

SENATE—Thursday, June 20, 1974

The Senate met at 11 a.m. and was called to order by Hon. J. BENNETT JOHNSTON, JR., a Senator from the State of Louisiana.

PRAYER

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

O Lord, who hast promised that wher-ever two or three or a thousand are gathered in Thy name, Thou art in the midst, be with us here and with all beyond this Chamber who daily join us in prayer. Raise up a host of praying people whose love of Thee and dedication to the Nation give promise of a new birth of pure religion and lofty patriotism. In the knowledge that "the effectual fervent prayer of a righteous man availeth much" help us to pray without ceasing that we may have wisdom to discern Thy will and power to do it.

In Thy holy name, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 20, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. J. BENNETT JOHNSTON, JR., a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed without amendment the bill (S. 411) to amend title 39, United States Code, with respect to certain rates of postage, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, June 19, 1974, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. 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.

CONSIDERATION OF CERTAIN ITEMS ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 909 and 912.

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

EGMONT KEY NATIONAL WILDLIFE REFUGE, FLA.

The Senate proceeded to consider the bill (H.R. 8977) to establish in the State of Florida the Egmont Key National Wildlife Refuge, which had been reported from the Committee on Commerce with an amendment. At the top of page 3 strike out:

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The amendment was agreed to.

The bill was ordered to a third reading, read the third time, and passed.

J. B. RIDDLE

The bill (H.R. 1376) for the relief of J. B. Riddle, was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination on the Executive Calendar.

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

The ACTING PRESIDENT pro tempore. The nomination on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The second assistant legislative clerk read the nomination of Thomas O. Enders, of Connecticut, to be an Assistant Secretary of State.

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

LEGISLATIVE SESSION

Mr. MANSFIELD. 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.

LEAKS FROM THE HOUSE JUDICIARY COMMITTEE

Mr. HUGH SCOTT. Mr. President, an editorial in today's New York Times is of such extraordinary interest that I am going to read it in full into the RECORD. It is entitled "Judiciary's Leaks," and reads as follows:

The House Judiciary Committee, after making an appropriately measured start on its

impeachment inquiry, now seems to have sprung not just a leak, but a gusher. Over the past week, the public has been treated to the contents of a series of confidential memoranda analyzing portions of the evidence that has been presented by the staff in closed sessions to the committee.

Even before those memoranda were leaked to the press, various members of the committee were providing fragmentary recollections of bits and pieces of the evidence to which they had been exposed. And then, of course, there was that moderate-sized geyser of information about Secretary Kissinger's wire-tap role, which apparently came from the Judiciary Committee and from other sources in Washington as well.

The basic question posed by the leaks is one of fairness. The Judiciary Committee, after all, is conducting an inquiry into whether there are grounds for the House to charge the President with an impeachable offense. It is not trying Mr. Nixon. If the House decides to impeach him, the President is entitled to a fair trial before the Senate. The leakers, apparently impatient with the rules of secrecy adopted by the committee and presumably anxious to "get the President," are subjecting him to trial by the court of public opinion based upon fragmentary and un rebutted evidence and analysis.

Impeachment, as we have said in the past, is the nation's most solemn constitutional process. As such, it should be, as at least one member of the committee has remarked, constitutionally pure. Those who are doing the leaking—whether members or staff—are not only undercutting their own purposes by providing their opponents with the means to discredit the committee, but are also violating a profound obligation to move the impeachment process forward with the fairness and the solemnity that its importance to the country requires.

Mr. President, I am advised that at least 14 reports have been prepared by a partisan staff member for partisan purposes, which he himself admits in the beginning of the reports, in that he says they are his views and are presented to the members of one political party. They are all prepared by a gentleman who was himself the chairman or the top officer of a political organization for the President's opponent in Wisconsin in the 1972 election. So his own origins are not, perhaps, entirely, let us say "constitutionally pure."

He should not be blamed entirely for the leaks, but the fact is, there are 14 leaks coming out at 1 a day until finally, time being of the essence, there appeared, I think, No. 6 and No. 7 in 1 day. I believe No. 8 is due today, so there are 6 to come—all in spite of the admonition of the chairman of that committee who has conducted himself responsibly, in my view.

This staff member who is passing out this material is abusing the constitutional process and, in spite of the partisan politics involved, says that he intends to continue to ignore the chairman and the members of the committee. I believe that is most regrettable.

ON BEHALF OF SPEAKING BETTER ENGLISH

Mr. HUGH SCOTT. Mr. President, as we listen to the prayer of our Chaplain every morning, I am often very much impressed by his masterly use of the

Great Book and the Book of Common Prayer.

There was a lady once who said, "Shakespeare must have read a lot because his writings are so full of trite sayings."

Actually, in those days, in the late 1500's and early 1600's, people had a real love for language. They articulated themselves better than people have done ever since, in my opinion. Their words were strong and resounding and what they put together traveled well down the ages, sonorously and beautifully. When one listens to the works of such as Shakespeare, or to the impressive, rolling cadences of the Book of Common Prayer, he wishes for better conversation, he wishes that people would turn the television off from time to time and simply talk. They would not know what to talk about at first, but practice would help. Perhaps, after sufficient practice, we could regain at least some of the control over that riderless animal, the English language.

I would like to see it happen. I would like to see us with more respect, even reverence, for the better usages of English. I hope that we will gain more facility in the mastery of the great gift which has been handed down to us by those who were themselves the eternal masters of the art.

AMENDMENT OF THE RANDOLPH-SHEPPARD ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. 2581, which the clerk will report.

The second assistant legislative clerk read as follows:

A bill S. 2581 to amend the Randolph-Sheppard Act for the blind to provide for a strengthening of the program authorized thereunder, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 4, after the word "of", strike out "1973" and insert "1974"; on page 3, at the beginning of line 11, strike out "programs," and insert "program."; on page 4, in line 11, after the word "the", insert "Administrator of"; on the same line after the word "Services", strike out "Administrator"; in line 13, after the word "the", strike out "Federal Government" and insert "United States"; in line 16 after the word "this" strike out "paragraph" and insert "subsection"; in line 21, after the word "property" insert "including, to the maximum extent feasible, vending facilities in the areas where employees work."; on page 5, in line 2 after the word "placement" insert "or operation"; in line 5 after the word "justified" insert "A determination made by the Secretary pursuant to this provision shall be binding on any department, agency, or instrumentality of the United States affected by such determination."; in line 19 after the word "Randolph-Sheppard" insert "Act"; in line 20 after the word "of" strike out "1973," and insert "1974."; on page 6, in line 10 after the word "the" insert "General Services Administration, the"; in the same line after the word "of"

strike out "Defense" and insert "Defense."; in line 16 after the word "out" insert "and"; on page 7, in line 2 after the word "other" strike out "such"; in line 10, after the word "thereof" strike out "a semicolon" and insert "and"; after line 11, insert:

(4) Section 2(a)(6) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(6) Through the Commissioner, (A) conduct periodic evaluations of the program authorized by this Act, including upward mobility and other training required by section 8, and annually submit to the appropriate committees of Congress a report based on such evaluations, and (B) take such other steps, including the issuance of such rules and regulations, as may be necessary or desirable in carrying out the provisions of this Act."

On page 8, in line 14, after the word "shall" strike out "own," and insert "Undertake to acquire by ownership."; in line 15, after the word "or" insert "to"; in line 21, after the word "renovated," insert "or in the case of a building that is already occupied on such date by such department, agency, or instrumentality, is to be substantially altered or renovated"; on page 9, line 1, after the word "or" strike out "renovation," and insert "renovation"; in line 3, after the word "person," insert "Each such department agency, or instrumentality shall provide notice to the appropriate State licensing agency of its plans for occupation, acquisition, renovation, or relocation of a building adequate to permit such State agency to determine whether such building includes a satisfactory site or sites for a vending facility."; in line 21, at the beginning of the line, strike out "facility." and insert "facility, except that each such department, agency, and instrumentality shall make every effort to lease property in privately owned buildings capable of accommodating a vending facility."; on page 10, in line 21, after the word "respectively," insert "and"; in line 22, after "(3)" insert "by striking out in paragraph (6) the word "stand" and inserting in lieu thereof "facility", and "; in line 24, after the word "inserting" strike out "in paragraph (6)"; on page 11, line 2, after the word "to" strike out "binding"; in line 10, after the word "of" strike out "operators" and insert "blind licensees"; in line 11, after the word "State" strike out "agency" and insert "agency, after such agency provides to each such licensee full information on all matters relevant to such proposed program."; after line 14, insert:

(c) Section 3(3) of such Act is further amended by inserting before the word "proceeds" in both places it appears, the word "net".

On page 12, in line 5, after the word "program" insert "may submit to a State licensing agency a request for a full evidentiary hearing, which shall be provided by such agency in accordance with section 3(6) of this Act. If such blind licensee is dissatisfied with any action taken or decision rendered as a result of such hearing, he"; in line 15, after the word "licensing" strike out "agency designated as such by the Secretary under this Act," and insert "agency"; in line 21 after the word "thereunder" insert "(including a limitation on the placement or operation of a vending facility

as described in section 1(b) of this Act and the Secretary's determination thereon"; on page 13, in line 13, after the word "of" strike out "licensed"; in the same line, after the word "blind" strike out "persons" and insert "licensees"; in line 17, after the word "the" strike out "licensed"; in line 18, after the word "blind" strike out "operator" and insert "licensee"; in line 19, after the word "individual," insert "not employed by the State licensing agency or, where appropriate, its parent agency."; in line 23, after the word "subparagraph" insert "(1)"; on page 14, after the word "individual," insert "not employed by the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose."; on page 14, after line 2, insert:

"(d) The Secretary shall pay all reasonable costs of arbitration under this section in accordance with a schedule of fees and expenses he shall publish in the Federal Register.

On page 15, line 6, strike out:

"SEC. 7. (a) Except as otherwise provided in this section, all vending machine income obtained from the operation of vending machines on Federal property shall accrue (1) to the blind licensee operating a vending facility on such property, or (2) in the event there is no blind licensee operating such facility on such property, to the State agency in whose State the Federal property is located, for use, in accordance with regulations the Commissioner shall prescribe, in the training required under section 9 of this Act, and for the purposes specified in section 3(3) of this Act: *Provided, however,* That with respect to income which accrues under clause (1) of this subsection, the Commissioner may prescribe regulations imposing a ceiling on income from such vending machines for an individual blind licensee, and any surplus shall accrue pursuant to clause (2) of this subsection. This proviso shall not apply to income from vending machines which are maintained, serviced, or operated by a blind licensee.

"(b) Subsection (a) shall not apply, with respect to income from vending machines on Federal property, which machines were leased, or such income was provided, under contract to any person, group, or association on September 1, 1973, for a period of three years following the date of enactment of the Randolph Sheppard Act Amendments of 1973, or the date of expiration of such contract, whichever period is shorter.

"(c) Subsection (a) shall not apply, with respect to income from vending machines on Federal property, which machines were owned by any person, group, or association on September 1, 1973, for a period equal to the remaining depreciable life of such machines, or for a period of three years following the date of enactment of the Randolph Sheppard Act Amendments of 1973, whichever period is shorter.

"(d) In the case of vending machines the depreciable life of which, or the contract with respect to the leasing or furnishing of income of which, expires after the three year period set forth in subsections (b) and (c), the Secretary of the Treasury shall compensate the person, group, or association owning or contracting for such machines in an amount which reasonably represents the fair value of such depreciable life or contract; except that any such compensation shall be reduced by an amount, if any, equal to the proceeds from the sale, or premature termination of the contract, of such machines.

"(e) This section shall apply only with respect to vending machines on Federal property which is an office or workplace used to conduct Federal Government business.

And insert in lieu thereof:

"SEC. 7. (a) In accordance with the provisions of subsection (b) of this section, vending machine income obtained from the operation of vending machines on Federal property shall accrue (1) to the blind licensee operating a vending facility on such property, or (2) in the event there is no blind licensee operating such facility on such property, to the State agency in whose State the Federal property is located, for the uses designated in subsection (c) of this section, except that with respect to income which accrues under clause (1) of this subsection, the Commissioner may prescribe regulations imposing a ceiling on income from such vending machines for an individual blind licensee. In the event such a ceiling is imposed, no blind licensee shall receive less vending machine income under such ceiling than he was receiving on January 1, 1974. No limitation shall be imposed on income from vending machines, combined to create a vending facility, which are maintained, serviced, or operated by a blind licensee. Any amounts received by a blind licensee that are in excess of the amount permitted to accrue to him under any ceiling imposed by the Commissioner shall be disbursed to the appropriate State agency under clause (2) of this subsection and shall be used by such agency in accordance with subsection (c) of this section.

"(b) (1) After June 30, 1974, 100 per centum of all vending machine income from vending machines on Federal property which are in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section. 'Direct competition' as used in this section means the existence of any vending machines or facilities operated on the same premises as a blind vending facility except that vending machines or facilities operated in areas serving employees the majority of whom do not have access to the blind vending facility shall not be considered in direct competition with the blind vending facility. After June 30, 1974, 50 per centum of all vending machine income from vending machines on Federal property which are not in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section, except that with respect to Federal property at which at least 50 per centum of the total hours worked on the premises occurs during periods other than normal working hours, 25 per centum of such income shall so accrue.

"(2) Any vending machine income remaining after assignment pursuant to subsections (a) and (b) (1) of this section shall be used for such purposes as determined by regulations of the Secretary, who shall consider the views of the head of the department, agency, or instrumentality upon whose premises the machines are located, as well as those of any groups or organizations which may be affected by such regulations. No new vending machines or replacements for existing vending machines may be installed on Federal property unless all income from such machines shall accrue as specified in subsection (a) of this section. The head of each department, agency, and instrumentality of the United States shall insure compliance with this section with respect to buildings, installations, and facilities under his control, and shall be responsible for collection of, and accounting for, such vending machine income.

"(c) All vending machine income which accrues to a State licensing agency pursuant to subsection (a) of this section shall be used to establish retirement or pension plans, for health insurance contributions, and for provision of paid sick leave and vacation time for blind licensees in such State, subject to a vote of blind licensees as provided under section 3(3)(E) of this Act. Any vending machine income remaining after application of the first sentence of this subsection shall be used for the purposes specified in sec-

tions 3(3) (A), (B), (C), and (D) of this Act, and any assessment charged to blind licensees by a State licensing agency shall be reduced pro rata in an amount equal to the total of such remaining vending machine income.

"(d) Subsections (a) and (b) (1) of this section shall not apply to income from vending machines within retail sales outlets under the control of exchange or ships' stores systems authorized by title 10, United States Code, or to income from vending machines operated by the Veterans Canteen Service, or to income from vending machines not in direct competition with a blind vending facility at individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations or facilities does not exceed \$3,000 annually.

"(e) In the event that a blind vending facility includes the operation of a cafeteria, the contract for the operation of such cafeteria shall specify that it shall be operated at a reasonable cost consistent with a fair return, high quality food, and reasonable prices.

"(f) This section shall not operate to preclude preexisting or future arrangements, or regulations of departments, agencies, or instrumentalities of the United States, under which blind licensees (1) receive a greater percentage or amount of vending machine income than that specified in subsection (b) (1) of this section, or (2) receive vending machine income from individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations, or facilities does not exceed \$3,000 annually.

"(g) The Secretary shall take such action and promulgate such regulations as he deems necessary to assure compliance with this section.

On page 21, line 7, after the word "Law" strike out "93-112) or under this Act." and insert "93-112)."; in line 18, after the word "Sec." strike out "10." and insert "9."; on page 22, in line 21, after the word "means" strike out "(A)"; in line 22, after the word "machines," insert "cafeterias."; in line 24, after the word "may" strike out "be" and insert "by"; on page 23, in line 2, after the word "blind" strike out "licensees, and (B) a cafeteria if, upon a demonstration by the State licensing agency, the Secretary determines that the inclusion of such a facility is feasible and that there is a program of training and supervision of blind licensees that will assure that development of the skills needed to operate such a facility" and insert "licensees."; after line 8, insert:

"(8) 'vending machine income' means receipts (other than those of a blind licensee) from vending machine operations on Federal property, after cost of goods sold, where the machines are operated, serviced, or maintained by, or with the approval of, a department, agency, or instrumentality of the United States, or commissions paid (other than to a blind licensee) by a commercial vending concern which operates, services, and maintains vending machines on Federal property for, or with the approval of, a department, agency, or instrumentality of the United States."

On page 23, in line 21, after the word "the" strike out "Division of" and insert "Office for"; on page 24, in line 14, after the word "the" strike out "Division of" and insert "Office for"; in line 19, after the word "give" strike out "special consideration" and insert "preference"; after line 19, insert:

(d) Section 4(b) of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended by striking out ", and at least 50 per centum of such additional personnel shall be blind persons".

ADDITIONAL STATE RESPONSIBILITIES

SEC. 10. In addition to other requirements imposed in this Act and in the Randolph-Sheppard Act upon State licensing agencies, such agencies shall—

(1) provide to each blind licensee access to all relevant financial data, including quarterly and annual financial reports, on the operation of the State vending facility program;

(2) conduct the biennial election of a Committee of Blind Vendors who shall be fully representative of all blind licensees in the State program, and

(3) insure that such committee's responsibilities include (A) participation, with the State agency, in major administrative decisions and policy and program development, (B) receiving grievances of blind licensees and serving as advocates for such licensees, (C) participation, with the State agency, in the development and administration of a transfer and promotion system for blind licensees, (D) participation, with the State agency, in developing training and retraining programs, and (E) sponsorship, with the assistance of the State agency, of meetings and instructional conferences for blind licensees.

STANDARDS, STUDIES, AND REPORTS

SEC. 11. (a) The Secretary, through the Commissioner after a period of study not to exceed six months following the date of enactment of this Act, and after full consultation with, and full consideration of this views of, blind vendors and State licensing agencies, shall promulgate national standards for funds set aside pursuant to section 3(3) of the Randolph-Sheppard Act which include maximum and minimum amounts for such funds, and appropriate contributions, if any, to such funds by blind vendors.

(b) (1) The Secretary shall study the feasibility and desirability of establishing a nationally administered retirement, pension, and health insurance system for blind licensees, and such study shall include, but not be limited to, consideration of eligibility standards, amounts and sources of contributions, number of potential participants, total costs, and alternative forms of administration, including trust funds and revolving funds.

(2) The Secretary shall, within one year following the date of enactment of this Act, complete the study required by paragraph (1) of this subsection and report his findings, together with any recommendations, to the President and the Congress.

(c) The Secretary shall, not later than September 30, 1975, complete an evaluation of the method of assigning vending machine income under section 7(b) (1) of the Randolph-Sheppard Act, including its effect on the growth of the program authorized by the Act, and on the operation of nonappropriated fund activities, and within thirty days thereafter he shall report his findings, together with any recommendations, to the appropriate committees of the Congress.

(d) Each State licensing agency shall, within one year following the date of enactment of this Act, submit to the Secretary a report, with appropriate supporting documentation, which shows the actions taken by such agency to meet the requirements of section 2(a) (1) of the Randolph-Sheppard Act.

AUDIT

SEC. 12. The Comptroller General is authorized to conduct regular and periodic audit of all nonappropriated fund activities which receive income from vending machines on Federal property, under such rules and regulations as he may prescribe. In the conduct of such audits he and his duly authorized representatives shall have access to any

relevant books, documents, papers, accounts, and records of such activities as he deems necessary.

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, That this Act may be cited as the "Randolph-Sheppard Act Amendments of 1974".

FINDINGS

SEC. 2. The Congress finds—

(1) after review of the operation of the blind vending stand program authorized under the Randolph-Sheppard Act of June 20, 1936, that the program has not developed, and has not been sustained, in the manner and spirit in which the Congress intended at the time of its enactment, and that, in fact, the growth of the program has been inhibited by a number of external forces;

(2) that the potential exists for doubling the number of blind operators on Federal and other property under the Randolph-Sheppard program within the next five years, provided the obstacles to growth are removed, that legislative and administrative means exist to remove such obstacles, and that Congress should adopt legislation to that end; and

(3) that at a minimum the following actions must be taken to insure the continued vitality and expansion of the Randolph-Sheppard program—

(A) establish uniformity of treatment of blind vendors by all Federal departments, agencies, and instrumentalities,

(B) establish guidelines for the operation of the program by State licensing agencies,

(C) require coordination among the several entities with responsibility for the program,

(D) establish a priority for vending facilities operated by blind vendors on Federal property,

(E) establish administrative and judicial procedures under which fair treatment of blind vendors, State licensing agencies, and the Federal Government is assured,

(F) require stronger administration and oversight functions in the Federal office carrying out the program, and

(G) accomplish other legislative and administrative objectives which will permit the Randolph-Sheppard program to flourish.

OPERATION OF VENDING FACILITIES ON FEDERAL PROPERTY

SEC. 3. The first section of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes" (hereafter referred to in this Act as the "Randolph-Sheppard Act"), approved June 20, 1936, as amended (20 U.S.C. 107), is amended by striking out all after the enacting clause and inserting in lieu thereof the following:

"That (a) for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting, blind persons licensed under the provision of this Act shall be authorized to operate vending facilities on any Federal property.

"(b) In authorizing the operation of vending facilities on Federal property, priority shall be given to blind persons licensed by a State agency as provided in this Act; and the Secretary, through the Commissioner, shall after consultation with the Administrator of General Services and other heads of departments, agencies, or instrumentalities of the United States in control of the maintenance, operation, and protection of Federal property, prescribe regulations designed to assure that—

"(1) the priority under this subsection is given to such licensed blind persons (includ-

ing assignment of vending machine income pursuant to section 7 of this Act to achieve and protect such priority), and

"(2) wherever feasible, one or more vending facilities are established on all Federal property, including, to the maximum extent feasible, vending facilities in the areas where employees work, to the extent that any such facility or facilities would not adversely affect the interests of the United States.

Any limitation on the placement or operation of a vending facility based on a finding that such placement or operation would adversely affect the interests of the United States shall be fully justified in writing to the Secretary, who shall determine whether such limitation is justified. A determination made by the Secretary pursuant to this provision shall be binding on any department, agency, or instrumentality of the United States affected by such determination. The Secretary shall publish such determination, along with supporting documentation, in the Federal Register."

FEDERAL AND STATE RESPONSIBILITIES

SEC. 4. (a) (1) Section 2(a) of the Randolph-Sheppard Act is amended by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively, and by inserting the following new paragraph (1):

"(1) Insure that the Rehabilitation Services Administration is the principal agency for carrying out this Act; and the Commissioner shall, within one hundred and eighty days after enactment of the Randolph-Sheppard Act Amendments of 1974, establish requirements for the uniform application of this Act by each State agency designated under paragraph (5) of this subsection, including appropriate accounting procedures, policies on the selection and establishment of new vending facilities, distribution of income to blind vendors, and the use and control of set-aside funds under section 3(3) of this Act;"

(2) Section 2(a) (2) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(2) Through the Commissioner, make annual surveys of concession vending opportunities for blind persons on Federal and other property in the United States, particularly with respect to Federal property under the control of the General Services Administration, the Department of Defense, and the United States Postal Service;"

(3) Section 2(a) (5) of such Act, as redesignated by paragraph (1) of this subsection, is amended—

(A) by striking out "commission" each place it appears and inserting in lieu thereof "agency";

(B) by striking out "and at least twenty-one years of age";

(C) by striking out "articles dispensed automatically or in containers or wrapping in which they are placed before receipt by the vending stand, and such other articles as may be approved for each property by the department or agency in control of the maintenance, operation, and protection thereof and the State licensing agency in accordance with the regulations prescribed pursuant to the first section" and inserting in lieu thereof the following: "foods, beverages, and other articles or services dispensed automatically or manually and prepared on or off the premises in accordance with all applicable health laws, as determined by the State licensing agency";

(D) by striking out "stands" and "stand" and inserting in lieu thereof "facilities" and "facility", respectively, and

(E) by striking out the colon and all matter following the colon, and inserting in lieu thereof; and"

(4) Section 2(a) (6) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(6) Through the Commissioner, (A) con-

duct periodic evaluations of the program authorized by this Act, including upward mobility and other training required by section 8, and annually submit to the appropriate committees of Congress a report based on such evaluations, and (B) take such other steps, including the issuance of such rules and regulations, as may be necessary or desirable in carrying out the provisions of this Act."

(b) Section 2(b) of such Act is amended—

(1) by striking out "stand" where it appears in the first and second sentences and inserting in lieu thereof "facility";

(2) by striking out "and have resided for at least one year in the State in which such stand is located"; and

(3) by striking out "but are able, in spite of such infirmity, to operate such stands".

(c) Section 2(c) of such Act is amended by striking out "stand" in both places in which it appears and inserting in lieu thereof "facility".

(d) Section 2 of such Act is further amended by adding at the end thereof the following new subsections:

"(d) (1) After June 30, 1974, no department, agency, or instrumentality of the United States shall undertake to acquire by ownership, rent, lease, or to otherwise occupy, in whole or in part, any building unless, after consultation with the Secretary and the State licensing agency, it is determined by the Secretary that (A) such building includes a satisfactory site or sites for the location and operation of a vending facility by a blind person, or (B) if a building is to be constructed, substantially altered, or renovated, or in the case of a building that is already occupied on such date by such department, agency, or instrumentality, is to be substantially altered or renovated for use by such department, agency, or instrumentality, the design for such construction, substantial alteration, or renovation includes a satisfactory site or sites for the location and operation of a vending facility by a blind person. Each such department, agency, or instrumentality shall provide notice to the appropriate State licensing agency of its plans for occupation, acquisition, renovation, or relocation of a building adequate to permit such State agency to determine whether such building includes a satisfactory site or sites for a vending facility.

"(2) The provisions of paragraph (1) shall not apply (A) when the Secretary and the State licensing agency determine that the number of people using the property is or will be insufficient to support a vending facility, or (B) to any privately owned building, any part of which is leased by any department, agency, or instrumentality of the United States and in which, (i) prior to the execution of such lease, the lessor or any of his tenants had in operation a restaurant or other food facility in a part of the building not included in such lease, and (ii) the operation of such a vending facility by a blind person would be in proximate and substantial direct competition with such restaurant or other food facility, except that each such department, agency, and instrumentality shall make every effort to lease property in privately owned buildings capable of accommodating a vending facility.

"(3) For the purposes of this subsection, the term 'satisfactory site' means an area determined by the Secretary to have sufficient space, electrical and plumbing outlets, and such other facilities as the Secretary may by regulation prescribe, for the location and operation of a vending facility by a blind person.

"(e) In any State having an approved plan for vocational rehabilitation pursuant to the Vocational Rehabilitation Act or the Rehabilitation Act of 1973 (Public Law 93-112), the State licensing agency designated under paragraph (5) of subsection (a) of this sec-

tion shall be the State agency designated under section 101(a)(1)(A) of such Rehabilitation Act of 1973."

DUTIES OF STATE LICENSING AGENCIES AND ARBITRATION

SEC. 5. (a) Section 3 of the Randolph-Sheppard Act is amended—

(1) by striking out "commission" and inserting in lieu thereof "agency";

(2) by striking out in paragraphs (2) and (3) "stand" and "stands" and inserting in lieu thereof "facility" and "facilities", respectively; and

(3) by striking out in paragraph (6) the word "stand" and inserting in lieu thereof "facility", and by inserting immediately before the period the following: ", and to agree to submit the grievances of any blind licensee not otherwise resolved by such hearing to arbitration as provided in section 5 of this Act".

(b) Section 3(3) of such Act is further amended by striking out "and" immediately before subparagraph (D) and by inserting immediately before the colon at the end of such subparagraph the following: "; and (E) retirement or pension funds, health insurance contributions, and provision for paid sick leave and vacation time, if it is determined by a majority vote of blind licensees licensed by such State agency, after such agency provides to each such licensee full information on all matters relevant to such proposed program, that funds under this paragraph shall be set aside for such purposes".

(c) Section 3(3) of such Act is further amended by inserting before the word "proceeds" in both places it appears the word "net".

REPEALS

Sec. 6. Sections 4 and 7 of the Randolph-Sheppard Act are repealed.

ARBITRATION; VENDING MACHINE INCOME; PERSONNEL; TRAINING

SEC. 7. The Randolph-Sheppard Act is further amended by redesignating sections 5, 6, and 8, as sections 4, 9, and 10, respectively, and by inserting immediately after section 4, as redesignated, the following new sections:

"Sec. 5. (a) Any blind licensee who is dissatisfied with any action arising from the operation or administration of the vending facility program may submit to a State licensing agency a request for a full evidentiary hearing, which shall be provided by such agency in accordance with section 3(6) of this Act. If such blind licensee is dissatisfied with any action taken or decision rendered as a result of such hearing, he may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"(b) Whenever any State licensing agency determines that any department, agency, or instrumentality of the United States that has control of the maintenance, operation, and protection of Federal property is failing to comply with the provisions of this Act or any regulations issued thereunder (including a limitation on the placement or operation of a vending facility as described in section 1(b) of this Act and the Secretary's determination thereon) such licensing agency may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"Sec. 6. (a) Upon receipt of a complaint filed under section 5 of this Act, the Secretary shall convene an ad hoc arbitration panel as provided in subsection (b). Such panel shall, in accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, give notice, conduct a

hearing, and render its decision which shall be subject to appeal and review as a final agency action for purposes of chapter 7 of such title 5.

"(b)(1) The arbitration panel convened by the Secretary to hear grievances of blind licensees shall be composed of three members appointed as follows:

"(A) one individual designated by the State licensing agency;

"(B) one individual designated by the blind licensee; and

"(C) one individual, not employed by the State licensing agency or, where appropriate, its parent agency, who shall serve as chairman, jointly designated by the members appointed under subparagraphs (A) and (B). If any party fails to designate a member under subparagraph (1) (A), (B), or (C), the Secretary shall designate such member on behalf of such party.

