duty force level of the Air Force. To carry out such policy the Secretary of Defense is directed to formulate a plan to increase the strategic airlift crew ratio per aircraft to the required levels by utilizing jointly the resources of the Air National Guard and the Air Force Reserve. Such plan shall specifically include: (1) restructuring the missions of Air National Guard units so as to retain an effective strategic airlift capability within the Air National Guard and the Air Force Reserve; (2) the utilization of Air National Guard units now in existence so as to avoid the loss of existing skills in those units; (3) alternatives, including, but not limited to, transfer, rotation, "hybridization", and "association," for making available to the Air National Guard and the Air Force Reserve strategic airlift aircraft in numbers sufficient to support an effective capability; (4) a test of the "hybrid concept" for Air National Guard units in the strategic airlift role using C–5 or C–141 aircraft at not less than two existing Air National Guard facilities. The Secretary shall submit his plan to the Congress not later than ninety days after the date of enactment of this Act, and before the implementation thereof, together with an evaluation of such plan, the proposed schedule for its implementation, and such recommendations for legislative action relating to the subject matter of this section as he may deem appropriate.

TITLE IV—RESERVE FORCES

SEC. 401. For the fiscal year beginning July 1, 1974, and ending June 30, 1975, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 390,000;

(2) The Army Reserve, 220,000;

(3) The Naval Reserve, 110,000;

(4) The Marine Corps Reserve, 36,703;

(5) The Air National Guard of the United States, 93,412;

(6) The Air Force Reserve, 51,319;

(7) The Coast Guard Reserve, 11,700.

SEC. 402. The average strength prescribed by section 401 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE V—CIVILIAN PERSONNEL

SEC. 501. (a) For the fiscal year beginning July 1, 1974 and ending June 30, 1975 the Department of Defense is authorized an end strength for civilian personnel as follows:

(1) The Department of the Army, 335,400;

(2) The Department of the Navy, including the Marine Corps, 313,200;

(3) The Department of the Air Force, 261,300;

(4) Activities and agencies of the Department of Defense (other than the military departments), 72,800.

(b) In computing the authorized end strength for civilian personnel there shall be included all direct-hire civilian personnel employed to perform military functions administered by the Department of Defense (other than those performed by the National Security Agency) whether in permanent or temporary positions and whether employed on a full-time, part-time, or intermittent basis, but excluding special employment categories for students and disadvantaged youth such as the stay-in-school campaign, the temporary summer aid program and the Federal junior fellowship program and personnel participating in the worker-trainee opportunity program. Whenever a function, power, or duty or activity is transferred or assigned to a department or agency of the Department of Defense from a department or agency outside of the Department of Defense or from a department or agency within the Department of Defense, the civilian personnel end strength authorized for such departments or agencies of the Department of Defense affected shall be adjusted to reflect

any increases or decreases in civilian personnel required as a result of such transfer or assignment.

SEC. 502. It is the sense of Congress that the Department of Defense shall use the least costly form of manpower that is consistent with military requirements and other needs of the Department of Defense. Therefore, in developing the annual manpower authorization requests to the Congress and in carrying out manpower policies, the Secretary of Defense shall, in particular, consider the advantages of the conversion of jobs performed by military personnel to civilian employees and vice versa. A full justification of conversions from one form of manpower to another, included in the authorization requests, shall be contained in the annual manpower requirements report to the Congress required by section 138(c)(3) of title 10, United States Code.

TITLE VI—MILITARY TRAINING STUDENT LOADS

SEC. 601. (a) For the fiscal year beginning July 1, 1974, and ending June 30, 1975, each component of the Armed Forces is authorized an average military training student load as follows:

(1) The Army, 97,638;
(2) The Navy, 71,279;
(3) The Marine Corps, 26,262;
(4) The Air Force, 52,900;
(5) The Army National Guard of the United States, 12.111;
(6) The Army Reserve, 6,673;
(7) The Naval Reserve, 2,536;
(8) The Marine Corps Reserve, 3,403;
(9) The Air National Guard of the United States, 2,359; and
(10) The Air Force Reserve, 1,126.

(b) The average military training student loads for the Army, the Navy, the Marine Corps, and the Air Force and the Reserve components prescribed in subsection (a) of this section for the fiscal year ending June 30, 1975, shall be adjusted consistent with the manpower strengths provided in title III, title IV, and title V of this Act. Such adjustment shall be apportioned among the Army, the Navy, the Marine Corps, and the Air Force and the Reserve Components in such manner as the Secretary of Defense shall prescribe.

TITLE VII—GENERAL PROVISIONS

SEC. 701. (a) Paragraph (1) of section 401(a) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is amended to read as follows:

"(1) There is authorized to be appropriated as a single appropriation to the Department of Defense for the fiscal year ending June 30, 1975, the sum of $900,000,000, including $212,300,000 for procurement of aircraft, missiles, tracked combat vehicles, and other weapons, to support South Vietnamese military forces. Such appropriation shall be administered and accounted for as one fund and may be obligated only by the issuance of orders by the Secretary of Defense for such support. Funds appropriated pursuant to this section shall be deemed obligated at the time the Secretary of Defense issues orders authorizing support of any kind to South Vietnamese military forces. No support herein authorized may be made available in any manner unless pursuant to a specific order issued by the Secretary."

(b) That portion of paragraph (2) of such section 401 (a) which precedes clause (A) is amended to read as follows:

"(2) No defense article may be furnished to the South Vietnamese forces with funds authorized for the use of the Armed Forces of the United States under this or any other Act unless the Government of the Republic of South Vietnam shall have agreed that—".

(c) Section 401 of such Public Law 89-367 is amended by striking out subsections (b), (c), and (d) and inserting in lieu thereof the following:

"(b) No funds authorized by this or any other Act to or for use by the Department of Defense may be obligated in the fiscal year ending June 30, 1975, for support of South Vietnamese military forces in any amount in excess of the amount of $900,000,000.

"(c) Any obligation incurred against funds authorized under this section shall, in the case of nonexcess materials and supplies furnished from the inventory of the Department of Defense, be equal to the replacement cost thereof at the time such obligation is incurred, and in the case of excess materials and supplies, be equal to the actual value thereof at the time such obligation is incurred.

"(d) No funds authorized by this section may be used in any way to support Vietnamese or other forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.

"(e) Within 30 days after the end of each quarter of the fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written report regarding actual obligations incurred against funds appropriated pursuant to this section. Such report shall indicate the different purposes for which such obligations were incurred and the amounts thereof, together with such other information as the Secretary determines appropriate."

SEC. 702. Subsection (b) of section 7307 of title 10, United States Code, is amended to read as follows:

"(b)(1) After the date of enactment of this paragraph, no naval vessel in excess of 2,000 tons or less than 20 years of age may be sold, leased, granted, loaned, bartered, transferred, or otherwise disposed of unless the disposition thereof has been approved by law enacted after such date of enactment.

"(2) After the date of enactment of this paragraph, any naval vessel not subject to the provisions of paragraph (1) may be sold, leased, granted, loaned, bartered, transferred, or otherwise disposed of in accordance with applicable provisions of law only after the Secretary of the Navy, or his designee, has notified the Committees on Armed Services of the Senate and the House of Representatives in writing of the proposed disposition and 30 days of continuous session of Congress have expired following the date on which notice was transmitted to such committees. For purposes of this paragraph, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 30-day period."

This Act may be cited as the "Department of Defense Appropriation Authorization Act, 1975".

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

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

Mr. STENNIS. Mr. President, I first want to thank the leadership, both the majority and minority leaders, for arranging to get the military procurement bill up for debate and disposition next week.

They made an unusual effort to arrange for all of this. It is part of the program that will get this important measure up for full consideration, as well as consideration of amendments, if any, and to final passage, as a major step in moving it on to a conference with the House so that we can get agreement, hopefully, fairly soon there.

Then that will dispose of the authorization for all the military hardware, manpower, and related matters, and thus pave the way for the appropriation in this field. It is an important part of our legislative procedure here to have these matters considered first in an authorization bill.

It is a wonderful place to get a better understanding, too, of the weapons and any policy behind the weapons; and it gives the membership a comprehensive view of the whole picture, and they can then better consider the appropriation.

Furthermore, Mr. President, the Committee on Armed Services has to insist, on the floor and in conference, that the procedures of authorization first and appropriations next be followed, and that this will be observed consistently.

So it is up to us to get the bill to the floor as early in the session as possible, to get it disposed of, and finally enacted into law. This year our committee finished the hearings and had the bill written up and agreed to far earlier than usual. I think it was by the 17th of March. We have a very comprehensive committee report of almost 200 pages. It has already been printed. We had a copy delivered to the office of each Senator, either yesterday or the day before, together with a copy of the entire bill. The printed hearings have been available for several days, lacking the last two volumes, which will be available either now or by tomorrow, and I call it to the special attention of the membership.

Incidentally, the hearings on the bill were very comprehensive. We have two active subcommittees. One took up tactical airpower, for example, and the other took up research and development; and hearings were held on all major aspects of the bill. Then the full committee held hearings on the remainder of the bill, and it was brought in together, for very extensive discussion, for the markup.

This year, there is more than $9 billion in the bill for research and development. The Senator from New Hampshire (Mr. MCINTYRE) and his subcommittee and the staff spent almost 12 months in preparation of various aspects of the bill. Much was known of what was going to be in the bill before we received the actual proposal in writing. It has received extensive consideration—perhaps the most extensive and comprehensive consideration that has ever been given by Congress to a research and development bill in any field; and, of course, the largest such item is in the military procurement bill.

So we will start debate on Monday when we convene. I believe that after the preliminaries are over and we get into the meat of the matter, it will move forward rather rapidly. I hope that the leadership, with its usual effectiveness, will be able to get agreements for votes, after reasonable discussion. I am very hopeful that we can dispose of this bill next week, within a week's time, rather than take 6 or 7 weeks, as has happened some years heretofore, particularly during the war in South Vietnam.

I thank the leadership, Mr. President, and I yield the floor.

QUORUM CALL

Mr. GRIFFIN. 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. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 30, 1974, he presented to the President of the United States the enrolled bill (S. 2662) to authorize appropriations for U.S. participation in the International Ocean Exposition '75.

ORDER FOR YEA-AND-NAY VOTES ON MONDAY NOT TO OCCUR UNTIL THE HOUR OF 3:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that if any rollcall votes are ordered prior to 3:30 p.m. on Monday next they not occur until the hour of 3:30 p.m.

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

Mr. ROBERT C. BYRD. I do not anticipate it, but such could occur.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 11 a.m. on Monday next. After the two leaders or their designees have been recognized under the standing order, Mr. CURTIS will be recognized for not to exceed 15 minutes, to be followed by Mr. GRIFFIN for not to exceed 15 minutes, to be followed by Mr. ROBERT C. BYRD for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business for not to exceed 15 minutes, with statement limited therein to 5 minutes each.

Upon the conclusion of the transaction of routine morning business the Senate will resume consideration of S. 3000, a bill to authorize appropriations for fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Yea-and-nay votes could occur on amendments thereto on Monday. Privileged matters could be called up at any time, as well as other measures on the Legislative Calendar or the Executive Calendar that will have been cleared by that time.

ADJOURNMENT TO MONDAY

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 11 a.m. on Monday next.

The motion was agreed to; and at 2:24 p.m. the Senate adjourned until Monday, June 3, 1974, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate May 31, 1974:

THE JUDICIARY

William H. Orrick, Jr., of California, to be U.S. district judge for the northern district of California vice William T. Sweigert, retired.

Henry F. Werker, of New York, to be U.S. district judge for the southern district of New York vice Sylvester J. Ryan, retired.

U.S. AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

To be lieutenant general

Lt. Gen. George S. Boylan, Jr., xxx-xx-... FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. James A. Hill, xxx-xx-xxxx FR, (major general, Regular Air Force), U.S. Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31, 1974:

DEPARTMENT OF DEFENSE

Robert Ellsworth, of New York, to be an Assistant Secretary of Defense.

David P. Taylor, of Virginia, to be an Assistant Secretary of the Air Force.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. James D. Hughes, xxx-xx-xxxx FR (major general, Regular Air Force), U.S. Air Force.

The following officer to be placed on the Retired List in the grade indicated under the provisions of Section 8962, title 10 of the United States Code:

To be lieutenant general

Lt. Gen. Albert P. Clark, xxx-xx-xxxx FR (major general, Regular Air Force), U.S. Air Force.

The following officer for temporary appointment to the grade of brigadier general in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be brigadier general

Col. Harry C. Aderholt, xxx-xx-xxxx FR, Regular Air Force.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Ralph Longwell Foster, xxx-xx-... , U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Alfred Kjellstrom, xxx-xx-... , Army of the United States (brigadier general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Howard Elder, Jr., xxx-xx-x... xxx-... U.S. Army.

Col. Dana G. Mead, xxx-xx-xxxx U.S. Army, for appointment to the position of permanent professor at the U.S. Military Academy under the provisions of title 10, United States Code, section 4333.

IN THE NAVY

Adm. James L. Holloway III, U.S. Navy, for appointment as Chief of Naval Operations for a term of 4 years pursuant to title 10, United States Code, section 5081.

IN THE MARINE CORPS

Marine Corps nominations beginning Francis B. Clements, to be second lieutenant, and ending Samuel Mauch, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 8, 1974.

EXTENSIONS OF REMARKS

"LOWERING THE COST OF HIGHER EDUCATION," AN ARTICLE BY HOWARD R. BOWEN

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to insert in the RECORD the text of a most thoughtful article entitled, "Lowering the Cost of Higher Education," by Howard R. Bowen.

The article was originally published in the New York Times.

Howard Bowen, chancellor of the Claremont University Center, is an economist who specializes in the economics of higher education.

He has written "Efficiency in Liberal Education," and "Evaluating Institutions for Accountability."

The text of his article follows:

LOWERING THE COST OF HIGHER EDUCATION

(By Howard R. Bowen)

One of America's greatest issues is how the rising costs of college should be financed—how much of the expense of higher education should be borne by students and their families, how much by government and philanthropy.

It is a pressing question for both individual and society, and it has stirred wide debate.

For the family, sending a student to col-

lege is an investment comparable to buying a house. The 4-year outlay for tuition, board and room, transportation and incidentals, may range from $8,000 to $20,000 or more, depending on whether the student lives at home or on campus, attends a public or private college, selects a low-cost or high-cost institution and whether he receives student aid.

Including lost income for the student who might otherwise have been working—perhaps $20,000 over the four college years—the total investment for college education may approach $30,000 to $40,000.

This large investment pays off handsomely in personal satisfactions, intangible benefits to society and higher lifetime income. The U.S. Census Bureau has just reported that a man with a college degree can expect to earn $758,000 during his lifetime, whereas a man with only a high school diploma can expect to earn $479,000.

But the fact that the investment probably will pay off in the future does not lessen the pain of raising the money in the present. And the price has been rising sharply, along with the prices of gasoline, bread and postage.

College charges for tuition, fees, board and room have nearly doubled since 1960, from $850 a year to $1,600 in public institutions, and from $1,600 to $3,300 in private schools. (Personal expenses and transportation bring the total even higher).

These high college costs are a major worry to millions of families of all income levels—the families from which come the 6.5 million full-time college students, and the families containing the remaining 18.5 million persons in the 18–24 age group who might be college prospects.

How high tuitions should go, and what sort of student aid should be provided, have been analyzed and argued in at least six major reports by distinguished commissions in the past several months, including the Carnegie Commission headed by Clark Kerr, a Department of Health, Education and Welfare task force, a federal commission and an elite businessmen's group.

The general thrust of these studies is that tuitions should be raised, that student aid should be expanded and that the aid increasingly should be in long-term loans rather than outright grants.

In effect, these reports say that America's historic policy of low tuitions is no longer tenable. They propose instead that families shoulder more of the burden, and that students themselves take out loans to be repaid out of future earnings.