"(2) The arbitration panel convened by the Secretary to hear complaints filed by a State licensing agency shall be composed of three members appointed as follows:

"(A) one individual, designated by the State licensing agency;

"(B) one individual, designated by the head of the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose; and

"(C) one individual, not employed by the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose, who shall serve as chairman, jointly designated by the members appointed under subparagraphs (A) and (B). If any party fails to designate a member under paragraph (2) (A), (B), or (C), the Secretary shall designate such member on behalf of such party. If the panel appointed pursuant to paragraph (2) finds that the acts or practices of any such department, agency, or instrumentality are in violation of this Act, or any regulation issued thereunder, the head of any such department, agency, or instrumentality shall cause such acts or practices to be terminated promptly and shall take such other action as may be necessary to carry out the decision of the panel.

"(c) The decisions of a panel convened by the Secretary pursuant to this section shall be matters of public record and shall be published in the Federal Register.

"(d) The Secretary shall pay all reasonable costs of arbitration under this section in accordance with a schedule of fees and expenses he shall publish in the Federal Register.

"Sec. 7. (a) In accordance with the provisions of subsection (b) of this section, vending machine income obtained from the operation of vending machines on Federal property shall accrue (1) to the blind licensee operating a vending facility on such property, or (2) in the event there is no blind licensee operating such facility on such property, to the State agency in whose State the Federal property is located, for the uses designated in subsection (c) of this section, except that with respect to income which accrues under clause (1) of this subsection, the Commissioner may prescribe regulations imposing a ceiling on income from such vending machines for an individual blind licensee. In the event such a ceiling is imposed, no blind licensee shall receive less vending machine income under such ceiling than he was receiving on January 1, 1974. No limitation shall be imposed on income from vending machines, combined to create a vending facility, which are maintained, serviced, or operated by a blind licensee. Any amounts received by a blind licensee that are in excess of the amount permitted to accrue to him under any ceiling imposed by the Commissioner shall be disbursed to the appropriate State agency under clause (2) of this subsection and shall be used by such agency in accordance with subsection (c) of this section.

"(b)(1) After June 30, 1974, 100 per centum of all vending machine income from vending machines on Federal property which are in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section. 'Direct competition' as used in this section means the existence of any vending machines or facilities operated on the same premises as a blind vending facility except that vending machines or facilities operated in areas serving employees the majority of whom do not have access to the blind vending facility shall not be considered in direct competition with the blind vending facility. After June 30, 1974, 50 per centum of all vending machine income from vending machines on Federal property which are not in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section, except that with respect to Federal property at which at least 50 per centum of the total hours worked on the premises occurs during periods other than normal working hours, 25 per centum of such income shall so accrue.

"(2) Any vending machine income remaining after assignment pursuant to subsection (a) and (b)(1) of this section shall be used for such purposes as determined by regulations of the Secretary, who shall consider the views of the head of the department, agency, or instrumentality upon whose premises the machines are located, as well as those of any groups or organizations which may be affected by such regulations. No new vending machines or replacements for existing vending machines may be installed on Federal property unless all income from such machines shall accrue as specified in subsection (a) of this section. The head of each department, agency, and instrumentality of the United States shall insure compliance with this section with respect to buildings, installations, and facilities under his control, and shall be responsible for collection of, and accounting for, such vending machine income.

"(c) All vending machine income which accrues to a State licensing agency pursuant to subsection (a) of this section shall be used to establish retirement or pension plans, for health insurance contributions, and for provision of paid sick leave and vacation time for blind licensees in such State, subject to a vote of blind licensees as provided under section 3(3)(E) of this Act. Any vending machine income remaining after application of the first sentence of this subsection shall be used for the purposes specified in sections 3(3)(A), (B), (C), and (D) of this Act, and any assessment charged to blind licensees by a State licensing agency shall be reduced pro rata in an amount equal to the total of such remaining vending machine income.

"(d) Subsections (a) and (b)(1) of this section shall not apply to income from vending machines within retail sales outlets under the control of exchange or ships' stores systems authorized by title 10, United States Code, or to income from vending machines operated by the Veterans Canteen Service, or to income from vending machines not in direct competition with a blind vending facility at individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations, or facilities does not exceed \$3,000 annually.

"(e) In the event that a blind vending facility includes the operation of a cafeteria, the contract for the operation of such cafeteria shall specify that it shall be operated at a reasonable cost consistent with a fair return, high quality food, and reasonable prices.

"(f) This section shall not operate to preclude preexisting or future arrangements, or regulations of departments, agencies, or instrumentalities of the United States, under which blind licensees (1) receive a greater percentage or amount of vending machine in-

come than that specified in subsection (b) (1) of this section, or (2) receive vending machine income from individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations, or facilities does not exceed \$3,000 annually.

"(g) The Secretary shall take such action and promulgate such regulations as he deems necessary to assure compliance with this section.

"Sec. 8. The Commissioner shall insure, through promulgation of appropriate regulations, that uniform and effective training programs, including on-the-job training, are provided for blind individuals, through services under the Rehabilitation Act of 1973 (Public Law 93-112). He shall further insure that State agencies provide programs for upward mobility (including further education and additional training or retraining for improved work opportunities) for all trainees under this Act, and that follow-along services are provided to such trainees to assure that their maximum vocational potential is achieved."

DEFINITIONS

SEC. 8. Section 9 of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended to read as follows:

"Sec. 9. As used in this Act—

"(1) 'blind person' means a person whose central visual acuity does not exceed 20/200, in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees. In determining whether an individual is blind, there shall be an examination by a physician skilled in diseases of the eye, or by an optometrist, whichever the individual shall select;

"(2) 'Commissioner' means the Commissioner of the Rehabilitation Services Administration;

"(3) 'Federal property' means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States (including the Department of Defense and the United States Postal Service), or any other instrumentality wholly owned by the United States, or by any department or agency of the District of Columbia or any territory or possession of the United States;

"(4) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(5) 'State' means a State, territory, possession, Puerto Rico, or the District of Columbia;

"(6) 'United States' includes the several States, territories, and possessions of the United States, and the District of Columbia;

"(7) 'vending facility' means automatic vending machines, cafeterias, snack bars, cart service, shelters, counters, and such other appropriate auxiliary equipment as the Secretary may by regulation prescribe as being necessary for the sale of the articles or services described in section 2(a)(5) of this Act and which may be operated by blind licensees; and

"(8) 'vending machine income' means receipts (other than those of a blind licensee) from vending machine operations on Federal property, after cost of goods sold, where the machines are operated, serviced, or maintained by, or with the approval of, a department, agency, or instrumentality of the United States, or commissions paid (other than to a blind licensee) by a commercial vending concern which operates, services, and maintains vending machines on Federal property for, or with the approval of, a department, agency, or instrumentality of the United States."

PERSONNEL

SEC. 9. (a) The Secretary of Health, Education, and Welfare is directed to assign to

the Office for the Blind and Visually Handicapped of the Rehabilitation Services Administration of the Department of Health, Education, and Welfare ten additional full-time personnel (or their equivalent), five of whom shall be supportive personnel, to carry out duties related to the administration of the Randolph-Sheppard Act.

(b) Section 5108(c) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (10);

(2) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (11) the following new paragraph:

"(12) the Secretary of Health, Education, and Welfare, subject to the standards and procedures prescribed by this chapter, may place one additional position in the Office for the Blind and Visually Handicapped of the Rehabilitation Services Administration in GS-16, GS-17, or GS-18."

(c) In selecting personnel to fill any position under this section, the Secretary of Health, Education, and Welfare shall give preference to blind individuals.

(d) Section 4(b) of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended by striking out ", and at least 50 per centum of such additional personnel shall be blind persons".

ADDITIONAL STATE RESPONSIBILITIES

SEC. 10. In addition to other requirements imposed in this Act and in the Randolph-Sheppard Act upon State licensing agencies, such agencies shall—

(1) provide to each blind licensee access to all relevant financial data, including quarterly and annual financial reports, on the operation of the State vending facility program;

(2) conduct the biennial election of a Committee of Blind Vendors who shall be fully representative of all blind licensees in the State program, and

(3) insure that such committee's responsibilities include (A) participation, with the State agency, in major administrative decisions and policy and program development, (B) receiving grievances of blind licensees and serving as advocates for such licensees, (C) participation, with the State agency, in the development and administration of a transfer and promotion system for blind licensees, (D) participation, with the State agency, in developing training and retraining programs, and (E) sponsorship with the assistance of the State agency, of meetings and instructional conferences for blind licensees.

STANDARDS, STUDIES, AND REPORTS

SEC. 11. (a) The Secretary, through the Commissioner after a period of study not to exceed six months following the date of enactment of this Act, and after full consultation with, and full consideration of the views of, blind vendors and State licensing agencies, shall promulgate national standards for funds set aside pursuant to section 3(3) of the Randolph-Sheppard Act which include maximum and minimum amounts for such funds, and appropriate contributions, if any, to such funds by blind vendors.

(b) (1) The Secretary shall study the feasibility and desirability of establishing a nationally administered retirement, pension, and health insurance system for blind licensees, and such study shall include, but not be limited to, consideration of eligibility standards, amounts and sources of contributions, number of potential participants, total costs, and alternative forms of administration, including trust funds and revolving funds.

(2) The Secretary shall, within one year following the date of enactment of this Act, complete the study required by paragraph (1) of this subsection and report his find-

ings, together with any recommendations, to the President and the Congress.

(c) The Secretary shall, not later than September 30, 1975, complete an evaluation of the method of assigning vending machine income under section 7(b)(1) of the Randolph-Sheppard Act, including its effect on the growth of the program authorized by the Act, and on the operation of nonappropriated fund activities, and within thirty days thereafter he shall report his findings, together with any recommendations, to the appropriate committees of the Congress.

(d) Each State licensing agency shall, within one year following the date of enactment of this Act, submit to the Secretary a report, with appropriate supporting documentation, which shows the actions taken by such agency to meet the requirements of section 2(a)(1) of the Randolph-Sheppard Act.

AUDIT

SEC. 12. The Comptroller General is authorized to conduct regular and periodic audits of all nonappropriated fund activities which receive income from vending machines on Federal property, under such rules and regulations as he may prescribe. In the conduct of such audits he and his duly authorized representatives shall have access to any relevant books, documents, papers, accounts, and records of such activities as he deems necessary.

The ACTING PRESIDENT pro tempore. The time for debate on this bill is limited to 15 minutes, to be equally divided between and controlled by the majority and minority leaders, with 15 minutes on any amendments, debatable motion, or appeals.

Who yields time?

Mr. RANDOLPH. I yield myself 5 minutes.

Mr. President, I ask unanimous consent that the following members of the staff of the Committee on Labor and Public Welfare be granted the privilege of the floor during the consideration and the vote on S. 2581: Robert Humphreys, Michael Francis, Lisa Walker, Traer Sunley, Roy Millenson, and Eleanor Parker.

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

Mr. RANDOLPH. Mr. President, this is a very special day for me. With the Senate's consideration of S. 2581, the Randolph-Sheppard Act Amendments of 1974, an expansion of the blind vendor program is one step closer to realization. More than that, however, this day has more than ordinary sentimental significance, for it was on this day, 38 years ago, that the original Blind Vendor's Act, which I had the great honor and privilege to sponsor, became law.

It was exactly 5 years ago to the day that I introduced in the 91st Congress my first bill to amend the Blind Vendor Act, S. 2461. I believe that S. 2581, the third in a series of my bills to modernize and improve that act, can and will become law substantially in its present form.

This measure would amend the Randolph-Sheppard Act, which was signed into law on June 20, 1936, by the then President of the United States, Franklin D. Roosevelt. I was a Member of the House at that time. I was joined in the sponsorship of this legislation by the former Member of the U.S. Senate from Texas, Morris Sheppard.

We believed then—and Congress approved that measure—that we had not only the opportunity but also, in a sense, a very real responsibility to help the blind persons who formed a splendid segment of our society, to help them not by handouts, per se, but to help them to help themselves. And so the blind vendor program came into being.

Today, we are hopeful that we will accelerate that program. There are approximately 3,600 blind persons in the United States of America who are self-supporting participants in this program. They are not on relief or charity.

I am not attempting to speak against welfare programs. There are those who are elderly, and those who cannot work, who need this assistance for which I and other Members of the Congress have voted repeatedly. In a sense, as I look back 38 years, I recall that the President of the United States was a man for humanity. Congress had acted in giving these blind persons the opportunity not to retire into the shadows of life, but to come out, Mr. President, into the mainstream of the marketplace, as they have been doing through the years.

As I have indicated, it was 5 years ago to the day that I introduced in the 91st Congress my first bill to amend the Blind Vendor Act, S. 2461.

It is our belief, Mr. President, that in the pending measure, the third in a series of the bills on this subject to which I have attached my interest, which now comes before the Senate of the United States, this subject has received the most careful attention in our Subcommittee on the Handicapped of the Labor and Public Welfare Committee, and I hope it will be passed as reported from the full committee to the Senate.

Mr. President, this is a good bill, a bill that has not only compassion in it, for that is not enough: for when legislation is passed, it must have a validity, and there is a validity which has been written into this measure.

The ACTING PRESIDENT pro tempore. The Senator's 5 minutes have expired.

Mr. RANDOLPH. Mr. President, I yield myself the remainder of my time.

There are 40 sponsors of this measure. These sponsors come from both sides of the Chamber, both political parties. Their personal philosophies, interests, and ideologies are, in microcosm, as varied as those of America itself.

I think that it is important to indicate that those who joined in this effort are interested in continuing the program, but, more important, to expand the program so that thousands of blind persons can operate the vending facilities not only in the Federal buildings and other property of the United States, but can also continue in the other political subdivisions, in the States, the counties, and the local communities to have these facilities in operation.

When I introduced S. 2581 on October 13 of last year, I made this observation:

[It was my belief in 1969 that amendments were needed to protect blind vendors and improve the Randolph-Sheppard program. Today . . . I am more convinced that action is urgently needed. We must prevent

erosion of the program and erosion of blind vendors' income, and improve and expand opportunities for meaningful employment of blind individuals.

This statement provides the reasoning behind each and every provision in the pending measure—prevention of the erosion of the program, prevention of the erosion of blind vendors' income, and expansion and improvement of employment for blind people.

Today I am more convinced that action is presently needed. We must prevent erosion of the program and improve and expand opportunities for meaningful employment of blind individuals.

That reasoning, which I believe is sound, is written into each and every provision of the measure before us. We need to prevent the erosion of this effort, and to prevent the erosion of the blind vendors' income. We need, of course, to provide an opportunity for improvement, and not only improvement in the program and the facilities, but also improvement in the level of employment of our blind.

The ACTING PRESIDENT pro tempore. The Senator's time on the bill has expired.

Mr. GRIFFIN. Mr. President, if I may be recognized, I wish to yield whatever time is available on this side to the distinguished Senator from West Virginia, who has provided such outstanding leadership with regard to this particular legislation.

The ACTING PRESIDENT pro tempore. The Senator will, therefore, have another 7½ minutes.

Mr. RANDOLPH. Mr. President, I am appreciative of the generosity of my colleague, the minority whip. I know that he has supported this program. I want to mention that he is a cosponsor of S. 2581.

The measure comes from our Labor and Public Welfare Committee with the stamp, as I indicated, of the membership of both parties.

The fact is that the Randolph-Sheppard program, in the Federal sector, is being eroded. Between 1971 and 1973 the number of blind vending stands on Federal property declined by seven—from 881 to 874. During the same 3-year period, the number of blind vending stands on State, local, and private property increased by 172—from 2,261 to 2,433. It is ironic that the Randolph-Sheppard program, which was conceived to be a Federal program in federally controlled buildings, and was so created by act of Congress, has turned out to be considerably more successful as a non-Federal program, on property that is not federally controlled.

It is also a fact that blind vendors' incomes are being eroded. It is true that average annual incomes have increased over the years. At the end of fiscal year 1973 the average blind vendor was earning \$7,428, a 6.2-percent improvement over the previous year. But this statistic does not tell the whole story. Blind vendors are competed against by automatic vending machines and minority business enterprises and federally controlled cafeteria operations. They pay income taxes and are assessed as much as 10 percent of their gross income by State

licensing agencies which run the vendor programs. They attempt, through judicial process, to diminish the competition that goes against the grain of the Randolph-Sheppard Act, or they seek to redress other grievances, and are told they have no standing to sue.

It is appropriate to quote again from the statement on the introduction of S. 2581, now before us. I think these words are applicable today, as they were 8 months ago.

How much time, Mr. President, do I have?

The ACTING PRESIDENT pro tempore. The Senator has 3 minutes remaining.

Mr. RANDOLPH (continuing):

The blind vendors have met with obstacles each torturous step of the way. They find a General Services Administration which proposes regulations to reduce the kinds of articles they can sell in Government buildings. They find competition from Federal employee welfare and recreation associations which operate their own vending machines. They find military post commanders who are unwilling to consider blind vendor sites at their installations. They find the implementation of an Executive Order which results in the placement of a minority business enterprise in competition with a blind vendor on the same Federal property. They even find, Mr. President, if reports are true—and this is difficult to conceive—that an employee association at a major Federal space installation demanded that blind vendors give 10 percent of their profits to the employee association.

The need for the blind vendor program is too great to permit these obstacles to continue. It was said in 1962 that there were at least 40,000 blind persons who could be trained to operate vending facilities. There is no current estimate available, but there is no reason to believe that this level has diminished. Some 2,000 blind young people are graduating from high school each year. There are at least 500 Vietnam veterans who were blinded in the service. Administration officials have testified that the number of blind vendors in the program could be doubled from their present level of 3,636 within a 5-year period.

I want my colleagues to consider these statistics not as cold numbers, but in terms of their human impact. Forty thousand trainable blind people, without jobs, without independence, living a day-to-day existence, probably on welfare. Five hundred veterans who have sacrificed their eyes in their country's service. Two thousand youngsters, bright with hope, seeking against odds to "make it" in today's world.

A Federal program, proven in its success over 38 years, which can help uplift thousands from situations of dependence and drains on the tax rolls to lives of fulfillment, success, dignity, and contribution.

Let us review some examples of existing conditions which give more than ample justification to the provisions of S. 2581, the pending measure. The data related to these conditions are derived from a report to the Subcommittee on the Handicapped, which I chair, by the Comptroller General of the United States. That report, the information

from which formed the basis for a number of the provisions of S. 2581, shows, for example, that on 7 military installations examined by the General Accounting Office, 4 vending stands were controlled by blind persons, while 52 such stands were operated by those other than the blind. Perhaps more alarming, the blind controlled no vending machines, but nonblind persons controlled 5,984 such machines. These few statistics give eloquent testimony to some of the massive problems faced by the blind vendor program, as well as the institutional resistance of Federal agencies to fully accepting the Randolph-Sheppard program.

The Department of Health, Education, and Welfare has been disappointing in its lack of emphasis on the program. As the Comptroller General's report states:

Officials estimated that less than 2 man-years of professional staff time was spent on administering the program in the headquarters office during fiscal year 1972 at a cost of \$45,000 to \$50,000. No significant increases in money or staff are expected any time soon. Officials could not estimate regional office efforts but believed they were minimal.

Although I do not favor an unnecessarily large bureaucratic establishment in the Federal Government, I do believe the blind vendor program deserves considerably more consideration than has been given it by the Department of HEW. It is no wonder that little guidance to the States in the administration of their programs has been provided by the Federal Government.

Blind vendors operate 228 stands on Postal Service property. The survey of the Comptroller General found that employee associations are controlling nearly all the vending machines at each postal facility that were not part of a vending stand. In the Postal Service facilities reviewed, about \$87,000 derived from vending machines was assigned to blind vendors, while the postal employee associations retained about \$1,592,000 for recreation, trophies, parties, gifts, public address systems, and other remembrances for employees and their relatives.

The limited survey of other Federal agency operations shows a better performance than has been exhibited by the Defense Department and the Postal Service. Of the General Services Administration, National Institutes of Health, and District of Columbia buildings reviewed, blind vendors controlled 35 stands and 279 vending machines, while others controlled 18 stands and 393 machines.

The Atomic Energy Commission awarded a \$4 million contract to a minority business for the supply and operation of vending concessions at plants under the Commission's jurisdiction. The Commission's regulations give clear preference to blind vendors. Notwithstanding these regulations, Commission officials did not deem these concession operations by blind persons to be feasible.

I wanted to give my colleagues some flavor of the problems encountered by blind vendors and their program. To revitalize and expand this program, we

have in S. 2581 provided these major changes to the law:

A priority for the operation of vending facilities by blind vendors on Federal property, and the establishment of such facilities on all such property to the extent feasible;

Satisfactory sites to be provided for such blind-operated facilities in all buildings owned, renovated, leased, or otherwise occupied by Federal agencies, to the extent feasible;

A requirement that overall authority over, evaluation of, and standards for, the program be placed in the Secretary of HEW and the Commissioner of the Rehabilitation Services Administration;

Arbitration and judicial review of blind vendor and State agency grievances;

Assignment to blind vendors and State licensing agencies of a portion of all vending machine income derived from machines on Federal property; and

Improved training and retraining programs for blind individuals and increased administrative personnel in the Federal Government to strengthen the program.

To conclude, Mr. President, I would like to quote a paragraph from Senate Report No. 93-937, the report of the Committee on Labor and Public Welfare on S. 2581:

The Committee regards the Randolph-Sheppard Act as one of the most practical and effective employment opportunity programs ever enacted by Congress. Blind vendors return in taxes and economic activity far in excess of the initial small investment required to establish their business operations. The ramifications of this program for the blind vendor, his family, his community, and the nation go far beyond the payment of taxes, however. The dignity and pride engendered by the development of skills and entrepreneurial ability represent the finest example of a healthy, vigorous, compassionate society combined with the true expression of an American ideal—self-respect, independence, and meaningful contribution to that society. The alternative faced by many blind people would also, without the existence of this program, be the fate of those who are vendors under the Randolph-Sheppard Act—a marginal existence on welfare, a life without hope or joy, a burdensome, stultifying dependence.

I urge my colleagues to join with me in supporting this most desirable and necessary legislation—desirable because it provides new opportunities for blind people in an expanded Randolph-Sheppard program, and necessary because it stops the erosion of the program which so deeply concerns me and the other members of the Committee on Labor and Public Welfare.

Discussion of S. 2581 would not be complete without mentioning the diligent efforts of the able ranking minority member of the Subcommittee on the Handicapped, Senator STAFFORD, in helping me to bring this important measure to the Senate. His knowledge and dedication to the principles of the blind vendor program have been most valuable. The views of, and assistance provided by, the able chairman of the full committee, Mr. WILLIAMS, and the valued counsel of the able ranking minority member of the full committee, Mr. JAVITS, are also worthy of mention.

Mr. HARTKE. Mr. President, I am hopeful that the intentions of the Randolph-Sheppard Act amendments of 1974 will pass through the Congress and be signed by the President into law. The benefits that will accrue to the blind people of our country are necessary and proper and will increase the productivity of a forgotten segment of our society.

On March 2, 1974, I introduced amendment No. 1045 to S. 3581 which would have provided for the retention of moneys received from vending machines by employees in areas exclusively away from use by the public. My amendment would not have significantly changed the character of the bill.

The moneys which the various departments in the Federal Government receive from the vending machines used exclusively by employees are not sizable; and are used for the purchase of flowers in times of sorrow, for scholarships for a deserving student, and to brighten the day of the employees with other charitable contributions.

The few moneys received by the employees from the vending machines are not used for personal enrichment of any of the employees, but for the common good and morale of the employees.

We should not be too eager to take away the few resources from a worthwhile purpose. We should make more facilities and moneys available to the blind people of our country, but not at the expense of other worthwhile charitable endeavors.

I have consistently supported the blind people of this country in their struggle for individuality and self-determination. They do not ask for very much from their Government or other people. They only want to determine the direction of their existence without constant outside interference. I believe the blind people of America now have a chance for self-determination and independence. The bill reported by the committee, and being considered by the Senate, has attempted to weigh the interests of the blind with the interests of the employees. However, the employees will still be prohibited from their determination of charitable contributions. We in the Government should not rob Peter to pay Paul.

Mr. RANDOLPH. I want to assure the Senator from Indiana that I am aware of past efforts he has made on behalf of blind individuals. I know that he shares with me a deep interest in improving living and working conditions for this important segment of our handicapped population.

The Senator from Indiana is correct in his understanding that the pending measure goes a long way toward meeting the objections of the postal employees, while at the same time permitting a major improvement and expansion in opportunities for the employment of blind vendors.

RANDOLPH-SHEPPARD ACT AMENDMENTS

Mr. DOLE. Mr. President, I rise to express my support for S. 2581 which strengthens and improves the Randolph-Sheppard Act, one of the most successful and important Federal programs for the blind in America.

As a cosponsor of S. 2581 and one who believes very strongly in the act's philosophy and goals, I urge that the Senate give this legislation the firm vote of support and approval which it so richly deserves.

The blind have always been a group with unique potential in our society. Time and again, they have demonstrated the fact that their handicap can be overcome. They have shown themselves capable of almost any success which human energy can achieve—in the professions, the arts and in the business world.

Some do so on the basis of sheer individual willpower and determination. And in any group there will always be those who can go it alone, without a helping hand, to make their mark in society.

ASSISTANCE CAN BE CRUCIAL

But, millions of others who are blind have found that a helping hand makes all the difference in the world. It may be the hand of a teacher, a counselor, or a vocational therapist. It may be the opportunity to have a guide dog or to have access to a Braille Library. These hands reach out from many sources and help in many ways.

Many years ago, it was recognized that Government could extend a very strong and effective hand of assistance to the blind. And over the years a large number of special Government efforts have been made. One of these, which originated in 1936, was the law which sought to provide expanded business opportunities to the blind in the operation of vending facilities on Federal property.

FEDERAL PROGRAM IN 1936

This law, known as the Randolph-Sheppard Act, was designed to open an especially attractive field of small business opportunities for the blind. Preference was established for blind persons—wherever feasible—for operating vending facilities in the thousands of Federal installations—both military and civilian—throughout the country.

When enacted back in 1936, this was a meaningful assistance to the blind. It provided opportunities, not handouts, and this is the most effective approach from any point of view.

Over the years the program functioned rather effectively and without a great deal of publicity.

MEASURE OF ACHIEVEMENT

A measure of the program's impact over the last 20 years can be seen in the following figures:

The number of blind-vendor operations has grown from some 1,500 to more than 3,200.

Annual sales have grown 500 percent to nearly \$110 million.

Average yearly net earnings have risen from \$2,200 to almost \$7,000 for each stand.

These are good figures, and they represent more than 3,500 blind men and women who as the operators of small businesses are providing valuable services earning a livelihood, paying taxes, and otherwise participating in the mainstream of our country's economic structure.

RECENT STUDY SHOWS PROBLEMS

But as the Federal Government has grown since 1936 the vending operations in Federal buildings and on Federal facilities have grown significantly.

Inevitably, competition has arisen for the vending business. And as this competition has developed the blind have faced an erosion of their opportunities.

Recently, the General Accounting Office conducted a survey of the act's effectiveness. The disclosures were disturbing.

Basically, I think the findings could be characterized as showing that the program's administration has become lax and inconsistent. Enforcement has not been vigorous. And consequently, the blind have not received the full benefits of the program.

NEED TO STRENGTHEN PROGRAM

I believe the report discloses a need to strengthen this national policy as assisting the blind and providing them with well-deserved opportunities to succeed.

Therefore, I have joined with the distinguished Senator from West Virginia (Mr. RANDOLPH) in sponsoring this legislation in the Senate to make the program more effective and to strengthen the policy behind it.

PRIORITY FOR BLIND ESTABLISHED

Basically, the bill establishes a clear-cut and specific priority—not merely a preference—for blind vendors. It backs up that priority with regulations to insure that the priority is given full force and effect.

A number of additional changes are made to tighten up the program, eliminate inconsistencies, and place clear responsibility for Federal supervision within the Rehabilitation Services Administration.

CONSTRUCTIVE APPROACH

I believe this bill represents a constructive and positive approach to improving an important Federal policy. It meets a clear need to improve upon a well-established program. It expands opportunities, not expenditures. And it could not be directed toward any more productive or worthwhile end.

And there is clearly the potential for expanding the program's effectiveness.

MANY COULD BENEFIT

More than a decade ago it was estimated that there were at least 40,000 blind persons who could successfully participate in the vending program. Today, some 6,000 blind students are in high school throughout the country—more than 500 Vietnam veterans were blinded during the war.

These people do not need handouts. They do not want to become welfare cases. All they need is the chance to make a go of it on their own and to earn their own way.

Hopefully, the legislation before us today—by strengthening this Federal policy and program for the blind—will make the realization of those ambitions possible.

Mr. JAVITS. Mr. President, on page 27 of the conference report, it is noted that SX-2581, the Randolph-Sheppard Act Amendments of 1974, require "no new authorization of appropriations."

The fact that this is a no cost bill does not mean, however, that it is a no value bill. Since the enactment of the Randolph-Sheppard Act in 1936, thousands of blind persons have been enabled to own and conduct their own small businesses—vending stands in Government buildings—and be self-supporting. Even more important, the Randolph-Sheppard Act has enabled them to retain their dignity and pride.

By extending and expanding the Randolph-Sheppard Act we are continuing and strengthening the effort commenced almost 40 years ago by the distinguished chairman of the subcommittee on the handicapped, JENNINGS RANDOLPH, who in 1936 as a Member of the House joined with Senator Sheppard of Texas in the first Randolph-Sheppard Act. It is heartening that Senator RANDOLPH has maintained over the years his lively interest in the problems of the blind and the legislation before us is evidence of the verve and vigor with which he has pursued this battle.

Mr. President, I urge passage of S. 2581.

Mr. METCALF. Mr. President, in connection with the Senate's consideration today of S. 2581, a bill to amend the Randolph-Sheppard Act to more effectively promote the welfare of blind vendors, I would like to call to the attention of the Senate the testimony of Vincent L. Connery, president of the National Treasury Employees Union, before the Senate Committee on Labor and Public Welfare, Subcommittee on the Handicapped, supporting this measure.

I strongly support this bill and wish to make a special note of this professional and expert testimony for the benefit of the Senate.

There being no objection, I ask unanimous consent that this testimony be included in the RECORD at this point.

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

My name is Vincent L. Connery. I am President of the National Treasury Employees Union, formerly known as the National Association of Internal Revenue Employees. NTEU is the exclusive representative of more than 80 percent of those Treasury Department employees who are eligible to be represented by a union.