But requiring young persons to go heavily into debt—as much as $15,000 to $20,000—for their education is less than generous toward youth. It is unbecoming for those in middle age who received their educations without such debt to say, in effect, to the next generation, "We got our education; now get yours on the cuff." In addition, lending is a cumbersome way to get money to support higher education.

I do not suggest eliminating all grants based on means tests, or all loans to students. But the nation should go slowly in raising tuitions to levels that will require intensive use of means-based grants and heavy indebtedness. Such a system would break down both politically and administratively.

Fairness also suggests low tuition. The student and his family already bear two-thirds of the total cost of higher education, counting the student's lost time and forgone income. Institutional costs are only one-third of the total. Since education benefits society as well as students, it seems fair that a major part of institutional costs be borne by society—through government and philanthropy.

Private colleges and universities are indispensable: They add diversity, contribute to intellectual freedom, help set academic standards. There competitive position undoubtedly would improve if tuitions were raised in public colleges.

But private colleges should be strentghened by lowering their tuitions, not by raising them in public colleges. This could be done by providing, from public funds, partial tuition payments to students in private colleges. The GI Bill was a kind of forerunner, giving veterans the money for tuition in whatever school they chose. Today, more than 30 states are experimenting with various kinds of grants to reduce or offset high tuitions at private colleges. Most of these programs do not have enough money, but the principle is valid.

America's historic policy of making higher education open and available with low or no tuition is still sound. This was the idea underlying the founding of hundreds of private colleges in the early 19th century, the Morrill Act of 1863 establishing the land-grant colleges, the GI Bill and the community college movement.

Why at this stage, when we still need to bring millions of young persons—many from ethnic minorities—into the mainstream of American life, and when much educational work remains to be done for all, including adults, are we shifting to a high-tuition philosophy?

Instead of putting more of the burden on the student and his family, Americans should stop the rising family cost of college by:

Holding down tuitions in public colleges.

Providing adequate state financing for public colleges and universities.

Reducing tuitions in private colleges through state tuition grants to students at those schools.

Providing adequate federal grants to low-income students.

Using loans sparingly as supplemental student support.

THE CHRISTIAN AND PATRIOTISM

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. LANDGREBE. Mr. Speaker, I would like to share with my colleagues an article by the late Dr. H. C. Slade, former pastor of the Jarvis Street Baptist Church in Toronto, Canada, which appeared on may 23 in the Christian Beacon. In the trying times we are now experiencing, we must find encouragement where we can. I think we can obtain a great deal of encouragement and wisdom from this inspiring article, and I therefore submit it for my colleagues' inspection:

THE CHRISTIAN AND PATRIOTISM

In the context of our subject for this evening, we observe that a minister's office is two-fold. He must in his preaching declare and define man's relationship to two governments; the Divine government and civil government.

I.

First let us define our relationship to two governments. With respect to Divine government a minister of the Gospel has a definite commission to preach, the Gospel of the Kingdom of God. This was the theme with which our Lord began His ministry in His inaugural address. His very words are recorded for us in the Gospel according to St. Mark, Chapter 1, verses 14 and 15, "Now after that John was put in prison, Jesus came into Galilee, preaching the gospel of the Kingdom of God, And saying, the time is fulfilled, and the Kingdom of God is at hand: repent ye, and believe the gospel." Under this distinctive subject we exalt the Lord Jesus Christ as Saviour, and that is our main business. His is a saving name. Before He was born in human flesh, the name was given to Joseph and to Mary. "And she shall bring forth a son, and thou shalt call His name Jesus: for He shall save His people from their sins."

The Apostle Peter later on in his ministry, after our Lord had ascended, declared, "This is the stone which was set at nought of you builders, which is become the head of the corner. Neither is there salvation in any other: for there is none other name under heaven given among men, whereby we must be saved."

Among all the great personages to appear in this world, or yet to appear, whether he be religious or otherwise, there is none who sustains the same relationship to human beings as does our Lord and Saviour Jesus Christ. We look in vain to anybody else for salvation. He alone died for our sins and rose again a mighty Conqueror over death, hell and the grave. He was delivered for our offenses and raised again for our justification. "For He hath made Him to be sin for us, who knew no sin; that we might be made the righteousness of God in Him" (2 Corinthians 5:21). We not only exalt Jesus Christ as Saviour but we magnify Him as the King.

God's messenger, Isaiah, prophesied, "For unto us a child is born, unto us a son is given: and the government shall be upon His shoulder: . . . Of the increase of His government and peace there shall be no end, upon the throne of David, and upon His kingdom, to order it, and to establish it with judgment and with justice from henceforth even for ever. The zeal of the Lord of hosts will perform this."

My friends, Jesus is King of kings and Lord of lords. When all other kingdoms and thrones shall have toppled and been crumbled to dust, this blessed One in all the blaze of His glory shall sit on the throne of the universe and reign forever.

"Now unto the King eternal, immortal, invisible, the only wise God, be honour and glory for ever and ever. Amen." Thank God, His Kingdom of grace and glory is open to us. Concerning one person, Jesus said, "Thou art not far from the Kingdom." The way of entrance into this kingdom is cited in clearest terms. It is by means of the new birth. I remind you of the words spoken by the Lord Jesus to a distinguished teacher in Israel by the name of Nicodemus, "Verily, verily, I say unto thee, except a man be born again, he cannot see the kingdom of God." What a solemn thought: Those who fail the experience of a new birth will not even get a sight of God's kingdom much less ever enter therein. He said, "Ye will not see it." Oh, hear it from His lips again, "The kingdom of God is at hand, repent ye and believe the gospel." All those who believe on the Lord Jesus Christ are spoken of as having passed from death unto life, from darkness into His marvelous light. Yes, delivered from the power of Satan and translated into the kingdom of the Son of His love. I ask you, Has this grand transaction ever taken place in your life?

Next, we come to the matter of our relation and obligation to civil government. Our Lord's statement makes our duty in this connection perfectly plain. "Then saith He unto them, Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's." Concerning this relationship many sincere people are deeply concerned. In times of national events, such as a general election or of national crisis as a way, they find themselves quite confused as to what they should do. They only want to do their duty and stand for the right, but what their obligations may be under these circumstances they are not at all sure. If they could only know for certain, the teaching of the Word of God on the subject,

the matter with them would be immediately settled. There are others, of course, who are not even interested in the affairs of civil government for say they, "Our citizenship is in heaven.

Therefore, we do not feel any responsibility whatever toward the governments of the world; so by them responsibility in this relationship is altogether neglected and ignored. I read of one person who remarked, "They cannot blame me for failures in the government for I have not voted for 20 years." Probably, he is to be blamed most of all. On one occasion the inimitable C. H. Spurgeon was seen going to the polling booth to vote, and on his way he was met by a Christian brother who did not believe in voting. In a tone of amazement he said, "Mr. Spurgeon, are you going to vote?" Mr. Spurgeon replied, "Indeed, I am." "But have you forgotten the teaching of the Bible which commands us as Christians to crucify the old man?" Mr. Spurgeon answered, "That is exactly what I am doing. You know my old man is a deep-dyed Liberal, and I am determined this time to make him vote Conservative." According to the teaching of Scripture, citizens of the heavenly kingdom have also an earthly citizenship to maintain. Has Divine providence by means of birth or immigration brought you to this country? Then you have become a part of this great and favored nation. You have come to enter into the immense benefits provided by way of freedom, protection and prosperity. Friends, we ought to fully enjoy them all for in some countries of the world these liberties just do not exist. Do not say, therefore, that you have no responsibility whatever toward this country or to the affairs of its government.

Now, let us turn to our text and take the case of the Jewish people at the particular time Jeremiah wrote these words. Remember these people found themselves in a foreign country under the rulership of a heathen king. Actually, they were in a state of slavery and constantly exposed to provocation. Doubtless day by day they met with insults, persecution, and to add insult to injury we read the people of the land required of them a song; a song of mirth. Little wonder in their state of mourning they had hung their harps on the willow trees! Hence, the only reply they could give, "How shall we sing the Lord's song in a strange land?" Evidently, they did not know how to relate themselves to the Emperor, Nebuchadnezzar and his despotic form of government. Through Jeremiah, now residing in Jerusalem, God sends special instructions. "Thus saith the Lord of hosts, the God of Israel, unto all that are carried away captives, whom I have caused to be carried away from Jerusalem unto Babylon; build ye houses, and dwell in them; and plant gardens, and eat the fruit of them; take ye wives, and beget sons and daughters; and take wives for your sons, and give your daughters to husbands, that they may bear sons and daughters; that ye may be increased there, and not diminished. And seek the peace of the city whither I have caused you to be carried away captives, and pray unto the Lord for it: for in the peace thereof shall ye have peace" (Jeremiah 29:4–7).

In the light of this directive Daniel, who as a young man was also carried into captivity, is set before us as a model. On the grounds that he did endeavor to be loyal and act the part of the good citizen, he was elevated to the highest possible position of government. It would seem that for a time he had been entrusted with the office of Prime Minister.

The situation of the Jews of this time was quite different from that of ours. We are not under a foreign power. We have not been led into slavery. As Canadian citizens, this country is our home. Hence, how much greater our obligation to the affairs of government than theirs! God adds in verse 11, "For I know the thoughts that I think toward you, saith the Lord, thoughts of peace, and not of evil, to give you an expected end." Thank God, He has thoughts toward us. They are very definite, specific thoughts. They are thoughts of peace. What God said to them in effect was this, "You submit to your situation and ultimately through your trial after 70 years have expired I will bring you back. I will restore you to your own land and prosper you again. I will give you another opportunity as a nation to begin anew."

II.

When we learn that civil government is an ordinance of God our obligation as Christians is made very clear. The inspired Apostle Paul affirms very positively that civil government, along with the family and the Church, is definitely a Divine institution. This fact he sets forth in a number of injunctions. First, to the believers in Rome, "Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God" (Romans 13:1). Rome at that time was the seat of the imperial government which ruled most of the then known world. The Jewish people, as such, who were under Rome's power lived in deep resentment and occasionally tried to resist it. "But Christians," said the Apostle, "are not to be enemies of a proper government." Later on along the same lines. In Chapter 3, verse 1, we read, "Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work." Further teaching on this subject comes from the Apostle Peter. In his First Epistle, Chapter 2, verse 13, we read, "Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the king, as supreme; Or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well. For so is the will of God, that with well doing ye may put to silence the ignorance of foolish men."

After reading these passages can there be any doubt respecting our relation to our country? In the main, we have been here in Canada ever since we became a nation protected by wholesome laws, most of which, in principle, are based on the Word of God. We have enjoyed freedom, and best of all, religious freedom to a high degree. We have been given every liberty and opportunity to propagate the good news of the Gospel. In the Communist countries of the world, this is not so. Our concern at present is that there are enemies within our borders who, if they had the necessary power, would utterly destroy all these blessed privileges. Therefore, we consider it to be our bounden duty when an election is called—and one is called on the Federal level for October 30 of this year—to put forth every legitimate effort to elect men of high principle and truthworthy character in order that these precious, dearly-bought rights may be maintained. The particular mode of government I do not believe is here under consideration. The reference is more to the principles of government. There are various modes that have been adopted by the different nations or countries of the world, such as an absolute monarchy, a limited monarchy like the one in the United Kingdom at the present time, and a republic. The idea is that any government that provides order as against chaos and that gives due protection and freedom to its people must be upheld. Government, especially our form of democratic government, is a very beneficial appointment indeed. God never intended that man should be left in a state of brute creation. Can you suppose law being suspended in Canada for five days? There is no government, no policemen, no restrictions of any kind. Every man is left to do just what he feels inclined to do. Each is independent of his fellow. He is at liberty to follow the bent of his own inclinations without regard to the welfare of others. There is no restraint on the part of any. What have you got? You have violence, misery, lust, cruelty, and dishonesty pervading the whole of our Dominion. There would be, I am sure, an outcry such as was never heard before in this country. Demands for the restoration of government would be heard from every quarter. I submit that no one after that experience would mind paying even income tax or any other kind of tax. Demonstrations of lawlessness among university students and strikers in numerous countries where leaders in government have lost control give us some idea what such a situation would be like.

My friends, well established government such as we have experienced in the past is of God. Its benefits are beyond calculations. The ruler, as the Apostle Paul states, is a terror to evil works, and he does not bear the sword in vain. It is indeed an instrument of blessing and comfort. Humanly speaking, we owe our safety and freedom, both religious and civil, to law and order upheld by properly constituted government.

III

Lastly, we shall consider the nature of our responsibility. The fact that government is an order of God ought to be sufficient to convince any Christian of his duty to support it. Now, let me speak briefly to you about the nature of our responsibility. Although it is true we are not of the world, still we are in the world, and while here in the matter of promoting the highest welfare and good of all our fellowbeings we are under very heavy obligation. Look again at our text, "And seek the peace of the city whither I have caused you to be carried away captives, and pray unto the Lord for it: for in the peace thereof shall ye have peace." The fact is that government of any city or country where we may reside surely has a claim on us to obey its righteous laws. Yes, there is such a thing under certain relationships as having a claim on one another. Are you a husband? Your wife has a claim on you. Are you a wife? Your husband in the very nature of the sacred relationship of marriage has a claim on you. Children, parents have a claim on you. You also have a claim on them and have every right to expect something from them. Masters, you have a claim on your servants. Servants have a claim on their masters. The word of God gives explicit teaching in these matters. Above all, of course, there is One in heaven who sees all and before whom we all some day must stand and give an account. He has the highest claim of any, and upon us all. We are taught, "Render therefore to all their dues, tribute to whom tribute is due, custom to whom custom, fear to whom fear, honor to whom honor. Owe no man anything but to love one another for he that loveth another hath fulfilled the law" (Romans 13:7 and 8). I would remind you that our Lord Jesus Christ Himself paid tribute to the Roman government; thus to Ceasar.

The spirit of disloyalty and lawlessness is something unthinkable with a Christian. There can only be one exception to the rule, and that is when and where laws may be adopted which run contrary to the laws of God. For example, if the time ever came when we would be forbidden to preach the Gospel of our Lord Jesus Christ, with the early apostles our one answer would have to be, "We ought to obey God rather than men. The One who said, 'All authority in heaven and in earth is given unto me, go ye therefore and disciple all nations' has first claim and must be obeyed." But laws which are established on the principles of the Word of God are just and good and are to be by us strictly obeyed.

There is no inconsistency whatever between being a patriot and a true Christian. I can think of three great Christian gentlemen within my acquaintance from three

different countries of the world with whom I have rejoiced extremely in Christian fellowship who are or were greatly to be admired as outstanding patriots. I am thinking of Dr. Dubarry of France, Dr. McIntire of the United States and, of course, Dr. Shields whom you knew in this place as being a Britisher to the core. Loyalty to our country should involve the willingness to fight for it when it is engaged in a defensive war. Personally, I could have no respect whatsoever for the zombies who during the second world war went into hiding instead of taking their places as true and responsible patriots for the defense of our freedoms. When the necessity arose, even the patriarch Abraham went to war against Amraphel of Shinar, Arioch, king of Ellasar, Chedorlaomer, king of Elam, and Tidal, king of nations. He smote them and pursued them unto Hobah and he brought back all the goods and the women also and the people.

If our country were invaded by cruel, heartless and godless oppressors such as the Communist forces of Russia and China, the whole nation would naturally be involved, but there is a sense in which true Christian people would be affected most. Every passenger is concerned in the safety of the plane.

The employment of spiritual weapons is, of course, the most effective. The Jewish captives in Babylon were enjoined to ". . . seek the peace of the city whither I (God) caused them to be carried away captives, and pray unto the Lord it . . ." (Jeremiah 29:7).

Real peace is the fruit of righteousness. There can be none while the Divine order is violated and the will of the Almighty set at naught. We remember that Melchizedek who blessed faithful Abraham was first King of Righteousness and after that also King of Peace.