We represent more General Schedule employees in a single Department than does any other Federal employee union. NTEU is also a member of the Coalition of American Public Employees, an organization composed of the National Education Association, the American Federation of State, County, and Municipal Employees, the International Association of Fire Fighters, and ourselves. Together, the member unions of the Coalition represent over 175,000 Federal employees and four million public employees.

Two years ago, we sat before this Subcommittee and expressed our unequivocal support for legislation which would prevent the erosion of one of the most meaningful programs that Congress has ever enacted for enabling blind persons to become self-supporting citizens. Our firm belief in the necessity for legislation to strengthen the Randolph-Sheppard Act has, if anything, heightened with the passage of time. Today, we are more convinced than ever of the need for enactment of a bill which would markedly improve employment opportunities for the visually handicapped.

In 1936, with the passage of the Randolph-Sheppard Act, Congress determined that the blind should be given preference in the establishment of vending stands and created a program for achieving this goal. Since the inception of the Randolph-Sheppard program, the number of blind employed as operators has risen to 3,583 men and women working in more than 3,000 vending stands throughout the country. Because of the Randolph-Sheppard program people who otherwise would have been confined to permanent unemployment are able to earn a living for themselves and their families. Literally thousands of blind persons have been able to gain dignity and self-satisfaction in a life which could have been filled with emptiness and frustration.

Yet, despite the laudatory purpose of the Randolph-Sheppard program and its proven effectiveness as a source of gainful employment for the blind, the record of the Federal government has been woefully remiss. At the end of fiscal year 1972 there were only 878 vending stands operated by blind vendors on Federal property—three fewer than at the beginning of that same year. As Senator Randolph pointed out in a background statement accompanying the introduction of S. 2581 on October 13, 1973, "Increases in the total number of vendors and stands has resulted from active State, local, and private industry placement of blind vendors, not from action from the Federal government."

Our Federal government, which should provide the leadership in such a noble effort, has, all too often, spurned the visually handicapped and deprived them of even the opportunity to become self-sufficient. For all the concern expressed over increasing welfare rolls and the urgency of finding jobs for the handicapped, the Federal government has done little to promote employment for the blind under the Randolph-Sheppard program. In many instances, blind vendors have been excluded from Federal buildings. In others, the areas in which they are permitted to locate stands have been greatly restricted and they have been forbidden from selling many items.

In its "Review of Vending Operations on Federally Controlled Property," the General Accounting Office vividly underscored the problem. Without belaboring this Subcommittee with a statistical repetition of the GAO report, we think it important to note a few of its salient facts and observations. In the portion of its review dealing with the Department of Defense, the GAO observed that while vending operations on property controlled by the Defense Department are extensive, "blind vendors are limited at some locations, and other locations have none at all. This has occurred because DOD implements regulations in a way which supports and encourages vending operations that benefit the recreation and welfare of military and civilian personnel and gives little consideration for the blind."

To further dramatize the extent to which blind vendors have been excluded from Defense Department installations, the GAO reported that the annual gross sales from vending operations at the seven locations it visited were over \$12.8 million. Of this amount, blind vendors' gross receipts were about \$230,600, while various nonappropriated fund organizations, including employee welfare associations, had gross sales of \$9.3 million. In addition, these organizations earned \$900,000 in commissions from vending machines to bring their total gross receipts to \$10.2 million. Commercial vending concerns had gross sales of \$9.3 million. In effect, at the installations surveyed by the GAO, blind vendors received less than 2 percent of the gross receipts from vending operations.

Turning to postal service facilities, the GAO explained that "although blind vendors

operate stands in some post office lobbies, most vending operations at postal facilities are located in or near work areas, and are controlled by employee welfare organizations. . . . In addition, postal officials have interpreted Postal Service regulations in a manner that has not been advantageous to the blind, and regulations on assigning vending machine income to blind vendors have not been applied consistently."

In its survey of 291 major postal facilities, the GAO found that employee associations, which are sponsored in large part by AFL-CIO unions, were "controlling one vending stand and 2,873 vending machines." Blind vendors were operating 68 vending stands at these locations. Although blind persons were operating many more vending stands than the employee welfare associations, the associations were controlling nearly all the vending machines at each postal facility that were not part of a vending stand.

Employee welfare associations at these facilities had annual gross receipts of \$2.8 million, of which approximately \$1.6 million represented net income. The largest single use of this income, the GAO noted, is \$646,904 for "recreation and trophy costs." Most of the remainder was spent for "parties, gifts, remembrances, coffee, and turkeys." A mere \$86,801, only five percent of the total income, was assigned to blind vendors.

With regard to other non-postal Federal installations, the GAO stated that "although the blind-vendor program operated under generally favorable circumstances . . . some activities compete with the blind for vending machine income as an inducement to "maintain good cafeteria service" and minority business enterprises have been permitted, under Executive Order 11625, to operate vending facilities which divert revenue from the blind-operated stands. To a lesser degree, employee welfare organizations are also competing with the blind for vending stand income.

Of course, as a Federal employee union, NTEU supports all responsible efforts to insure the best possible food service at the lowest available price for Federal workers. We also believe that the Federal government should foster and promote minority business enterprises to a much larger extent than it has in the past. But we do not approve of a government policy which can only be interpreted as "robbing Peter to pay Paul." We are convinced that better cafeteria service can be attained and that minority businesses can be established on Federal property without depriving the blind of job opportunities that Congress sought to provide them more than 37 years ago.

What we cannot countenance, however, are the activities of the Federal and postal employee welfare organizations which, because of their greed, have seriously hampered the blind in their efforts to secure gainful employment. We never have nor will we ever seek to limit the employment opportunities or the income of the visually handicapped. We find it unconscionable that any union or group of Federal or postal employees would deny the blind the opportunity to earn a decent living simply to provide themselves with such frivolities as turkeys, gifts, and trophies.

NTEU is a union, and very decidedly so. We provide those we represent with meaningful benefits obtained through the collective bargaining process after long and grueling hours of negotiations. We have made remarkable strides considering the present restrictions on collective bargaining in the Federal sector. NTEU has negotiated the most comprehensive and far-sighted agreements in the Federal government; but we have never sought to prey upon the blind. Unlike the postal unions, which have far greater collective bargaining rights than we do, not once have we ever attempted to secure improved

benefits for our members by foreclosing the blind. Such tactics are too repugnant to our membership and officers to even be considered.

For us, there is no balancing of interests between the needs of the blind and those of the welfare organizations; the scales are unalterably weighted in favor of those without sight. Whether a million dollars or a single dollar is denied the blind because of the activities of employee welfare organizations is of little consequence in judging the wrongfulness of their actions; if one cent is taken from the visually handicapped that is one cent too much.

We are, after all, talking about a matter of principle as well as money. Either one agrees that every opportunity should be afforded those without sight or one does not. Either one recognizes that the Randolph-Sheppard program must be strengthened in order to provide additional employment for the blind or one does not. Our union believes it is imperative that new employment opportunities be created for the sightless and that swift and decisive action be taken to improve the Randolph-Sheppard Act. Such is the singular goal and effect of the legislation which is pending before this Subcommittee.

S. 2581 would simply make certain that the Federal government comply with the objectives that Congress first enunciated in 1936 when it adopted the Randolph-Sheppard Act. By requiring that "one or more vending facilities" be established on Federal property "where feasible" and that all vending machine income obtained on Federal property be assigned to the blind or the program. Congress will be assuring that the Federal government abides by the intent of the original Act: to provide employment opportunities for the blind.

Not only is the proposed legislation soundly drafted, it is, in our opinion, more than fair. Even though we would prefer that all income from vending machines be immediately assigned to those who have suffered such grave injustices over the years, S. 2581 provides a maximum three-year grace period for groups who presently own or lease vending machines. It also permits owners or lessors of any machine for which contracts expire or depreciable life remains after the three-year period to be compensated for the fair market value of the equipment by the Secretary of the Treasury. In effect, S. 2581 is much more considerate of the employee welfare organizations than they have been of the blind.

Much has been said in prior years of the alleged devastating effect on the morale of the Federal workforce of requiring the exclusive assignment of vending machine income to the visually handicapped. I, for one, place absolutely no credence in these assertions. At our last appearance before this Subcommittee, we were challenged by a representative of a postal service union who insisted that their members demanded the continuation of welfare association concessions. Since that time, I have traveled extensively throughout the country and not one of the thousands of postal and Federal employees I have spoken with has ever expressed the desire to deny the blind of a source of earned income.

Taken all in all, the welfare organizations are not of such importance to Federal and postal employees that they should be permitted to hamper the blind in their efforts to earn a living. To continue to allow such groups access to income which should be used to promote jobs for the sightless cannot be tolerated under any circumstances. For far too long, postal and Federal management, with the encouragement of some Federal and most postal employee unions, have been financing benefits for themselves and some employees by precluding the blind from vending machine income.

We provide our members with the same benefits and more through their union dues; not by usurping what rightfully should be accruing to the blind. There is no reason why other Federal and postal employee unions cannot follow our example. In point of fact, because of their more comprehensive collective bargaining rights, the postal unions could negotiate many of the benefits which are currently being funded by vending machine income in their contracts with postal management.

In sum, we can find absolutely no justification for the present system which allows welfare organizations to even further handicap the handicapped. We cannot over-emphasize our support for S. 2581 and our hopes for its early enactment. On behalf of the union I represent, please accept our thanks for this opportunity to present our views on the proposed amendments to the Randolph-Sheppard Act. If there are any questions, I will be glad to answer them at this time.

Mr. WILLIAMS. Mr. President, I am very pleased to join with the distinguished chairman of the Subcommittee on the Handicapped, Senator RANDOLPH, and other members of the subcommittee in bringing S. 2581, the Randolph-Sheppard Act Amendments of 1974 before the Senate. I especially want to commend the chairman for his commitment throughout the years to the employment of blind individuals, and to the improvement of working conditions which they face. It goes without saying, I believe, that without the strong and unswerving commitment of the Senator from West Virginia, certainly this program and others which have assisted blind and other handicapped individuals would not have become the law of the land.

We bring to the Senate floor today, Mr. President, amendments to the Randolph-Sheppard Act which will take substantial steps toward the improvement and strengthening of this program, and which will encourage the establishment of additional work opportunities for blind vendors, both as vendors and in other employment. These changes have been a long time in coming: The Senator from West Virginia introduced legislation for these purposes in 1969. Since then, the committee has made a very thorough review of the program, with the assistance of the General Accounting Office, and has taken testimony from many agencies and individuals. The committee has listened to all parties in developing the bill before us today, and I believe that this legislation is a strong step forward, one with flexibility and protections to insure that the original Federal mandate of the Randolph-Sheppard Act will be carried out.

In summary, the bill provides:

Priority for blind vendors in operation of vending facilities.

Increased responsibilities to the Secretary of HEW and the Commissioner of RSA for reporting, oversight and evaluation, including uniform regulations for accounting, new facilities, and income distribution.

Arbitration and judicial review of blind vendors and State agency grievances.

Requires the Commissioner of RSA to insure that effective training programs are established at the State level, including programs of training for blind vendors, and programs to provide training in additional areas to assure the upward mobility of blind individuals.

I commend my colleagues on the Subcommittee on the Handicapped for their continuing efforts to assure the strength and continuing effectiveness of the Randolph-Sheppard program, and urge the passage of this bill and its speedy enactment into law.

Mr. RANDOLPH. Mr. President, on behalf of the Senator from Vermont (Mr. STAFFORD), I submit a statement prepared by him on this bill and I ask unanimous consent that it be printed at this point in the RECORD.

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

STATEMENT BY SENATOR STAFFORD

I support the committee bill, S. 2581, which was reported by the distinguished Senator from West Virginia (Mr. RANDOLPH) and bears his name, the Randolph-Sheppard Act.

The amendments proposed and adopted by the committee bill presents an opportunity for the Senate to enact legislation which will increase the opportunity for blind individuals to earn a living as vending facility operators in federal buildings.

The distinguished Senator from West Virginia, Mr. Randolph, has labored long and hard on this piece of legislation to help blind individuals, and I think it is very appropriate that the Senate consider this legislation on the 28th anniversary of the enactment of his original Act.

S. 2581, as reported, seeks to establish a balance between the request of the blind for additional opportunities to earn a living so that they may become independent citizens, and the interest expressed by bargaining representatives of the postal employees' unions.

In my mind S. 2581 represents a fair balance and should be adopted by the Congress so that the Randolph-Sheppard program can make continued progress in its next 28 years of existence.

The bill will expand the opportunities for blind individuals by allowing them access to vending machine income in federal installations to which they have been denied. It will also allow a blind individual to participate in the running of cafeterias in federal installations.

By expanding the opportunities for the blind to provide services, this bill will help raise the income of blind individuals and allow for the employment of more blind vendors in federal establishments.

As my colleagues are aware, this bill applies to all federal property which means any building owned or leased by any department, agency, or instrumentality of the United States, including the Department of Defense and Postal Service. However, one aspect that concerns me is that the Congress of the United States, which is responsible for enacting this legislation, does not have such a facility.

I have been concerned about this for some time and have worked with the distinguished Senator from West Virginia, Mr. Randolph, in trying to bring to the attention of the Senate the need for this institution to provide for a blind vending facility as a demonstration of our faith in the acceptance of this program.

Mr. President, the bill before us deserves the unanimous support of the Senate, and it is my hope that the House of Representatives will follow the action of this body and undertake speedy deliberation and passage of this bill.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there is 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, was read the third time, and passed, as follows:

S. 2581

An act to amend the Randolph-Sheppard Act for the blind to provide for a strengthening of the program authorized thereunder, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Randolph-Sheppard Act Amendments of 1974".

FINDINGS

SEC. 2. The Congress finds—

(1) after review of the operation of the blind vending stand program authorized under the Randolph-Sheppard Act of June 20, 1936, that the program has not developed, and has not been sustained, in the manner and spirit in which the Congress intended at the time of its enactment, and that, in fact, the growth of the program has been inhibited by a number of external forces;

(2) that the potential exists for doubling the number of blind operators on Federal and other property under the Randolph-Sheppard program within the next five years, provided the obstacles to growth are removed, that legislative and administrative means exist to remove such obstacles, and that Congress should adopt legislation to that end; and

(3) that at a minimum the following actions must be taken to insure the continued vitality and expansion of the Randolph-Sheppard program—

(A) establish uniformity of treatment of blind vendors by all Federal departments, agencies, and instrumentalities,

(B) establish guidelines for the operation of the program by State licensing agencies,

(C) require coordination among the several entities with responsibility for the program,

(D) establish a priority for vending facilities operated by blind vendors on Federal property,

(E) establish administrative and judicial procedures under which fair treatment of blind vendors, State licensing agencies, and the Federal Government is assured,

(F) require stronger administration and oversight functions in the Federal office carrying out the program, and

(G) accomplish other legislative and administrative objectives which will permit the Randolph-Sheppard program to flourish.

OPERATION OF VENDING FACILITIES ON FEDERAL PROPERTY

SEC. 3. The first section of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes" (hereafter referred to in this Act as the "Randolph-Sheppard Act"), approved June 20, 1936, as amended (20 U.S.C. 107), is amended by striking out all after the enacting clause and inserting in lieu thereof the following:

"That (a) for the purposes of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting, blind persons licensed under the provisions of this Act shall be authorized to operate vending facilities on any Federal property.

"(b) In authorizing the operation of vending facilities on Federal property, priority shall be given to blind persons licensed by a State agency as provided in this Act; and the Secretary, through the Commissioner,

shall, after consultation with the Administrator of General Services and other heads of departments, agencies, or instrumentalities of the United States in control of the maintenance, operation, and protection of Federal property, prescribe regulations designed to assure that—

"(1) the priority under this subsection is given to such licensed blind persons (including assignment of vending machine income pursuant to section 7 of this Act to achieve and protect such priority), and

"(2) wherever feasible, one or more vending facilities are established on all Federal property, including, to the maximum extent feasible, vending facilities in the areas where employees work, to the extent that any such facility or facilities would not adversely affect the interests of the United States.

Any limitation on the placement or operation of a vending facility based on a finding that such placement or operation would adversely affect the interests of the United States shall be fully justified in writing to the Secretary, who shall determine whether such limitation is justified. A determination made by the Secretary pursuant to this provision shall be binding on any department, agency, or instrumentality of the United States affected by such determination. The Secretary shall publish such determination, along with supporting documentation, in the Federal Register."

FEDERAL AND STATE RESPONSIBILITIES

SEC. 4. (a) (1) Section 2(a) of the Randolph-Sheppard Act is amended by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively, and by inserting the following new paragraph (1):

"(1) Insure that the Rehabilitation Services Administration is the principal agency for carrying out this Act; and the Commissioner shall, within one hundred and eighty days after enactment of the Randolph-Sheppard Act Amendments of 1974, establish requirements for the uniform application of this Act by each State agency designated under paragraph (5) of this subsection, including appropriate accounting procedures, policies on the selection and establishment of new vending facilities, distribution of income to blind vendors, and the use and control of set-aside funds under section 3(3) of this Act."

(2) Section 2(a)(2) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(2) Through the Commissioner, make annual surveys of concession vending opportunities for blind persons on Federal and other property in the United States, particularly with respect to Federal property under the control of the General Services Administration, the Department of Defense, and the United States Postal Service;"

(3) Section 2(a)(5) of such Act, as redesignated by paragraph (1) of this subsection, is amended—

(A) by striking out "commission" each place it appears and inserting in lieu thereof "agency";

(B) by striking out "and at least twenty-one years of age";

(C) by striking out "articles dispensed automatically or in containers or wrapping in which they are placed before receipt by the vending stand, and such other articles as may be approved for each property by the department or agency in control of the maintenance, operation, and protection thereof and the State licensing agency in accordance with the regulations prescribed pursuant to the first section" and inserting in lieu thereof the following: "foods, beverages, and other articles or services dispensed automatically or manually and prepared on or off the premises in accordance with all applicable health laws, as determined by the State licensing agency";

(D) by striking out "stands" and "stand" and inserting in lieu thereof "facilities" and "facility", respectively, and

(E) by striking out the colon and all matter following the colon, and inserting in lieu thereof "; and".

(4) Section 2(a)(6) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(6) Through the Commissioner, (A) conduct periodic evaluations of the program authorized by this Act, including upward mobility and other training required by section 8, and annually submit to the appropriate committees of Congress a report based on such evaluations, and (B) take such other steps, including the issuance of such rules and regulations, as may be necessary or desirable in carrying out the provisions of this Act."

(b) Section 2(b) of such Act is amended—

(1) by striking out "stand" where it appears in the first and second sentences and inserting in lieu thereof "facility";

(2) by striking out "and have resided for at least one year in the State in which such stand is located"; and

(3) by striking out "but are able, in spite of such infirmity, to operate such stands".

(c) Section 2(c) of such Act is amended by striking out "stand" in both places in which it appears and inserting in lieu thereof "facility".

(d) Section 2 of such Act is further amended by adding at the end thereof the following new subsections:

"(d)(1) After June 30, 1974, no department, agency, or instrumentality of the United States shall undertake to acquire by ownership, rent, lease, or to otherwise occupy, in whole or in part, any building unless, after consultation with the Secretary and the State licensing agency, it is determined by the Secretary that (A) such building includes a satisfactory site or sites for the location and operation of a vending facility by a blind person, or (B) if a building is to be constructed, substantially altered, or renovated, or in the case of a building that is already occupied on such date by such department, agency, or instrumentality, is to be substantially altered or renovated for use by such department, agency, or instrumentality, the design for such construction, substantial alteration, or renovation includes a satisfactory site or sites for the location and operation of a vending facility by a blind person. Each such department, agency, or instrumentality shall provide notice to the appropriate State licensing agency of its plans for occupation, acquisition, renovation, or relocation of a building adequate to permit such State agency to determine whether such building includes a satisfactory site or sites for a vending facility.

"(2) The provisions of paragraph (1) shall not apply (A) when the Secretary and the State licensing agency determine that the number of people using the property is or will be insufficient to support a vending facility, or (B) to any privately owned building, any part of which is leased by any department, agency, or instrumentality of the United States and in which, (i) prior to the execution of such lease, the lessor or any of his tenants had in operation a restaurant or other food facility in a part of the building not included in such lease, and (ii) the operation of such a vending facility by a blind person would be in proximate and substantial direct competition with such restaurant or other food facility, except that each such department, agency, and instrumentality shall make every effort to lease property in privately owned buildings capable of accommodating a vending facility.

"(3) For the purposes of this subsection, the term 'satisfactory site' means an area determined by the Secretary to have sufficient space, electrical and plumbing outlets, and such other facilities as the Secre-

tary may by regulation prescribe, for the location and operation of a vending facility by a blind person.

"(e) In any State having an approved plan for vocational rehabilitation pursuant to the Vocational Rehabilitation Act or the Rehabilitation Act of 1973 (Public Law 93-112), the State licensing agency designated under paragraph (5) of subsection (a) of this section shall be the State agency designated under section 101(a)(1)(A) of such Rehabilitation Act of 1973."

DUTIES OF STATE LICENSING AGENCIES AND ARBITRATION

SEC. 5. (a) Section 3 of the Randolph-Sheppard Act is amended—

(1) by striking out "commission" and inserting in lieu thereof "agency";

(2) by striking out in paragraphs (2) and (3) "stand" and "stands" and inserting in lieu thereof "facility" and "facilities", respectively; and

(3) by striking out in paragraph (6) the word "stand" and inserting in lieu thereof "facility", and, by inserting immediately before the period the following: ", and to agree to submit the grievances of any blind licensee not otherwise resolved by such hearing to arbitration as provided in section 5 of this Act".

(b) Section 3(3) of such Act is further amended by striking out "and" immediately before subparagraph (D) and by inserting immediately before the colon at the end of such subparagraph the following "; and (E) retirement or pension funds, health insurance contributions, and provision for paid sick leave and vacation time, if it is determined by a majority vote of blind licensees licensed by such State agency, after such agency provides to each such licensee full information on all matters relevant to such proposed program, that funds under this paragraph shall be set aside for such purposes".

(c) Section 3(3) of such Act is further amended by inserting before the word "proceeds" in both places it appears, the word "net".

REPEALS

SEC. 6. Sections 4 and 7 of the Randolph-Sheppard Act are repealed.

ARBITRATION; VENDING MACHINE INCOME; PERSONNEL; TRAINING

SEC. 7. The Randolph-Sheppard Act is further amended by redesignating sections 5, 6, and 8, as sections 4, 9, and 10, respectively, and by inserting immediately after section 4, as redesignated, the following new sections:

"Sec. 5. (a) Any blind licensee who is dissatisfied with any action arising from the operation or administration of the vending facility program may submit to a State licensing agency a request for a full evidentiary hearing, which shall be provided by such agency in accordance with section 3(6) of this Act. If such blind licensee is dissatisfied with any action taken or decision rendered as a result of such hearing, he may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"(b) Whenever any State licensing agency determines that any department, agency, or instrumentality of the United States that has control of the maintenance, operation, and protection of Federal property is failing to comply with the provisions of this Act or any regulations issued thereunder (including a limitation on the placement or operation of a vending facility as described in section 1 (b) of this Act and the Secretary's determination thereon) such licensing agency may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and

the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"Sec. 6. (a) Upon receipt of a complaint filed under section 5 of this Act, the Secretary shall convene an ad hoc arbitration panel as provided in subsection (b). Such panel shall, in accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, give notice, conduct a hearing, and render its decision which shall be subject to appeal and review as a final agency action for purposes of chapter 7 of such title 5.

"(b) (1) The arbitration panel convened by the Secretary to hear grievances of blind licensees shall be composed of three members appointed as follows:

"(A) one individual designated by the State licensing agency;

"(B) one individual designated by the blind licensee; and

"(C) one individual, not employed by the State licensing agency or, where appropriate, its parent agency, who shall serve as chairman, jointly designated by the members appointed under subparagraphs (A) and (B).

If any party fails to designate a member under subparagraph (1) (A), (B), or (C), the Secretary shall designate such member on behalf of such party.

"(2) The arbitration panel convened by the Secretary to hear complaints filed by a State licensing agency shall be composed of three members appointed as follows:

"(A) one individual, designated by the State licensing agency;

"(B) one individual, designated by the head of the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose; and

"(C) one individual, not employed by the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose, who shall serve as chairman, jointly designated by the members appointed under subparagraphs (A) and (B).

If any party fails to designate a member under paragraph (2) (A), (B), or (C), the Secretary shall designate such member on behalf of such party. If the panel appointed pursuant to paragraph (2) finds that the acts or practices of any such department, agency, or instrumentality are in violation of this Act, or any regulation issued thereunder, the head of any such department, agency, or instrumentality shall cause such acts or practices to be terminated promptly and shall take such other action as may be necessary to carry out the decision of the panel.

"(c) The decisions of a panel convened by the Secretary pursuant to this section shall be matters of public record and shall be published in the Federal Register.

"(d) The Secretary shall pay all reasonable costs of arbitration under this section in accordance with a schedule of fees and expenses he shall publish in the Federal Register.

"Sec. 7. (a) In accordance with the provisions of subsection (b) of this section, vending machine income obtained from the operation of vending machines on Federal property shall accrue (1) to the blind licensee operating a vending facility on such property, or (2) in the event there is no blind licensee operating such facility on such property, to the State agency in whose State the Federal property is located, for the uses designated in subsection (c) of this section, except that with respect to income which accrues under clause (1) of this subsection, the Commissioner may prescribe regulations imposing a ceiling on income from such vending machines for an individual blind licensee. In the event such a ceiling is imposed, no blind licensee shall receive less vending machine income under such ceiling than he was receiving on January 1, 1974. No limitation shall be imposed on income from vending ma-

chines, combined to create a vending facility, which are maintained, serviced, or operated by a blind licensee. Any amounts received by a blind licensee that are in excess of the amount permitted to accrue to him under any ceiling imposed by the Commissioner shall be disbursed to the appropriate State agency under clause (2) of this subsection and shall be used by such agency in accordance with subsection (c) of this section.

"(b) (1) After June 30, 1974, 100 per centum of all vending machine income from vending machines on Federal property which are in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section. 'Direct competition' as used in this section means the existence of any vending machines or facilities operated on the same premises as a blind vending facility except that vending machines or facilities operated in areas serving employees the majority of whom do not have access to the blind vending facility shall not be considered in direct competition with the blind vending facility. After June 30, 1974, 50 per centum of all vending machine income from vending machines on Federal property which are not in direct competition with a blind vending facility shall accrue as specified in subsection (a) of this section, except that with respect to Federal property at which 50 per centum of the total hours worked on the premises occurs during periods other than normal working hours, 25 per centum of such income shall so accrue.

"(2) Any vending machine income remaining after assignment pursuant to subsection (a) and (b) (1) of this section shall be used for such purposes as determined by regulations of the Secretary, who shall consider the views of the head of the department, agency, or instrumentality upon whose premises the machines are located, as well as those of any groups or organizations which may be affected by such regulations. No new vending machines or replacements for existing vending machines may be installed on Federal property unless all income from such machines shall accrue as specified in subsection (a) of this section. The head of each department, agency, and instrumentality of the United States shall insure compliance with this section with respect to buildings, installations, and facilities under his control, and shall be responsible for collection of, and accounting for, such vending machine income.

"(c) All vending machine income which accrues to a State licensing agency pursuant to subsection (a) of this section shall be used to establish retirement or pension plans, for health insurance contributions, and for provision of paid sick leave and vacation time for blind licensees in such State, subject to a vote of blind licensees as provided under section 3(3)(E) of this Act. Any vending machine income remaining after application of the first sentence of this subsection shall be used for the purposes specified in sections 3(3) (A), (B), (C), and (D) of this Act, and any assessment charged to blind licensees by a State licensing agency shall be reduced pro rata in an amount equal to the total of such remaining vending machine income.

"(d) Subsections (a) and (b) (1) of this section shall not apply to income from vending machines within retail sales outlets under the control of exchange or ships' stores systems authorized by title 10, United States Code, or to income from vending machines operated by the Veterans Canteen Service, or to income from vending machines not in direct competition with a blind vending facility at individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations, or facilities does not exceed \$3,000 annually.

"(e) In the event that a blind vending facility includes the operation of a cafeteria, the contract for the operation of such cafe-

teria shall specify that it shall be operated at a reasonable cost consistent with a fair return, high quality food and reasonable prices.

"(f) This section shall not operate to preclude preexisting or future arrangements, or regulations of departments, agencies, or instrumentalities of the United States, under which blind licensees (1) receive a greater percentage or amount of vending machine income than that specified in subsection (b) (1) of this section, or (2) receive vending machine income from individual locations, installations, or facilities on Federal property the total of which at such individual locations, installations, or facilities does not exceed \$3,000 annually.

"(g) The Secretary shall take such action and promulgate such regulations as he deems necessary to assure compliance with this section.

"Sec. 8. The Commissioner shall insure, through promulgation of appropriate regulations, that uniform and effective training programs, including on-the-job training, are provided for blind individuals, through services under the Rehabilitation Act of 1973 (Public Law 93-112). He shall further insure that State agencies provide programs for upward mobility (including further education and additional training or retraining for improved work opportunities) for all trainees under this Act, and that follow-along services are provided to such trainees to assure that their maximum vocational potential is achieved."

DEFINITIONS

Sec. 8. Section 9 of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended to read as follows:

"Sec. 9. As used in this Act—

"(1) 'blind person' means a person whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees. In determining whether an individual is blind, there shall be an examination by a physician skilled in diseases of the eye, or by an optometrist, whichever the individual shall select;

"(2) 'Commissioner' means the Commissioner of the Rehabilitation Services Administration;

"(3) 'Federal property' means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States (including the Department of Defense and the United States Postal Service), or any other instrumentality wholly owned by the United States, or by any department or agency of the District of Columbia or any territory or possession of the United States;

"(4) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(5) 'State' means a State, territory, possession, Puerto Rico, or the District of Columbia;

"(6) 'United States' includes the several States, territories, and possessions of the United States, and the District of Columbia;

"(7) 'vending facility' means automatic vending machines, cafeterias, snack bars, cart services, shelters, counters, and such other appropriate auxiliary equipment as the Secretary may by regulation prescribe as being necessary for the sake of the articles or services described in section 2(a)(5) of this Act and which may be operated by blind licensees; and

"(8) 'vending machine income' means receipts (other than those of a blind licensee) from vending machine operations on Federal property, after cost of goods sold, where the machines are operated, serviced, or maintained by, or with the approval of, a department, agency, or instrumentality of the United States, or commissions paid (other

than to a blind licensee) by a commercial vending concern which operates, services, and maintains vending machines on Federal property for, or with the approval of, a department, agency, or instrumentality of the United States."

PERSONNEL

SEC. 9. (a) The Secretary of Health, Education, and Welfare is directed to assign to the Office for the Blind and Visually Handicapped of the Rehabilitation Services Administration of the Department of Health, Education, and Welfare ten additional full-time personnel (or their equivalent), five of whom shall be supportive personnel, to carry out duties related to the administration of the Randolph-Sheppard Act.

(b) Section 5108 (c) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (10);

(2) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (11) the following new paragraph:

"(12) the Secretary of Health, Education, and Welfare, subject to the standards and procedures prescribed by this chapter, may place one additional position in the Office for the Blind and Visually Handicapped of the Rehabilitation Services Administration in GS-16, GS-17, or GS-18."

(c) In selecting personnel to fill any position under this section, the Secretary of Health, Education, and Welfare shall give preference to blind individuals.

(d) Section 4(b) of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended by striking out ", and at least 50 per centum of such additional personnel shall be blind persons".

ADDITIONAL STATE RESPONSIBILITIES

SEC. 10. In addition to other requirements imposed in this Act and in the Randolph-Sheppard Act upon State licensing agencies, such agencies shall—

(1) provide to each blind licensee access to all relevant financial data, including quarterly and annual financial reports, on the operation of the State vending facility program;

(2) conduct the biennial election of a Committee of Blind Vendors who shall be fully representative of all blind licensees in the State program, and

(3) insure that such committee's responsibilities include (A) participation, with the State agency, in major administrative decisions and policy and program development, (B) receiving grievances of blind licensees and serving as advocates for such licensees, (C) participation, with the State agency, in the development and administration of a transfer and promotion system for blind licensees, (D) participation, with the State agency, in developing training and retraining programs, and (E) sponsorship, with the assistance of the State agency, of meetings and instructional conferences for blind licensees.

STANDARDS, STUDIES, AND REPORTS

SEC. 11. (a) The Secretary, through the Commissioner after a period of study not to exceed six months following the date of enactment of this Act, and after full consultation with, and full consideration of the views of, blind vendors and State licensing agencies, shall promulgate national standards for funds set aside pursuant to section 3(3) of the Randolph-Sheppard Act which include maximum and minimum amounts for such funds, and appropriate contributions, if any, to such funds by blind vendors.

(b) (1) The Secretary shall study the feasibility and desirability of establishing a nationally administered retirement, pension, and health insurance system for blind licensees, and such study shall include, but

not be limited to, consideration of eligibility standards, amounts and sources of contributions, number of potential participants, total costs, and alternative forms of administration, including trust funds and revolving funds.

(2) The Secretary shall, within one year following the date of enactment of this Act, complete the study required by paragraph (1) of this subsection and report his findings, together with any recommendations, to the President and the Congress.

(c) The Secretary shall, not later than September 30, 1975, complete an evaluation of the method of assigning vending machine income under section 7(b)(1) of the Randolph-Sheppard Act, including its effect on the growth of the program authorized by the Act, and on the operation of non-appropriated funds activities, and within thirty days thereafter he shall report his findings, together with any recommendations, to the appropriate committees of the Congress.

(d) Each State licensing agency shall, within one year following the date of enactment of this Act, submit to the Secretary a report, with appropriate supporting documentation, which shows the actions taken by such agency to meet the requirements of section 2(a)(1) of the Randolph-Sheppard Act.

AUDIT

SEC. 12. The Comptroller General is authorized to conduct regular and periodic audits of all nonappropriated fund activities which receive income from vending machines on Federal property, under such rules and regulations as he may prescribe. In the conduct of such audits he and his duly authorized representatives shall have access to any relevant books, documents, papers, accounts, and records of such activities as he deems necessary.

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

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

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the Secretary be authorized to make technical corrections in the engrossed bill.

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

TRANSACTION OF 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 20 minutes, with statements limited therein to 5 minutes.

ORDER FOR LEGISLATIVE APPROPRIATION BILL TO BE CALLED UP AFTER 3:30 P.M. TODAY

Mr. ROBERT C. BYRD. Mr. President, under the order of yesterday the bill H.R. 14012, an act making appropriations for the legislative branch, was to be called up immediately upon the conclusion of routine morning business today.

I ask unanimous consent that that order be vacated and that the leadership be authorized to call up that bill at any time after 3:30 p.m. today.

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

ORDER FOR RESUMPTION OF UNFINISHED BUSINESS (H.R. 14832) TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of routine morning business today, the Senate resume its consideration of the unfinished business.

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

ORDER OF BUSINESS TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as the leadership calls up the legislative appropriation bill today, that the bill remain the business before the Senate until disposed of or until the close of business today, whichever is the earlier, and that the unfinished business be laid aside temporarily until such time.

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

ORDER FOR CONSIDERATION OF CONFERENCE REPORT ON BUDGET REFORM TOMORROW, FRIDAY, JUNE 21, 1974

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, after conclusion of routine morning business, the Senate proceed to the consideration of the conference report on budget reform.

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

ORDER FOR RESUMPTION OF UNFINISHED BUSINESS (H.R. 14832) TOMORROW, FRIDAY, JUNE 21, 1974

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of the conference report on budget reform tomorrow, the Senate resume consideration of the unfinished business.

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

QUORUM CALL

Mr. ROBERT C. BYRD. 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. ALLEN. 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.

REVERSE MIGRATION TO THE SOUTH

Mr. ALLEN. Mr. President, for many years the Southern States and southern people have been criticized by sociological experimenters who seemingly took delight in saying how bad social conditions were in those States geographically south of the Mason-Dixon line. Partly, as a result of such tactics literally thou-

sands upon thousands of southerners, white and black alike, pulled up their roots and left their homes for what they were led to believe was the promised land in the North. The tragedy is that so many people and so many families moved into a squalor, a poverty, a lawlessness, a human degradation that few ever experienced at home.

Southerners who did remain at home directed their attention and their efforts to making improvements in educational opportunities, in job opportunities, in better homes and in a better way of life for residents of the cities and of the rural areas alike.

For many years the cry "The South Will Rise Again" has been uttered in jest, but now it can be stated seriously and realistically. Today the South represents the fastest growing section of the United States and southerners are proud of the progress that we are making. But we are not resting on our laurels because we know there still is a long way to go.

Mr. President, a strange phenomenon has been taking place recently in the liberal press of the country—the very press that has been so critical of the South for so long. National periodicals and northern newspapers recently have been reporting the changing South and even saying some nice things about it. Just this morning the New York Times featured an article entitled "Blacks Return to South in a Reverse Migration," written by B. Drummond Ayres from Montgomery, Ala., that describes in human terms what so many of us have known and tried to express: the South and southern people share qualities of life rarely found elsewhere. I commend the New York Times for printing the article on the front page of the Tuesday, June 18, issue, and I ask unanimous consent that the article be printed in the RECORD.

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

[From the New York Times, June 18, 1974]

**BLACKS RETURN TO SOUTH IN A REVERSE
MIGRATION**

(By B. Drummond Ayres)

MONTGOMERY, Ala., June 17.—Nobody knows how many blacks have left the South over the years.

Driven out by racism and lack of economic opportunity, they have been migrating North in Biblical numbers for more than a century, riding the Illinois Central, the Greyhound and the old family Ford toward the promise of Chicago's South Side and New York's Harlem.

But now, with the promise unfulfilled in many cases, significant numbers of blacks are returning to the South, coming "back down home" to a region that seems, at last, to offer as many economic opportunities and as much brotherhood as any other section of the United States.

"I didn't see any reason to stay up there in that madhouse when all I found was just as much discrimination and poverty, and even more crime, than there is down here," said Freddie Lee Reese, a 32-year-old Montgomery native who recently returned to his home town to work as a building supervisor after several years of disenchantment in Chicago.

Significant numbers of Northern-born blacks have gone South these days, too—many of them young, ambitious, well-edu-

cated professionals who are fed up with the hassle and danger found in some Yankee cities.

John Redmond, a 33-year-old native of Philadelphia who now represents the Connecticut General Life Insurance Company in Atlanta says:

"My company had these ideas about shipping me off to New York. I told them that Atlanta was where it's at, that no place in America offers blacks more advantages in this day and time."

MIGRATION NORTH CONTINUES

Of course, the South-to-North exodus of blacks continues. Especially during June, D'vie highways, bus depots and train stations are crowded with newly graduated blacks, most following paths cut earlier by aunts, uncles, cousins and older brothers and sisters.

When the youngsters arrive in the North, they usually plug into the kinfolk network. Typically, they might put up with a cousin for a week or two, perhaps find a job in a factory where an uncle works, then move into their own place.

In fact, some Federal surveys indicate that more blacks are moving South now than are moving North. Other surveys indicate that when Southern blacks leave the farm these days—one of three Southern blacks still lives in a rural area—increasing numbers of them head for Southern cities like Montgomery, Atlanta and Birmingham.

Because most of the surveys cover only a limited area, demographers and social scientists cannot agree on what they mean overall.

CENSUS BUREAU CAUTIOUS

Larry H. Long, a Census Bureau expert on migration, urges caution:

We don't have a definite answer yet as to whether more blacks are moving South than North. You can't say that on the basis of samplings that cover only a few thousand families.

There has always been a considerable movement back to the South. That is typical of all great migration. The data are inconclusive on whether that movement has quickened.

Above all we can say flatly is that the South is not losing blacks the way it was."

The evidence for that comes from census information covering the nineteen forties, the nineteen fifties and the nineteen sixties.

For example, during the nineteen forties about 1.6-million blacks left the South. During the nineteen fifties, the loss was about 1.5-million. And during the nineteen sixties the loss was 1.4-million.

Percentages give an even clearer picture of how the exodus is slowing.

During the nineteen forties the proportion of the nation's blacks living in the South fell from 69 per cent to 60 per cent, a drop of nine points. During the nineteen fifties, the proportions fell to 52 per cent, a drop of eight points. And during the nineteen sixties the proportions fell to 45 per cent, a drop of seven points.

The most frequently discussed Government survey that indicates the South is now gaining more blacks than it is losing was made in March, 1973, and covered 55,000 households throughout the United States.

By projecting the findings of this limited sampling, it is possible to conclude that from 1970 to early 1973, some 166,000 blacks moved out of the South, while 247,000 moved in, for a net gain of 88,000.

The Census Bureau warns that the survey is subject to error because of its narrowness. But a number of demographers, social scientists and Southern specialists feel, nevertheless, that at the very least, the survey confirms a trend that has been apparent to anyone traveling or working in the South in recent years, a period in which Supreme

Court decisions and Federal laws have greatly changed the region.

Rex R. Campbell, a professor of sociology at the University of Missouri, is so convinced that the trend exists that he is writing a book about what he calls "the black demographic revolution."

HUNDREDS OF INTERVIEWS

With the help of student researchers, he has interviewed hundreds of returned migrants from Virginia to Louisiana.

"At the least—the very least," he reports, "the inflow and outflow now cancel each other. And I personally think things are on the plus side, just the way the survey of those 55,000 households shows."

Noting that slightly more than half of the nation's 23 million blacks now live outside the South, Professor Campbell adds:

"Maybe one of every three of those living beyond the South actually comes from the South. That's a lot of expatriates."

"Up until the civil rights movement started, only about one of every three blacks who went North came back home. Now it looks like at least one of every two is returning."

"As for Northern-born blacks, we think they make up 15 to 20 per cent of the overall Southland stream, which is three to four times what the rate was in Jim Crow days."

Another sociologist, Prof. Everett Lee of the University of Georgia, has also studied return migration.

EDUCATION CITED

He says that blacks coming South these days tend to be slightly better educated than blacks as a whole, that they usually are in their 30's, that most do not have large families and that most settle in cities.

"Obviously," he adds, "such people have great potential to help the South, particularly the black South, which traditionally has lost many of its promising, productive youths to the North. There will have to be new plans, new policies."

Wondering about the long-range implications of return migration, the Southern Growth Policies Board, a research and planning agency, supported by states in the region, asked the Census Bureau for an analysis of all available statistics. Again the bureau urged caution, with Cynthia Taeuber, a social scientist, replying:

"Current data are not sufficient to substantiate the claim of a reversal in trends of any magnitude."

And yet, the case builds, bit by bit.

John Lewis, director of the Voter Education Project, a nonpartisan effort to register black voters, has traveled the South endlessly and reports:

"IT IS HOME"

"Everywhere I go I find folks who have come back home. There's absolutely no doubt that the return flow is increasing all the time and that the flow North is decreasing."

"Why should that be so surprising now that the South has an open society? This is, after all, the place of our birth. It is home."

In the South, the word "home" has special meaning.

Southerners, black and white, have a strong, almost chauvinistic sense of being "from" somewhere, of being "kin" to somebody, of being "at" some point in time.

"Home" is the one word that covers all this, and the concept is a force to be reckoned with when it comes to Southern-born blacks living outside the South, a force every bit as powerful perhaps as burgeoning economic opportunity, new-found civil freedom and big-city discomfort.

A CASE IN POINT

Consider the case of 26-year-old Mary Louise Jones, whose mother took her North from Montgomery when she was 3 months old. She is now back in Montgomery, working as a typist for The Alabama Journal.

"I grew up in Detroit," she says. "But my mother used to send me back down home to visit kinfolk during the summer.

"Long before I got out of school and tried Detroit on my own, I knew I didn't have any business up there, and not just because crime was everywhere. You couldn't save any money and people were rude.

"The South is better than that."

Or listen to the simple explanation of another person who has returned, Willie Joseph Woods, born 35 years ago on a farm in central Georgia. A college graduate and a savvy veteran of expatriate life in New York and Los Angeles, he is now "back home" in Atlanta, where he works at the Southern Center for Studies in Public Policy.

He says, "I tried it all up there. It just wasn't home."

AGAINST TAXPAYER FINANCING OF ELECTIONS

Mr. ALLEN. Mr. President, last November and December, and again during the past April, the Senate engaged in lengthy debate over taxpayer financing of political campaigns. During those debates I said time and again that advocates of public financing were doing a great disservice to the American people by camouflaging their approach, which I oppose, under the cover of election reform, which I favor.

On the editorial page of the Wednesday, June 19, 1974, issue of the Christian Science Monitor, appears an article, "Public Funding Isn't Political Reform," authored by Dr. Allan E. Goodman, chairman of the department of government and international relations at Clark University, Worcester, Mass. Dr. Goodman cites the political problems of 13 parliamentary democracies in the world having public financing, and he makes the point that current proposals before Congress for such a system in the United States overlook these experiences in foreign countries.

Mr. President, I recommend Dr. Goodman's article as must reading, and I ask unanimous consent that it be printed in the RECORD.

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

PUBLIC FUNDING ISN'T POLITICAL REFORM (By Allan E. Goodman)

The problem with public campaign financing is that it does not necessarily reform either the electoral process or the parties that organize it. Of the 13 parliamentary democracies whose troubles were recently discussed in this newspaper, France, Britain, Denmark, Sweden, Australia, and Israel have some form of public financing. So do about 20 other nations. In every case, unless public-financing legislation accompanies party reform or runoff elections, governments have been burdened with unstable coalitions during times of inflation or dominated by rigid centrist parties during booms and recessions. Advocates of public financing in the United States—first proposed by Theodore Roosevelt in 1907 and again in 1949 by Henry Cabot Lodge—overlook the experience elsewhere.

The major argument in favor of public financing is, as Senator Kennedy recently put it, the "guarantee that the political influence of any citizen is measured only by his voice and vote, not by the thickness of his pocket-book." Where it has been adopted, however,

public financing has tended to substitute oligarchy for plutocracy.

The special-interest groups represented by money are replaced with those based on occupational, regional, or religious exclusiveness. Rural parliamentary districts usually come to be dominated by regional or religious interests while urban constituencies tend to be dominated by the long-term residents, usually creating an occupational bias. This is true for most of Europe, South Vietnam, India, and Japan.

Public financing has also resulted in a proliferation of candidates. More candidates mean that fewer votes are required to win, and this encourages consolidation—rather than expansion—of the bases of political organizations, as has happened in most of Europe, Turkey, India, and Vietnam. The net effect has been to deny electors an effective choice. As a British colleague of mine observed: My MP [Member of Parliament] is a union man and he is always opposed by several candidates. He keeps to his cronies because he always has enough votes to win. The only way I could have a choice is to vote with my feet and move to another district."

Except where there are comprehensive political party laws, as in Finland and South Vietnam, public financing has also led to the proliferation of splinter and temporary parties. The problem is acute in France where, as the saying goes, two Frenchmen are a political party; three, a constitutional crisis. De Gaulle often complained: "How can you govern a country that has 247 kinds of cheese?" The current French answer is a runoff system. Where there is no such provision the proliferation of parties means that national elections are won by coalitions that prove difficult to sustain as governments—as is proving true now for Israel and Britain.

Proponents of public financing argue that, as the president of the Center for Public Financing of Elections put it, the present system "stifles the emergence of new faces and new leaders." But, in the European and Asian countries where public financing exists, candidates still tend to come up through the ranks of established parties, and, except in West Germany, their social backgrounds have changed little.

Public financing's most direct consequence has been to make campaigning less lavish, though, as is the case in France, no less professionally run than in the U.S. now. The receptions and the tons of frivolous literature tend to disappear and candidates do tend to speak more often to the issues. But in Europe and Asia, public-opinion surveys find that 70-90 percent of the voters tend to have their minds made up before the campaign begins. For the 1960, 1964, and 1968 U.S. presidential elections, on the other hand, estimates are that 36 percent, 33 percent, and 38 percent of the voters, respectively, decided during the campaigns. So, even where public financing's potential impact seems greatest, it may be significant to only a third of the electorate.

All of the current U.S. proposals—the Senate Rules Committee bill, the Anderson-Udall bill, the House Administration Committee bill, and President Nixon's proposal—overlook such aspects of experience elsewhere. The current bills concentrate on candidate spending rather than party or election reform. Without the latter, public financing may do little to change the status quo.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (H.R. 15405)

making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes, in which it requests the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the speaker had affixed his signature to the enrolled bill (S. 411) to amend title 39, United States Code, with respect to certain rates of postage, and for other purposes.

The PRESIDENT pro tempore subsequently signed the enrolled bill.

HOUSE BILL REFERRED

The bill (H.R. 15405) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PRESENTATION OF A PETITION

Mr. PELL. Mr. President, on behalf of myself and my colleague from Rhode Island (Mr. PASTORE), I submit a resolution passed by the General Assembly of the State of Rhode Island and Providence Plantations. I ask that it be appropriately referred.

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

The resolution, which was referred to the Committee on Commerce, is as follows:

RESOLUTION

Memorializing the Congress of the United States to enact legislation to regulate the interstate shipment of animals to provide and insure safe and humane conditions

Whereas, Recent newspaper articles have revealed inhumane conditions in the shipment of animals; and

Whereas, In one reported case all 70 animals shipped from Kansas were found dead, and in another shipment of animals 3 out of 14 were found dead by airport employees; now, therefore, be it

Resolved, That this general assembly respectfully memorializes the Congress of the United States to enact legislation to regulate the interstate shipment of animals to provide and insure safe and humane conditions; and be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the members in the Congress of the United States from Rhode Island.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McGOVERN, from the Committee on Agriculture and Forestry:

S. 3679. An original bill to provide emergency financing for livestock producers (Rept. No. 93-949).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

William H. Orrick, Jr., of California, to be U.S. district judge for the northern district of California; and

Henry F. Werker, of New York, to be U.S. district judge for the southern district of New York.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on June 19, 1974, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 1585. An act to prevent the unauthorized manufacture and use of the character "Woody Owl," and for other purposes; and S.J. Res. 206. A joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy one citizen of the Kingdom of Laos.

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. HUMPHREY:

S. 3678. A bill to provide authority for the District of Columbia to place two statues in Statuary Hall of the Capitol. Referred to the Committee on Rules and Administration.

By Mr. MCGOVERN:

S. 3679. A bill to provide emergency financing for livestock producers. Ordered placed on the calendar.

By Mr. TUNNEY (for himself, Mr. ERVIN, and Mr. HELMS):

S. 3680. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under student loan programs. Referred to the Committee on Finance.

By Mr. GRAVEL:

S. 3681. A bill to authorize civilian employees of military installations to use the recreational facilities of such installations. Referred to the Committee on Armed Services.

S. 3682. A bill to amend the Social Security Act to provide for the coverage of certain drugs under part A of the health insurance program established by title XVIII of such act. Referred to the Committee on Finance.

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 3683. A bill to provide for addition to the Fort Clatsop National Memorial of the site of the salt cairn utilized by the Lewis and Clark Expedition, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. ERVIN (for himself, Mr. McCLELLAN, and Mr. HRUSKA):

S. 3684. A bill to secure to the Congress additional time in which to consider the proposed amendments to the Federal Rules of Criminal Procedure which the Chief Justice of the U.S. Supreme Court transmitted to the Congress on April 22, 1974. Referred to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 3685. A bill for the relief of Edith Jones. Referred to the Committee on the Judiciary.

By Mr. BEALL (for himself, Mr. DOLE, Mr. MATHIAS, and Mr. DOMINICK):

S. 3686. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under student loan programs. Referred to the Committee on Finance.

By Mr. TAFT:

S. 3687. A bill for the relief of Miguel Angel Rivadeneira, his wife, Ana Marie Rivadeneira, and their children, Monica Silvia Rivadeneira, Ana Susana Rivadeneira, and Roxana M. Rivadeneira. Referred to the Committee on the Judiciary.

By Mr. SCHWEIKER:

S. 3688. A bill to amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the Allegheny River, Pennsylvania, for potential addition to the National Wild and Scenic Rivers System. Referring to the Committee on Interior and Insular Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUMPHREY:

S. 3678. A bill to provide authority for the District of Columbia to place two statues in Statuary Hall of the Capitol. Referred to the Committee on Rules and Administration.

TO HONOR DISTINGUISHED RESIDENTS OF THE DISTRICT OF COLUMBIA

Mr. HUMPHREY. Mr. President, I am today introducing a bill to provide authority for the District of Columbia to place two statues of distinguished residents, in the Capitol. Under the current practice, established by House Concurrent Resolution No. 47 in 1933, one of these would be placed in Statuary Hall and a second at an appropriate place elsewhere in the Capitol.

The District of Columbia truly is a national city. Since 1800, it has housed the Federal Government. Now that the Congress has recognized this unique city as a political entity by granting home rule for its citizens, it seems to me altogether fitting to acknowledge the fine contributions which have been made to the city and the Nation by distinguished citizens of the District of Columbia.

We are nearing the Bicentennial anniversary of our Nation's birth. This city, which has served as an adopted home for the great leaders of our Nation throughout our history, also is the legal residence of some 753,000 full-time citizens.

When Statuary Hall was created in the old Hall of the House of Representatives in 1864, the States were each invited to place two statues there.

The statues which are placed by the States represent Americans who have contributed significantly to our national history. Certainly this category of "distinguished Americans" should include many citizens of this city who have distinguished themselves in the aid and betterment of the District and of the entire Nation.

Let me cite just a few examples:

Frederick Douglass, a great leader and spokesman of the black freedom movement during the Civil War;

Gen. Oliver O. Howard, a union officer during the Civil War, and later head of the Freedman's Bureau;

Harriet Tubman, active in the abolition movement and in assisting former slaves to reach freedom;

Alexander G. Bell, the inventor of the telephone; and

Francis Preston Blair, a great journalist and statesman.

All of these people, and many more, made vital contributions in the development of the United States. Having helped to achieve the ideals and hopes on which our Nation was founded, they have earned commemoration in Statuary Hall.

By Mr. TUNNEY (for himself, Mr. ERVIN, and Mr. HELMS):

S. 3680. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under student loan programs. Referred to the Committee on Finance.

Mr. TUNNEY. Mr. President, I rise to introduce legislation which will prevent a massive tax injustice to thousands of recent college graduates.

In a little-noticed action last June, the Internal Revenue Service decided that the canceled portion of educational loans would henceforth and retroactively be considered taxable income. Abruptly and without warning, the IRS has begun dispatching tax-due notices that have ranged as high as \$1,000 per year for up to a maximum of 3 years, payable within 30 days.

Of course, the thousands of students who contracted for national defense student loans, national direct student loans, Armed Forces health professions loans, State teaching and medical education loans, and law enforcement educational loans with forgiveness provisions had no idea they might be hit with retroactive tax-due notices dating back 3 years.

Mr. President, I believe this IRS ruling is contrary to congressional intent and subversive of the purpose of these loan programs. In no other instance does the Federal Government give with one hand and take away with the other. Even worse than the ruling itself is the application of the ruling retroactively and without advance notice.

To this very day, students and loan officials at thousands of colleges and universities are unaware of the tax liability the IRS has decided will be associated with the forgiven portion of educational loans. Since the IRS has made no effort to inform colleges and universities of the tax time bomb contained in these loans, the first a recent college graduate learns of this situation is the day the postman arrives with a bill for several years' back taxes. Adding insult to injury is the fact that the graduate is charged interest on the back taxes he or she did not even know was owned.

This is an example of Government at its absolute worst.

Thus far, the IRS has decided to enforce Revenue Ruling 73-256 in only a handful of jurisdictions. I sincerely hope

Congress will soon act to forestall any additional enforcement of this arbitrary and unfair ruling. Congressman IKE ANDREWS has introduced legislation in the House to deny retroactivity to this ruling. As of today, Congressman ANDREW'S bill has 73 cosponsors.

The legislation I am offering today makes it clear that Congress does not intend that the forgiven portion of educational loans be treated as taxable income. It provides that Revenue Ruling 73-256 cannot be enforced for any taxable year, current past, or future.

Mr. President, I hope that the Finance Committee will give this legislation all possible consideration and I welcome the cosponsorships of all other Members of the Senate. At this point I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3680

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 117 of the Internal Revenue Code of 1954 (relating to scholarship and fellowship grants) is amended by adding at the end thereof the following new subsection:

"(c) CANCELLATIONS OF STUDENT LOANS.—

"(1) IN GENERAL.—In the case of an individual, no amount shall be included in gross income by reason of the discharge of all or part of the indebtedness of the individual under a student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions or certain geographical areas or for certain classes of employers.

"(2) STUDENT LOAN.—For purposes of this subsection, the term 'student loan' means any loan to an individual to assist the individual in attending an educational institution (as defined in section 151(e)(4))—

"(A) by the United States, or an instrumentality or agency thereof, or a State, a territory, or a possession of the United States, or any political subdivision thereof, or the District of Columbia, or

"(B) by any educational institution (as defined in section 151(e)(4)) pursuant to an agreement with the United States, or an instrumentality or agency thereof, or a State, a territory, or a possession of the United States, or any political subdivision thereof, or the District of Columbia under which the funds from which the loan was made were provided to such educational institution."

Sec. 2. The amendment made by the first section shall apply with respect to all taxable years.

By Mr. GRAVEL:

S. 3681. A bill to authorize civilian employees of military installations to use the recreational facilities of such installations. Referred to the Committee on Armed Services.

Mr. GRAVEL. Mr. President, I am today introducing a bill to permit civilian employees of military installations to use the recreational facilities of such installations.

The base commanders of military installations now have the prerogative of designating those civilians they wish to use the facilities, whether they be actual

employees of such installations or persons from the public sector. It seems only fair to me that the recreational facilities at any military installation which are paid for or maintained with Federal funds should be made available for use by all civilian employees at such installations.

For the American taxpayer to provide the funds for establishment and maintenance of many such facilities and yet be denied access is, Mr. President, rank discrimination. To at least partially rectify this, I feel that we should grant access to at least those civilian employees who work on the bases.

On today's modern military base, especially those located within the United States, the number of civilian employees is high in proportion to the entire base population. The use of recreational facilities should not remain a tool for the military brass to reward only selected employees. More important, high ranking officers should not be permitted to allow their civilian friends who have no connection with the installation to use the facilities while such use is denied to base employees.

This legislation is intended to restore a sense of balance and equity to our treatment of dedicated Government employees employed on military installations. They deserve basic privileges as a reward for their service to the Nation.

By Mr. GRAVEL:

S. 3682. A bill to amend the Social Security Act to provide for the coverage of certain drugs under part A of the health insurance program established by title XVIII of such act. Referred to the Committee on Finance.

Mr. GRAVEL. Mr. President, today I am introducing legislation which would provide for medicare coverage for certain drugs purchased outside the hospital.

As you know, this proposal was introduced as an amendment to the social security bill, H.R. 3153, but was deleted in conference. The legislation I am submitting today is a further attempt to insure that the burden of high medical costs for the elderly is recognized and alleviated.

Statistics forewarn us that by 1985 there will be approximately 25 million senior citizens in this country. We, as legislators, must begin to deal with the reality of aging in our proposals and subsequent action. We can and must insist that present laws are changed to adequately meet the needs of the elderly.

Though opposition to this proposal in the past has stemmed largely from the fear that economic self-interest would be lost due to cost and quality control, I am confident that support of this measure will be viewed as a definite desire to seek what is best for the American people.

Many of our senior citizens do not vote. Their voice is seldom heard in Washington, and their needs continue to go unheeded. Leading lives of quiet desperation, they are forced to endure inadequate housing and crowded nursing homes throughout America.

Inflicted with a fixed income that must cope with the rising cost of living, an unexpected illness can turn the present financial burden of an older person into a state of financial and medical despair. It is too high a price for our elderly, and too high a risk for this country's obligations to its citizens.

It is not enough to say we are concerned. It is not enough to say we are aware. The task before Congress and the country today is whether we will grasp the opportunity to match our promises with deeds to reform this country's aid to its elderly.