The Gospel is God's message of peace to the world. There are deep rankling wounds in the body politic which only the Gospel can heal. Apostasy as a dark cloud in the form of social immorality, domestic vice, economic injustice, crime—and young people are being trained in it—drunkenness and false teaching, has settled upon the earth. The Gospel of Jesus Christ alone can set things right. With the Apostle Paul we believe it to be "the power of God unto salvation to everyone that believeth."

Who did George Whitefield and John Wesley bring peace to England? It was by means of the Gospel. Christians are called the light of the world and the salt of the earth.

In seeking the peace of the city Jeremiah commanded the people of God to pray for it. In order that we might emulate this worthy example I shall read to you that very appropriate passage of Scripture found in 1 Timothy, Chapter 2, "I exhort therefore, that, first of all, supplications, prayers, intercessions, and giving of thanks be made for all men; for kings and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty. For this is good and acceptable in the sight of God our Saviour; Who will have all men to be saved and to come unto the knowledge of the truth." The promise given to Solomon is still true and awaits our most earnest appropriation. "If my people which are called by my name, shall humble themselves, and pray and seek my face and turn from their wicked ways then will I hear from heaven and will forgive their sin and will heal their land" (II Corinthians 7: 14).

My dear friends, it is righteousness that exalteth a nation. Sin is a reproach unto any people. I verily believe that if we will earnestly seek the face of the One who ever waits to be gracious He will turn back the tide of evil in this country and pour us out a blessing; even a flood-tide blessing that there will not be room enough to contain it. "Seek ye first the Kingdom of God and His righteousness and all these things shall be added unto you."

We shall sing for our closing hymn number 510 in the Hymnary. Allow me to quote the first and the last verses:

"From ocean unto ocean
Our land shall own Thee Lord,
And, filled with true devotion,
Obey Thy sovereign word;
Our prairies and our mountains,
Forest and fertile field,
Our rivers, lakes, and fountains
To Thee shall tribute yield.

"Our Saviour King, defend us,
And guide where we should go,
Forth with Thy message send us,
Thy love and light to show,
Till, fired with true devotion
Enkindled by Thy word,
From ocean unto ocean
Our land shall own Thee Lord."

"A 6-YEAR PRESIDENCY" BY THE HONORABLE MORRIS K. UDALL

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, I am sure that Members of the House will read with great interest the following thoughtful article by our distinguished colleague, the Honorable MORRIS K. UDALL, of Arizona entitled a "A 6-Year Presidency?"

Congressman UDALL's essay, which appears in the June 1974 issue of the Progressive follows:

A 6-YEAR PRESIDENCY?

(By MORRIS K. UDALL)

Following the twin outrages of Vietnam and Watergate, the idea of a single six-year Presidential term—once grist for undergraduate debating societies—must now be considered a serious proposal with a growing list of influential advocates. Among them are Senator Mike Mansfield, the majority leader, who presumably wants to put the collar on Presidential power, and President Nixon, who would augment it. The opposition, equally bipartisan, arrives at two conflicting conclusions: that the single term would (a) unacceptably broaden Presidential authority or (b) destroy it.

I see the potential for both, and almost none for the kind of benevolent monocracy for which so many of its advocates yearn. Opponents of the six-year term have been getting the short end of the publicity lately, and thus it would be well to review their misgivings.

Traditional critics of the longer term lean heavily toward the argument cleverly expressed in Clark Clifford's oft-quoted comment: "A President who can never again be a candidate is a President whose coattails are permanently in mothballs." How is the President, such opponents ask, to deal with a recalcitrant Congress, particularly one controlled by the opposition party, if he is in effect a "lame duck" upon inauguration? Worse, how is he to get a handle on that immovable object, the Federal bureaucracy?

The truth of this criticism is at least partially borne out by Richard Nixon's all-out invasion of the executive agencies following his re-election: a kind of domestic Cambodian policy wherein he used (sometimes illegally) brute power, in this case the fact of incumbency, to overrun and occupy bureaucratic sanctuaries which he sensed would grow less responsive as his retirement day approached.

The position taken by Clifford, Harry Truman's White House counsel and Lyndon Johnson's Secretary of Defense, in my view is an effective argument not only against the single term but also against the Twenty-second Amendment, both of which imply the divorcing of the Presidency from politics. The difference is that promoters of the six-year term openly favor this division, while the fathers of the two-term limit produced the divorce unwittingly. The fact is that Dwight Eisenhower, the only President to serve a full second term under the Amendment's limitation, was politically emasculated following re-election and could not control his own Cabinet, much less the Congress.

However, a different perspective is offered by those who fear the opposite result from a six-year term—not emasculation but imperialization. The reasoning runs along these lines: Had Ralph Nader attended the Constitutional Convention of 1787, we might well have ended up with a system of "accountability" rather than one of "checks and balances." For the framers had one thing in mind above all others—that the Executive could not rule with impunity. After prolonged debate, they decided against the Virginia delegation which proposed a lengthy single term because, in the words of William Houston of New Jersey, to remove the reward of re-election was "to destroy the great motive for good behavior." The President was at all times to be "accountable" to the electorate. So long as he satisfied the populace, why should he not be allowed to serve three or even more terms?

Of course, no President until Franklin Roosevelt served more than two terms, a fact which might have led advocates of the Twenty-second Amendment to tread more lightly on the Constitution. Nor does the history of the last two decades since the Amendment was ratified suggest anything like a repeat of the one-man dominance of the office. But advocates of the Amendment cut a wide swath in the fiber of "accountability" so carefully constructed by the framers, and it is not unreasonable to argue that a six-year term might destroy it completely.

Take the example of Richard M. Nixon. It is true that had he not faced a re-election campaign, the President would have had no motivation to unleash the kind of campaign which produced the Watergate scandals. But facing an election, Nixon did some other things. He brought American troops home from Vietnam, slapped on wage and price controls, went to China, and moved toward detente with the Russians—in each case reversing prior positions. In short, his greatest achievements grew out of the pressure of an approaching election. How many of these decisions would have been made had Nixon had two more years to serve in a single term?

The principle of accountability was at work, and Nixon felt uncomfortably wed to it. Now the psychology is reversed. Under the cloud of Watergate, he resists the demands of the public and the pleas of Republican Party leaders to disclose relevant evidence—all in the knowledge that he faces no political future and must only avoid a criminal one.

The current vacuum of Presidential leadership in the midst of political and economic crisis is argument enough against further impingements on the constitutional system of accountability. But there is one other bearing on the election process itself. While Americans live by the results of majority rule, it must be remembered that the chief protection we accord minorities is their ability to exert the leverage of their numbers as an important force in plebiscite.

During the traumatic outbreaks and demonstrations of the 1960s, the nation was once again reminded that minorities, believing they have little voice in governmental policies, can cause utter chaos by resisting them. We learned all over again that highway and poverty programs can be successfully pursued with fifty-one per cent support, but

that highly controversial policies, such as fighting wars and integrating schools, take a broad two-thirds to three-fourths consensus. And it is almost axiomatic that Presidents (like Nixon and Johnson) who have faced the hostility of minorities come to favor a single, longer term, wherein their policies are not held hostage to an election. At the heart of their belief is the mistaken paternalistic implication: "I am the President and I know better than the people what's good for them." This is dangerous heresy in a country that depends on the consent of the governed—a heresy that would be institutionalized by adoption of the six-year term.

Granted that something has to be done to tame this beast of Presidential power, are there not less dramatic, better-targeted reforms which would not tamper so destructively with our constitutional system? I believe there are such reforms:

Serious thought must be given to repeal of the Twenty-second Amendment. This, in my view, was a vindictive act of an earlier generation and has already proven to be a mistake.

An alternative to impeachment should be developed—one whose implications are not so painful. I am co-sponsoring one such proposal patterned after the parliamentary "vote of no confidence," with a general election to be held when two-thirds of the Congress finds, on carefully specified grounds, that the President is not properly performing his duties.

Congress must reform and modernize itself at a faster pace if it is to turn the tide of executive dominance. Of immediate importance is the adoption of the Bolling Committee's jurisdictional streamlining of the archaic House committee system.

We must search out new ways for the "loyal opposition" to present its programs and criticisms of the incumbent in forums that will approximate those the President receives. The President should have ready access to the country, but he should not be allowed to monopolize political communication.

The press must insist that all future Presidential candidates pledge themselves to frequent and regularly scheduled press conferences.

Most importantly, Congress must enact tough election reforms to begin to recapture the confidence of an angry public in its political institutions. Topping the list is a sound system of publicly financed campaigns and a Federally sponsored effort to get unregistered voters on the rolls.

A final answer is to work for change in public attitudes toward the Presidency. Many American mothers want their children to grow up to be Presidents like Jefferson and Lincoln, but they don't want them to become politicians in the process. The mythology of statesmanship is such that we forget that like Lyndon Johnson and Richard Nixon, Presidents Jefferson and Lincoln were living, breathing, sweating politicians, whose success in large measure was due to their political skill. Those who would isolate the Presidency from everyday politics might bear that in mind.

O. R. STRACKBEIN WRITES ABOUT PRESS CAMPAIGNS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. FISHER. Mr. Speaker, O. R. Strackbein is one of the Nation's leading authorities on matters relating to the role played by the news media in our society and in our system of democracy. Under leave to extend my remarks I include an article he recently wrote on the subject. It is timely, objective, and thought provoking. The article follows:

PRESS CAMPAIGNS

(By O. R. Strackbein)

The press over the years has devoted itself to campaigns for or against an innumerable variety of causes, candidacies, programs, and public issues.

Since the press by its very nature gained access to the public more frequently and possibly in a greater proportion of the population than any other instrument of access to the public, it was a handy medium that could be utilized not only as a carrier of news, which was presumably its leading reason for being, but also as a medium of whatever else lent itself to dissemination in the form of print applied to paper. Newspapers, indeed, came to draw no small share of their income from a variety of advertising and from the use of their press for jobs of commercial printing. Again, it was the nature of the instrumentality and its accidental versatility that combined to make of the press a means of livelihood through publication of newspapers.

In the early days the press had but a short radius of circulation. While its influence could not be measured to any precise degree, it was sought by those who wished to influence the public, and it came to be used for that purpose. In political campaigns it was a common experience in communities to behold one newspaper in the camp of one candidate and an opposing newspaper in the camp of the other. If there were several newspapers a diversity of opposition and support was quite sure to add zest, life and fury to the contest.

Such contests, of course, were good for the newspapers concerned. Partisans of both sides avidly read reciprocally about the sins and rascalities of the other in the news columns, editorials and cartoons of the opposing press. One side could and would answer the other. Vehemence of expression, wild charges, pious denials and counter changes all came out in the wash. Because of the power of the printed word the favor of the press became a highly prized quarry.

The experience of early Colonial America with the despotism of monarchical practices made the framers of our Constitution alert to the value of a free and "untrammeled" press to the aspiration of democracy.

The subject of the press was, however, not foremost in the minds of the delegates who met in Philadelphia. They were more concerned about devising a form of government that first and foremost would be made as poor as possible against the kingly abuses of governmental power with which they had become familiar historically and which they had been eager to escape.

They felt strongly that absolute power could not be entrusted to man. Unrestrained power, such as the divine right of kings, which had spread over Europe, was anathema to the colonists. As an antidote the Constitution-framers provided for the separation of powers, which is to say, a system of checks and balances within the very structure of government. This was so devised, or intended to be so arranged that the natural jealousy of power and the motivation flowing from the clashing of contending forces, would automatically check each other.

The three branches of government—not a brainchild of Madison, Hamilton and Hay or the other Constitution-makers, but an import from European political philosophers who had verbally plowed the ground back and forth and crisscross many times—the three branches of government were to balance one another and prevent gravitation of too much power into the hands of any one branch. The republic which was proposed presented a unique opportunity of putting this very sensible philosophy into effect. Nowhere else than in what was to become the United States was there such a virgin opportunity, on such a hopeful and promising scale, free of hereditary entanglements and obstacles. The wayward tendencies and ambitions of greedy men who might seek an undue extension of power in the executive, legislative or judicial branch would soon be checked by the alert holders of power in the other two branches, or by the electorate. The latter would remain as the final check. The powers vested in each branch were spelled out by a process of enumeration and positive assignment no less than express injunctions.

The instrument was admittedly not perfect or complete. In a short time the first Ten Amendments were adopted, called the Bill of Rights, taking effect December 15, 1791. It was only then that the press was mentioned, and then only in a negative fashion, and in the same clause that proclaimed freedom of speech as a right that was not to be abridged by any law of Congress. It may be noted in passing that the press, because of its unique attributes and ownership was assured ascendancy over freedom of speech, which, having no amplifier compared with freedom of the press, languished and indeed could be held in tow at the mercy of the press.

Since the press in the early days was local in its circulation there was not much reason to be concerned about its power. There was no reason for incorporating its functions into the framework of government, or to provide for a system of checks and balances that would operate as a brake on its powers, should it ever wax sufficiently powerful to become the source of serious concern. Developments that were unforeseen at the time (1787–88) were naturally passed by, as, for example, the atomic weapon. It was always possible, in any case, to set up another newspaper as a check against budding rampancy of a particular newspaper. Jefferson and Hamilton did so in their bitter rivalry. George Washington complained strongly against attacks upon him by Jefferson's National Gazette; but there is no record of his setting up an opposing sheet. This all happened, of course, after adoption of the Constitution. The power of the press was still confined to inflicting irritation and outrage and did not produce widespread and deep concern over the perils of its abuse.

The press thus came along under the high privilege granted to it by the First Amendment. Congress was to make no law abridging its freedom. This negative injunction left the press largely to its own devices. Except in the matter of libel and commercial law it was left free of restraint. No handle of responsibility was placed in the hands of the public by which it might call the press to account; such as periodic elections by which editors or publishers might be replaced if their services were regarded as failing of public trust. No power of impeachment was placed in the hands of those whom the newspapers were to serve. This omission meant that there remained one sector in the field of popular self-government beyond the reach of the people themselves.

The time came when the circulation of newspapers ranged farther afield. While the high-speed press had not been foreseen it nevertheless was developed in time. With its use it was possible to print copies by the hundreds of thousands and even millions. With the help of advertising revenue and large-scale output it was possible to sell newspapers at a low price, thus assuring ever broader circulation. Today a few newspapers enjoy a national market. This achievement could be hailed as a contribution to the culture of the people and their increasing enlightment, and no doubt justly so; but the equation is no longer so clear or without distinct minus signs. The number of newspapers had declined. Many have been merged in the same city, so that

today local and regional monopoly power is a reality in the ranks of the press. Efforts to expand circulation rather than being directed toward surpassing competitors in excellence of news service may lead newspapers to concentrate their appeal to the lower registers of the human character.

Today a press campaign, i.e., by one or more newspapers, represents a different dimension from that of the earlier times. All the resources of the press, news writers, commentators (columnists), editorial writers and cartoonists may be enlisted in a systematic drive. The newspaper, moreover, may own radio or television outlets. The press, if the newspapers are unified, or in a monopolistic position, then is committed to victory in whatever campaign it may mount. It may gather a formidable momentum by repetitive assault against what or whom it opposes or uninterrupted support for the object of its promotion.

While individual newspapers will claim objectivity and fairness in their news columns they may align themselves solidly, or nearly so (with some allowance for dissenting views), on their editorial pages through their columnists and cartoonists. This choice of sides had been generally accepted as legitimate journalistic practice as long as the news columns remained unsullied; but doubts and troubled concern have severely shaken complacency in recent times, especially in areas subjected to a press monopoly. A heavy shift toward opinion-saturated news items has given impetus to the dismay.

Too much power over the shaping of thought and images and in general the setting of the ethical and cultural climate, it is feared, lies dangerously within the power of the metropolitan press, not to mention television and radio. The advantage is seen not only in the wide circulation of like-minded newspapers but also in the growing coloration of the news items by reporters and copy editors who are enlisted in this or that campaign, and who wish not only to report events but to influence them. These workers of the Fourth Estate become advocates alongside of the editorialists. They write interpretative articles and also find means of infiltrating news accounts by a form of bias that is not readily detected by readers who are not sensitized by intimate or special knowledge of the subject treated.