Having evaluated the responses made by constituents on a recent senior citizens questionnaire, the need for drug coverage is painfully apparent in their fear of monetary loss as well as unobtainable medicine.

In trying to reach a solution to this monumental issue, I am proposing this legislation today as a further attempt to provide not only adequate coverage, but the necessary protection our senior citizens have a right to.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 3682

A bill to amend the Social Security Act to provide for the coverage of certain drugs under part A of the health insurance program established by title XVIII of such Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 226(c)(1) of the Social Security Act is amended by striking out "and post-hospital home health services" and inserting in lieu thereof "post-hospital home health services, and eligible drugs".

(b) Section 1811 of the Social Security Act is amended by inserting "and eligible drugs" after "related post-hospital services".

(c) Section 1812(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) eligible drugs."

(d) Section 1813(a) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(4) The reasonable allowance, as defined in section 1813, for eligible drugs furnished an individual pursuant to anyone prescription (or each renewal thereof) and purchased by such individual at any one time shall be reduced by an amount equal to the applicable prescription copayment obligation which shall be \$1."

(e)(1) Section 1814(a) of the Social Security Act is amended—

(A) by striking out "and" at the end of paragraph (6);

(B) by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; and"; and

(C) by inserting after paragraph (7) the following new paragraph:

"(8) with respect to drugs or biologicals furnished pursuant to and requiring (except for insulin) a physician's prescription, such drugs or biologicals are eligible drugs as defined in section 1861(t) and the par-

participating pharmacy (as defined in section 1861(aa)) has such prescription in its possession, or some other record (in the case of insulin) that is satisfactory to the Secretary."

(2) Section 1814(b) of such Act is amended—

(A) by inserting "(1)" after "(b)",

(B) by inserting "(other than a pharmacy)" immediately after "provider of services",

(C) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(D) by redesignating clauses (A) and (B) of paragraph (1) as clauses (i) and (ii), respectively, and

(E) by adding at the end thereof the following new paragraph:

"(2) The amount paid to any participating pharmacy which is a provider of services with respect to eligible drugs for which payment may be made under this part shall, subject to the provisions of section 1813, be the reasonable allowance (as defined in section 1822) with respect to such drugs."

(f) Section 1814 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Limitation on Payment for Eligible Drugs

"(j) Payment may be made under this part for eligible drugs only when such drugs are dispensed by a participating pharmacy; except that payment under this part may be made for eligible drugs dispensed by a physician where the Secretary determines, in accordance with regulations, that such eligible drugs were required in an emergency or that there was no participating pharmacy available in the community, in which case the physician (under regulations prescribed by the Secretary) shall be regarded as a participating pharmacy for purposes of this part with respect to the dispensing of such eligible drugs."

(g) Part A of title XVIII of the Social Security Act is further amended by adding after section 1818 the following new sections:

"MEDICARE FORMULARY COMMITTEE

"SEC. 1819. (a) (1) There is hereby established, within the Department of Health, Education, and Welfare, a Medicare Formulary Committee (hereinafter referred to as the 'Committee'), a majority of whose members shall be physicians and which shall consist of the Commissioner of Food and Drugs and of four individuals (not otherwise in the employ of the Federal Government) who do not have a direct or indirect financial interest in the composition of the Formulary established under this section and who are of recognized professional standing and distinction in the fields of medicine, pharmacology, or pharmacy, to be appointed by the Secretary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The Chairman of the Committee shall be elected annually from the appointed members thereof, by majority vote of the members of the Committee.

"(2) Each appointed member of the Committee shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, one at the end of each of the first five years. A member shall not be eligible to serve continuously for more than two terms.

"(b) Appointed members of the Committee, while attending meetings or conferences thereof or otherwise serving on business of

the Committee, shall be entitled to receive compensation at rates fixed by the Secretary (but not in excess of the daily rate paid under GS-18 of the General Schedule under section 5332 of title 5, United States Code), including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) (1) The Committee is authorized, with the approval of the Secretary, to engage or contract for such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Committee such secretarial, clerical, and other assistance as the Formulary Committee may require to carry out its functions.

"(2) The Secretary shall furnish to the Committee such office space, materials, and equipment as may be necessary for the Formulary Committee to carry out its functions.

"MEDICARE FORMULARY

"SEC. 1820. (a) (1) The Committee shall compile, publish, and make available a Medicare Formulary (hereinafter in this title referred to as the 'Formulary').

"(2) The Committee shall periodically revise the Formulary and the listing of drugs so as to maintain currency in the contents thereof.

"(b) (1) The Formulary shall contain an alphabetically arranged listing, by established name, of those drug entities within the following therapeutic categories:

"Adrenocorticoids,
"Anti-anginals,
"Anti-arrhythmics,
"Anti-coagulants,
"Anti-convulsants (excluding phenobarbital),
"Anti-hypertensives,
"Anti-neoplastics,
"Anti-Parkinsonism agents,
"Anti-rheumatics,
"Bronchodilators,
"Cardiotonics,
"Cholinesterase inhibitors,
"Diuretics,
"Gout suppressants,
"Hypoglycemics,
"Miotics,
"Thyroid hormones,
"Tuberculostatics,

which the Committee decides are necessary for individuals using such drugs. The Committee shall exclude from the Formulary any drug entities (or dosage forms and strengths thereof) which the Committee decides are not necessary for proper patient care, taking into account other drug entities (or dosage forms and strengths thereof) which are included in the Formulary.

"(2) Such listing shall include the specific dosage forms and strengths of each drug entity (included in the Formulary in accordance with paragraph (1)) which the Committee decides are necessary for individuals using such drugs.

"(3) Such listing shall include the prices at which the products (in the same dosage form and strength) of such drug entities are generally sold by the suppliers thereof and the limit applicable to such prices under section 1822(b) (1) for purposes of determining the reasonable allowance.

"(4) The Committee may also include in the Formulary, either as a separate part (or parts) thereof or as a supplement (or supplements) thereto, any or all of the following information:

"(A) A supplemental list or lists, arranged by diagnostic, prophylactic, therapeutic, or other classifications, of the drug entities

(and dosage forms and strengths thereof) included in the listing referred to in paragraph (1).

"(B) The proprietary names under which products of a drug entity listed in the Formulary by established names (and dosage form and strength) are sold and the names of each supplier thereof.

"(C) Any other information with respect to eligible drug entities which in the judgment of the Committee would be useful in carrying out the purposes of this part.

"(c) In considering whether a particular drug entity (or strength or dosage form thereof) shall be included in or excluded from the Formulary, the Committee is authorized to obtain (upon request thereof) any record pertaining to the characteristics of such drug entity which is available to any other department, agency, or instrumentality of the Federal Government, and to request suppliers or manufacturers of drugs and other knowledgeable persons or organizations to make available to the Committee information relating to such drug. If any such record or information (or any information contained in such record) is of a confidential nature, the Committee shall respect the confidentiality of such record or information and shall limit its usage thereof to the proper exercise of its authority.

"(d) (1) The Committee shall establish such procedures as it determines to be necessary in its evaluation of the appropriateness of the inclusion in or exclusion from the Formulary, of any drug entity (or dosage form or strength thereof). For purposes of inclusion in or exclusion from the Formulary the principal factors in the determination of the Committee shall be—

"(A) the factor of clinical equivalence in the case of the same dosage forms in the same strengths of the same drug entity, and

"(B) the factor of relative therapeutic value in the case of similar or dissimilar drug entities in the same therapeutic category.

"(2) The Committee, prior to making a final decision to remove from listing in the Formulary any drug entity (or dosage forms or strengths thereof) which is included therein, shall afford a reasonable opportunity for a formal or informal hearing on the matter to any person engaged in manufacturing, preparing, compounding, or processing such drug entity who shows reasonable ground for such a hearing.

"(3) Any person engaged in the manufacture, preparation, compounding, or processing of any drug entity (or dosage forms or strengths thereof) not included in the Formulary which such person believes to possess the requisite qualities to entitle such drug to be included in the Formulary pursuant to subsection (b) may petition for inclusion of such drug entity and, if such petition is denied by the Formulary Committee, shall, upon request therefor, showing reasonable grounds for a hearing, be afforded a formal or informal hearing on the matter in accordance with rules and procedures established by such Committee.

"LIMITATIONS ON MEDICARE PAYMENT FOR CHARGES OF PROVIDERS OF SERVICES

"SEC. 1821. (a) Any provider of services as defined in section 1861(u), whose services are otherwise reimbursable, under any program under this Act in which there is Federal financial participation on the basis of 'reasonable cost', shall not be entitled to a professional fee or dispensing charge or reasonable billing allowance as determined pursuant to this part.

"(b) A fee, charge, or billing allowance shall not be payable under this section with respect to any drug entity that (as determined in accordance with regulations) is

furnished as an incident to a physician's professional service, and is of a kind commonly furnished in physicians' offices and commonly either rendered without charge or included in the physicians' bills.

"REASONABLE ALLOWANCE FOR ELIGIBLE DRUGS
"SEC. 1822. (a) For purposes of this part, the term 'reasonable allowance' when used in reference to an eligible drug (as defined in section 1861(t)) means the following:

"(1) When used with respect to a prescription legend drug entity, in a given dosage form and strength, such term means the lesser of—

"(A) an amount equal to the customary charge at which the participating pharmacy sells or offers such drug entity, in a given dosage form and strength, to the general public, or

"(B) the price determined by the Secretary, in accordance with subsection (b) of this section, plus the professional fee or dispensing charges determined in accordance with subsection (c) of this section.

"(2) When used with respect to insulin such term means the charge not in excess of the reasonable customary price at which the participating pharmacy offers or sells the product to the general public, plus a reasonable billing allowance.

"(b) (1) For purposes of establishing the reasonable allowance in accordance with subsection (a) the price shall be (A) in the case of a drug entity (in any given dosage form and strength) available form and sold by only one supplier, the price at which such drug entity is generally sold (to establishments dispensing drugs), and (B) in any case in which a drug entity (in any given dosage form and strength) is available and sold by more than one supplier, only each of the lower prices at which the products of such drug entity are generally sold (and such lower prices shall consist of only those prices of different suppliers sufficient to assure actual and adequate availability of the drug entity, in a given dosage form and strength, at such prices in a region).

"(2) If a particular drug entity (in a given dosage form and strength) in the Formulary is available from more than one supplier, and the product of such drug entity as available from one supplier possesses demonstrated distinct therapeutic advantages over other products of such drug entity as determined by the Committee on the basis of its scientific and professional appraisal of information available to it, including information and other evidence furnished to it by the supplier of such drug entity, then the reasonable allowance for such supplier's drug product shall be based upon the price at which it is generally sold to establishments dispensing drugs.

"(3) If the prescriber, in his handwritten order, has specifically designated a particular product of a drug entity (and dosage form and strength) included in the Formulary by its established name together with the name of the supplier of the final dosage form thereof, the reasonable allowance for such drug product shall be based upon the price at which it is generally sold to establishments dispensing drugs.

"(c) (1) For the purpose of establishing the reasonable allowance (in accordance with subsection (a)), a participating pharmacy, shall, in the form and manner prescribed by the Secretary, file with the Secretary, at such times as he shall specify, a statement of its professional fee or other dispensing charges.

"(2) A participating pharmacy, which has agreed with the Secretary to serve as a provider of services under this part, shall, except for subsection (a) (1) (A), be reimbursed, in addition to any price provided for in subsection (b), the amount of the fee or charges

filed in paragraph (1), except that no fee or charges shall exceed the highest fee or charges filed by 75 per centum of participating pharmacies (with such pharmacies classified on the basis of (A) lesser dollar volume of prescriptions and (B) all others) in a census region which were customarily charged to the general public as of June 1, 1973. Such prevailing professional fees or dispensing charges may be modified by the Secretary in accordance with criteria and types of data comparable to those applicable to recognition of increases in reasonable charges for services under section 1842.

"(3) A participating pharmacy shall agree to certify that, whenever such pharmacy is required to submit its usual professional fee or dispensing charge for a prescription, such charge does not exceed its customary charge."

(h) Section 1861(t) of the Social Security Act is amended—

(1) by inserting "or as are approved by the Formulary Committee" after "For use in such hospital"; and

(2) by adding at the end thereof the following new sentence: "The term 'eligible drug' means a drug or biological which (A) can be self-administered, (B) requires a physician's prescription (except for insulin), (C) is prescribed when the individual requiring such drug is not an inpatient in a hospital or extended care facility, during a period of covered care, (D) is included by strength and dosage forms among the drugs and biologicals approved by the Formulary Committee, (E) is dispensed (except as provided by section 1814(j)), by a pharmacist from a participating pharmacy, and (F) is dispensed in quantities consistent with proper medical practice and reasonable professional discretion."

(i) Section 1861(u) of the Social Security Act is amended by striking out "home health agency," and inserting in lieu thereof "home health agency, pharmacy,".

(j) Section 1861 of the Social Security Act is further amended by adding at the end thereof the following new subsection:

"Participating Pharmacy

"(aa) The term 'participating pharmacy' means a pharmacy, or other establishment (including the outpatient department of a hospital) providing pharmaceutical services (1) which is licensed as such under the laws of the State (where such State requires such licensure) or which is otherwise lawfully providing pharmaceutical services in which such drug is provided or otherwise dispensed in accordance with this title, (2) which has agreed with the Secretary to act as a provider of services in accordance with the requirements of this section, and which complies with such other requirements as may be established by the Secretary in regulations to assure the proper, economical, and efficient administration of this title, (3) which has agreed to submit, at such frequency and in such form as may be prescribed in regulations, bills for amounts payable under this title for eligible drugs furnished under part A of this title, and (4) which has agreed not to charge beneficiaries under this title any amounts in excess of those allowable under this title with respect to eligible drugs except as is provided under section 1813(a) (4), and except for so much of the charge for a prescription (in the case of a drug product prescribed by a physician, of a drug entity in a strength and dosage form included in the Formulary where the price at which such product is sold by the supplier thereof exceeds the reasonable allowance) as is in excess of the reasonable allowance established for such drug entity in accordance with section 1822."

(k) (1) The first sentence of section 1866 (a) (2) (A) of the Social Security Act is

amended by striking out "and (ii)" and inserting in lieu thereof the following: "(ii) the amount of any copayment obligation and excess above the reasonable allowance consistent with section 1861(aa) (4) and (iii)".

(2) The second sentence of section 1866(a) (2) (A) of such Act is amended by striking out "clause (ii)" and inserting in lieu thereof "clause (iii)".

(1) The amendments made by this section shall apply with respect to eligible drugs furnished on and after the first day of January 1975.

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 3683. A bill to provide for addition to the Fort Clatsop National Memorial of the site of the salt cairn utilized by the Lewis and Clark Expedition, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. HATFIELD. Mr. President, today I send to the desk legislation to add the site of the salt cairn utilized by the Lewis and Clark Expedition to the Fort Clatsop National Memorial in Oregon.

The availability of salt was of the utmost importance to the Lewis and Clark Expedition. Their journals tell us that during the preparations for the journey and on the trip itself the leaders were greatly concerned about having enough salt for their men. It was necessary because the strenuous physical activity involved in such an endeavor resulted in the loss of body salt, as well as to make their food more palatable.

When the expedition arrived at Fort Clatsop in December of 1805, it was imperative that their salt supply be replenished. Capt. William Clark wrote:

We having fixed on this Situation as the one best Calculated for our Winter quarters I deturmin'd to go as direct a Course as I could to the Sea Coast which we could here roar and appeared to be at no great distance from us, my principle object is to look out a place to make Salt.

The place was found and a group of men spent 2 months to produce 20 gallons of salt by a continuous process of boiling sea water in five "kittles." The site of that salt cairn is located in what is now Seaside, Ore. The land is presently owned by the Oregon Historical Society which is willing to give it to the National Park Service as a satellite of the Fort Clatsop National Memorial, some 25 miles away.

I believe this action would be highly appropriate. The two areas are joined historically, and the designation of the salt cairn as a part of the Fort Clatsop National Memorial will result in better maintenance and identification of the area.

Mr. President, the driving force behind this effort in Oregon is Dr. E. G. Chuinard, who serves as chairman of the Oregon Lewis & Clark Trail Heritage Foundation Committee. Dr. Chuinard has worked tirelessly on this proposal with local government and interested citizens. I ask unanimous consent that a letter to Dr. Chuinard from Mr. Thomas Vaughan, director of the Oregon Historical Society, be included in the RECORD at this point because it includes useful background information and

states clearly the society's willingness to give the property to the National Park Service.

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

OREGON HISTORICAL SOCIETY,
Portland, Oreg., December 31, 1973.
E. G. CHUINARD, M.D.
Portland, Oreg.

DEAR DOCTOR CHUINARD: As you know, the Oregon Historical Society worked very hard in 1900-01 to truly authenticate and establish the site of the Lewis and Clark salt works. Some of the very best scholars ever associated with this century-old learned society worked very hard on this problem (including T. C. Elliot, Ralph Budd, Judge Charles Carey, and George Himes, himself). They were as certain of that site as they were of the now well-established Fort Clatsop site, which bright jewel in the National Park holdings was also once owned by this society, and also once questioned as to accurate location.

As you know, we have resisted many private inroads into the historic Cairn property as our minutes frequently attest. We have safeguarded the site as originally instructed, secure in the fact that it would continually be recognized as the site in the Tillamook Head area, one which should increase in size and general recognition, with open access to the beach and the ocean.

As earlier stated I again declare the interest of the Board of Directors is that this unique and historically authenticated site, as established and successfully used by the Lewis and Clark expedition as a salt works, be given over by title to the National Park Service, the Department of Interior, United States Government to become an extension and satellite of the Fort Clatsop National Memorial. It is only logical to join these two important properties. Our Society Board unanimously supports this long established intention and has for many years.

As you may remember, I was Director of this Society when, in 1954, we all first began to work on the establishment of the Clatsop site. Many persons then said it was an impossible conception. What a wonderful park it is today; how much better it will be with the true salt operation formally associated with it. When it is available for proper development, any thought of a simulated salt making operation is in my personal estimation anathema.

Please inform our president, David Abram, or me of any way in which this Society can support the splendid work being undertaken, under your direction, by the Lewis and Clark Trail Heritage Foundation Committee. Following the expressions of our Board we wish to join however we can in assuring the success of this important national preservation project.

Sincerely yours,
THOMAS VAUGHAN, Director.

Mr. HATFIELD. Mr. President, I am pleased to have my colleague from Oregon, Senator BOB PACKWOOD, join me in introducing this bill today. Congressman WENDALL WYATT, who represents Oregon's First Congressional District, is introducing a companion bill in the House.

I ask unanimous consent that resolutions adopted by the cities of Cannon Beach, Oreg., and Seaside, Oreg., be included in the RECORD, as well as two editorials from the Oregon Journal and the Oregonian in support of this proposal.

There being no objection, the material

was ordered to be printed in the RECORD, as follows:

RESOLUTION No. 74-13

Whereas, a replica of the Lewis and Clark Salt Cairn is established on a site which has been authenticated, in the City of Seaside, Oregon, and

Whereas, the site and replica are owned by different parties, and funds are not always available for development and maintenance, and

Whereas, the Salt Cairn was an important part of the Lewis and Clark Expedition and Fort Clatsop, and

Whereas, the present Salt Cairn should be an important adjunct to the present Fort Clatsop National Memorial which is maintained and operated by the National Park Department.

Therefore, be it resolved, That Common Council of the City of Cannon Beach, meeting in regular session, joins with the Governor's Oregon Lewis and Clark Trail Heritage Foundation, the City Council of Seaside, Oregon, and other interested parties, to petition the Congress of the United States, to direct the National Park Service to accept title to, develop and maintain this important part of the Lewis and Clark Expedition and the nation's historical heritage, the Lewis and Clark Salt Cairn in Seaside, Oregon.

Passed by the Common Council of the City of Cannon Beach, this 4th day of March, 1974.

RESOLUTION

Whereas, the Lewis and Clark Expedition, in conjunction with Fort Clatsop, constructed, at Seaside, Oregon, a location for extracting salt from the seawater, and

Whereas, the salt cairn at Seaside was an integral part of the operation of Fort Clatsop, even though it was located several miles from the Fort proper, and

Whereas, the salt cairn at Seaside, Oregon is of historic interest and should be included in the Fort Clatsop National Memorial, even though located several miles away.

Now, therefore, be it resolved, That Clatsop County Historical Advisory Committee, undertake to urge the Department of the Interior of the National Parks Service and the Government of the United States to include the salt cairn at Seaside, Oregon as a satellite or appendage of Fort Clatsop National Memorial.

[From the Oregon Journal, Jan. 18, 1974]

A GREAT STORY ABOUT SALT

The importance of salt in the affairs of humankind has been recognized throughout recorded history.

The meaning of the biblical quotation, "Ye are the salt of the earth," is based on this recognition.

In the period of the Roman Empire, each soldier was given a regular "salarium," or salt allowance for money to buy salt, and from this came the word "salary."

It is in this context that the site in the city of Seaside, where members of the Lewis and Clark Expedition made salt in the winter of 1805-06, earns the right to be accepted as "nationally significant" in history.

When the party reached the end of the long trek from St. Louis in December, 1805, and built its winter quarters on the site of the present Fort Clatsop National Memorial near Astoria, the men were desperately in need of salt.

Next to building a shelter, a top priority was finding a spot where salt could be extracted from sea water not only to meet immediate requirements but to last the expedition on the return journey as far as the

Great Falls in Montana, where the nearest cache was located.

The place, where in a period of two months 20 gallons of salt was obtained by a laborious process of boiling sea-water, was acquired by the Oregon Historical Society in 1910 through donation from Mrs. Charlotte Cartwright.

While the Salt Cairn is marked and preserved in perpetuity, and has received care from the Seaside Lions Club, it deserves to be upgraded and maintained on a level which it has never enjoyed before.

The Governor's Lewis and Clark Heritage Foundation Committee, headed by Dr. E. G. Chuinard, one of this nation's most dedicated Lewis and Clark buffs, is spearheading a drive for National Park Service acquisition of the Salt Cairn as a satellite of Fort Clatsop. The project has the support of the Historical Society. It seems to be winning general approval in Clatsop County.

The approaching Bicentennial makes this an appropriate time to put renewed focus on all aspects of the Lewis and Clark journey. It is this region's major link with the nation's early history, since it was President Thomas Jefferson who commissioned the expedition, which in turn helped to pin down the nation's claim to this part of the continent.

Other things can be done further to identify and exploit the rich legacy of Lewis and Clark history in Clatsop County. One idea now being explored is construction of a bicycle trail by the Oregon Highway Division between Fort Clatsop and the Salt Cairn.

The National Lewis and Clark Heritage Foundation, headed by Robert Lange of Portland, will hold its annual meeting in Astoria next August. This organization hopefully will give its backing to the project of making the Salt Cairn a satellite of Fort Clatsop.

Federal legislation will be required. Sen. Mark Hatfield and Rep. Wendell Wyatt are interested. Fort Clatsop became a national memorial only because influential Oregon people and organizations put their weight behind the project. That is what it will take for the Salt Cairn project to be realized.

[From the Oregonian, Feb. 13, 1974]

MEMORIAL PART MISSING

Salt was a vital commodity to the members of the Lewis and Clark expedition. Consequently, the site of the salt cairn in which they evaporated sea water to get salt to sustain them through the winter of 1805-6 is of historical importance. But its current condition does not reflect that fact.

The location of the cairn has long been known. It is on a small lot among residences near the promenade at Seaside and about 100 feet from high tide. The site was authenticated by authorities; and, in May, 1910, the private owner of the property deeded it to the Oregon Historical Society, "in trust for the people of the State of Oregon for historical purposes only."

A modest marker designates the site and its significance, and many have visited it over the years. But neither the site nor those who might want to visit it have received proper attention, for lack of suitable custodianship.

The Governor's Lewis and Clark Heritage Foundation Committee of Oregon and the Oregon Historical Society have studied the matter and prepared a reasonable recommendation: That the cairn be made a part of the Fort Clatsop National Memorial, a reproduction of the Lewis and Clark winter encampment just a few miles north of the cairn site.

This small but important expansion of the

memorial to the historic expedition requires federal legislation. Senator Mark Hatfield has informed the sponsors that he is introducing a bill to that end. It deserves support. The cost would be infinitesimal, the dividends in awareness of the significance of the history of the Oregon Country considerable.

Mr. PACKWOOD. Mr. President, true history is a fragile possession, not easily discovered. When we are blessed, however, with tangible evidence of an historic and courageous endeavor then we, through the visible trace of efforts left by our forebears, grow stronger.

The Lewis and Clark Expedition, 1803-07, was one such endeavor that will forever mark American annals as a courageous enterprise. Spurred by fabulous reports of the unexplored Oregon Country and lead by Capt. Meriwether Lewis and William Clark, an intrepid band of explorers wound its way through the western half of the North American Continent for more than 3 years, reporting back to President Jefferson in February, 1807.

Surely, the evidence of this bold journey should be preserved to remind us of our strong foundations in the past and to prod us to maintain this frontier spirit in facing the future. This is why I am very pleased to join Senator HATFIELD in sponsoring legislation which seeks to expand the Fort Clatsop National Memorial to include the salt cairn built by the expedition a mere 100 feet from the Pacific Ocean.

Lewis and Clark arrived at their Pacific destination, at Fort Clatsop, during the winter of 1805-06. The value of salt to the expedition is made apparent by the many references to this commodity in the Lewis and Clark Journals; its importance was particularly made vivid by Captain Clark's insistence that immediately following the selection of where winter quarters were to be established—

I deturmin'd to go as direct a Course as I could to the Sea Coast which we could here roar and appeared to be at no great distance from us, my principal object is to look out a place to make Salt, blaze the road or rout that they men out hunting might find the direction to the fort if they Should get lost in cloudy weather—and See the probability of game in that direction, for the Support of the Men, we Shall Send to make Salt.

Back and forth, again and again, Lewis and Clark and their men trekked the same 7 miles from Fort Clatsop to the salt cairn during their winter stay. Twenty gallons of precious salt was the fruit of their difficult labor for the arduous journey of return to the eastern seaboard.

Today, the remains of this salt cairn, the evidence of a great era of American exploration, are maintained by the Oregon Historical Society. I think it entirely appropriate that this site of national historic significance be integrated into the Fort Clatsop National Memorial.

In sum, the value of the salt cairn is best expressed by the words of the Governor's Lewis and Clark Heritage Foundation Committee of Oregon; they are to be congratulated on their work and words:

The story of the western end of the Lewis and Clark Trail cannot be complete without proper recognition of the Salt Cairn, and this can best be done with it becoming a satellite component of the Fort Clatsop National Memorial.

In conclusion the committee noted—

Woodrow Wilson said: "A spot of local history is like an inn upon a highway: it is a stage upon a far journey: it is a place that national history has passed through. There mankind has stopped and lodged by the way."

The Salt Cairn is a spot of local history; it was a stage upon a far journey; it is a place that national history has passed through. We must see to it that national history shall not pass it by.

By Mr. BEALL (for himself, Mr. DOLE, Mr. MATHIAS, and Mr. DOMINICK):

S. 3686. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under student loan programs. Referred to the Committee on Finance.

Mr. BEALL. Mr. President, on behalf of Senators DOLE, DOMINICK, MATHIAS, and myself, I send to the desk a bill to reverse a recent Internal Revenue ruling that the portion of student loans, which was canceled as a result of service in certain professions, such as teaching, or the service in certain areas, such as physician shortage areas, is taxable income.

Students from around the country are beginning to be hit with this Internal Revenue ruling and according to a recent Washington Star article story, these tax bills are running from \$200 to \$1,000. Of course, this is an unexpected blow to the recipients of these loans at a time when they are probably just getting started. The Internal Revenue ruling, in my judgment, is clearly contrary to the intent of Congress and certainly will frustrate congressional policy with respect to encouraging individuals to serve in certain professions or in certain geographical areas.

It is interesting to note the anomalous situation that will result if the Internal Revenue ruling is allowed to stand. For example, if a student accepts a loan to attend medical school and subsequently agrees to practice in a shortage area, and thus receives the benefits of the loan cancellation provision, that portion of the loan which is canceled would be taxable to that student.

On the other hand, under the physician shortage scholarship program, which I authored, a student would not be taxed on this income since in general scholarships and fellowships under the Internal Revenue Code are not taxable. This does not make sense and I think further underscores the ridiculousness of the Internal Revenue ruling.

The bill I introduce would reverse that ruling. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 117 of the Internal Revenue Code of 1954 (relating to scholarship and fellowship grants) is amended by adding at the end thereof the following new subsection:

"(c) CANCELLATIONS OF STUDENT LOANS.—

"(1) IN GENERAL.—In the case of an individual, no amount shall be included in gross income by reason of the discharge of all or part of the indebtedness of the individual under a student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions or certain geographical areas or for certain classes of employers.

"(2) STUDENT LOAN.—For purposes of this subsection, the term 'student loan' means any loan made to an individual to assist the individual in attending an educational institution (as defined in section 151(e)(4))—

"(A) by the United States, or an instrumentality or agency thereof, or a State, a territory, or a possession of the United States or any political subdivision thereof, or the District of Columbia, or

"(B) by any educational institution (as defined in section 151(e)(4)) pursuant to an agreement with the United States, or an instrumentality or agency thereof, or a State, a territory, or a possession of the United States, or any political subdivision thereof, or the District of Columbia under which the funds from which the loan was made were provided to such educational institution."

Sec. 2. The amendment made by the first section shall apply to loans made with respect to all taxable years without regard to whether they begin before, on, or after the date of the enactment of this act.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2711

At the request of Mr. INOUE, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 2711 to provide an additional income exemption for a taxpayer or his spouse who is deaf or deaf-blind.

S. 3097

At the request of Mr. TAFT, the Senator from Utah (Mr. MOSS) was added as a cosponsor of S. 3097, to amend the Rail Passenger Service Act of 1970 in order to provide for a demonstration project providing certain rail transportation for highway recreational vehicles.

S. 3154

At the request of Mr. RIBICOFF, the Senator from Hawaii (Mr. INOUE) was added as a cosponsor to S. 3154, the Comprehensive Medicare Reform Act.

S. 3445

At the request of Mr. MONTOYA, the Senator from Florida (Mr. CHILES) was added as a cosponsor to S. 3445, a bill to amend the Internal Revenue Code of 1954 to provide for a credit, in lieu of a deduction, for interest paid on a mortgage on a taxpayer's principal residence and for real property taxes paid on such principal residence.

S. 3499

At the request of Mr. TAFT, the Senator from Kansas (Mr. DOLE) was added

as a cosponsor of S. 3499, to provide for the continued monitoring of the economy, to provide authority to enforce de-control commitments, and for other purposes.

S. 3626

At the request of Mr. HUGH SCOTT, the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 3626, to insure that an individual or family whose income is increased in monthly social security benefits will not, because of such general increases, suffer a loss of or reduction in the benefits under certain Federal or federally assisted programs.

SENATE CONCURRENT RESOLUTION 92—SUBMISSION OF A CONCURRENT RESOLUTION RELATING TO CERTAIN RESPONSIBILITIES OF THE U.S. CUSTOMS SERVICE

(Referred to the Committee on Finance.)

OMB MUST OBEY THE LAW

Mr. HUMPHREY. Mr. President, I am introducing a concurrent resolution which declares it to be the sense of Congress that there must be a halt to the latest example of flagrant disregard by the administration for due process.

On June 5, the Director of the Office of Management and Budget directed that steps be taken to transfer certain functions from the U.S. Customs Service in the Department of the Treasury to the Immigration and Naturalization Service in the Justice Department. These functions lie by statute within the domain of responsibility of the Customs Service. They do not lie within the legal authority of the Immigration and Naturalization Service.

No transfer of this kind may take place without review by Congress, which has the ultimate authority to determine the statutory domains of Federal agencies.

The specific order to the Customs Service from the Office of Management and Budget requires the Customs Service to initiate steps to transfer its capabilities for interdiction of contraband between principal points of entry along the Mexican border, to the Immigration and Naturalization Service. I am advised that this illegal order was reaffirmed last week.

No effort was made to contact the Congress beforehand on this issue. Nor was any effort made to follow the legal processes required for the transfer of statutorily vested responsibilities.

The critical issue here is one of legality.

It is the issue of the legal power of Congress to determine the statutory arrangements of the Federal Government. Only Congress has that power.

The transfer ordered by the Office of Management and Budget is an attempted usurpation of this congressional power.

We can set aside for the moment the practical question of whether such a transfer of responsibilities from the Customs Service to the Immigration and

Naturalization Service is desirable—even whether there is the remotest particle of good sense in such a proposal.

Let us get clear on the legal issues involved here.

First, Customs officials have been authorized since 1789 "to stop and examine any vehicle, person, or baggage arriving in the United States, on the suspicion that merchandise is concealed which is subject to duty or which cannot legally be imported into the United States."

Second, these interdiction powers of the Customs Service were confirmed by the Second Reorganization Plan of 1973, which transferred "intelligence, investigative and law enforcement functions" involving narcotics to the new Drug Enforcement Administration in the Justice Department. But the language approved by Congress specifically retains those powers for the Secretary of the Treasury:

To the extent that they relate to searches and seizures of illicit narcotics, dangerous drugs, or marihuana or to the apprehension or detention of persons in connection therewith, at regular inspection locations at ports of entry or anywhere along the land or water borders of the United States.

The plan states further that:

Nothing in this section shall be construed as limiting in any way any authority vested by law in the Secretary of the Treasury, the Department of the Treasury, or any other officer or agency of that Department . . . with respect to contraband other than illicit narcotics, dangerous drugs, and marihuana.

The third legal point to be made is that the Immigration and Naturalization Service does not have the legal authority to search for and interdict contraband. Their authority is restricted to problems bearing on the legal or illegal entry of aliens into the United States.

Now we all agree that there may be times when functions need to be transferred from one agency to another for reasons of efficiency or cost. I do not believe this is a time when there is any good reason for such a transfer—but there are mechanisms which the administration can use if it wishes to try to gain the consent of Congress to this transfer.

Under the ninth chapter of title V of the U.S. Code, the President may submit reorganization plans to Congress, which then become law unless Congress dis-sents. It was by means of this mechanism that the Drug Enforcement Administration was created.

That authority has now expired, according to section 905-b of title V. It expired April 1, 1973. And I might mention that the administration had quite a horse race to get the reorganization plan creating the Drug Enforcement Administration submitted under the wire of this time deadline. They submitted it to Congress on March 28, 1973.

But if the President wants additional power for submitting such plans, he can request an extension of that power from Congress.

Alternatively, the President can request legislative enactment of the transfer of powers from one Federal department to another.

But the administration is not doing

either of these things. Instead, the Office of Management and Budget is trying to sneak this change through as an administrative directive. Maybe they thought no one in Congress would notice. Or maybe they just do not care about abiding by legal process.

I want to emphasize that the issue here is not a matter of bureaucratic rivalries. It is a fundamental issue of due process.

What actually appears to be going on here is an attempt to consolidate—by fair means or foul—all law enforcement functions in the Justice Department. I have learned that further studies are about to be undertaken which seem to confirm this intention. First, additional studies are planned on the transfer of responsibilities from the Customs Service to the Immigration and Naturalization Service regarding interdiction of contraband between principal points of entry along the Canadian border. Second, a review is planned of all remaining law enforcement capabilities within the Department of the Treasury—which would include the IRS, the Bureau of Alcohol, Tobacco and Firearms, and the Secret Service. What this would seem to indicate is a consistent effort to turn the Justice Department into a super law enforcement and police agency—which I believe is a dangerous trend.

In any case, such action must be subject to congressional review.

Though the focus of the problem we face today is on its illegality, I would like to note that there are also good pragmatic reasons for not making this transfer. At present, the whole contraband interdiction effort is consolidated under the Customs Service. The Customs Service has an integrated surveillance and communications network along the whole length of the southern border and coastline of the United States. It has good relations with the Mexican Customs Service—which is extremely important for effective enforcement along the border.

The Immigration and Naturalization Service has more difficulties with such relations, because of rather obvious ethnic issues of alien interdiction along the border. In addition, there will be considerable costs involved in transferring personnel once again, and in duplicating the equipment of the Customs Service for the Immigration and Naturalization Service. I personally do not think this move could be justified even if they did come down to us and make the request in a legal way.

But that is not the issue now. The issue is a legal one.

I expressed serious concern about this issue in a letter last week to the Assistant Director of the Office of Management and Budget responsible for implementing this directive, Mr. Walter Scott, and my office contacted him by phone.

I was told that I would receive a letter by last Friday, explaining the reasons of the Office of Management and Budget for its decision. Then someone from OMB called my office last Friday and said the letter would arrive the early part of this week. It still has not ar-

rived. Apparently OMB is having difficulty in finding any legitimate reasons for their action.

Maybe we need something stronger than a concurrent resolution on this issue in the long run. In fact, I think we need hearings on this issue, and I think the hearings should be under oath so that the scripts cannot be written at OMB. But I am submitting this resolution as a means of getting it on the RECORD that we know what is going on, we know it is illegal, and we want the action brought to a stop.

I hope my colleagues will join me in sending a clear message on this issue to the President.

Mr. President, I ask unanimous consent that the text of the concurrent resolution, and my letter to Mr. Walter Scott of OMB, be included at this point in the RECORD.

There being no objection, the concurrent resolution and letter were ordered to be printed in the RECORD, as follows:

S. CON. RES. 92

Whereas it lies within the authority of Congress to determine the statutory responsibilities of federal government agencies; and

Whereas the Congress designated a procedure whereby the President had authority to submit reorganization plans for the approval of Congress, such authority having expired on April 1, 1973; and

Whereas in lieu of renewal of such authority, reassignment of the statutory responsibilities of federal government agencies can take place only through legislative enactment by the Congress; and

Whereas the Office of Management and Budget has directed that the responsibility of the United States Customs Service for interdiction of contraband along the Mexican border be transferred to the Immigration and Naturalization Service; and

Whereas the responsibility for interdiction and seizure of contraband is vested by law in the United States Customs Service, and the Immigration and Naturalization Service lacks such legal authority; and

Whereas in addition to the compelling legal reason, there are sound reasons of effectiveness and cost for vesting in the United States Customs Service responsibility for such interdiction: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the President, the Director of the Office of Management and Budget, the Secretary of the Treasury, and the Commissioner of the United States Customs Service should desist immediately from any actions furthering the transfer of any responsibilities legally vested in the United States Customs Service to any other agency, and, specifically, should desist from actions furthering the transfer of responsibility for interdiction of contraband along the Mexican border from the United States Customs Service to the Immigration and Naturalization Service.

Sec. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President, the Director of the Office of Management and Budget, the Secretary of the Treasury, and the Commissioner of the United States Customs Service.

Mr. WALTER D. SCOTT,
Associate Director for Economics and General Government, Office of Management and Budget, Executive Office Building, Washington, D.C.

DEAR MR. SCOTT: I wish to confirm the

request, made to you by a member of my staff this afternoon by telephone, for information relating to the transfer of responsibilities from the Customs Bureau to the Immigration and Naturalization Service without the prior authorization of Congress.

The legal authority for interdiction of contraband into this country is vested by statute in the Customs Bureau. The Immigration and Naturalization Service has the separate authority of restricting the illegal entry of aliens into the country. If these two organizations have co-operated in their efforts along the Mexican border in the past, that is as it should be. But it is a far different matter to transfer to the INS total responsibility for activities which are *legally* the responsibility of the Customs Bureau—specifically, the interdiction of contraband between principal places of entry on the Mexican border. To be legal, such a reorganization plan must be submitted to Congress.

Please send me immediately an explanation of what legal authority you believe exists for ordering the Customs Bureau to relinquish activities which are designated as its responsibilities by law, and for ordering the Immigration and Naturalization Service to take responsibility for activities which it has no legal authority to carry out. In addition, I wish to know the procedure by which you arrived at this decision, and would like to have copies of any evidence which you believe justifies this usurpation of legal authority.

Sincerely,

HUBERT H. HUMPHREY.

SENATE CONCURRENT RESOLUTION
93—SUBMISSION OF A CONCURRENT RESOLUTION DIRECTING EMERGENCY STUDY ON INFLATION AND THE ECONOMY

(Referred to the Committee on Rules and Administration, by unanimous consent.)

Mr. PROXMIRE. Mr. President, on behalf of myself and the Senator from Montana (Mr. MANSFIELD) and the Senator from New York (Mr. JAVITS) I am introducing legislation calling for a crash 1-year study of the causes of the Nation's current runaway inflation and of ways to stop it by the Joint Economic Committee. I send the resolution to the desk and ask that it be appropriately referred.

This bipartisan resolution can be a milestone in economic policymaking. This country needs a new and effective way to stop runaway inflation. We, therefore, propose to examine in detail such inflation related problems as Government spending policies; food, fuel, and other shortages; export programs; credit policies; tight money and high interest; international exchange rates; the question of indexing; and other specific problems and remedies.

This concurrent resolution, which will not require the signature of the President to become effective, appropriates \$200,000 to beef up the JEC staff and to hire consultants and experts to get this important task done in a timely fashion.

Among the top priorities of the crash study will be to determine the causes for the shortages of basic resources needed to run our industrially based economy.

As the resolution says:

It is incumbent upon the Congress to develop more effective economic policies for the nation and to provide more effective means for coordinating public policy decision to the end that the national economic welfare be better served.

The resolution directs the JEC to make specific recommendations for legislation to attack our present problems and to improve the economy in the future.

That is a large order. But it needs to be done. The Congress has to take the lead. We must be able to show the way in a world staggering under food, shelter, and money problems.

The core of these problems is the interrelation of a large number of policy questions. These questions not only need answers, they need answers that must be fitted together.

It is too late to answer them separately and independently.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that Senate Concurrent Resolution 93, submitted earlier today, dealing with a study to be conducted by the Joint Economic Committee, be referred to the Committee on Rules and Administration for its consideration.

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

ADDITIONAL COSPONSORS OF A
CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 80

At the request of Mr. CURTIS, the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of Senate Concurrent Resolution 80, expressing the sense of Congress regarding the annexation of the Baltic nation.

ADDITIONAL COSPONSOR OF A
RESOLUTION

SENATE RESOLUTION 339

At the request of Mr. ALLEN, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of Senate Resolution 339, commending Secretary of State Henry Kissinger.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT—AMENDMENTS

AMENDMENT NO. 1501

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

Mr. JOHNSTON submitted an amendment, intended to be proposed by him, to the bill (H.R. 14832) to provide for a temporary increase in the public debt limit.

AMENDMENT NO. 1502

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

Mr. JOHNSTON (for himself and Mr. LONG, Mr. TUNNEY, Mr. HOLLINGS, Mr. EASTLAND, Mr. JAVITS, Mr. MCGOVERN, Mr. METCALF, Mr. HUDDLESTON, Mr. CHURCH, and Mr. CANNON) submitted an amendment intended to be proposed by them, jointly, to the bill (H.R. 14832), supra.

AMENDMENT NO. 1503

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

Mr. CHURCH submitted an amendment, intended to be proposed by him, to the bill (H.R. 14832), supra.

AMENDMENT NO. 1505

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

Mr. EAGLETON submitted an amendment, intended to be proposed by him, to the bill (H.R. 14832), supra.

Mr. EAGLETON, Mr. President, I send to the desk an amendment to H.R. 14832, an amendment that will insure that the purpose of the Senate is carried out with respect to any tax reforms relating to the petroleum industry. I ask that it be printed and held at the desk, and that the text of the amendment be printed in the RECORD at the conclusion of my remarks.

Mr. President, we have before us the opportunity to enact meaningful tax reform, combining relief for the inflation-squeezed consumer with long-overdue changes in the methods of assessing taxes on oil producers. But should the Senate decide to eliminate or modify either the percentage depletion allowance or the foreign tax credit, as I believe it should, we are faced with the very real prospect of those increased corporate taxes being passed on directly to the consumer and increasing inflation. This, I believe, would be contrary to the purposes expressed by the sponsors of the many amendments dealing with this important topic.

Thus, I offer my amendments as a means of insuring that these additional taxes on the petroleum industry will in fact be borne by the petroleum industry—to be paid out of their tremendous profits—and are not merely passed through to consumers.

Under the authority of the Mandatory Petroleum Allocation Act of 1973, the Federal Energy Administration will retain authority over the prices of petroleum products through February 1975. Since natural gas prices and profits are already tightly controlled by the FPC, my amendment would not affect natural gas producers. My amendment would make clear that, unlike other increases in basic costs, increased taxes as a result of this act would not be accepted as justification for a price rise. My amendment directs this regulatory authority to disallow any increase in the price of crude oil, residual fuel oil, or refined petroleum products that would serve to compensate for any increase in income tax liability resulting from amendments to this act. There is a provision to permit some offset to those few small independent companies which would suffer acute financial hardship.

Should any legislator doubt the need for such an amendment, he need only consult the public record. The President of the United States said on May 25 of this year:

The tax which is transferred to industry simply comes back to the taxpayer in some hidden form, such as higher prices or lower pay.

He used this as sufficient justification to deny needed tax reform legislation. We can today insure that that does not happen in this case.

Oil company profits were up 55 percent last year over 1972, according to Business Week. In the first quarter of this year, similar gains were reported: Texaco, up 123 percent; SoCal, Standard of Indiana, and Gulf, up more than 75 percent. At the same time, we note that gasoline and motor oil purchased by consumers increased in price at a rate of 77 percent over the last 6 months, contributing substantially to the general inflation. Now Congress can, by accepting my amendment, do something positive to control one of the major sources of the inflation which is draining our economy.

There are those who say very high profit levels are necessary to encourage investment in new petroleum resources. I would have no objection to an oil production tax incentive which was tied to actual costs of exploring and developing new wells, but I cannot accept the argument that only unlimited profits can induce new production.

I saw an article in the Wall Street Journal earlier this week reporting that Mobil, whose profits are up 70 percent over a year ago, is considering investing a considerable portion of those gains in the purchase of a controlling interest in Marcor, the holding company for Montgomery Ward. In view of this half-billion dollar department store deal, how are we to conclude that all those profits are necessary for oil exploration?

The plain fact is, today's oil companies profits are one of the principal forces behind the double-figure inflation we are experiencing. The consumer pays for it not only at the gasoline pumps but to one degree or another in every product he buys. Without an amendment of this kind, legislation to end the oil depletion allowance would probably do very little to control fuel price increases or oil company profits.

AMENDMENTS NOS. 1506, 1507, AND 1508

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

Mr. HARTKE submitted three amendments, intended to be proposed by him, to the bill (H.R. 14832), supra.

AMENDMENT NO. 1509

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

Mr. TUNNEY, Mr. President, I am today offering, for myself and the Senator from Ohio (Mr. TAFT) an amendment to H.R. 14832, the debt ceiling bill. This amendment will accomplish several important objectives.

First, it will help provide the average saver with an inflation offset in the form of a substantial increase in the effective interest rate on savings deposits and the lower interest certificates of deposit.

Second, it will encourage increased savings. These savings will help to offset the massive disintermediation which is today seriously disrupting mortgage

and commercial credit markets. The results will be lower borrowing costs, a more adequate rate of growth in the Nation's housing stock and thus reduced inflationary pressure.

The approach proposed by this amendment is counterinflationary in several other ways. By inducing the public to voluntarily increase its savings, the amendment would simultaneously reduce some of the present very heavy pressure of immediate consumption spending, provide needed capital to finance expansion of productive capacity in shortage-plagued industries and make unnecessary an imprudent rate of money supply expansion.

The latter point is especially important. I am extremely pleased with the determination of Federal Reserve Chairman Arthur Burns to hold down growth in monetary aggregates for as long as needed to stop today's runaway inflation. I believe it is the responsibility of Congress to assist the Federal Reserve in this effort. The amendment I am proposing would help relieve today's heavy pressure on financial markets. It thus goes a considerable distance toward dissipating the growing political pressures on the Fed to abandon its difficult but necessary course of monetary austerity.

The amendment itself is quite simple. It provides for a 3-year period, a tax credit of up to \$100 to taxpayers who increase their savings. The tax credit would equal the increase in interest income earned in the current tax year over the amount of such income in the previous tax year, up to \$100. All savings accounts and certificates of deposit which pay no more than 7½ percent would qualify as sources of interest income for the purposes of this amendment.

A short example illustrates the mechanism proposed in my amendment.

Assume that in 1973 a taxpayer has \$1,000 in a savings account. If the account pays 5 percent, the taxpayer will earn \$50 interest in 1973. Next, assume that in 1974 the taxpayer increases his or her savings to \$2,000 and earns \$100 in interest.

Under my proposal, the taxpayer could claim a tax credit of \$50—the amount of the increase in taxable interest income.

The principle of this policy is very simple. For each dollar of increased interest income, up to \$100, a saver gets \$1 of tax credit.

Dollar-for-dollar matching, up to the \$100 limit, makes saving much more attractive. In the example I used before, the total return on increased savings of \$1,000 is \$100. The effective rate of interest is 10 percent—a rate sufficient to fully offset the rate of inflation expected in 1974.

I would like to stress that, unlike previous proposals in this area, the proposed tax credits rewards only increases in savings. It provides no windfalls for existing savings. And, by limiting the credit to \$100 and to savings instruments which pay no more than 7½ percent, this amendment would insure that the bulk of the benefit accrues to

the middle and moderate income citizens who so badly need to protect their savings from the ravages of today's inflation.

Mr. President, I intend to offer this amendment to the debt ceiling bill. In the event it is not adopted, I will offer it again at a later date. I welcome the interest and cosponsorship of all other Members of the Senate.

At this point, I ask unanimous consent that the text of the amendment be printed in the RECORD.

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

AMENDMENT No. 1509

At the end of the bill insert the following new sections:

SEC. . TAX CREDIT FOR INTEREST ON SAVINGS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of Chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 42 as 43, and by inserting after section 41 the following new section:

SEC. 42. CREDIT FOR INTEREST ON SAVINGS.

"(a) IN GENERAL.—In the case of an individual there is allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the amount by which the interest on savings received by the taxpayer during the taxable year exceeds the amount of the interest on savings received by the taxpayer during the preceding taxable year.

"(b) LIMITATION.—The amount of credit allowed under this section for any taxable year shall not exceed \$100 (\$50 in the case of a married individual making a separate return of tax).

"(c) DEFINITIONS.—For purposes of this section—

"(1) INTEREST ON SAVINGS.—The term 'interest on savings' means interest or dividends received on money deposited in a savings account or a time deposit with a financial institution.

"(2) SAVINGS ACCOUNT.—The term 'savings account' means an interest-bearing deposit or account which is not payable on a specified date or at the expiration of a specified time after the date of deposit (although the individual who maintains the deposit or account may be required by the financial institution with which the deposit or account is maintained may require that individual to give notice in writing of an intended withdrawal not less than 30 days before withdrawal is made).

"(3) TIME DEPOSIT.—The term 'time deposit' means a deposit of less than \$10,000 which is payable on a specified date or at the expiration of a specified time after the date of deposit and which bears a rate of interest no greater than the maximum rate which may be paid by financial institutions under regulations prescribed under the amendments made by the Act entitled "An Act to provide for the more flexible regulation of maximum rates of interest or dividends payable by banks and certain other financial institutions on deposits or share accounts, to authorize higher reserve requirements on time deposits at member banks, to authorize open market operations in agency issues by the Federal Reserve banks, and for other purposes", approved September 21, 1966 (Public Law 89-597).

"(4) FINANCIAL INSTITUTION.—The term 'financial institution' means—

"(A) a commercial or mutual savings bank whose deposits and accounts are insured by the Federal Deposit Insurance Corporation or otherwise insured under State law;

"(B) a savings and loan, building and loan, or similar association the deposits and ac-

counts of which are insured by the Federal Savings and Loan Insurance Corporation or otherwise insured under State law; or

"(C) a credit union the deposits and accounts of which are insured by the National Credit Union Administration Share Insurance Fund or otherwise insured under State law."

(b) The table of sections for such subpart is amended by striking out the last item therein and inserting in lieu thereof the following:

"Sec. 42. Credit for interest on savings.

"Sec. 43. Overpayment of tax."

(c) The amendments made by this section apply to taxable years beginning after December 31, 1974, and ending before January 1, 1978.

AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 1504

(Ordered to be printed, and referred to the Committee on Foreign Relations.)

Mr. CHURCH submitted an amendment, intended to be proposed by him, to the bill (S. 3394) to amend the Foreign Assistance Act of 1961, and for other purposes.

PROHIBITING NUCLEAR ASSISTANCE

Mr. CHURCH. Mr. President, I introduce today an amendment to the foreign assistance bill, S. 3394, which would prohibit U.S. nuclear assistance—equipment, materials, scientific information, and technology—being furnished to any country in the world not a party to the Treaty on the Nonproliferation of Nuclear Weapons.

During the last few weeks, the world has witnessed a spurt of nuclear developments in several countries. These events do not bode well for the future. On May 18, India, neither a signer nor a party to the Treaty on Nonproliferation of Nuclear Weapons, set off a nuclear detonation in the Great Rajasthan Desert. Its purpose was proclaimed by the New Delhi government as "peaceful." Last week, President Nixon promised nuclear assistance to Egypt, not a party to the NPT, and to Israel, neither a signer nor a ratifier. The President proclaimed these gifts as being for "peaceful purposes." France, one of the 30 nonsigners and nonratifiers of the NPT, has again conducted atmospheric nuclear tests over an atoll in the Pacific Ocean. Just this Monday, China, also not a signer nor a party to the treaty, conducted its 16th nuclear test—15 in the atmosphere and one underground. This latest explosion in the Lop Nor area was a thermonuclear device which is later to be incorporated in a warhead for the intermediate range and intercontinental ballistic missiles that the Peking government is known to be developing. Reports are currently coming in that Pakistan, Iran, Romania, and perhaps others, are knocking at the nuclear door.

I am particularly disturbed that President Nixon has committed the United States, on a grand scale, to furnish nuclear capability to Egypt and Israel, two countries which have fought four hot wars over the last quarter century. Helping Egypt develop nuclear reactors, ostensibly for "peaceful purposes" only

masks the political-military potentiality that accrues to any country acquiring the technology to produce its own plutonium for nuclear devices. The temptation easily becomes irresistible, as India demonstrated when it chose to become the world's sixth nuclear power. India received Canadian and American assistance and utilized its own physicists and engineers, who were trained for the most part in the United States, to use the plutonium generated to build a bomb. A similar result might well be anticipated in Egypt, considering the historic animosity it exudes toward its Jewish neighbor, and considering the fact that Israel has pursued, since 1956, an ongoing sophisticated nuclear program of its own, initiated by the French.

In my judgment, the United States should not be the agent for the spreading of nuclear technology outside the framework of the Treaty on Nonproliferation of Nuclear Weapons, which has long been the lodestone of our global policy. In departing from that policy, without the benefit of deliberation or debate, President Nixon may well have sown the dragons' teeth of nuclear destruction throughout the Middle East.

The amendment I offer today is an attempt to prevent the United States from becoming a stimulant to, and supplier of, nuclear equipment, nuclear materials, nuclear scientific information and technology, to any country not a party to the Treaty on the Nonproliferation of Nuclear Weapons.

The American-initiated Treaty on the Nonproliferation of Nuclear Weapons was signed on July 1, 1968. Its purpose was to avert the devastation that mankind would suffer as a result of nuclear war. In the belief that the proliferation of nuclear capability would seriously exacerbate the danger of nuclear war, the treaty was drawn up to prevent wider dissemination of nuclear weaponry. I believe that until a country becomes a party to this treaty, and agrees to abide by its terms, the United States should not bestow it with nuclear capability. In doing so, we only undermine the treaty, itself, by removing the incentive to join.

According to the U.S. Arms Control and Disarmament Agency, the following 30 countries have not signed the Nonproliferation Treaty:

Algeria, Argentina, Brazil, Burma, Chile, China (Peking), Cuba, Equatorial Guinea, France, Guinea, Guyana, India, Israel, Malawi, and Mauritania.

Monaco, Niger, Pakistan, Portugal, Qatar, Rwanda, Saudi Arabia, Sierra Leone, South Africa, Spain, Tanzania, Uganda, United Arab Emirates, Western Samoa, and Zambia.

The following 23 countries have signed, but not yet ratified the NPT:

Barbados, Belgium, Colombia, Egypt, Gambia, Germany (Bonn), Indonesia, Italy, Japan, Korea (Seoul), Kuwait, and Libya.

Luxembourg, Netherlands, Panama, Singapore, Sri Lanka, Switzerland, Trinidad and Tobago, Turkey, Venezuela, Yemen (Aden), and Yemen (San's).

My amendment reads:

None of the funds authorized of appropriated under this or any other law may be used (1) to transfer United States nuclear equipment or nuclear materials, or to furnish

scientific information and technology related to nuclear energy, to any country not a party to the Treaty on the Non-Proliferation of Nuclear Weapons, or (2) to transfer such equipment or material or furnish such information or technology to a party to the Treaty unless that party agrees not to transfer such equipment or materials or furnish such information or technology to any country not a party to the Treaty.

I ask unanimous consent that a copy of the Treaty on the Nonproliferation of Nuclear Weapons as signed and ratified by the United States and 83 other countries be printed at this point in the RECORD.

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

TREATY ON THE NONPROLIFERATION OF
NUCLEAR WEAPONS

(Signed at Washington, London, Moscow July 1, 1968. U.S. ratification deposited March 5, 1970. Entered into force March 5, 1970.)

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from

peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.

3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States

Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries

of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of deposit of their instruments of ratification or accession.

5. The Depository Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This treaty shall be registered by the Depository Governments pursuant to article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depository Governments. Duly certified copies of this Treaty shall be transmitted by the Depository Government to the Governments of the signatory and acceding States.

AMENDMENT NO. 1510

(Ordered to be printed and referred to the Committee on Foreign Relations.)

CONGRESSIONAL CONSULTATION ON NUCLEAR AGREEMENTS

Mr. CHILES. Mr. President, the United States is in the process of receiving its relationship with the Middle East in the wake of the energy crisis and the latest Arab-Israeli war. There is no doubt but what the change in our relationship to the Middle East in recent months is the most dramatic in many years, if not in decades. This change affects our other major foreign policy relationships with the Soviet Union and with Europe.

The importance of this to our foreign policy is clear. It is highlighted by the announcement of agreements with Egypt and Israel to provide them with nuclear power for the generation of electricity. These are not every day sorts of agreements. While we have agreements of this kind with other countries, the exporting of fissionable materials is obviously of greater danger and significance than the average commercial relationship we have with most countries.

For both these reasons—because of the important changes in our foreign policy and because of the complexity and danger involved in providing nuclear

power to other nations—I feel it is essential that the Congress play a role in the enactment of these agreements.

I am introducing today an amendment to the foreign assistance bill submitted by the administration authorizing aid to the Middle East. My amendment will require that agreements made with governments in the Middle East for the provision of fissionable materials be submitted to the Senate as treaties for Senate ratification. It will also require consultation with specified Members of both Houses of Congress before final decisions and announcements are made regarding the use of the \$100 million "special requirements fund" for the Middle East.

Mr. President, in my view there can be no doubt but what the Congress must play more than a passive role in the determination of the advisability of providing nuclear power to other nations. There is increasing concern now about the ability to control the whereabouts and usage of nuclear materials and in an area as volatile as the Middle East this can not help but be a major concern. Such an issue bears more public discussion and scrutiny than has been the case with the agreements with Egypt and Israel.

The "Principles of Relations and Cooperation between Egypt and the United States" were signed by President Nixon and President Sadat last Friday, June 14. The agreement on the provision of nuclear material to Egypt, we are told, must be signed by the Sunday after next, June 30, to meet the Egyptians production requirements. The agreement on safeguards is to be worked out afterward. Even though the agreement on the provision of the material is subject to the agreement on safeguards, there is reason to be concerned about the details of both agreements and their foreign policy implications. The only way we are going to get a full public debate, discussion, and decision on these issues is for agreements of this sort to be submitted to the Senate as treaties for ratification.