Room for demagoguery expands as the reporters specialize and gain expert insight not shared by the workaday public. The practice of advocacy journalism, i.e., participating in campaigns, either openly or covertly, takes on the color of a one-sided presentation in support of the selected goal, much as advocates at law present only one side of a case in which the client is interested. It is not expected that the counsel of one side will make a presentation for the opposing side. Under monopoly journalism there may not be so much as opposing counsel! Concealment of bias may, indeed, be developed into a veritable art.

The specialization of reporters is not of itself an evil. It is most desirable if the enterprise has the financial capability to make it possible; but it is open to unacceptable practices. For example, on controversial subjects expert opinions may roam far afield from each other and still appear highly compelling when they are considered separately. Behold the dissenting opinions of Supreme Court justices! Unless the reader of one of these opinions is thoroughly grounded in the subject matter he could be convinced by the single opinion. If he then reads the other opinion he will learn a lesson in credulity, for the second opinion wil seem as convincing as the one that had just convinced him! Now he must really study the opinions if he is to perceive which is right. Even then he will find that much depends on the point of view from which he takes his own departure.

Appraised in this context it is not difficult to perceive the advantage of the specialized reporter over the lay reader of his report, which is to say perhaps more than 99% of the public. Without attributing malfeasance or deception to the reporter, it is nonetheless quite obvious what a leeway he enjoys, including liberal quotations from one side and few from the other—a scope of options that lie at the mercy of his honesty as a journalist. It is to prop just such honesty with checks and balances that these were instituted in our governmental system; but they were not extended to the press. The honesty of the journalist is no doubt as good as any but he is exposed to a variable but possibly unacceptable degree of temptation if his employer has his heart set on winning a campaign. Acceptable or not, the public has no hold over the reporter such as it has over public officials and such as these have over each other, thanks to the separation of powers. The natural father of biased journalism is the press campaign.

To permit power over the dissemination of news to gravitate into the hands of a monopoly or near-monopoly of news media with no external rights of access represents a means of subverting the interests of democracy.

The clash of ideas, opinions and theories is recognized by us as a healthy exercise in a democracy. In the course of such interchange error may be exposed and reduced, if not eliminated, while truth is provided the maximum opportunity of shaping human affairs. Thomas Jefferson held that even error may be tolerated if reason is left free to combat it. Control of the means of moulding public opinion in a few hands, such as a monopoly press, or even in a combination of like-minded media, represents the introduction of a new type of dominancy over the public. Kings have never held a monopoly on monopoly.

The power of the theocratic State was broken and then also the dominance of the autocratic monarchs. One of the instruments by which the power of the latter was fettered on the way to divestment was the restraint of a constitution fastened on the monarch. These struggles ran over centuries. Today movement is mounted on a highly accelerated schedule; but the lust for power has not abated in the human breast. Dominancies all answer to the same god, which is power and gratification of the ego and enhancement of privileges. Newspapers and other media, electronic, for example, are not immune to the temptation. It would be naive to believe that journalists are more trustworthy in this respect than other mortals, as if they were of a different species. How the press by a process of veritable transsubstantiation, was able to expand a sanctuary posted against trespass by the Constitution, a purely negative reservation, into an empire of growing dominancy over the fortunes of the people's supposedly uninhibited power of self-government must remain a question for further explanation.

Should the fort be finally taken by the press and its sister media the possibility of dislodgement would be de minimus. The weaponry at the disposal of the media is virtually impregnable once set in place. Its fire power, both in point of high frequency and in its reach and scope, so far exceeds that of the citizenry that it represents no contest.

Such an assertion would indeed represent an exaggeration but for one dominant fact: there is no way by which an objector can reach the press without incurring great risk of relegation to oblivion by the press itself. It has that power and is not notably loath at exercising it. From under the umbrella of the Constitutional injunction, designed to assure its freedom, the press has overrun the cities, where nearly all the people live, and great areas of the countryside or suburbs, where people go to flee the cities; and has entrenched itself. It has fortified itself by freely exercising the advantage that it so loudly but properly denounces when it encounters an example of it in the civil, political or economic world apart from the press itself.

"FOOD RESOURCES OF THE SEA" BY JOHN H. RYTHER

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD the text of a most interesting essay by John H. Ryther entitled, "Food Resources of the Sea," published in the February, 1974, issue of the Bulletin of the American Academy of Arts and Sciences.

FOOD RESOURCES OF THE SEA

(By John H. Ryther)

(NOTE.—John H. Ryther is a Senior Scientist at the Woods Hole Oceanographic Institution where he was previously Chairman of the Department of Biology. Mr. Ryther, who has been associated with WHOI since receiving his doctorate from Harvard in 1951, is currently director of a major sewage treatment-aquaculture project in which human wastes are recycled to grow algae as a source of food for shellfish. In addition to his duties at the Oceanographic Institution, Mr. Ryther has served as an active member of the corporations of the Marine Biological Laboratories and the Bermuda Biological Station; he was Scientific Director of the U.S. Biological Program, International Indian Ocean Expedition, and is currently acting as Commissioner of both the NAS–NRC National Resources Commission and the U.S. Marine Mammal Commission. A recent publication entitled Aquaculture: The Farming and Husbandry of Freshwater and Marine Organisms, written by John Ryther, John E. Bardach, and William O. McLarney, was nominated by the National Book Awards Committee for the 1973 science book of the year award.

In recent years, farming of the sea has been recognized as one of the most promising aspects of the world-wide effort to increase food production. The importance of cultivating aquatic food resources can perhaps best be seen in the context of the dramatic changes that have taken place in the global food situation over the past decade. Ten years ago, the literature was filled with dire forecasts of a breakdown in the world food economy. In their book, Famine 1975, published in 1967, William and Paul Paddock warned that the Malthusian nightmare was virtually upon us, that by the mid-1970's, the population would exceed the available food supply bringing with it "the time of famines." Toward the end of the 1960's, however, these doomsday predictions gave way to a far more optimistic outlook based partly on improved prospects for population control but largely on the advent of the much-heralded Green Revolution. Under favorable conditions, "wonder wheat" and "miracle rice" have, in fact, produced remarkable results. Yet like many other technological phenomena, the Green Revolution has failed to live up to the exaggerated promises of its prophets. Since the new seeds require fertilizer, irrigation, and modern equipment, they are limited in their application, particularly with respect to the situation in the developing world. As a consequence, the projected increase in agricultural production of as much as 5 per cent a year has never materialized.

Further difficulties have resulted from the severe weather of the past two years;

droughts in some parts of the globe and floods in others caused bad harvests in many areas and a drastic decline in agricultural yields throughout the world. Today, grain stocks are at their lowest point in twenty years and the general world food situation is more severe than at any time since the mid-1960's. As *Science* magazine stated some months ago, "pessimism is back in vogue" with respect to the world food situation.*

With renewed concern over the increasing demand for food has come the realization that agricultural production is constrained not so much by the availability of arable land and advanced technology but by the availability of fresh water. Sophisticated methods of irrigation have been supplemented by efforts to shift precipitation patterns and alter the flow of rivers. On another level, the untapped resources of the sea have been cited as the potential cure-all for a hungry world. Here again, however, the prospects for achieving ever-increasing yields have alternated between optimism and pessimism.

In the years immediately following the end of World War II, the fishing communities of the world were landing between 15 and 20 million tons of marine products; by the mid-1960's, the world fish catch had risen to between 60 and 70 million tons. This substantial increase over a twenty-year period gave rise to the overly optimistic belief that the sea could save mankind from hunger and starvation. By the end of the 1960's, however, it had become apparent to a number of scientists that the ocean was not the great reservoir of food it was once thought to be. By analyzing the basic factors governing marine food production, they concluded that most of the ocean was limited in nutrients and that productivity was centered largely in coastal areas. With 90 per cent of the ocean poor in terms of food resources, it was estimated that the total world harvest of fish, then close to 70 million tons annually, would peak at only 100 million tons.

At about the same time that scientists were reevaluating the potental food production of the ocean, the fisheries of the world were faced with a new problem. In the late 1960's, the total world fish catch registered a significant decline, the first in the postwar years. Since then, the annual catch has been fluctuating irregularly. In the early 1970's, for example, the landings of the great Peruvian anchovetta fishery, which at their peak represented as much as 20 per cent of the world's total fish production, suddenly fell sharply. One of the reasons for the drop was a shift in the pattern of ocean currents, a sudden cessation of the upwelling of nutrient-rich waters along the Peruvian coast. Yet, underlying this immediate cause was the fundamental problem of over-utilization of resources. In other parts of the world, herring, cod, haddock, salmon, tuna, and some thirty other species commonly used directly as human food are already "over-fished" or near full exploitation. Given this fact, it is possible that the total world catch may never even reach the current projected maximum of 100 million tons a year.

How important is the present contribution of the sea to human nutrition and to man's food needs in general? In terms of calories consumed, the contribution is virtually insignificant. Grains of different varieties still account for the largest percentage of human energy; only 10 per cent of our caloric input comes from terrestrial animals in the form of meat, eggs, and milk, and a mere 1–2 per cent from fish. In terms of high-quality animal protein, however, the role of fish products is far more significant. Of the 70 million tons of fish now harvested annually, some 11 million tons, or 17 per cent, can be regarded as human food. The rest consists of either fish used for animal feed, fertilizer, and bait, or inedible shells, seaweeds, and other wastes. In terms of the protein requirements established by the FAO, the 11 million tons of edible fish represents about 25 per cent of the high quality animal protein needed by the 3.5 billion people living on the earth today.

Would the projected annual yield of one hundred million tons materially improve the world food situation by the year 2000? Unfortunately not. If present trends continue, there will be more than 7 billion people on the earth by 2000 and the contribution that commercial fishing will make to their protein needs will be less than it is today—some 18 per cent as compared with the current figure of 25 per cent. In other words, it is unlikely that commercial fishing, in itself, can ever provide more than a small fraction of our requirement for high-quality animal protein.

To improve and increase aquatic productivity, we must go beyond traditional fishing methods to farm the ocean scientifically. Primitive forms of aquaculture have been carried out in Southeast Asia for many years, even centuries in some instances. These sea farming systems are quite effective in producing fish and their implementation in other areas offers the promise of greatly expanded food supplies from the sea.

Along the coast of almost any country in Southeast Asia, one can find acres of farm ponds that have been constructed by clearing and excavating mangrove swamps with hand labor; slabs of mud are used to build up the simple dikes that form the pond. In most cases, the ponds are linked to an estuary or the ocean by means of various outlets, some of which allow water to flow in and out with each tidal cycle. In other cases, the ponds are cut off from the ocean except for an occasional change of water when they become too salty from evaporation or too fresh from the heavy rainfall. The nature and complexity of the pond system varies depending on the country, the traditional form of construction, and the species to be cultivated.

Once the ponds are completed, they are stocked with young organisms of various kinds; milkfish, mullet, and shrimp are typical of the species grown in this manner. Under present conditions, the fry are either captured in coastal ponds by opening the sluice gates on the incoming tide or, more likely, purchased from dealers who specialize in collecting and selling fry to fish farmers. The purchase of fry is currently the most expensive part of the farming process; it would be a great stimulus to the economy of these Asian countries if modern hatchery techniques could be introduced into the fish farming systems, thereby providing a reliable low-cost supply of juvenile organisms.

Initially, the fry are placed in small nursery ponds where they may be fed artificially During this period, the main production ponds are prepared for stocking. The first step is to drain the ponds and dry them for a week or more. The bottom soil is then loosened and leveled by tilling and raking; it may also be fertilized lightly with manure, rice bran, or other inexpensive natural products. Next, the ponds are flooded to a depth of two or three inches and allowed to stand for several weeks. In time, a community of algae, bacteria, worms, and other small invertebrates grows on the bottom of the ponds; blue-green algae, in particular, are encouraged because their nitrogen-fixing capacity permits the pond to become self-sufficient in terms of its nitrogen sources. This dense mat of algae and associated organisms constitutes the main food of the fish stocked in the ponds.

As soon as the fry attain fingerling size, they are transferred into the production ponds where they are left to grow for several months to, at most, a year at which time they become marketable and are harvested. The average yields of these ponds is on the order of 500 pounds per acre per year, a reasonable but not outstanding figure for the production of high-quality animal protein. To promote greater yields, new techniques which proved effective in Taiwan have recently been implemented in other parts of Southeast Asia. Of particular importance is the practice of continuous stocking and harvesting; instead of stocking the pond once a year with fry, allowing them to grow into adults and harvesting them all together, a population consisting of several different-sized groups is maintained in the pond at all times, with the larger fish harvested almost continuously; in this way, the pond is kept at or very close to its optimum carrying capacity. Taiwanese methods of controlling predators and competitors for the food of the cultured fish as well as a type of pond construction which promotes more efficient harvesting have also been adopted. The result of these very simple improvements has been to increase yields from about 500 pounds to over 2,000 pounds per acre per year.

In summary, this form of aquaculture is simple, indeed primitive, in conception, yet its productivity compares very favorably to the rate of production per unit acre of land. Sea farming of this nature possesses other advantages as well. It presents more of the difficulties involved in introducing new products into an area for it supplies a product which is useful and already accepted in the country in which the organisms are grown. It is well suited for the underdeveloped parts of the world where vast acres of coastal wetlands exist. It can be developed with hand labor and very little capital investment and it requires only one man to supervise several hundred acres of ponds, except (when traditional methods are used) during the brief period of stocking at one time of year and harvesting at another. It can be undertaken on almost any scale; by employing almost identical techniques, a wealthy entrepreneur or government can operate thousands of acres of ponds or an individual can farm a single pound. Finally, it is an extremely profitable undertaking; people who have underwritten coastal aquaculture projects in the Philippines or Singapore or Indonesia are currently realizing a 20–30 per cent annual return on their investment.

To illustrate the advantages of this approach, one need only compare the difficulties involved in developing a commercial fishing industry in the Philippines with the success of aquatic farming in that country. Some years ago, the FAO set out to make fishing a major industry in the Philippines. The problems were formidable: a nonseagoing people had to be convinced of the value of the enterprise; fishermen had to be recruited from a reluctant native population or imported from other countries; a fleet of fishing vessels, freezer ships, and delivery vehicles had to be procured; and fishing ports, storage facilities, and roads had to be constructed. It was an extremely difficult task compared with the limited effort involved in establishing a number of aquacultural ventures, scattered throughout the country and operated by people who want and need this kind of farming and will consume its products.

When I was in the Philippines in 1967, the total annual yield of existing ponds farmed in the traditional manner was 63,000 tons or an average of 500 pounds per acre. However, as I indicated earlier, the introduction of improved techniques has raised current production to over a ton per acre. In addition, the government has identified about a million and a quarter acres of mangrove swamps that are available for the development of this type of pond culture, bringing the maximum theoretical yield of Philippine fish culture to

*The article entitled "World Food Situation: Pessimism Comes Back into Vogue" by Nicholas Wade (*Science*, August 17, 1973) contains an interesting analysis of the short- and long-term prospects for the world's food situation.

approximately 1.7 million tons. Production at this level would be more than adequate to meet the protein requirements of the entire country. It is this kind of experience which underlines my belief that aquaculture is potentially both an attractive and valuable method of food production.

Using these figures, can we extrapolate the total theoretical yield if this form of aquaculture were supplied on a global scale? On the basis of my own calculations, I estimate that there are about one billion acres of coastal wetlands in the world. As a standard of comparison, some seven to eight billion acres of earth are now used for food production, with half of the area devoted to agriculture and half to grazing. If only one-tenth of the available wetlands, or 100 million acres, were set aside for aquacultural development, the potential yield, using improved methods of production, would be 100 million tons of fish per year—the equivalent of the potetnial yield from the world's commercial fisheries. This rate of productivity is particularly impressive given the fact that it can be achieved through a relatively simple process that requires no extraneous feeding and very little labor or capital investment. Moreover, while the potential yield from aquaculture is equal, in terms of gross tonnage, to the potential yield from commercial fishing, the former contains a far greater percentage of material that is directly beneficial to man. At least 50 per cent of the aquaculture yield is available for direct human consumption; if the remainder is recycled as fishmeal or fed to terrestrial animals, another 10 per cent can be realized. In the case of the commercial fish catch, only 17 million of the potential 100 million tons can be consumed by humans. Taken together, however, the commercial catch and the aquaculture products represent 77 million tons of food—enough to satisfy the protein requirement of a population estimated to be on the order of seven billion by the year 2000.

It should be emphasized that the production figures relating to aquaculture are based on the relatively simple technologies now in use. Theoretically, it is possible to realize even greater yields. For example, we know that the production of food in aquatic systems can be substantially increased if the production of the plant blooms which support the food organisms can be expanded through fertilization of the water. At the same time, however, the addition of fertilizer can pose a serious threat to the viability of farm ponds. If these systems become too heavily laden with organic material, they become unstable and their oxygen supply is seriously depleted. The central problem is that increased yields of organic matter require intensive fertilization of the water, yet fertilization eventually becomes a limiting factor in all kinds of food production, whether it be terrestrial or aquatic. One form of aquaculture that promises increased productivity without the detrimental effects associated with fertilizers was developed by the Chinese over a thousand years ago. The Chinese practice of polyculture entails the introduction into an aquatic system of a number of different species, each occupying a different ecological niche and consuming a different type of food. In the case of the Chinese carp, six varieties can be stocked in one pond; the grass carp which consumes the large emergent vegetation; two midwater dwellers, one of which prefers zooplankton, the other phytoplankton; and three bottom dwellers which feed on mollusks, worms, and the feces of the grass carp. The result is a highly efficient system of fish culture. On its own, the grass carp eats so much vegetation that its highly organic wastes could upset the balance of the pond; within the framework of polyculture, however, the bottom-feeding fishes derive some of their nourishment from the partially digested plant remains in grass carp feces, thereby preventing the pond from becoming overladen with organic wastes and adding to the production of fish. The yields from this form of aquaculture are far greater than those obtained from the cultivation of a single species.

The importance of conserving and recycling nonrenewable nutrients has led not only to a recognition and appreciation of Chinese polyculture but also to the development of a highly advanced form of aquaculture designed to increase food production from the sea by recycling human wastes. For the past three years, the Woods Hole Oceanographic Institution has been conducting laboratory experiments in which marine plankton algae, grown in diluted effluent from treated sewage and other compounds, are used to provide food for shellfish, principally oysters. A flowing system has been developed in which seawater, enriched with the effluent from a nearby secondary sewage treatment plant, is continuously pumped into a pond of algal culture as a comparable volume of culture is continuously removed. The single-celled algae in the pond feed on the "effluent fertilizer" and proliferate, turning the water muddy brown in color. This water is then circulated through runways where the oysters, if they are properly located and in the proper number, filter out the algae. In this way, the algae remove all the objectionable nutrients including ammonia, nitrate, and phosphate from the sewage effluent while the oysters, in turn, remove the algae from the water. However, since the oysters are not completely efficient machines, they return some of the nutrients to the water in the form of excreted wastes. To utilize these secondary waste products, we have added another component to the system which consists of tanks of seaweed that feed on the residual or regenerated nutrients. Sea lettuce is one of the varieties of seaweed which thrives in this environment and, in yet another extension of the system, is used as food for abalone.

In addition to the excreted, dissolved wastes removed by the seaweed, the oysters also produce a solid waste product which settles to the bottom of the tank and is eaten by sand worms. The sand worms, which are highly prized as bait—in fact, they are more expensive per pound than lobsters—are then circulated to a neighboring tank where they serve as food for flounder. The outcome of this continuous culture system is a primary crop of oysters and side-crops of seaweeds, worms, flounder, and abalone. In the end, the ultimate product which is discharged into the sea is as pure or purer than the ocean water itself.

In my view, this project is indicative of the future course of research in sea farming. By working with pollution, we have been able to achieve one of the highest rates of protein production in the world. Of course, a number of difficulties have arisen in the attempt to maximize the efficiency of the system. At the present time, the major challenge is to insure that no disease-carrying viruses are allowed to contaminate the oysters. Since the sewage is chlorinated before being pumped into the tanks, it is presumably free of bacteria. However, it is known that virus particles are not quantitatively removed or killed by conventional sewage treatment methods. A monitoring system which will concentrate viruses from large volumes of seawater has recently been devised as a first step in our study of the virus problem. It is our hope that, in collaboration with T. G. Metcalf of the Department of Microbiology, University of New Hampshire, and J. G. Trump of the High Voltage Laboratory, Massachusetts Institute of Technology, we can develop a process that will destroy virus particles at the sewage treatment level, well before they enter the system.

Research on the combined sewage treatment-aquaculture project was begun on a scaled-down model designed and tested indoors. The model was later expanded in size and moved outside where it could be tested under natural conditions. To determine the reliability, productivity, and economics of the system, however, the level of experimentation must be increased to a *much* larger scale. Last fall, a new Environmental Systems Laboratory was completed to house pilot-scale studies related to the project. Initially, the Environmental Systems Laboratory will contain a 12,000-square-foot algae farm as well as shellfish and finfish culture tanks containing seawater from Vineyard Sound and treated effluent to cultivate the algae. The six algae ponds are 50 feet in diameter with three-foot depths; the shellfish growing units occupy a 3,000-square-foot area; and the piping system filters and heats up to 1,000 gallons of seawater per minute.

What does the project promise for the future? If implemented on a large scale, such a system would be capable of producing an annual crop of one million pounds of shellfish meat from a one-acre production facility and a fifty-acre algae farm using effluents from a community of 11,000 people. The potential yield of world-wide aquaculture, based on the simplest improvements, is already an impressive 100 million tons of food; by adopting advanced culture techniques such as that developed at Woods Hole, the yield could well be multiplied ten-fold within the next three decades.

NATIONAL HEALTH INSURANCE—FIRST STEP TO SOCIALIZED MEDICINE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RARICK. Mr. Speaker, many well-meaning people are starting to discuss health insurance in one form or another as a means of providing fair and equitable health care to all of the American people. Tragically, in the discussions of health insurance, little is said to remind the people that all of the pending Federal health insurance programs are directed toward placing private insurance plans under public or bureaucratic control. Nor is it mentioned that only some 11 percent of the American people today do not have private health insurance programs. Nor is it ever suggested that converting from a private program to a publically controlled program will increase the cost and significantly downgrade the quality.

I would submit that none of the pending health insurance programs could possibly work to the advantage of the American people and are but a step toward socialized medicine. In fact, the labor bosses, so adamant in continued salary raises for their membership, continue to support a health security bill which would take over all existing health insurance programs, public and private, and provide "free" health care for everyone under a single federally run system to be paid by the taxpayers out of the Public Treasury.

The president of the American Medical Association, testifying in Washington last week, questioned whether the Amer-

ican public is as much interested in enactment of a national health insurance plan as the news media would have them believe.

The recent Harris poll shows inflation still ranking as first on the priority lists of concerns among the American people. The same survey ranked health care as 15th. Since any new Federal program must result in expanded spending which will only result in more inflation, our leaders who are demanding a federally controlled health program to meet the demands of the public seem to be only fooling themselves.

In discussing Federal control of health care, the politicians and the opinion-making machinery are using Americans' concept of our present private health care systems to make our people believe they have the same benefits under socialized medicine. They will not.

The advocates of "new medical care" are showing one thing and working toward another.

I believe my colleagues would find the following editorial from the local newspaper, which has never shown great concern over inflation, along with another related newsclipping, of interest:

[From the Washington Post, May 24, 1974]

AMA PRESIDENT SAYS PUBLIC MAY NOT WANT A HEALTH PLAN

The American Medical Association yesterday questioned whether the American public is much interested in enactment of a national health insurance plan.

AMA President Russell B. Roth of Erie, Pa., told the Senate Finance Committee that any such plan, including the one favored by his organization, is bound to push up health costs.

He said a recent Louis Harris survey showed that "concern for medical care rated 15th on the priority list, while inflation ranked first."

"That raises a final question," he said. "Does the public really, genuinely, want Congress to aggravate its principal concern—inflation—in order to treat the 15th ranking problem—health?"

However, Roth said that if Congress decides to move ahead on national health insurance, it should give close consideration to the AMA proposal called Medicredit.

The AMA plan would permit beneficiaries who pay part or all of their health insurance premiums to private companies to use tax credits to offset a part of their payments.

This mechanism would "minimize the number of dollars making a round trip to Washington, as tax to return as a shrunken benefit."

He said a proposal would be the least desirable because it would boost Social Security taxes and involve maximum government participation in the financing.

Meanwhile, before the House Ways and Means Committee, labor and insurance industry spokesmen continued their disagreement as to whether a national insurance plan should operate through the private insurance industry.

"We are strongly opposed to private insurance coverage and employer-employee contributions . . ." Dr. Lorin E. Kerr, director of occupational health for the United Mine Workers, said.

He said basic requirements for a health-care plan include comprehensive benefits, universal coverage, financing by a progressive income tax surcharge and quality and cost controls.

But Frederick E. Rathgeber, vice president of the Prudential Insurance Co. and spokesman for the Health Insurance Association of America and other groups, said a partial or total government takeover would be "inefficient, inflexible and an unnecessary use of taxes urgently needed to deal with other domestic needs."

He said the private insurance industry can demonstrate that it is efficient and that its profits have been extremely modest and used to expand and improve its services.

[From the Washington Post, May 26, 1974]

THE HEALTH INSURANCE DEBATE

The hearings on national health insurance that began last week in the Senate and last month in the House are not just for show and tell. Both of the committee chairmen involved, are personally sponsoring national health insurance bills. Each has made it clear that he wants to report out a bill in this session and has some hope it may pass. The earnest and often technical questions which committee members are throwing at witnesses reveal that the members are not grandstanding for the voters back home; they are seriously thinking through the difficult practical problems of setting up a national health insurance system.

Moreover, the parade of witnesses has shown clearly that the question being debated is not *whether* the United States should have national health insurance, but *what kind* it should have. Even the American Medical Association is no longer opposing national health insurance as such. It is pushing its own limited version called "Medicredit," under which the federal government would use the income tax to subsidize individual purchases of comprehensive health insurance.

It is, of course, always possible that the impeachment proceedings will pre-empt the time and energy of the Congress in a way that prevents enactment of health insurance legislation in this session of Congress. But other obstacles to passage also exist, and these strike us as being surmountable with a little good will and good sense. One is the fact that divisions still exist on several crucial features of a prospective national health insurance system. The other is the possibility that as the election nears some legislators may decide they have more to gain from voting for a lost cause than from making the compromises necessary to get a health insurance bill enacted.

The grounds for a compromise, however, are there. Fairly general agreement already exists that the bill ought to (1) replace Medicaid with comprehensive subsidized health insurance for low income people and (2) protect everyone against the "catastrophic" medical expenses of a serious illness or accident. The three bills under serious discussions accomplish these goals in different ways.

The Kennedy-Mills bill would provide comprehensive health insurance coverage for everybody under the Social Security system and finance it by increasing Social Security taxes. Only the poor would get free care, however; most people would have to pay a portion of their medical bills, but would be fully protected against expenditures exceeding $1,000 a year per family. We believe this is basically a sound approach.

Administration proposal would provide similar benefits (with most families contributing to their bills up to a maximum of $1,500 a year), but would pay for it differently. Employers would be required to buy insurance coverage from private insurance companies and to share the premiums with their employees. Only the needy would have their insurance subsidized out of general tax revenues. We are less enthusiastic about the administration approach, mainly because it sets up a private tax (the premium paid directly to the insurance company) and fails to provide adequate public controls on the insurance industry or the health providers.

The Long-Ribicoff bill, far less comprehensive than either of the other two, would provide only catastrophic protection against family expenditures exceeding $2,000 a year and would set up a separate program for the poor. Except perhaps as an interim measure, the Long-Ribicoff approach strikes us as inadequate. It does nothing to help middle income people obtain comprehensive coverage of less extreme medical disasters, and its separate system for the poor perpetuates two-class medicine.

The President, in a radio address last Monday, reemphasized the importance he attaches to national health insurance and his willingness to work out a compromise with the Congress. We hope he is willing to move toward the Kennedy-Mills approach, rather than scaling down his own proposal in the direction of the Long-Ribicoff bill.

If a workable compromise is to be effected, one more voice must be raised in its favor: the voice of organized labor, which, for good reasons, carries great weight on Capitol Hill in discussions of health insurance. So far the major unions have rejected all three bills. They are holding out for a far more drastic "health security" bill that would replace all existing health insurance, public and private, with a single federally-run system and would provide free care for everyone.

We have doubts about the wisdom and workability of such a total transformation of the health financing system in one big leap. So does most of the Congress. Labor's leadership should stop painting its utopias with a broad brush and get into the practical realistic debate that is taking place on Capitol Hill right now. With union support, a compromise bill preserving the best features of the Kennedy-Mills approach would stand a good chance of passage.

DEAN RUSK AND THE OTEPKA CASE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ASHBROOK. Mr. Speaker, the Washington Post of May 10 in an article on wiretapping and electronic surveillance quotes former Secretary of State Dean Rusk as stating that he recalls no "instance of wiretapping or other electronic surveillance directed toward any officer of the Department of State or any newsman for the purpose of discovering leaks." It was, of course, during his tenure that the most celebrated wiretap case of the 1960's, the Otto Otepka case, occurred. It will be remembered that the Senate Internal Security Subcommittee, in exhaustive hearings on State Department security and on the Otepka case, brought to public attention the tapping of Mr. Otepka's phone by State personnel, two of whom later "resigned" when the subcommittee revealed their perjurious testimony concerning their part in the tapping.

That Mr. Rusk knew and was involved in the case is a matter of public record. For instance, in his news conference of February 25, 1965, Mr. Rusk was questioned about the Otepka case by Clark Mollenhoff, the Des Moines Register investigative reporter and later counsel to President Nixon:

MOLLENHOFF. Well, do you condone the unauthorized wire taps or have you looked into this at all?

RUSK. As you know, sir, I have looked into this in great detail, but I am not going to get into this with you today.

On May 26, 1974, the same Mr. Mollenhoff reminded Mr. Rusk of the Otepka case in his syndicated column appearing in the Richmond Times-Dispatch. I insert at this point in the RECORD the Mollenhoff column and excerpts from two of Mr. Rusk's news conferences when he, as Secretary of State, was questioned, on both occasions by Mr. Mollenhoff on the use of unauthorized wiretaps employed against Mr. Otto Otepka, a State Department employee at that time:

[From the Richmond Times-Dispatch, May 26, 1974]

RUSK "FORGOT" HIS OWN WIRETAPPING SCANDAL

(By Clark R. Mollenhoff)

WASHINGTON.—Former Secretary of State Dean Rusk either has an exceedingly bad memory or is engaged in an intentional misrepresentation to the Congress on the question of electronic eavesdropping and wiretapping when he headed the State Department.

Rusk has testified to a Senate subcommittee that he knows of no eavesdropping or wiretapping of State Department employees during the Kennedy or Johnson administrations.

And, in a burst of self-righteousness totally out of character with his active role in the cover-up in a case involving security evaluator Otto Otepka, Rusk suggested that he would have quit as secretary had such taps been placed on his staff members without his knowledge.

"There would have been someone else in my office the next day," Rusk told the joint foreign relations and judiciary subcommittees. He said he had strong feeling against some of the tactics engaged in by the Nixon administration in recent years.