In the President's aid request for the Middle East he also asked the Congress to authorize a \$100 million "special requirements fund" which would be at his discretion and decision to determine to whom and for what this money would be used. As written, it would allow the money to be at the President's disposal until expended, which could be years from now. This kind of blank check is precisely the kind of request the Congress should not comply with. Unless it is fully consulted with in advance, the Congress is giving up power of the purse and is dealing itself out of the decision-making process on the use of taxpayers funds which is the primary responsibility of the Congress.

As the United States reshapes its relations with the Middle East, the Congress must play a key role. These amendments would assure that the authority and responsibility of the Congress would be exercised.

I ask unanimous consent to have the amendment printed in the RECORD following my remarks.

I am pleased to be able to say that the distinguished chairman of the Foreign Operations Subcommittee of Appro-

riations, the Senator from Hawaii (Mr. INOUE) and the Senator from Maryland (Mr. MATHIAS) are joining me in cosponsoring this legislation.

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

AMENDMENT NO. 1510

On page 2, line 24, insert the following:

No funds shall be authorized and no authority shall be exercised under this or any other Act for the purpose of providing fissionable material to nations in the Middle East until the agreements drafting the terms of such provision have been submitted to the Senate as treaties and have been ratified by the Senate.

SEC. 904(a) page 3, line 17 strike remainder of paragraph after the word "purposes" and insert the following:

No funds authorized to be appropriated by this section shall be available for use by the President unless the Congress is consulted on the possible uses of these funds prior to any agreement or final decision being reached and announced. Such consultation shall include the majority and minority leadership of both houses of Congress, the Chairman of the Joint Committee on Atomic Energy, and the Chairman of the Foreign Affairs and Appropriations Committees of both houses of Congress, including the Chairmen of the Foreign Operations Subcommittees of Appropriations.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 1108

At the request of Mr. INOUE, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 1108 intended to be proposed to S. 2923, to amend chapter 55 of title 10, United States Code, to require the Armed Forces to continue to provide certain special educational services to handicapped dependents of members serving on active duty.

ANNOUNCEMENT OF ADDITIONAL HEARINGS ON SENATE JOINT RESOLUTION 119 AND SENATE JOINT RESOLUTION 130

Mr. BAYH. Mr. President, the Senate Subcommittee on Constitutional Amendments is scheduling further hearings on two proposed amendments to the Constitution: Senate Joint Resolution 119, for the protection of unborn children and other persons, and Senate Joint Resolution 130, to guarantee the right of life to the unborn, the ill, the aged, or the incapacitated.

The next day of hearings will be held on Wednesday, June 26 in room 1318, Dirksen Senate Office Building, beginning at 2 p.m.

Any persons wishing to submit written statements for the hearing record should contact the Subcommittee on Constitutional Amendments, room 300, Russell Senate Office Building, Washington, D.C. 20510.

ANNOUNCEMENT OF HEARINGS ON BARRIERS TO HEALTH CARE FOR OLDER AMERICANS

Mr. MUSKIE. Mr. President, I would like to announce hearings to be con-

ducted by my Subcommittee on Health of the Elderly, U.S. Senate Special Committee on Aging in continuation of our current series "Barriers to Health Care for Older Americans."

The hearings will be held on June 25 and 26 beginning at 10 a.m., and on June 28 at 9:30 a.m. The hearings will be held in the caucus room, 308 Russell Building on June 25; in 212 Russell Building on June 26; and in 1318 Dirksen Building on the 28th of June.

The June 28 hearing will concern the long-term care components of the Kennedy-Mills bill, S. 3286 and other related bills. Accordingly, this hearing will be conducted by both my Subcommittee on Health of the Elderly and Senator Moss' Subcommittee on Long-Term Care.

Witnesses on June 25 will be representatives from the Minneapolis Age and Opportunity Center, Abbott Northwestern Hospital in Minneapolis. Officials from Blue Cross of Minnesota and the Bureau of Health Insurance have been invited to appear on June 26.

Witnesses on June 28 will be Esther Peterson, president of the National Consumer League; Wiley Crittendon, president, American Nursing Home Association; Msgr. Charles Fahey, president-elect, American Association of Homes for the Aged; and Jules Berman, professor of social work, University of Maryland.

NOTICE OF HEARING RELATING TO THE INTERNAL REVENUE SERVICE

Mr. MONTOYA. Mr. President, the Appropriations Subcommittee on the Treasury, Postal Service, and General Government will soon begin one final day of oversight hearings on the Internal Revenue Service. Commissioner Donald C. Alexander will appear before the committee again at 10 a.m., June 25, in room 1223 of the Dirksen Senate Office Building. At that time he will respond to further questioning about IRS practices.

Earlier this month, Commissioner Alexander appeared before the committee to offer the Service's opinion on and ideas about various matters relating to tax administration which are before the committee. Later this year I shall report to the Senate on the outcome of our hearings. At that time I shall make clear the committee's conclusions and our recommendations for administrative changes and possible legislation.

As I have in the past, I urge the public to attend these informative hearings about the way our tax system is administered.

NOTICE OF HEARINGS ON THE PUBLIC SAFETY OFFICERS MEMORIAL SCHOLARSHIP ACT

Mr. PELL. Mr. President, on Wednesday, June 26, 1974, the Subcommittee on Education, will hold hearings on S. 2567, the Public Safety Officers Memorial Scholarship Act, introduced by Senator FRANK E. Moss of Utah, in room 4232, at 10 a.m. This legislation would provide Federal education scholarships for the children of policemen and firemen killed in the line of duty.

The hearing will open with a state-

ment by Senator Moss. Those individuals who wish to testify should contact Stephen J. Wexler, Counsel, Subcommittee on Education of the Senate Committee on Labor and Public Welfare, room 4230, U.S. Senate, Washington, D.C., 20510, 201-225-7666.

HEARING ANNOUNCEMENT ON FEDERAL GRANTS AND COOPERATIVE AGREEMENTS ACT OF 1974

Mr. CHILES. Mr. President, I announce that the Ad Hoc Subcommittee on Federal Procurement and the Intergovernmental Relations Subcommittee will begin joint hearings on S. 3514, a bill to distinguish Federal grant and cooperative agreement relationships from Federal procurement relationships, and for other purposes.

The hearings are scheduled to begin on June 25 and will continue on June 27, July 10, and other dates as necessary. At the present time, witnesses scheduled to appear include representatives of the General Services Administration, the Department of Defense, National Aeronautics and Space Administration, Department of Transportation, National Science Foundation, Department of Health, Education, and Welfare, the General Accounting Office, and private and public experts. Anyone wishing to submit statements or appear to present testimony should contact Mr. Les Fettig, staff director, Procurement Subcommittee, on 225-0211.

I ask unanimous consent that S. 3514 be printed in the RECORD.

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

S. 3514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Grant and Cooperative Agreement Act of 1974".

FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that—

(1) there is a need to distinguish Federal assistance relationships from Federal procurement relationships and thereby to standardize usage and clarify the meaning of the legal instruments which reflect such relationships;

(2) uncertainty as to the meaning of such terms as "contract", "grant", and "cooperative agreement" causes operational inconsistencies, confusion, inefficiency, and waste for recipients of awards as well as for executive agencies; and

(3) the Commission on Government Procurement has documented these findings and concluded that a reduction of the existing confusions, inconsistencies, and inefficiencies is feasible and necessary.

(b) The purposes of this Act are—

(1) to characterize Federal/non-Federal relationships in the acquisition of property and services and in the furnishing of assistance by the Federal Government;

(2) to establish Government-wide standards for selection of appropriate legal instruments to achieve uniformity in the use by the executive agencies of such instruments, a clear definition of the relationships they reflect, and a better understanding of the responsibilities of the parties; and

(3) to require a study of Federal/non-Federal relationships in Federal assistance programs and the feasibility of developing a comprehensive system of guidance for the

use of grant and cooperative agreements in carrying out such programs.

DEFINITIONS

SEC. 3. As used in this Act, the term—

(1) "State government" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any agency or instrumentality of a State, and any multi-State, regional, or other interstate entity;

(2) "local government" means any unit of government within a State, a county, municipality, city, town, township, local public authority, special district, intrastate district, council of governments, sponsor group representative organization, other intrastate government entities, and any other instrumentality of a local government;

(3) "other recipient" means any person other than a State or local government who is an authorized recipient of Federal funds and includes any charitable or educational institution;

(4) "executive agency" means any executive department as defined in section 101 of title 5, United States Code, a military department as defined in section 102 of title 5, United States Code, an independent establishment as defined in section 104 of title 5, United States Code (except that it shall not include the General Accounting Office), a wholly owned Government corporation, the United States Postal Service, and the Postal Rate Commission; and

(5) "grant or cooperative agreement" excludes direct payments, subsidies, loans, loan guarantees, or insurance.

USE OF CONTRACTS

SEC. 4 Each executive agency shall use a procurement contract as the legal instrument reflecting a relationship between the Federal Government and a State or local government or other recipient—

(1) whenever the principal purpose of the agreement is the acquisition, by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government; or

(2) whenever an executive agency determines in a specific instance that the use of a contract is appropriate to acquire property or services intended for ultimate public use.

USE OF GRANT AGREEMENTS

SEC. 5 Each executive agency shall use a grant agreement as the legal instrument reflecting a relationship between the Federal Government and a State or local government or other recipient—

(1) whenever the principal purpose of the relationship is the transfer of money, property, services, or anything of value to the State or local government or other recipient in order to accomplish a public purpose authorized by Federal statute, rather than acquisition, by purchase, lease or barter, of property or services for the direct benefit or use of the Federal Government; and

(2) whenever no substantial involvement is anticipated between the executive agency, acting for the Federal Government, and the State or local government or other recipient during performance of the contemplated activity.

USE OF COOPERATIVE AGREEMENTS

SEC. 6 Each executive agency shall use a cooperative agreement as the legal instrument reflecting a relationship between the Federal Government and a State or local government or other recipient—

(1) whenever the principal purpose of the relationship is the transfer of money, property, services, or anything of value to the State or local government or other recipient to accomplish a public purpose authorized by Federal statute, and not the acquisition, by purchase, lease or barter, of property or serv-

ices for the direct benefit or use of the Federal Government; and

(2) whenever substantial involvement is anticipated between the executive agency, acting for the Federal Government, and the State or local government or other recipient during performance of the contemplated activity.

AUTHORIZATIONS

Sec. 7. (a) Notwithstanding any other provision of law, each executive agency authorized by law to enter into contracts, grant or cooperative agreements, or similar arrangements shall use contracts, grant agreements, or cooperative agreements as required by this Act.

(b) The authority to enter into grant or cooperative agreements shall include the discretionary authority, when it is deemed by the head of an executive agency to be in furtherance of the objectives of such agency, to vest in State or local governments or other recipients, without further obligation to the Federal Government or on such other terms and conditions as the agency deems appropriate, title to equipment or other tangible personal property purchased with such grant or cooperative agreement funds.

STUDY OF FEDERAL ASSISTANCE PROGRAMS

Sec. 8. The Director of the Office of Management and Budget, in cooperation with the executive agencies, shall undertake a study to develop a better understanding of alternative means of implementing Federal assistance programs, and to determine the feasibility of developing a comprehensive system of guidance for Federal assistance programs. Such study shall include a thorough consideration of the findings and recommendations of the Commission on Government Procurement relating to the feasibility of developing such a system. The Director shall consult with representatives of the executive agencies, the Congress, the General Accounting Office, State and local governments, other recipients and other interested members of the public. The results of the study, together with recommendations for administrative or statutory changes, shall be reported to the Committees on Government Operations of the Senate and House of Representatives at the earliest practicable date but in no event later than two years after the date of enactment of this Act.

REPEALS

Sec. 9. (a) The Act entitled "An Act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes", approved September 6, 1958 (72 Stat. 1793; 42 U.S.C. 1891, 1892, and 1893), is repealed, effective one year after the date of enactment of this Act.

(b) Nothing in this Act shall be construed to render void or voidable any contract, grant, cooperative agreement, or other arrangement entered into up to one year after the date of enactment of this Act.

HEARINGS ANNOUNCEMENT ON WILDERNESS AREA BILLS

Mr. JACKSON. Mr. President, I wish to announce that the hearing scheduled by the Public Lands Subcommittee of the Interior and Insular Affairs Committee on S. 1943, a bill to establish the Cascade Head Scenic-Research Area in the State of Oregon; S. 601, a bill to designate certain areas in the United States as wilderness areas, section 6, the area classified as Mission Mountains Primitive Area in Montana; and H.R. 6395, an act to designate certain lands in the Okefenokee National Wildlife Refuge, Georgia, as wilderness, will commence at 11 a.m., instead of 10 a.m. as previously

announced, in room 3110, Dirksen Senate Office Building, June 24, 1974.

NOTICE OF HEARING ON MORTGAGE CREDIT

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs, will hold 2 days of hearings, on July 10 and 11, 1974, on S. 3436, a bill introduced by Senator BROOKE to increase the availability of mortgage credit for residential housing, and S. 3456, a bill introduced by Senator CRANSTON to provide emergency mortgage relief for middle-income families.

The hearings will begin at 10 a.m. each morning and will be held in room 5302, Dirksen Senate Office Building.

The subcommittee would welcome statements for inclusion in the record of hearings.

ADDITIONAL STATEMENTS

THE NUTRITION HEARINGS

Mr. HUMPHREY. Mr. President, on June 19 the Senate Select Committee on Nutrition and Human Needs began nutrition hearings which will run through June 21.

The Washington Post on June 19 included an article on the hearings entitled, "Nation's Needy Seen Hungrier and Poorer," which confirms many fears concerning the nutritional levels of the poor and the impact of inflation on the diet of the lower income groups.

The nutrition hearings also have been focusing on basic questions such as the tradeoffs low-income people are forced to make between medical care, food, and rent.

The New York Times on June 20 carried an article on the hearings, "U.S. Needy Found Poorer, Hungrier Than 4 Years Ago."

We have received various reports of how the poor have been hurt by rising food costs. Low income groups reportedly have begun to use pet foods to stay alive.

Mr. President, this is a sad commentary in this land of plenty, and I request that these two information articles be printed in the RECORD.

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

NATION'S NEEDY SEEN HUNGRIER AND POORER

(By Austin Scott)

A Senate committee today is to begin the most comprehensive re-evaluation of the nation's hungry problem since the 1969 White House hunger conference, and its opening message is sobering. The main preliminary conclusion:

Despite increasing billions of dollars poured into ever-expanded food programs, "Five years after President Nixon's promise to end hunger in America . . . the nation's needy are hungrier and poorer."

That conclusion is voiced in a 189-page report packed with statistics and written by a panel of 26 experts, including nutritionists, government officials, economists—and poor people.

The report claims that even though total

spending for federal food programs jumped from \$1.6 billion in fiscal 1970 to \$5.1 billion in fiscal 1974, and participation rates in most programs increased, inflation more than offset the help those programs were able to give.

From December, 1970, to March, 1974, the report said, food stamp allotments for a family of four rose 34 per cent, welfare allotments rose 14.7 per cent, but the cost of food in the government's lowest priced "economy food plan" jumped 41.7 per cent.

(That food plan was drawn up by the Department of Agriculture to keep track of what it costs the poor to eat. USDA says it does not provide adequate nutrition over an extended time.)

"Consequently, for those poor people who were participating in the food stamp program throughout this period of time, their food expenses increased 22.6 per cent more rapidly than did the size of their food stamp coupon allotments," the report concluded.

It adds that USDA's own figures show only 35.6 per cent of the 37 million people eligible for food stamp relief were actually getting it as of February.

The message promises to be difficult for the Senate Select Committee on Nutrition and Human Needs to cope with, partly because its documentation challenges a number of old and familiar assumptions about poverty in the United States.

It comes at a time when there is a worldwide shortage of food, real threats of famine in India and Africa, when once huge domestic food stockpiles are reduced nearly to zero, and when such basic agricultural aids as fertilizer have grown enormously expensive—when obtainable.

One of the major arguments being made to the committee, however, is that America's hunger problem is not a lack of food at all, but a lack of income.

Food lines the shelves of every corner market, the argument goes, but the poor don't have enough money to buy an adequate diet and still pay for other necessities like shelter, heat, medical care and transportation to and from work.

If the committee agrees with that conclusion at the end of its three days of hearings, doing something about it promises to be even more politically ticklish than pumping additional money into programs such as welfare and food stamps.

The point is that poverty persists, one working paper notes. "In a nation in which the wealthiest 1 per cent possess more than eight times the wealth of the bottom 50 per cent, in which the percentage of national income going to the lowest fifth of the population has remained the same for 45 years, and in which 40 million people remain poor or near poor, more than a food stamp . . . or child-feeding program is at issue.

" . . . The food programs cannot end their poverty, and fundamentally, people are hungry because they are poor."

Another working paper argues that the government is not even asking the right questions about domestic hunger.

"We have not asked, for instance, whether people buy some kinds of foods at the beginning of the month and other kinds, or no food at all, at the end of the month when resources run out . . .

"There is no difficulty in finding people who cannot feed themselves or their children adequately during the last few days or week of each month . . .

"We have not collected enough information on the kinds of tradeoffs low income people are forced to make in their family budgets between medical care and food, or food and rent . . .

"We have observed hunger in school children who do not eat breakfast and who do not have an available school lunch program. These children may meet their nutrient requirements with an after-school snack and a

large evening meal, but sit in school hungry every day."

The panel of experts concluded that America's poor have been hit much harder by inflation than anyone else.

It gives three basic reasons: prices for such basic foods as rice and beans increased twice as fast as the prices on "middle-class foods"; the poor cannot "spend down" because they're already eating as cheaply as possible, and poor people spend a much larger share of their income—up to 60 per cent—for food.

According to the panel, from December, 1970, to March, 1974, the price of dried beans rose 256.3 per cent, rice 124.3 per cent, flour 79.7 per cent, margarine 63.08 per cent and bologna 50.3 per cent.

Sirloin steak, on the other hand, rose only 38.9 per cent during the same period, lamb chops 31.3 per cent, whole wheat bread 36.9 per cent, butter 8.9 per cent and canned tomatoes 20.5 per cent.

"... The current inflationary food spiral has been most destructive to poor people's already vulnerable economic and nutritional status," the panel said. "... One of the consequences... is that families will often be forced to liquidate their assets to maintain an adequate level of consumption of the basic necessities of life."

The panel prepared a table showing that families earning up to \$7,500 a year in August, 1973, suffered from "negative asset movement," meaning they were either going further into debt or selling whatever they could to supplement their incomes.

And it concluded, "... The inflationary food price spiral that has drastically affected the poor is likely to continue during the foreseeable future."

The panel said the "most basic fact" about government food assistance programs "is that they are failing to reach enormous numbers of impoverished persons..."

They reach "slightly over 15 million" of the 37 million to 50 million estimated eligible, the panel said, and participation tends not to increase even when eligibility levels are raised.

The panel said the food stamp program is basically flawed for several reasons:

The requirement that households pay sizable sums in cash to participate in the program each month.

The time-consuming and frequently degrading process entailed in applying and being periodically recertified.

Being publicly identifiable as a food stamp user in grocery stores.

Failure... to provide low income families with a sufficient amount of food stamps to purchase an adequate diet.

Ten years of experience indicates that food stamps have "performed so badly that no amount of program revision can ever enable it to solve this problem," the panel concluded.

"The only solution is a just, dignified, guaranteed income-maintenance program that ensures that no person lives without adequate income..."

"There is no other country which would entertain a serious discussion on the idea that helping working parents to feed their children constitutes a 'disincentive to work'."

U.S. NEEDY FOUND POORER, HUNGRIER THAN 4 YEARS AGO

(By William Robbins)

WASHINGTON, June 19.—The needy in this country are hungrier and poorer than they were four years ago, despite great increases in spending on food programs, and rising world agricultural output has brought little benefit to the hungry abroad, a wide range of experts told the Senate today.

Furthermore, the outlook for improvement is grim without massive changes in produc-

tion and distribution systems, population patterns, income levels and aid programs, the experts told the Senate Select Committee on Nutrition and Human Needs.

These were among the conclusions of a four-month study by about 100 specialists from universities, business and the professions, who had been commissioned by the committee to explore world food and nutrition problems.

The committee was divided into two panels to conduct hearings on the experts' reports in two large conference rooms crowded with listeners. The hearings will continue through Friday.

"PLOWSHARES FOR PEACE"

In opening one of the hearings, Senator George McGovern, Democrat of South Dakota, who is chairman of the committee, proposed a "great American initiative" that he called "plowshares for peace."

"I believe this conference should be an opportunity for a new, bolder initiative," Senator McGovern said. "If food for peace was the great American international agricultural initiative of the nineteen-sixties, then I believe that another kind of program—one that might be called plowshares for peace—might be the great American initiative for the nineteen-seventies and beyond."

His proposal, especially, was a program that would help developing countries become more productive and incorporate some of the recommendations from the study group.

In the United States, inflation has exacted a heavy toll on the poor and the aged, the head of one panel of the experts reported.

"Over the past three to four years, our nation's needy have become hungrier and poorer," said Ronald Pollack, director of the Food Research and Action Center of New York, who headed a 26-member study panel on "nutrition and special groups."

THREEFOLD INCREASE

Mr. Pollack noted that Federal spending on food programs had increased three-fold between the fiscal year 1970 and the fiscal year 1974. But he said:

"I would be pleased to tell you that we have made substantial progress in the effort to eradicate hunger. However, to do so would be untruthful. For the sad and tragic truth is that, over the past several years, we have moved backwards in our struggle to end hunger, poverty and malnutrition."

Mr. Pollack's testimony was based on a 185-page report by his group, which illustrated the slide of the needy into deeper poverty.

Between March, 1973, and March, 1974, the study showed, the retail cost of the Agriculture Department's Economy Food Plan—that on which food stamp allocations are based—increased 21 per cent, while the retail cost of the department's Liberal Food Plan—designed for higher-income families—increased 16.9 per cent.

"The poor have been victimized far more by the vast food price increases over the past several years than have any and all of the other economic classes in our country," Mr. Pollack said.

AN UNAVAILABLE OPTION

One reason, his report showed, is that the low-income family spends a larger proportion of its income for food. Another is that higher income families have been "spending down," that is, buying cheaper types of food, an option that is not available to the poor.

"There simply were no cheaper food items to which they could 'spend down,'" Mr. Pollack said.

And because of the increased pressures on the cheaper types of food, their costs have increased disproportionately. He cited these examples:

While pork sausages increased in price by 68.8 per cent between December, 1970, and March, 1974, rib roasts increased 43.3 per cent;

while hamburgers increased 60.3 per cent, porterhouse steaks increased 38.2 per cent, and while dried beans increased 256 per cent, canned tomatoes increased 20.5 per cent.

The report brought the effects to life on the basis of interviews among a small sample of low-income families around the country. It cited families that had switched to buying dog food for protein, and others with little or no food in their homes and little or no money to buy any, such as the following:

"Several Indian families were found surviving on chocolate bars and stale coffee.

"In Walton County, north Georgia, we visited a family who had been illegally denied food stamps. There was nothing to eat in the house but Wonder bread and hog jowls.

BREAD AND CEREAL

"In the same county a pregnant woman who earns less than the minimum wage and her unemployed husband had been denied food stamps. They were living on a diet of mostly bread and cereal, having milk only with coffee and meat only once or twice a week."

One reason for the backward slide of poor families, the report showed, was that food costs have risen faster than food stamp allowances and other forms of food assistance and faster than welfare payments.

"We must not be fooled: Food programs are no solution to low wages, to discrimination, to poverty," the report said.

But in the absence of improved incomes or an income-maintenance system, it recommended a number of improvements in food programs.

The report said the aid provided needs to be increased to supply adequate nutritional balance, but—noting that only 35.7 per cent of the 37 million people eligible now receive food stamps—administration of aid programs needs to be improved and greater efforts made to reach those eligible but unaware of the help available.

TAX REFORM AND INFLATION

Mr. ROTH, Mr. President, in the very near future, the Senate will be faced with numerous tax cut and tax reform amendments. Supporters of these amendments all claim that their amendments will provide relief from the soaring rate of inflation. I have very serious reservations about many of these proposals for a number of reasons.

The supporters of these amendments claim that their proposals will help people cope with inflation, but none of the amendments will do anything to solve inflation. In my opinion, these amendments will only cover up inflation if not add to the problem.

I also object to changing the tax laws on the Senate floor through amendments and without the benefit of full, public hearings. The Federal tax laws are too complex and interrelated to make quickie changes to achieve instant results. Any changes that are made should take into account the full effects on the Federal budget and inflation.

Tax reform is a continuous process. Throughout the past 20 years, the Congress has found it necessary to repeatedly revise the tax laws to take into account changing economic and social conditions. Although I am opposed to many of these tax amendments, I believe that there is room for significant improvement in our present tax laws.

I believe that tax reform should simplify the tax laws, produce greater equity

in taxation, and promote economic growth to reduce inflation.

Many of the tax reform amendments have been proposed in conjunction with proposals to reduce the personal income taxes of the lower income groups.

But inflation has affected not only the low income groups but the middle income groups as well. Since 1962, taxes have been consistently cut for the lower income groups at the expense of the middle income groups, who have been pushed into higher and higher tax brackets.

If changes in the tax laws are to be made because of inflation, the entire tax rate structure should be examined carefully by the tax committees to benefit the middle income groups as well as the lower income groups.

I would hope that the tax committees would also examine my proposal to reduce future tax rates by the rate of inflation. My legislation, S. 3457, would insure that a person will no longer be forced to pay more taxes simply because inflation has pushed him or her into a higher tax bracket.

A careful committee examination will also insure that tax reform does not retard our economic growth by reducing the amount of private investment that has fueled our economic expansion.

We have to realize that inflation will go down if we do not encourage an increase in the supply of goods to help combat shortages and capacity problems that have led to higher prices.

Part of the inflation we are now experiencing is caused by a scarcity of food, fuel, and industrial products. When these items are in short supply, people are willing to pay more and more money for them, forcing the prices to rise. If we can encourage an abundant supply of goods, their prices will fall to a reasonable level. Therefore, I believe it is essential that our tax laws encourage the production of these scarce goods to fight inflation.

Our tax laws should also insure that an adequate amount of capital is available. More and more capital is needed by our private economy to expand productivity, build pollution control equipment, and create new and better jobs.

If the Federal Government taxes the capital away, more Federal money will be demanded to create the jobs or to expand the production.

While many of our present tax laws are necessary, I believe that it is no longer necessary to help everyone with a Government handout. For example, with the price of oil as high as it is, I do not think the oil industry needs many incentives to drill for it.

I believe that the percentage depletion allowance should be phased out, if not eliminated outright. The repeal of the depletion allowance will reduce the windfall profits of the oil industry and will produce large revenues which can be used to either reduce Federal deficits or provide overall tax relief.

The free market system should be used to resolve the energy problem we are now facing. The petroleum industry is experiencing the highest prices in history, and it should be able to get along with-

out the crutch of a Government tax subsidy.

In conclusion, we should work for meaningful and beneficial tax reform, not haphazard, election year changes.

The Treasury Department is currently preparing a balanced package of individual tax cuts combined with measures to increase industrial expansion. The Senate Finance Committee, of which I am a member, and the House Ways and Means Committee are now holding hearings on tax reform. Inflation is a cruel burden on every American, and we should take a long, hard look at our tax laws to formulate changes to reduce that inflation burden.

WITHDRAWAL OF PUBLIC LANDS FROM MINERAL ENTRY BY VARIOUS FEDERAL AGENCIES

Mr. BIBLE. Mr. President, early in May I submitted for the Record a copy of a letter from Dr. Vernon E. Scheid, dean emeritus of the Mackay School of Mines in Reno, Nev., having to do with the continual withdrawal of public lands from mineral entry by various Federal agencies.

Dr. Scheid pointed out that the Bureau of Land Management was in the process of considering applications for withdrawing nearly 1,600,000 acres of land in southern Nevada from mining location under existing mining law. At the same time he called attention to the proposed regulations of the U.S. Forest Service to place such restrictions on mining within the national forest so as to practically eliminate the entire western forest areas from exploration and development of mineral resources. This despite the fact that the Department of the Interior had called for a new national mining and minerals policy which would reduce U.S. dependence and thwart a possible cutoff of supplies by an international minerals cartel.

The thrust of the new policy was indicated to be discovery of new domestic deposits of minerals and better recovery from known deposits. I would point out again that you cannot discover new deposits on the one hand while locking up tremendous acres of potentially valuable mineral resources on the other.

I would like to hope that the message of Dr. Scheid had some bearing on the decision of the President of the United States in his June 13 announcement concerning the inclusion of additions to the National Wilderness Preservation System. Although the President recommends 15 areas for inclusion, he proposed that 3 other areas including the desert national wildlife range in Nevada not be included. Because two of these areas are open to mining and all 3 may contain minerals vital to the national interest and have not been subjected to adequate mineral surveys, he recommends that these proposals be deferred pending the completion of such surveys.

Mr. President, I trust that the position of the White House will filter down through the administrative agencies so that the pending proposals to withdraw from mineral entry the existing desert

national wildlife range of some 1,500,000 acres plus a proposed addition of 70,000 acres will be withdrawn by the Bureau of Sport Fisheries and Wildlife, or failing that the application be rejected by the Bureau of Land Management.

I would also point out that the proposed addition of 70,000 acres to the existing wildlife range include an area of considerable economic importance to the future of Clark and Lincoln Counties in Nevada.

Mr. President, I ask unanimous consent that an additional letter from Dr. Scheid as well as copies of correspondence to the Bureau of Sport Fisheries and Wildlife, from the Nevada Power Co., the city of Las Vegas, and Clark County, Nev., on this subject be printed in the RECORD.

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

MACKAY SCHOOL OF MINES,
Reno, Nev., June 11, 1974.

An open letter to Senators Alan Bible, Howard W. Cannon, James A. McClure, Robert Taft, Jr., and Herman E. Talmadge, and Congressmen Craig Hosmer, Harold T. Johnson, and David Towell, U.S. Congress, Washington, D.C.