Rusk, now a teacher of international law at the University of Georgia, may have had no role in the decisions to "get Otepka" by burglarizing his office safes, putting a tap on his telephone and installing a "bug" in his office.

But thousands of pages of testimony before congressional committees on the infamous ordeal of Otepka demonstrate that the secretary of state knew of the controversy over the illegal wiretapping and night entry of Otepka's safe. Rusk also took an active part in covering up for the individuals engaged in the shameful efforts to frame Otepka, who was branded "an enemy" of the Kennedy administration.

What won Otepka a priority position on the Kennedy administration's enemy list was his truthful testimony before the Senate Internal Security Committee on certain laxities in the administration of the State Department employe security program.

Otepka, a long-time civil servant and expert security evaluator, gave his frank opinion on a Kennedy appointee and refused to change his report.

When Otepka was called before the Senate committee, his testimony was in direct contradiction of that of one of his superiors, John F. Reilly, then the deputy assistant secretary of state.

In proving that he was telling the truth and that Reilly's testimony was inaccurate, Otepka produced three documents from his files that conclusively corroborated his testimony.

According to unchallenged testimony before the Senate internal security subcommittee, Reilly and two other State Department officials—Elmer Dewey Hill and David Belisle—embarked on the "get Otepka" effort complete with burglary, eavesdropping, wiretapping, and personal surveillance. It was done with a fervor worthy of a Charles Colson, John Erhlichman or H. R. Haldeman of the Nixon administration.

That subcommittee engaged in direct correspondence with Secretary Rusk on the eavesdropping and wiretapping after Reilly, Hill and Belisle under oath made broad categorical denials of any knowledge of eavesdropping or wiretapping.

Rusk and the State Department legal office took part in approval of letters written by Reilly, Hill and Belisle in which they admitted that they had tapped Otepka's telephone and bugged his office. But they insisted that their denials under oath were justified because "static" on the wire made the effort "ineffective."

Even this ludicrous explanation was false, for Hill later admitted that there were "a dozen" recordings made of Otepka's conversations, that he had told Reilly and Belisle about these recordings and that they had in fact listened to them with comments indicating some of it would be helpful in the "get Otepka" effort.

Hill testified that on Reilly's instructions he gave the recordings to an unindentified man who met him in a State Department corridor. Reilly later testified that he had no recollection of any recordings, conversations with Hill or instructions to Hill.

This took place under Secretary of State Dean Rusk, whose response was to force the resignation of Hill, who played much the same role as John Wesley Dean in the current Watergate controversy.

Belisle's conduct was condoned by the State Department where he remained and was promoted under the Rusk regime. Reilly was permitted to resign from the State Department with no derogatory report in his personnel record, and the Kennedy administration found a proper place for this wiretapping as a hearing examiner at the Federal Communications Commission.

Otepka has noted recently that in a June 1967 hearing, he was informed by Irving Jaffe, a Justice Department lawyer, that the taped conversations could not be produced because they had been destroyed.

The action has similarities to the Nixon administration's effort to install L. Patrick Gray as permanent director of the FBI after learning of his role in the illegal destruction of papers from the White House safe of convicted Watergate burglar E. Howard Hunt.

Repetition of the documented story of Rusk's responsibility in the Otepka matter isn't intended to minimize crimes of Nixon administration officials. Rather, it demonstrates that lack of integrity in high places is not a characteristic unique to this administration.

Incidentally, it also points up that important segments of the press and television were considerably less aggressive in dealing with such evidence of abuse of executive power when it was done by officials of the Kennedy and Johnson administrations.

TRANSCRIPT, SECRETARY RUSK'S NEWS CONFERENCE OF FEBRUARY 25, 1965

Q. Mr. Secretary, for a number of years—excuse me, Mr. Secretary.

A. Yes.

Q. I want to turn to an internal problem in the State Department. Mr. John Reilly, who took part in some unauthorized wire taps in the Otepka case here several years ago, gave some untruthful testimony under oath before a Committee of Congress on this, and now he has been hired by the FCC. I wonder if you could tell us if it is true that the State Department made no unfavorable comment in his personnel file on either the unauthorized wire taps or the untruthful testimony under oath on a material matter?

A. I don't know what comments were made in his personnel file. I simply am uninformed on that point.

Q. Well, do you condone the unauthorized wire taps or have you looked into this at all?

A. As you know, sir, I have looked into this in great detail, but I am not going to get into this with you today.

Q. Well, Mr. Secretary, just a moment—

Q. I don't want to deal with the Otepka case.

A. Yes?

Q. Mr. Secretary, were we satisfied that all supplies and infiltration from the North had been stopped, would the United States be content to solve the indigenous aspects, the civil war aspects, by free elections under international supervision in South Viet-Nam?

A. Well, let's get to the first step first, and then if we get to that step, then we will have the luxury of indulging in the consideration of the second step.

Q. What are our policies with regard to the indigenous aspects of a civil war? Could you enlighten us on this?

A. Well, I think that the indigenous aspects of it could be brought to a conclusion very quickly, and that the South Vietnamese people could turn back to the problem of building their country and improving their constitutional system, elevating the economic standards of the country and get on with the . . .

Q. Mr. Secretary?

A. Sure.

Q. I did want to clear up two things here. You said you had looked into this matter and I wondered, did you know there were unauthorized wire taps and did you know there was untruthful testimony under oath? Those seem to be the pertinent points.

A. Well, I am aware of the circumstances involving both those points, but I won't make a characterization of either one of them at this point.

Q. Do you think it's all right? Did you approve it?

A. No, I am not making any comment about what I did or did not approve of about either one of those points.

TRANSCRIPT, SECRETARY RUSK'S NEWS CONFERENCE OF NOVEMBER 26, 1965

Q. Mr. Secretary——

A. Yes.

Q. On another question, could you tell us what high State Department official it is that has custody of these illegal and unauthorized wiretap recordings on the Otepka telephone? You have had an investigation for about a year and a half or so, and I thought you could pin that down for us.

A. No, I don't have the information, and I'm not sure that I would tell you if I had the information.

Q. Well, doesn't it seem rather important? You have testimony that one of your highest officials was given custody of these wiretap recordings, that were illegal and unauthorized and I would think that in your supervision of the Department that you would be interested in finding this out as soon as possible.

A. Well, when you talk about custody, if you are talking about in whose lockbox such things are, I don't know. If you are talking about custody, well, this would be the responsibility of Mr. Crockett.

Q. Well, do you know who obtained those recordings? Does Mr. Crockett have those recordings now?

A. I'm not going to get into that.

Q. Well, I don't know why not. This seems to be——

A. Because I'm just making a judgment that I'm not getting into it.

Q. Well, this deals with the administration of your department and the problem has been pending now for about two years, and I would think you——

A. You have asked your question and I have given the answer.

CARL BILLMAN, 1913–74

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, earlier this year, on January 26, 1974, Carl Billman, who was for over 26 years the executive secretary of the United Chapters of Phi Beta Kappa died.

As one of the members of the senate of Phi Beta Kappa, the governing board of that body, I came to know Carl Billman and to observe the dedication and ability he brought to his responsibility as chief executive officer of Phi Beta Kappa.

Mr. Speaker, I should like at this point in the RECORD to include a tribute to Mr. Billman that was prepared by Dr. Frederick Hard, professor of English literature at the University of California-Santa Cruz, and a senator emeritus of Phi Beta Kappa.

Dr. Hard's tribute to Carl Billman follows:

CARL BILLMAN, 1913–74

(By Frederick Hard)

Carl Billman, Executive Secretary of the United Chapters of Phi Beta Kappa for over twenty-six years, died on January 26 at his birthplace in Winchester, Massachusetts after a brief illness. He is survived by his mother, Mrs. Christopher Billman, 5 Lewis Road, Winchester, and by his brothers George and Russell. Private services were held in Winchester on January 30.

Born in 1913 he received his early education in Winchester schools. He was elected to Phi Beta Kappa at Harvard in 1935. There he earned both the B.A. and M.A. degrees in history, and taught that subject at Harvard and at St. Mark's school. In September 1946 he was engaged as Assistant Secretary of the United Chapters, and upon the resignation of Secretary George A. Works in April 1947 he was appointed Acting Secretary. He served in that capacity until the December 1947 meeting of the Senate, at which time he was elected to the Secretaryship.

Early in that period the headquarters of the Society were shifted to two different locations in New York City and to another temporary site at Williamsburg while plans were going slowly forward for a permanent location in Washington, D.C. Secretary Billman not only overcame the stresses and inconveniences of these dislocations of an operating base, but he also contributed significantly to the completion in 1955, of arrangements for establishing the new home at 1811 Q Street.

During his term of office the Society saw its greatest period of growth, both in numbers of chapters (from 141 to 214) and in total membership (from 119,000 to over 250,000). Yet organizational expansion was by no means the main focus of his interest. His chief concern was for the encouragement of higher standards of excellence for colleges and universities through the promotion of humanistic learning. Phi Beta Kappa fostered these purposes especially by several developments to which he gave much attention: the continuously successful publication of the *American Scholar;* the remarkably effective Visiting Scholar program; the estatblishment of the Phi Beta Kappa annual Book Awards; and the expanded activities of the Senate Committee on Qualifications. All of these developments depended largely upon capable and efficient staff coordination and cooperation. Mr. Billman's ability to command respect and loyalty from his office force was noteworthy but never ostentatious. The particularly complex duties of the Committee on Qualifications imposed heavy demands upon his time, talent, temperament, and experience; but he performed his tasks admirably, with skill, energy, tact, and gentle patience. Successive chairmen of that committee have frequently expressed their grateful approval of his expert and judicious assistance.

His friends were pleased and even this habitual modesty could not conceal his own surprise and pleasure at two events which recently gave recognition to the esteem in which he was held by his colleagues and associates. One of these was the conferring of the honorary degree of Doctor of Laws by Davidson College; the other, on the twenty-fifth anniversary of his secretaryship, the presentation, on behalf of the Senate, of a gold watch and a ceremonial citation by President Park.

A valued member of his staff has lately said, "Those who had the good fortune to work with him knew how Mr. Billman matched a demanding standard of excellence with unusual consideration for others. We shall try to continue that tradition." A further testimony of this quality of considerate loyalty to the Society that he served so well is the fact that not long before the onset of his last illness, when arrangements were being made for his retirement annuity, he quietly named as one of his beneficiaries the Phi Beta Kappa Foundation. The loss of Carl Billman will be mourned wherever the influence of Phi Beta Kappa is felt. A memorial fund has been set up in his name. Contributions may be made to the United Chapters of Phi Beta Kappa.

WHY THE PRESIDENT SHOULD NOT RESIGN

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. LANDGREBE. Mr. Speaker, I have had many disagreements with the policies of this administration. Our differences are, I believe, fundamental. I have opposed the policies and the program of the President whenever I thought that his proposals were fiscally unsound and generally damaging to the country. Therefore, what I am about to say should not be interpreted as a blanket endorsement of Mr. Nixon, his programs, or his administration. The issue is much more fundamental than that. The question is whether by resigning under pressure from members of the Government, members of the press, and others, Mr. Nixon will be setting a precedent for future Presidents. The question is whether his resignation will merely whet Congress appetite for power.

There has been a great deal of controversy over executive privilege and the Presidency. It is not an impeachment inquiry that will damage the Presidency, although it may damage the President; it is the resignation of a President that may damage the Presidency. By capitulating to pressure for his resignation, Mr. Nixon would go a long way toward transforming this country from a republic, whose Chief Executive Officer serves for a fixed term of years, to a democracy, whose leader serves at the pleasure of the people. By resigning rather than enduring impeachment, Mr. Nixon would be, in effect, changing this Government from one ruled by a written Consttiution to one ruled by a popular will. Our Republic would not be changed into a parliamentary system—even a parliamentary system requires a vote of no confidence for the removal of a chief executive—it would be transformed into an ochlocracy: rule by the mob. The mob, of course, in this case is much more sophisticated than a street gang, yet it is nonetheless a mob.

I believe that Mr. Nixon's resignation at this time and in the present circumstances would gravely affect our form of government. I know that many of my colleagues in both Houses of this Congress have publicly urged the President to resign, some more thoughtfully and responsibly than others. Yet I believe that this course of action would be more damaging to the Presidency than an impeachment proceeding. By impeachment and conviction a President may be removed from office; by resignation under pressure, the Constitution is altered in effect, if not in substance. From that time forward the understanding will be that a President may serve a 4 year term, only if his popularity remains high in our national plebiscites, the polls.

If the President is to be removed from office, he ought to be removed by the constitutionally prescribed means; impeachment and conviction for treason, bribery, or other high crimes and misdemeanors. He ought not to be removed by extraconstitutional means, such as a forced resignation. One's position on this matter is a good indication of how seriously one takes the Constitution as the law of the land. I have heard it argued that resignation is a constitutionally recognized action, and that, therefore, forcing the President to resign is constitutionally acceptable. The argument is fallacious. The Constitution obviously recognizes that a President might resign, and quite properly prescribes the procedure to be followed for filling the vacant office. But the fact is that there are many good reasons for a President to resign that do not fundamentally affect our form of government; however, resignation under pressure from Members of Congress, the news media and others is not one of those reasons for it is external to the President. A good reason for any President to resign might be mental or physical incapacity; a low showing in the polls is not a good reason for a Presidential resignation, for it is based upon factors which have nothing to do with whether a man is able or worthy of holding office.

To say then that resignation in this case would be acceptable because resignation is recognized in the Constitution is to ignore the difference between a resignation under public pressure and a resignation for internal reasons. If the President cannot perform his duties due to some incapacity of his then he ought

to resign. But he ought not to resign simply because the majority of the people think he ought to resign, for he holds office under the Constitution, not under the Gallup poll. Plebiscitary democracy is as great a threat to a free society as dictatorship. I urge the President to stay in office and await the outcome of the impeachment procedure, not for his own sake, but for the sake of our form of government.

MEDIA COVERAGE OF SUBSTANTIVE ISSUES

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD a most thoughtful editorial by Philip H. Abelson, editor of "Science" magazine, a weekly publication of the American Association for the Advancement of Science.

The article to which I refer appears in the May 21, 1974, issue of this journal and follows:

MEDIA COVERAGE OF SUBSTANTIVE ISSUES

(By Philip H. Abelson)

A cursory examination of news sources leads to the conclusion that citizens have a great number of opportunities to become well informed. They can view programs on the various television channels. Most radio stations give the news at least hourly—some continuously—and there are many talk shows. Newspapers and newsweeklies attempt to carry on their traditional function.

Yet a closer examination reveals that the news media are not effective in presenting balanced news in depth, but are to a degree contributing to a malfunctioning of society. They have participated in creating and exacerbating a series of crises by overconcentrating attention on particular topics. Typically, after a period of concentrated attention, the media suddenly drop one topic as they rush to indulge in overkill of the next one.

These tendencies were noted by Alan L. Otten in a recent column in the *Wall Street Journal* which began:

"One hallmark of contemporary America, it's frequently been noted, is the short lifespan of its crises.

"A problem emerges suddenly, builds swiftly to crisis proportions, briefly dominates public consciousness and concern, and then abruptly fades from view. Civil rights, urban decay, hunger, drugs, crime, campus unrest, medical care, the environment, energy—one succeeds another with blurring speed, almost as though some issue-of-the-year club were in charge."

A glance at Otten's list leaves one with the impression of a variable amount of residue from the periods of great mass media attention. Most of the topics listed are now practically dead as far as the media are concerned. True, there is a considerable residue from emphasis on the environment both in legislation and in public consciousness, although with sharply curtailed media coverage, the public concern and interest have lessened. After tremendous attention, news coverage of the energy crisis has almost disappeared, and there is little indication of substantive progress in meeting the issue. The basic problems remain, but the public is bored with the subject, and the net effect of the coverage is to make it more difficult for progress to be made in the future.

Another undesirable feature of the massive attention is its lack of quality. The bizarre and the spectacular news takes precedence over reports with balance and substance. We at *Science* frequently have opportunities to evaluate the performance of the media in unearthing the facts about a given situation, and more often than not we are disappointed. This is particularly true in those areas in which science and technology interact with public policy. These issues are usually complex and enduring and not well handled by slick or sensational journalism.

The current practices of the mass media point up the value of publications like *Science* that are designed to inform rather than to excite. Although our resources are comparatively modest, we feel no handicap in competing. On any topic we choose to cover, we can if we wish produce a more rounded, complete, balanced, and scholarly story. Usually we do not choose to compete on topics that are being well covered by others. We prefer to pinpoint issues before they are in vogue, and we are not averse to dealing with significant topics after others have dropped them, provided there is new and relevant information.

In our efforts to maintain quality, we are fortunate in having a readership that expects good performance. Our authors understand this and tend to behave accordingly. We are also fortunate in having an audience that values rigor and discussion in depth and is willing to contribute ideas, time, and money to the common objective.

WHEELING, W. VA., CUSTOMHOUSE

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MOLLOHAN. Mr. Speaker, Thursday, May 23, I was privileged to participate in the dedication of the Old Customhouse in Wheeling, W. Va., as an historical monument. The dedication remarks were made by Mr. Vernon D. Acree, U.S. Commissioner of Customs.

The significance of this occasion merits being recorded in the public record. Mr. Acree's remarks follow:

REMARKS BY U.S. COMMISSIONER OF CUSTOMS, VERNON D. ACREE

Honored guests, Congressman Mollohan, Mr. Latimer, Mayor Haranzo, Mrs. Fluty, members of the board of directors of West Virginia Independence Hall Foundation:

I am delighted to be here today to participate with you in this celebration in connection with our Nation's Bicentennial.

During the past two years I've visited many old customhouses around the country. Some of them are even older than your magnificent building. But, unfortunately, most have been altered to provide modern conveniences. The glow of gas lights no longer warms marble walls as the architect intended.

And so it is a special pleasure to see this splendid building being carefully restored after decades of only minimal care. I sincerely congratulate the State of West Virginia and the directors of Independence Hall Foundation on this most impressive project.

I have heard an interesting story about your customhouse. Back during the Civil War some burglars tried to rob the government vault in this building. At the time the vault held over a million dollars. Now, as I understand it, this vault is in a corner between two walls of the customhouse. The burglars worked all night with crowbars and chisels to dig a hole through the customhouse walls. But between every layer of brick they uncovered iron bars. It was nearly daybreak and the robbers could see and feel the money, but they couldn't pry apart the iron bars to get it out. With the approach of dawn they were forced to flee. Just one more hour and they could have walked off with a fortune.

For lack of an hour the burglars failed. Destiny and the dawn's early light were surely on the Government's side.

Destiny appears to have a history of siding with the Federal Government in this building. One hundred and thirteen years ago today, voters in this area sided with the Federal Government and changed the course of local history. On May 23, 1861, the people of the State of Virginia voted to secede from the Union. At the same time, the people of the northwestern counties voted against the proposal. Thus began the chain of events which produced the great State of West Virginia. And, as you all know, this customhouse was the scene of some of those momentous events.

One of your local newspapers in 1861 credited destiny with providing this building in time for the new State. "A fine State House," the press declared, "and just the place for the legislature to meet. The governor's room was almost made to order." And indeed I have to agree.

Today we are here to proclaim this distinguished old building "historic" as part of the Customs Service's contribution to America's Bicentennial Era. Since today marks a famous anniversary in West Virginia history, it might interest you to know that we in Customs also have an anniversary coming up. This year the Customs Service marks its 185th birthday as an agency established by George Washington and the First Congress of the United States. So today I want to speak briefly about the history of this small but vital agency which has had such an enormous impact on our country's growth and economic position in the world.

When the people of Boston tossed tea chests into the harbor 200 years ago they were rebelling against a tariff—a tariff which meant taxation without representation. But when our forefathers approved the Nation's Constitution, the same tool of oppression, tariffs, became the instrument for freedom and economic stability. For 70 years after 1789, Customs produced over 90 percent of all the Treasury's funds. These dollars made possible a period of unprecedented growth. They financed the opening of the west, beginning with construction of the National Road. Better known as the Cumberland Road, it reached your city of Wheeling in 1818. The Louisiana Territory, the Floridas, the Gadsden Purchase, and the Alaska Purchase were also financed largely by customs collections.

In 1835 Customs revenues even paid off the national debt! And during the 1850s a full Treasury, created largely by Customs revenues, enabled the Architect of the Treasury to build many handsome public buildings, including this customhouse.

So you see, not only destiny but also customs revenues worked together to provide your customhouse "just in time to serve as a State House and Governor's Office."

Today Customs no longer produces the greatest share of the Treasury's funds. Nevertheless, the Customs Service is still important to the Treasury Department and to the American people.

As in the past, we are still the first line of defense against contraband, such as narcotics and dangerous drugs. In addition, our mission has been broadened to include such modern responsibilities as environmental and consumer protection and cargo theft.

We now serve at 300 ports of entry throughout the country and maintain watch over 96,000 miles of land and sea borders. And we enforce over 200 laws for some 40 other Federal agencies.

Last year Customs officers inspected and

examined more people, vehicles, boats, cargo and mail from abroad than ever before in history. We collected more than $4.2-billion in revenue on $68-billion worth of imported merchandise on a budget of $225-million.

We also cleared more people entering the country than the Nation's entire population—263 million persons.

While we processed this mountain of merchandise and mail and this sea of humanity, our enforcement mission also registered gains. We confiscated more than $500-million in illicit drugs.

In their role as the "first line of defense" at our borders, Customs officers use the latest in enforcement technology: a nationwide computer-based look-out system, special sensors, patrol boats, light aircraft, helicopters, and special-purpose vericles. Obviously, we have come a long way from that handful of revenue officers who manned the cutters to prevent smuggling in the 1790s.

Our Wheeling office was closed in 1913, but last year Charleston became the first Customs port of entry in West Virginia in 60 years. This reflects the economic growth of your State. Charleston is clearly emerging as a major regional transportation and distribution center, and we believe this new port is making a valuable contribution to the economic future of your State.

Last year exports of coal, agricultural products, and manufactured goods from your State were valued at $824-million. Total imports came to $463-million, so it looks like West Virginia is doing its part to improve the Nation's balance of payments!

Changing laws, changing patterns of trade and commerce, and changing methods of smuggling continue to challenge the Customs Service. And we continue to modify our activities to keep abreast of these changes.

But, at the same time, we seek to preserve those timeless qualities and traditions of our Service . . . just as you in West Virginia have sought to rescue and restore this beautiful monument to your State's history.

Today we commemorate this building—symbol of Federal authority at our borders and ports of entry for nearly two centuries. In so doing, we add the Treasury Department's salute to your proud heritage. We sincerely hope that this building will insure an opportunity for future generations to appreciate your State's history and also the contributions the Customs Service has made to our Nation.

On behalf of my associates in the United States Customs Service and the Department of the Treasury, I deeply appreciate the opportunity to be here today. Thank you.

A STATEMENT OF NATIONAL ISSUES AND NEEDS IN THE FIELD OF AGING

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, as chairman of the House Select Education Subcommittee, which has jurisdiction over the Comprehensive Older Americans Services Act, I found of particular interest a recent statement of "National Issues and Needs in the Field of Aging" that was prepared at the Ethel Percy Andrus Gerontology Center of the University of Southern California.

The statement will, I believe, be of interest to every Member of Congress in considering legislation that affects the older people of our country.

The statement follows:

A STATEMENT OF NATIONAL ISSUES AND NEEDS IN THE FIELD OF AGING, APRIL 1974

Why aging? Attempts to focus on growing old and being old seem inappropriate in this youth-oriented society. However, the hard facts and figures are that America is graying. Whereas in 1900 only 3% of the population of the United States was age 65 or older, today 21 million people or 10% of the total American population is over the age of 65. While the under 65 age group today is 2.5 times as large as it was in 1900, the over 65 age group in the United States has grown to be 6.5 times as large. Since we have yet to find the fountain of youth or the road to an unwrinkled, undebilitated immortality, the increasing demand is for society to confront the hard social realities and pressing issues of our aging society in a humanitarian way. Some of the specific problem areas creating needs for older people are:

MORE PEOPLE ARE REACHING OLD AGE TODAY

In 1900, an individual's life expectancy at birth was 47 years. Today at birth an individual's life expectancy is 70 years, or 23 years longer. In the U.S. today those who are 65 have a life expectancy of 15 years; men can expect to live another thirteen years while women can expect another sixteen years. Today we can look forward to a longer and healthier second half of life but also to one which is often unplanned, frustrated and lonely. A critical need is to help individuals plan for that free time in ways which enhance the later years.

RETIREMENT

The growing emphasis on early retirement results in more years of leisure time with less income to support these years. In the United States nearly one-sixth of the adult population is outside the labor force. Within a few years, it is possible that approximately one-fourth of the adult population over the age of 20 will be considered "nonproductive." Statistically, this means that some 25 million people will be without serious "work" or a significant role to occupy their time. Counselling programs, educational programs as well as retirement and social planning, are required to develop alternative life styles to replace the current work-oriented ethic.

INCOME

In 1971, the median income per year of families where the head of the household was over 65 was $5,453 contrasted to $10,976 when the family head was under 65. This means that older families live on about $95 per week, or on about one half the income of younger families. The median yearly income for unrelated individuals living alone or with none-relatives over 65 was $2,199 or about $45 per week. About one quarter of the elderly live below the poverty level. Many do not become poor until they reach old age. The poverty of the elderly is accentuated by their fixed incomes in the present period of inflation and rising costs. The priority here is to assure older adults adequate and secure incomes and to provide them with the necessary information to optimally budget their available financial resources.

RECREATION: THE USE OF LEISURE TIME

On one occasion or or another, all of us have cried out for free time, a day off, or an extended vacation. But, how would it be to have twenty-four hours a day, seven days a week, 365 days a year of free time? That older adults find it difficult to use all this free time is reflected by the tremendous growth and interest in Senior Centers across the country. (In 1969 the National Directory of Senior Centers contained 1200 listings of Centers as contrasted with the 340 listed in the 1966 directory.) Leisure activities are expensive and generally geared to the whims of the young rather than to the interests, financial capabilities, and physical limitations of older adults. What is needed is a more responsive and extensive plan for developing leisure time activities and facilities that are appropriate, meaningful, and stimulating for older people.

EDUCATION

Half of the U.S. elderly never completed elementary school. Some three million have had no schooling or less than five years. Approximately six percent are college graduates. It is often older adults who have the time, patience and interest for learning, rather than the young. The educational system is beginning to make opportunities for learning more accessible to the aged. At the University of Toulouse in France the Third Age College is devoted specifically to providing a stimulating learning environment for some 350 men and women who are over 65 years of age the U.S. has nothing quite like the Third Age College. However, an increasing number of programs for older citizens is being developed in the U.S. at universities, junior colleges, and recreation and senior centers. A number of universities, including Ohio State University and the University of Denver, recently offered courses free of charge to the elderly. The need is for extensive and sophisticated educational programs and opportunities for older adults. Eric Hoffer put it well when he said,

"The rising restlessness of the young will force us to reverse the accepted sequence of learning years followed by years of action. In the post-industrial society the first half of a person's life will be dedicated to strenuous, useful action, and the second half to book learning and reflection. Old age will be something to look forward to. It will be a time for leisurely study, for good conversation, for savoring and cultivating friendship; a time for the discovery of new interests, and for the transmutation of experience and knowledge into wisdom."

PHYSICAL HEALTH AND NUTRITION

Some 15.4 million persons over 65, or about eighty-six percent, have one or more chronic conditions. Chronic conditions increase with age, whereas acute conditions decrease. People over the age of 45 have over 45 days of disability per year and this restriction on activity increases with age. Men and women over the age of 45 have a greater prevalence and severity of dental problems than the average for all adults aged 18 to 79. The older person's reduced income makes it more difficult for him to pay for his health care needs. In 1970, per capita health care expenditures for older persons were 3½ times higher than for the under 65 population; $791 as compared to $226. Approximately ⅔ of the older person's medical expenditures are paid for by Medicare and Medicaid programs.

Nutritional inadequacies are a priority problem among older adults. The Agricultural Research Service of the U.S. Department of Agriculture conducted a study on the nutritional diets of the elderly in New York City and found that less than one half of the households were providing diets containing sufficient nutrients and calories to insure well-being. It is significant that changes induced by poor nutrition are characteristic of those changes we associate with aging, i.e., loss of appetite, fatigue, irritability, anxiety, loss of recent memory, insomnia, distractability and mild delusional states.

In the areas of physical health and nutritional care there are inadequacies in the present programs relating to too few facilities, manpower shortages, lack of sufficient financing, lack of training programs for caretaking personnel, lack of educational programs for the public, and poor coordination of services and agencies involved with health programs for the older adult.

MENTAL HEALTH

Emotional and psychological distress among older persons is the inevitable result of failing physical powers, increasing social isolation, loneliness, and the loss of well-established social and work roles, Although persons over 65 years constitute only 10 percent of the U.S. population, they represent more than 20 percent of admissions to mental hospitals and occupy approximately one third of all mental hospital beds. It is estimated that three million persons, or about 15 percent, over the age of 65 who are living in the community suffer from moderate to severe psychiatric impairment. Of these, two-thirds function with community or family support and one-third are as sick as the population in the mental hospitals.

Of the over 65 age group, 120,000 are in mental hospitals and 370,000 are in nursing homes with mental illness. By 1975, it is estimated that of the two million old people aged 65 and over who need psychiatric services, only 15 to 20 percent will receive the needed services. In most cases the psychiatric services rendered involve diagnosis, not treatment. Among the aged, and particularly those over age 75 years, physical and mental illnesses tend to go together. Eighty to 90 percent of geriatric mentally ill patients also have physical ailments severe enough to interfere with functioning.

There tends to be long-term institutionalization for mental illness when the individual is 65 years and older rather than short-term inpatient treatment followed by psychiatric outpatient treatment or counselling services. The over 65 form only two percent of the outpatient clinic population, 2.6 percent of the day-care population and 14 percent of the community health center population.

The critical need is for community mental health services, outpatient counselling clinics and senior centers to put older people in contact with activities, people, and support services. Better community-based and home care services promise to make mental health and an independent, self-sufficient life style realizable possibilities for increasing numbers of older persons.

HOUSING AND TRANSPORTATION

Transportation and housing create interrelated problems for the older person. Reduced incomes and the need for accessibility to public transportation can dictate housing locations. Thirty-nine percent of the people who live in low income public housing projects are 65 or more years of age. Some of the projects have only older people living in them. Next to housing and medical expenses, transportation is the third largest income expense among the elderly. Nationally only 54 percent of the older population own and operate their own automobile compared to 83 percent of the general population. About one-third of the elderly poor have substantial transportation problems. These problems become especially critical in the large urban metropolitan areas having poor public transportation systems. The elderly find themselves concentrated in inner city ghettos, which boast both housing they can afford and generally easier access to public systems of transportation.

However, public transportation systems often ignore the routes to health facilities, shopping and community service centers, which are areas of importance to the elderly. Adequate planning of systems of transportation and site locations for housing, health, shopping, and community services facilities is essential to maintain contact between older persons and the community.

CRIME, PERSONAL SAFETY, AND CONSUMER PROTECTION

The impact of crime on the aged is profound. Generally residing in urban areas, older persons are easy targets for pickpocketing, assault, burglary and murder. They are favorite marks for many kinds of fraud, illegitimate schemes and misleading advertising. In a Kansas City study of crime and the aged, fully 75 percent of the victims of serious crimes had incomes less than $3,000 yearly. To compound the problem, fear of crime can force an older person to retreat into his home, where he is isolated from friends, activities, and services. The Kansas City Study found that fifteen percent of the aged victims of crime experienced substantial withdrawal from society as a result of the assault. There is a crucial need to provide better consumer and police protection for senior citizens. Dissemination of crime prevention literature to the elderly is necessary via the media, magazines, radio, and television.

With older age comes an increased need for legal services. Older citizens may require legal information about their finances and about technicalities involved in the paper work for welfare, Medicare, Medicaid and Supplemental Security Income. Information is needed to protect their rights in the legal issues of age discrimination, pension plan rulings and early retirement plans. The aged must become informed and knowledgeable consumers and citizens so that their vulnerability is decreased and their personal rights and protection are firmly assured.

These are the priority needs and problems confronting our aging population. The programs dealing with the problems of the aging to date reveal that these problems cannot be solved independently from each other. No single approach can be fully responsive to meeting the needs of the elderly. What is needed is a coordinated, integrated and comprehensive approach which mobilizes the resources of a concerned society.

The leadership roles in such efforts originate in concerned universities that have a competent group of researchers, teachers, and professionals who need support to realize their potentials and commitments to the field. Selected universities need to be encouraged and financially supported to develop special programs in aging.

TRIBUTE TO MRS. VIOLA GOLDMAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ANDERSON of California. Mr. Speaker, on June 13, the many friends and associates of Mrs. Viola Brereton Clark Goldman are honoring this outstanding educator for her many years of dedicated service to the community, State, and Nation.

It is through the selfless efforts of individuals, such as Mrs. Goldman, that our values, our ideals and our social fiber are transmitted from generation to generation, continuously seeking to improve our society through knowledge.

Born in Lawton, Okla., Mrs. Goldman was educated at the University of Oklahoma, and received her masters degree from the University of Southern California.

In 1946, she began teaching in Lynwood at Central Elementary School. Later, she taught at Washington Elementary, also in Lynwood.

Then, after 7 years of teaching experience, she was appointed principal of Lugo and Central Elementary Schools. Two years later, in 1955, Mrs. Goldman became principal of Wilson Elementary School, where she was a leader in patriotic activities designed to instill pride and civic awareness in her pupils.

Following the annexation of Janie P. Abbott Elementary School from Compton in 1967, Mrs. Goldman was appointed principal of that school where she was recognized for her skills and for her devotion as the recipient of the George Washington Award, and the Principal School Award, both signal honors awarded for only the highest abilities.

During her outstanding career as an educator, she received the George Washington Honorary Medal four times; the Principal School Award—which, incidentally, is the highest award given—a total of three times; and she was the recipient of the Valley Forge Freedom Foundation Award.

In addition to Mrs. Goldman's duties at her schools, she is an active participant in community affairs. She is the President of the Lynwood Teachers Association, and a member of both the Soroptimist Club and the University Women's Club.

But, most importantly, Mrs. Goldman also found time to raise a stepson Bill Clark, who, along with his wife Lyn, have attained Ph. D. degrees.

Mr. Speaker, thanks to the service of Mrs. Goldman and others like her, future generations will possess the historic significance of our country, the social context in which to frame ideas, and the civic awareness needed to improve the conditions which confront mankind.

I take great pride and pleasure in noting her achievements in the community, and I wish to join the many friends and associates of Mrs. Goldman in commending this outstanding individual for her many years of selfless dedication to the betterment of our society.

THE HARD ROAD TO WORLD ORDER—IV

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BINGHAM. Mr. Speaker, in part IV of Prof. Richard Gardner's analysis of the need for, and the difficulties in the way of, achieving world cooperation, he points out some of the "structural" difficulties involved in creating an enforceable system of international rules. He also suggests some possible solutions.

The fourth part of Professor Gardner's article from the April issue of Foreign Affairs follows:

THE HARD ROAD TO WORLD ORDER

The need for multilateral agreement and management is, then, becoming steadily greater and more widely felt. But of course need alone is not enough. Most national leaders around the world do not have to be persuaded that it would be much better to approach key problems on a multilateral basis, usually a global one; the question that troubles them is whether international rules and organizations can be made to work. Unless some major structural weaknesses can be dealt with more effectively, even the ex-

isting responsibilities of existing international agencies will slowly wither away, and new responsibilities, however badly needed, will simply not be given either to old or new agencies.

Since the structural problems are political in origin, to remedy them will require not just technical ingenuity but an act of political will on the part of key member-states. The deficiencies of international institutions that governments cite as reasons for bypassing them are of the governments' own making. Some acts of creative statesmanship are needed to break out of the vicious circle. To paraphrase a slogan of the peace movement: "All we are saying is, give the international organizations a chance."

The most obvious structural problem is in the decision-making process. How to equilibrate voting power, not just with national sovereignty but with responsibility for implementing decisions, is a riddle that continues to plague the international agencies. It is understandable that large and middle-sized powers will not grant significant authority to a General Assembly where countries representing less than ten percent of the population of the total membership and less than five percent of the budget can take decisions by a two-thirds majority. It is equally obvious that the "principle of unanimity" under which any one country can veto action is not a recipe for progress.

Fortunately, there are a number of methods that have been developed to assure that influence in decision-making bears a reasonable relationship to power in the real world and to the responsibility for implementing decisions. Weighted voting is the most obvious, but the assigning of differential voting rights is often non-negotiable Other approaches deserve greater attention: "double majorities" (requiring a majority of all the members plus a majority of specially defined categories of members); "weighted representation" (delegating decision-making to a small committee in which the countries that are most important in the particular subject matter have more than their normal proportion of seats); "bicameralism" (in which decisions must first be adopted by a small committee with weighted representation and then by the membership as a whole); and "conciliation" (deferring a vote for a "cooling-off period" of further negotiations at the request of a specified minority of countries).

Obviously no one decision-making formula will be applicable across the board. Different structures are required for different functions—what is appropriate in a new oceans agency may not be appropriate in multilateral development assistance. Moreover, the decision-making reforms that are needed will not always adjust power in the same direction. The United States will justifiably seek "a GATT within the GATT" where decisions can be taken by the key trading nations on some special voting basis rather than on the one-nation one-vote formula among 86 contracting parties. At the same time, it can reasonably be asked to concede a greater voice in the IMF and World Bank to Japan and the Arab countries, whose voting power does not adequately reflect their financial power. To be sure, changes in outmoded or unreasonable decision-making arrangements may be opposed initially by the countries that presently have more than their fair share of influence. The challenge to multilateral diplomacy—and one that has not been seriously faced so far—is to persuade the countries that are overendowed with power in a particular institution that a fairer sharing is needed to save the institution from creeping irrelevance and make it more effective on matters of interest to them.

A related but separate structural problem is how to improve present arrangements for creating, adapting, interpreting and enforcing international law—what some would call the "normative process." The development of new rules of law has become both more cumbersome and more politicized—we need only contrast the highly political 90-member preparatory committee for the current Law of the Sea negotiations with the small and expert International Law Commission that prepared the texts for the Law of the Sea conventions of 1958. While the membership explosion of the U.N. system makes it politically impossible to return completely to the old ways of doing things, the common interest of all countries in the orderly development of new rules of international law suggests that greater use of small and expert bodies should be made in the preparatory stage of law-making conferences.

Once the rules have been created, we need better arrangements for adapting them in the light of rapid and possibly unforeseen changes in political, economic or scientific circumstances. The traditional amendment process is as unsatisfactory a means for modernizing treaties on oil pollution from tankers as it is for modernizing the GATT provisions on nontariff barriers. A possible formula here is the delegation of power to small and expert groups to promulgate changes in the rules, subject to an "opting out" privilege for countries that do not wish to accept the changes. With respect to interpretation and application of the rules, we will need to have greater resort, in such diverse contexts as trade and environmental protection, to fact-finding, conciliation and arbitration by disinterested third parties. Finally, we will need to find better ways of enforcing the rules, as by multilateral action that denies benefits and applies punishments. As has been noted, where essential community interests are threatened, as for example in hijacking, marine pollution or the withholding of vital raw materials, action may need to be taken not only against those who ratify the rules and then break them but against those who refuse to accept the rules at all.

A third structural problem that must be mentioned is the crisis in morale and effectiveness that now afflicts the international civil service. Though a few international agencies may be exempt from this generalization, in most of them the concepts of independence and efficiency have been badly eroded by political pressures, particularly the excessive emphasis given to the concept of "equitable geographical distribution." If the vitality of the international agencies is to be assured, more must be done to apply standards of excellence in recruitment, promotion and selection out. Greater efforts should be made to fill senior positions with outstanding persons from the professional, scientific and business worlds, rather than predominantly, as is now the case, with persons on loan from member-governments. As with the other structural problems, what is required here is a change in national behavior resulting from a new perception by key governments of their enlightened self-interest.

A final structural problem is how to coordinate and rationalize the fragmented system of international agencies. Governments are encountering increasing difficulties in coping with the proliferating conference schedule and the bewildering variety of secretariats that deal with separate pieces of a total problem. The need here is not just to cut overlapping and wasteful activities, but to clarify responsibility for taking and implementing decisions. It involves both functional coordination (e.g., the respective responsibilities for balance of payments adjustment between IMF, GATT and OECD), and regional coordination (e.g., the division of functions on air pollution between the U.N. institutions and agencies like NATO, OECD, and the Council of Europe). Once again, the problem is fundamentally political, since the proliferation is partly the result of "forum shopping" by governments which wish to promote a favorable outcome, and partly the result of the launching of special purpose programs (e.g., on population, environment, and narcotics) financed by voluntary contributions from governments which feel they cannot achieve their objectives within the U.N.'s central policy and budget process.

A generation ago the central problem was to create new institutions where none existed; today it is to get several hundred functional and regional commissions, boards, committees and secretariats to work together effectively. Perhaps the most difficult obstacle in the way of the objective is the projection into the international organizations of the fragmented system of "portfolio government" that still characterizes most of the major countries. Governments will have to do a better job of coordinating themselves if the functional approach is to produce a coherent system of international institutions. The special session of the General Assembly on economic issues now scheduled for 1975 provides a useful opportunity for governments to clarify their objectives and improve their internal processes for the achievement of this purpose.

CONGRESSMAN BRADEMAS SALUTES OLDER AMERICANS MONTH, 1974

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, I rise to observe that we are concluding this week the month set aside each year by proclamation to honor older Americans. As chairman of the Select Education Subcommittee, which has jurisdiction over the Older Americans Act, I am particularly pleased to comment on the steps that have been taken this year to repay the debt we all owe to those older citizens who have given so much to our country.

Mr. Speaker, I hope that this month of recognition and rededication may awaken in many people a renewed sense of what we all have to learn from our elders, each of us can recall the words of the White House Conference on Aging in 1971 that "something is wrong with any society in which every age level is not clearly of meaning and value to that society."

The conference was echoing, with that statement, some words from the Book of Job:

> With the ancient is wisdom, and in length of days, understanding.

I believe that this month of recognition should also serve, Mr. Speaker, to remind us of the material situation of our Nation's older people. We must never forget what a distance we have yet to go in insuring economic justice for the elderly of America.

Consider that:

One quarter of the 20 million Americans aged 65 and over are living in poverty;

Another 5 million cannot afford the Bureau of Labor Statistics "Intermediate

Family Budget" which, itself, is an inadequate $5,200 annually for two people;

Medicare covers only 42 percent of the hospitalization costs of Americans aged 65 and over;

Last year over 19,000 retiring employees lost the retirement benefits which had been guaranteed them because their pension funds were inadequately funded; and

Property taxes have increased 30 percent in the last 4 years, ravaging the budgets of elderly homeowners living on fixed incomes.

Mr. Speaker, these are facts we cannot ignore, and which we must remind ourselves to consider in our legislative efforts.

I believe, however, that we can this month take pride in some accomplishments by Congress which address the problems of the elderly, for the last two Congresses have compiled a more solid record of achievement on behalf of older Americans than any in recent memory.

In the last 5 years Congress has increased social security benefits by more than 60 percent, despite unremitting hostility by the Nixon administration to this basic effort toward economic sufficiency for retirees.

Significant pension reform legislation has been enacted by both the House and Senate and a conference committee is at work perfecting a bill. I trust the result will begin the long overdue reform of private pension plans that too often leave retired workers with little or nothing to show for years of contribution.

With respect to the health care available to the Nation's elderly, Congress has before it several alternative plans, and hearings are going forward on them, with a view to reducing the burdens of illness on our population. As heavy users of health care, the elderly have a large stake in the results of these deliberations, and for their sake alone it is high time that the Nation moved toward a more comprehensive insurance coverage or other means of assuring access to quality health care.

In the past year, the Select Education Subcommittee, which I have the honor to chair, produced a bill to extend the Older Americans Act. After a presidential veto of an earlier bill, Congress passed and the President signed legislation under which funds are provided to States and localities for a comprehensive, coordinated service system for the elderly.

The law assigns new duties and responsibilities to the States to plan programs for the elderly in their jurisdiction. Under the measure, new "area agencies" are being created in subregions of each State to serve as focal points for coordinating all existing services to older Americans.

Also as part of the Older Americans Act, we have seen the development this past year of a nutrition program for the elderly, which this spring made possible the serving of an average of 200,000 people per week a hot meal each day, and provided social, educational, and recreational programs for senior citizens .

I am pleased to have been one of the House sponsors of the legislation to extend this program for 3 more years, which passed recently by an overwhelming vote of 380 to 6.

Finally, Mr. Speaker, I note that owing to the work of this Congress, we may yet see a coordinated attack on some of the scientific mysteries of aging, through a new National Institute of Aging passed by both Houses of Congress and awaiting Presidential action at this moment. We need to know all we can about the process of aging in all its dimensions, if we are to legislate wisely on this important subject.

Thus it should be clear, Mr. Speaker, that this Congress has taken seriously its responsibilities with respect to the needs of the older American.

But we still have much to do, Mr. Speaker, in order to make real for all our Nation's older citizens the rich promise of American life. I trust that although Older Americans Month, May, 1974, comes to a close, we shall not cease our efforts on behalf of the older people of our country.

HOUSE OF REPRESENTATIVES—*Monday, June 3, 1974*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Now, O God, strengthen Thou my hands.—Nehemiah 6: 9.

Eternal God, whose life is love and whose love is life, on this new day we lift to Thee the cup of our free hearts praying that Thou wilt fill it with the wisdom, the power, and the peace of Thy gracious spirit.

Be Thou our guide as we endeavor to lead our Nation along the paths of truth and honor that together we may dwell on the high plane of clean moral living.

During these difficult days enable us to have the vision and the valor to do all we can to bring about the reign of law and love, of truth and righteousness, that our Nation may now and ever be a blessing to all mankind.

To this end, O God, strengthen Thou our hands and our hearts.

In Thy holy name 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 SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 11223. An act to authorize amendment of contracts relating to the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam; and

H.R. 12925. An act to amend the act to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13998) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1752. An act prescribing the objectives and functions of the National Commission on Productivity and Work Quality.

The message also 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. 8215. An act to provide for the suspension of duty on certain copying shoe lathes until the close of June 30, 1976;

H.R. 11546. An act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes; and

H.R. 12471. An act to amend section 552 of title 5, United States Code, known as the Freedom of Information Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11385) entitled "An act to amend the Public Health Service Act to revise the programs of health services research and to extend the program of assistance for medical libraries," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WILLIAMS, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. PELL, Mr. MONDALE, Mr. HATHAWAY, Mr. SCHWEIKER, Mr. JAVITS, Mr. DOMINICK, Mr. BEALL, Mr. TAFT, and Mr. STAFFORD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2661. An act to amend the Land and Water Conservation Fund Act of 1965 so as to authorize the development of indoor recreation facilities in certain areas;

S. 3301. An act to amend the act of October 27, 1972 (Public Law 92-578); and

S. 3433. An act to further the purposes of the Wilderness Act by designating certain acquired lands for inclusion in the National Wilderness Preservation System, to provide for study of certain additional lands for such inclusion, and for other purposes.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the bill on the Consent Calendar.