GENTLEMEN: Each of you kindly replied to my Open Letter of March 27 to the Nevada Congressional Delegation; wherein I pointed out the impending mineral crisis, and the growing danger to the safety of the United States, because of the never ending withdrawals and restrictions to mining on public lands. Senator Bible, seeking to advance the thoughts expressed in the letter, had it published in the Congressional Record, vol. 120, no. 60, pp. 12687-12688, May 1, 1974; with some pertinent observations of his own. Congressman Harold Johnson, in his reply, kindly enclosed a copy of his Statement before the Subcommittee on Public Lands; in which he, also, objected to some of the issues discussed in my letter. I have read and studied his Statement, and it is obvious that he is sincerely concerned about the danger to the United States, and that he possesses a great knowledge of mineral resources and the part they play in the economic life of our nation. Equally deep concern was expressed in the other letters I received.

It is because of this interest that I present to you some even more fundamental problems, which can best be introduced by quoting a portion of Congressman Hosmer's letter, as follows: "The withdrawal of large blocks of our public domain from mineral location with little or no knowledge of what minerals exist, and the increasingly impossible regulations and restrictions on exploring what lands remain open to mineral exploration will certainly hasten the (mineral) crisis. One avenue to solving the problem of land withdrawals of BLM lands for wilderness-type uses without adequate mineral surveys would be to bring BLM lands under the Wilderness Act and make such mineral data mandatory prior to this type of dominant use." Congressman Hosmer's concept has much merit. Such an arrangement probably would be better than our present system, but would it supply what is truly needed to deal with our Mineral resources?

The Multiple-Use Act of 1960 and the Wilderness Act of 1964 were, with major mineral resources exceptions, good and helpful legislation. However, both laws were written by renewable resources people; who knew little or nothing about non-renewable (mineral) resources and, therefore, did not realize they were producing legislation harmful to the conservation and wise use of our mineral resources, as well as to the safety and

well-being of America. Mining is, in effect, excluded from wilderness areas; although it is claimed that this is not so; until 1984 prospecting is not allowed. The 20 years written into Wilderness Act is not long enough to prospect for and develop many types of ore deposits. Even the most thorough present day prospecting and exploration may not discover an ore deposit that improved science and technology could reveal in future years.

Foresters and others, who work with renewable resources, have the concept of "sustained yield." In order to supply the nation with its necessary minerals, the mineral industry must, also, operate on a "sustained yield" basis. But the mineral industry's sustained yield does not result from replanting ore (as with trees and corn) where it has harvested minerals—instead it must find and mine new ore deposits! The renewable resources can be produced at a thousand different places, but the mining of a strategic or critical mineral can be done only at the one place where nature put it! Obviously, wilderness, primitive, and similar areas must be kept open for mining and for exploration for our vital mineral needs. These concepts are stated in somewhat different context in paragraph 3, page 2, of my March 27 letter.

Today humanity faces many serious problems: environment, ecology, metals and minerals, energy sources, food supply, population growth, timber, etc. All of these, except the mineral resources (fossil fuels, metals, minerals), can be solved by renewable resources practices. The environment can be corrected, the ecology can be maintained or reestablished, additional food can be produced (Provided the necessary minerals and metals are available!), population can be controlled or even reduced, and timber can be regrown. Only over the creation of non-renewable mineral resources does man have no control; when they are gone, they are gone forever! However, when our mineral fuels are exhausted, man may obtain energy from the sun, tides, wind, hydroelectric, and the nuclear fusion of hydrogen. Thus, in the final analysis, the most critical problem of today, and possibly of all future time, that faces America and mankind is the supply and management of mineral resources. The earth contains only so much of any given metal and no more! Can any of you, with all the power of the United States and the finest of modern technology, add a pound of zinc, or titanium, or lead to the earth's potential supply? There is but one answer—No! Yet, at the accelerating rate that man is now using up metals, he will have consumed all the metal available to him in the earth's crust in less than one hundred years. Knowing these facts, I think you will agree that mineral resources must be carefully controlled and managed for the best and longest possible use.

The U.S. Geological Survey is involved in mapping the geology of our country and gathering data on our mineral resources, the U.S. Bureau of Mines is involved in research on the utilization of our mineral resources and the safety of our mines. Neither of these agencies manage our mineral resources; although the Conservation Division of the U.S. Geological Survey is involved in the supervision of petroleum, geothermal power, and certain non-metallic mineral leases; however, such activity is not management in the full meaning of the word. Our government does have many resources management agencies: The Bureau of Sports Fisheries and Wildlife manages the animal life of our land, the Forest Service manages our forests, the Bureau of Land Management administers the Taylor Grazing Act and other land activities. These agencies have control over most of our non-renewable mineral resources, but they are administered by persons who are not

aware of, nor sympathetic to, the problems and management of these resources!

The two types of resources—the renewable and the non-renewable—are different; they require different methods of thinking, of conservation, and of management. We can no longer allow the discovery, production, and management of our non-renewable resources to remain under the control of people concerned dominantly with renewable resources. Congress should immediately concern itself with some way of properly managing our non-renewable mineral resources—if we do not, we can only expect disaster in the relatively near future. Congress is now concerned with the 1872 mining law and, very likely, there are some portions of it that need updating.

But the mineral resources problems that confront us are not merely a matter of updating the 1872 mining law. It is now time that our non-renewable mineral resources are administered and managed by either an existing agency, or a new agency, that is staffed by competent mineral (non-renewable) resources people.

Congress has authorized many studies and reports on mineral materials; including the National Materials Policy Act of 1970. Most of these have not produced the necessary legislation to help our non-renewable resources. It is time for Congress to employ an individual who has knowledge of mineral resources and the mineral industry. Have him and a few helpers start writing some comprehensive legislation that will implement the excellent concepts stated in the Minerals Policy Act of 1970.

The issues discussed in this letter are vital to the future safety and well-being of our country. They are definitely non-partisan; as is demonstrated by reply to my March 27 letter from Members of Congress on both sides of the political fence. It is my hope that you, the Distinguished Members of Congress to whom this letter is addressed, will form a non-partisan group to tackle this difficult problem of dealing with our non-renewable mineral resources. These are the natural resources to which we cannot add, which we cannot re-grow, of which there is a finite amount in the earth's crust, and without which civilization and our standard of living decline and we will be in want of the materials to produce the food necessary for the increasing population of our country and the world.

Sincerely yours,

VERNON E. SCHEID.

(Former Director, Nevada Bureau of Mines and Geology.)

(Former Chairman and Director, Nevada Oil and Gas Conservation Commission.)

(Dean Emeritus, Mackay School of Mines, University of Nevada.)

LAS VEGAS, NEV.,

April 16, 1974.

Mr. RALPH S. DUNN,
Acting Chief, Division of Technical Services, Nevada State Office, Bureau of Sport Fisheries and Wildlife, Reno, Nev.

DEAR MR. DUNN: This is in reference to the action proposed in the Federal Register, Vol. 39, No. 60—Wednesday, March 27, 1974, "Bureau of Land Management [N-219] Nevada, Notice of Proposed Withdrawal and Reservation of Lands."

Our comments are directed specifically to the proposal to extend the east boundary of the existing Desert National Wildlife Range to the westerly line of the right-of-way of U.S. Highway 93. This addition to the Wildlife Range will incorporate lands with existing and potential demand for utility and industrial development.

The lands in the proposed addition now contain a utility transmission power line and access road and in the area immediate-

ly adjacent to the extended boundary are U.S. Highway 93 and 80 major thoroughfares in Nevada; the Arrowline Limestone Plant, a major industry; the Union Pacific Railroad, a major railroad artery; beacon, microwave and communication stations; and two major high voltage transmission lines.

In the near future, in the area adjacent to the extended boundary, the County of Clark has planned to dispose of water from its proposed waste water treatment facility required for water pollution abatement. This Company has proposed building a 2,000 Megawatt steam electric generating plant in this same area to beneficially utilize large quantities of the County's treated waste water which will reduce the taxpayers cost of this required water pollution abatement. It is highly probable that either the County or the Company or both will need to place facilities on or near the land proposed for withdrawal.

The land within the proposed addition to the Wildlife Range with its existing development does not qualify as an undeveloped area and the future plans of local government and private industry show probable need for utilization of such land.

This Company recommends that the Desert National Wildlife Range boundary not be extended in Township 16, 17 and 18 South, Range 63 East.

Very truly yours,

HARRY ALLEN, President.

CITY OF LAS VEGAS,
April 18, 1974.

Mr. RALPH S. DUNN,
Acting Chief, Division of Technical Services, Nevada State Office, Bureau of Sport Fisheries and Wildlife, Reno, Nev.

Subject: Notice of Proposed Withdrawal and Reservation of Lands as Published in the Federal Register, March 27, 1974.

DEAR MR. DUNN: This correspondence is in reference to the action proposed in the Federal Register, Volume 39, No. 60—Wednesday, March 27, 1974, "Bureau of Land Management N-219 Nevada, Notice of Proposed Withdrawal and Reservation of Lands;" land specifically designated as Township 16, 17, 18 South, Range 63 East. Nevada Power Company, a major utility in the Las Vegas Valley has proposed building a 2000 megawatt steam electric generating plant in the above stated area. This steam plant will utilize large quantities of treated wastewater from the Las Vegas Valley.

The City of Las Vegas has a vital interest in the construction of the steam electric generating plant since the utilization of the Valley's treated wastewater would act to reduce local taxpayer's costs associated with required Water Pollution Abatement in the Valley. This potential savings of the taxpayer's money should be made possible by all reasonable means.

I, therefore, strongly recommend that the interest of the City of Las Vegas and the local taxpayers, in this matter, be given consideration and that the Eastern boundaries of the Desert National Wildlife Range not be extended into the above stated Township 16, 17, 18 South, Range 63 East area.

Very truly yours,

ORAN K. GRAGSON, Mayor.

CLARK COUNTY DISTRICT ATTORNEY,
Las Vegas, Nev., April 24, 1974.

RALPH S. DUNN,
Acting Director, Bureau of Land Management, Department of the Interior, Reno, Nev.

Re Bureau of Land Management [N-219] Nevada, notice of proposed withdrawal and reservation of lands.

DEAR MR. DUNN: The purpose of this letter is to set forth the comments of Clark County, Nevada, with respect to the above referenced application of the Bureau of Sport Fisheries and Wildlife for the withdrawal and reser-

vation of lands pursuant to notice thereof published in the *Federal Register*, Vol. 39, No. 60, on Wednesday, the 27th day of March, 1974, and is written at the direction of Board of County Commissioners Clark County. Clark County hereby respectfully requests that there be excluded from the proposed withdrawal and reservation that portion thereof consisting of Townships 16, 17 and 18 South, Range 63 East, M.D.M.

Clark County is under a mandate from the Nevada Legislature to abate the water pollution problem in the Las Vegas Wash-Las Vegas Bay Arm of Lake Mead. In response to such mandate, the County's Wastewater Management Agency has developed plans for a project calling for an appropriate total expenditure of \$110,000,000, of which approximately \$60,000,000 has been allocated to the construction of an advanced wastewater treatment plant. Concurrently with the development of these plans, Clark County has been negotiating with the Nevada Power Company on the terms of an agreement for the purchase and sale of reclaimed wastewater from such advanced wastewater treatment plant for use in the Power Company's proposed 2,000 megawatt steam generating plant which may best be located in or near the proposed withdrawal area. This agreement, if executed, will substantially reduce that portion of the costs of the proposed wastewater treatment plant which would otherwise be borne by the taxpayers of Clark County. These negotiations have recently culminated in a draft of the proposed agreement upon which the respective staffs of the County and the Power Company are in complete accord.

However, that portion of the area covered by the proposed withdrawal and reservation contained within said Townships 16, 17 and 18 either includes or is adjacent to the right-of-way which Clark County must utilize for the pipeline to transport the reclaimed wastewater to the proposed generating plant and includes or is adjacent to the site for the proposed generating plant itself. Accordingly, the inclusion of said Townships within the boundaries of the Desert National Wildlife Range will pose a serious threat, not only to Clark County's present water pollution abatement plans, but also to the many benefits, including, without limitation, increased employment, increased tax base and assurance of a power supply adequate to meet the future needs of our area, which the community would derive from the construction and operation of the proposed generating plant.

Clark County therefore respectfully urges that, should the subject application be approved, the approval thereof exclude from the withdrawal and reservation all lands lying within Townships 16, 17 and 18 South, Range 63 East, M.D.B.

Very truly yours,

GEORGE F. OGILVIE, Jr.,
County Counsel.

SENATE JURISDICTION OVER ERDA

Mr. GOLDWATER. Mr. President, the Committee on Government Operations has concluded the markup of S. 2744, the Energy Reorganization Act of 1973. The Committee on Government Operations is to be commended for the careful and intelligent way it has handled this legislation.

Moreover, I believe the distinguished senior Senator from Connecticut deserves special mention for his leadership in bringing the ERDA concept to reality—a concept that is absolutely vital to the Nation.

Among other provisions, S. 2744 creates an Energy Research and Development Administration. Within the next few weeks it is likely that the Senate will have to decide which of its committees is to have jurisdiction over ERDA.

As matters now stand, a number of Senate committees have jurisdiction over energy matters. For example, H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973, had to be considered by the following committees: Aeronautical and Space Sciences, Commerce, Banking, Housing and Urban Affairs, Labor and Public Welfare, and Interior and Insular Affairs. I believe, if this procedure is going to be followed when ERDA comes into being, we are inviting delay if not disaster.

The main reason why ERDA is being created is to launch a unified approach within the executive branch in solving the energy crisis. Up to now, the energy research in the Federal Government has been fragmented and dispersed. The ERDA concept correctly recognizes, in my opinion, that a new approach is needed.

I submit the Senate should parallel this unity of purpose by conferring jurisdiction over ERDA to one legislative committee and only one.

The circumstances surrounding the creation of ERDA are manifestly similar to those existing after the Russians launched Sputnik on October 4, 1957. A challenge had arisen to confront the Nation and a response was needed.

That response was embodied in the National Aeronautics and Space Administration, which not only met the challenge, but exceeded it when the first man stepped on the Moon.

I believe the energy crisis is another such challenge requiring a strong national response.

What shall be the nature of the response?

ERDA should have as its mission, not just to achieve energy self-sufficiency for the United States, but to develop the technology whereby the entire productive world can enjoy the benefits of new and abundant sources of energy.

ERDA should be molded along the lines of NASA.

In view of the foregoing, I submit a good case can be made for conferring jurisdiction over ERDA to the Aeronautical and Space Sciences Committee. This committee, with the possible exception of the Armed Services, best understands the problems involved in advancing high technology through research and development. Since 1958, the committee has exercised oversight on an agency that had to involve itself with multidisciplinary approaches to technological problems.

To make matters perfectly clear, I believe the Aeronautical and Space Sciences Committee should have jurisdiction over energy research and development not the regulatory problems involved with energy. Regulation should be handled by those committees of the Senate having the necessary experience and expertise.

In the near future, I shall join with the distinguished chairman of the Aeronautical and Space Sciences Committee in sponsoring a resolution to amend Senate rule XXV for the purposes cited above.

SENATE JURISDICTION OVER THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Mr. MOSS. Mr. President, I want to commend the Committee on Government Operations and its Subcommittee on Reorganization for a tough job splendidly done on the "Energy Reorganization Act of 1974." The subcommittee and the committee worked diligently and expeditiously on this major legislation, and have produced an outstanding bill.

The ERDA bill wisely requires annual authorization of energy research and development programs and Senate advice and consent on the President's nominations to key agency positions. Thus, in the relatively near future, the Senate will need to resolve the question of committee jurisdiction over ERDA.

Just as it is essential to establish in the executive branch a central point of authority and responsibility for energy research and development, it is important that in the Senate we avoid fragmentation of responsibility for authorization and oversight of the activities of this important new agency.

The issues, and there will be many, over the direction and pace of energy development projects should not be submerging in a committee or committees having jurisdiction over energy and fuels policy and regulation. Rather, they should be surfaced and dealt with by a Senate committee experienced in dealing with large-scale, multidisciplinary research and development.

I believe that jurisdiction over ERDA logically should reside in the Committee on Aeronautical and Space Sciences. At an appropriate time, Senator GOLDWATER and I intend to introduce a resolution amending the standing rules of the Senate for this purpose.

GENOCIDE CONVENTION AND FREE SPEECH

Mr. PROXMIER. Mr. President, the question is often raised as to whether article III(c) of the Genocide Convention is violative of individuals' first amendment rights of free speech. This is clearly not the case for two reasons.

First, those types of activities sufficient to support a conviction under the convention accords would fall outside the protection of the first amendment. In *Brandenburg v. Ohio* (1969), the U.S. Supreme Court defined the appropriate limits on the exercise of State power limiting free speech by noting that:

The constitutional guarantees of free speech and free press do not permit a State to forbid or prescribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

The Genocide Convention's proscrip-

tion of "direct and public incitement to commit genocide" would clearly fall within the State's power in this regard.

Secondly, even if the Genocide Convention did proscribe speech which fell within the first amendment's protection under the Brandenburg test, the treaty and/or convictions obtained under the treaty would be invalid since the U.S. Supreme Court and other Federal courts have consistently maintained that acts of Congress and treaties must conform to the Constitution, and where they do not they are null and void. That is, acts of Congress and treaties are the supreme law of the land only when they conform to the Constitution (Article IV).

Thus, the Genocide Convention cannot in any way abridge the freedom of speech guaranteed under the Constitution and I call upon the Senate to ratify the Genocide Convention as soon as possible.

HIGH INTEREST RATES AND THE HOUSING CRISIS

Mr. CRANSTON. Mr. President, the housing crisis gets worse daily in California.

Far too few homes are being built. And those that are constructed are priced way out of reach of the average family. Even when the price is right, the would-be buyer gets clobbered by the inflated mortgage interest rate—now 9¼ percent in California.

New housing starts in California during the first quarter of this year were about half what they were a year ago.

Many builders are going out of business. In April, another 70,000 construction workers were laid off bringing the total unemployed in that industry to more than 400,000. And this is supposed to be the peak building season!

In May, I introduced legislation to lower the Federal mortgage rate to 7 percent. The bill is called the Middle Income Credit Relief Act, and it would be triggered whenever the Secretary of Housing and Urban Development determines that a substantial number of middle income families are unable to obtain mortgage credit at reasonable rates and the national economy is adversely affected as a result. That describes the present situation exactly.

My bill would authorize the Government National Mortgage Association—GNMA—to buy mortgages at 7 percent from lenders up to a total of \$6 billion in any 1 year that a high interest emergency is declared.

Two days after I introduced my bill, President Nixon announced measures to free up new mortgage money. Though the President will make more credit available, the interest rates will still be too high for most middle-income families. He proposes to lower the rates only one-quarter of 1 percent on conventional loans. At the same time he will raise the rates on VA and FHA loans by the same amount.

The Senate Banking Subcommittee on

Housing plans hearings on my bill July 10-11.

We need to get the interest rates down. Both the depressed home construction industry and the inadequately housed home-buying public have been unfairly harmed by this administration's tight money policy. They deserve legitimate help from the injury being done to them by ill-advised Government policies.

LITHUANIAN INDEPENDENCE

Mr. GOLDWATER. Mr. President, on the occasion of the anniversary of the forcible annexation of Lithuania by the Soviet Union, I would like to commemorate the spirit of freedom which still lives among the proud people of Lithuania by bringing to the attention of my colleagues an eloquent plea on behalf of Lithuanian self-determination by the Lithuanian-American Community of Phoenix, Ariz. I hope this petition will remind my friends in Congress that the struggle in the world between the forces of freedom and slavery, under the various hues of communism, is not over.

To me, Mr. President, there is no greater priority that we should have than freedom; and I ask unanimous consent, on behalf of all those persons and groups who seek to keep alive the quest for independence by Lithuania, that the petition by the Phoenix Chapter of the Lithuanian-American Community be printed in the RECORD.

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

STATEMENT BY EMILY JOSEN

On June 15, Lithuanian-Americans will join with Lithuanians throughout the free world in the commemoration of the forcible annexation of Lithuania by the Soviet Union in 1940 and the subsequent mass deportations of thousands of Lithuanians to Siberian concentration camps.

Today, the people of Lithuania are denied the right of national self-determination, suffer continual religious and political persecution, and are denied their basic human rights.

The Soviet Union is now seeking detente as well as a Most Favored Nation Status with the United States. This desire on the part of the Soviet Union presents the United States with a unique opportunity to ease the plight of the peoples of Lithuania and the other Captive Nations.

The United States should adopt an official policy for the current European Security Conference in accordance with House Concurrent Resolution 394 of the first session of the 93rd Congress submitted by Mr. Derwinski to the Committee on Foreign Affairs. "Now, therefore, be it RESOLVED by the House of Representatives (the Senate Concurring), that it is the sense of the Congress that the United States delegation to the European Security Conference should not agree to the recognition by the European Security Conference of the Soviet Union's annexation of Estonia, Latvia, and Lithuania and it should remain the policy of the United States not to recognize in any way the annexation of the Baltic nations by the Soviet Union."

While steadfastly maintaining the United States policy of nonrecognition of the forcible incorporation of the Baltic States into the Soviet Union, the United States should

insist that the following policy changes are made by the Soviet Union:

1. Lowering of excessive tariffs imposed on gifts to relatives and friends residing in the Baltic States.
2. Increase of the current five-day tourist visa to Lithuania to a more reasonable limit.
3. Elimination of unreasonable travel restrictions on tourists in Lithuania.
4. Provision for Lithuanians to emigrate to other countries as provided by the Charter of the United Nations signed by the Soviet Union.

PROBLEMS IN THE MOVIE INDUSTRY

Mr. TUNNEY. Mr. President, we are all aware of and concerned with the troubles that for years have befallen this country's movie industry—especially in California. It has been apparent that recent Supreme Court rulings have added to these troubles. However, few of us outside of the movie industry have considered the far-reaching ramifications of these rulings. I would like to share with you some thoughts on this matter by Mr. Donald Schain, vice president of Derio Productions, Los Angeles.

Testifying before the Judiciary Subcommittee on Criminal Law and Procedures on May 9, Mr. Schain noted that the Supreme Court's rulings are most seriously affecting the respectable independent film producer—not the fly-by-night "hard core" filmmaker who is the real object of the obscenity laws. By industry statistics the independent producer accounts for better than 50 percent of the playable theatrical product produced in America in any given year. Putting him out of business affects not only the movie industry but its large supporters as well—the banking industry, equipment suppliers and technical facilities, and the advertising media.

Mr. President, I ask unanimous consent to have Mr. Schain's statement printed in the RECORD.

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

TESTIMONY OF DONALD SCHAIN

I thank you for the invitation to appear before you this morning. I realize full well that over the past months many prominent individuals from various elements of the motion picture industry have come before this committee to express their opinions on the obscenity provisions of S-1 and S-1400. I felt it important that my own views on this subject be added to theirs for three basic reasons. First, from all press accounts of the testimony of these witnesses the main thrust of their arguments against the obscenity provisions of S-1 and S-1400 have been either that they will rob the filmmaker of his creative integrity or that they will in some way infringe upon first amendment freedoms. While I fervently agree with what these witnesses have said on this issue, I think that they have not taken it far enough. I think there is one important element which has been almost entirely omitted. Namely, that you are seeking to regulate a large national industry with far-reaching economic ramifications. And an industry which has over the past 25 years suffered an inordinate share of major problems and is now in the grip of a severe depression.

Second, there are basically three types of motion picture producers. There are those who produce under the banner of the major studio complexes such as Paramount, Warner Bros., 20th Century Fox. These producers are represented by the Motion Picture Association of America. Then, there are those producers who produce so-called hard core pornographic films. These people are given voice by the Adult Film Association. Third, there are producers such as my own company, Derio Productions, who are truly independent producers, and as such have no effective trade association to give them a unified spokesman.

I felt it important that someone from our number come to Washington and be heard.

Third, I have travelled extensively throughout the United States either in connection with the publicizing of the motion pictures which I have written and directed or in connection with speeches, seminars and symposiums before various groups and organizations. I have found two things most evident. First, a misunderstanding of the terminology of our industries code and rating administration particularly as it relates to the alphabetical symbol of X. Second, I believe the true grass roots reaction to obscenity to be somewhat concealed by the overwhelming publicity generated by those who favor repressive legislation. Without being presumptuous, I would hope to set the record straight on these matters today.

I think the most succinct way to discuss the motion picture as a business is to dispel some of the myths which surround it. To begin with, the Hollywood producer is not a fat cigar smoking gentleman who spends his afternoons chasing scantily clad starlets around Beverly Hills swimming pools. He is a man who devotes a minimum of a year of his life to an individual project and invests anywhere from a quarter of a million to 20 million dollars to take that project from script to screen. Nor does he do this alone. The making of a film is a concerted effort involving the time and talents of hundreds of performers, craft unions, laboratory technicians and the like. The risks are enormous in two senses. The first, you as politicians will understand only too well, for the entire project is based on a calculated sniffing of the winds of public tastes with little opportunity for a major revision of the project once principal photography has begun, thus the second risk. For, if a year later, when the motion picture has reached theatres in almost every community in America the temper of the times has changed, the producer is left with thousands of feet of celluloid. Whereas the manufacturer of, shall we say a comparable amount of canned goods could at least eat his merchandise, ad infinitum.

The second myth which bears exposure, centers around the concept that the film industry is a small, closely knit community whose front lawn is watered by the Pacific Ocean and whose back door is slammed somewhere atop the hills of Burbank. This, gentlemen, is simply not the case. The motion picture industry has other principal components—production, distribution and exhibition. The production component has always been considered the most centralized. Yet, today more pictures are shot on location than in Hollywood and numerous states including Oregon, New Mexico, Texas and Florida have established film commissions to lure and assist production at considerable benefit to the economies of those states. Then there is the distribution component, for like most other businesses we who produce film must have a middleman aptly known as a distributor and distribution offices, major studios and independents alike, have operations in major cities and in all regions of the country. The third major component of our industry is theatrical ex-

hibition known to many of you through theatres in your home communities.

There are 14,500 such theatres at this point in time. They are located in every state and they employ upwards of a quarter of a million people annually, still the scope of our industry far exceeds the sum of its three principal components for there are a myriad of other industries which have a substantial stake in the success or failure of ours. Nor are they localized. A few examples, the banking industry has established credit in excess of a billion dollars to major studios and independent production alike. Major non-Hollywood institutions are involved including First National Bank of Boston and virtually every community bank in which there is a theatre which still owes a mortgage or is still depreciating equipment.

Obviously equipment suppliers and technical facilities such as Delux, MovieLab and Cinemobile have a stake in film. The advertising media derive a probable 100 million dollars a year in the marketing of two to three hundred films. There are other examples too numerous to recount here but I would trust that I have dispelled the second myth and that it is truly a large national industry with far reaching economic ramifications that you seek to regulate.

The third and final myth is that we are an industry of "Godfathers" and "Exorcists" when for each of those films there are hundreds you nor anyone else has ever seen or heard of because they have never been released or have never approached recovering their negative investments. Even on a successful film with high box office grosses profits can be small given the complicated sharing of revenues, which I have detailed in my longer text, between producers, distributors and exhibitor coupled with high print and advertising costs. Further, for every star who commands \$500,000 a picture and a percentage of receipts there are on any given day 85% of the total membership of Screen Actors Guild, or 22,000 people, unemployed.

This is Hollywood as a business not a playtoy and all has not been well for the past 25 years. I will list rather than detail the problems we have faced. I believe you are familiar with them. They include the advent of television, crime in the streets, spiralling production costs coupled with dwindling attendance, the runaway production and most recently the June 21st decision of the United States Supreme Court. This most recent blow is of critical significance because it strikes at the very heart of a re-structured film industry—the independent producer who by industry statistics accounts for better than 50% of the playable theatrical product produced in America in any given year.

This brings me to my second major point—the producers of independent films. His problems and the rationals behind the kinds of product he produces are closely interwoven. His numbers, by and large, are young. For there can be little argument that the youth of our country has adopted film as its medium of communication. Denied access for years to the mainstream of film making by the studios he broke virgin ground. Ill equipped financially to afford a star of the caliber of a Paul Newman or to produce a film with the scope of an "Airport," he turned instead to themes and subject matter not previously attempted. The results are important to note because the business of film operates on the theory of supply and demand like any other. We do not make films for which there is no audience, although in the main obscenity legislation would have us do that very thing. The independent film maker found a large, receptive and continuing audience. Statistics indicate that 78%

of the movie going public is between the ages of 18-30 and they found films with sexual themes or contents now different and to their liking.

The success of the independent film maker has had a number of positive effects on a depressed film industry and it is to these effects that we should next address ourselves. First, as with all pioneers, they paved the way for those more established in the film community to produce such artistic works as "Midnight Cowboy" and "A Clockwork Orange." Second, with major studio production on the decline and geared to key holiday playing time independents have become a major source of supply for America's 14,500 theatres. Third, successful independents have progressed to larger projects with union crews taking up the employment slack created by the cut-backs in studio production. My own company's first film was produced for \$75,000 our most recent for \$900,000. Fourth, the area of independent production has proved a valuable training ground for young talent much as did the B movies in years gone by. Francis Ford Coppola, director of "Godfather," Peter Bogdanovitch, director of "The Last Picture Show" to mention two, cut their spurs in independent production and later proved a valuable infusion of new blood into the sagging studio stream. Fifth, the boom in independent production has caused a reversal to some degree of the "runaway" trend by proving that films could indeed be produced economically domestically.

Much of the dilemma in which independent producers find themselves created by confusion in terminology and lack of first hand knowledge with regard to grass roots reaction. Thus, my third major point, when I say X rated adult film, much of the country and probably many of you think hard core pornography.

In fact, within the singular classification of X there are three distinctly different types of films. There are, to be sure, films whose entire content is sexual and explicit. These films, however, are in the minority and their effect on film as a business is minimal. They are the pronounced target of court decisions and legislation, but ironically they are affected the least. Their negative costs average less than \$50,000 and if they continue to play a handful of large cities they will survive.

The second type of films falling within the X classification are the "Clockwork Oranges," and the "Last Tangos In Paris." These are obviously serious films with some sequences or content mandating the X. The Supreme Court Decision and the rash of proposed legislation endangers the production of such films because studios are reluctant to commit 4 or 5 million dollars with no guarantee of the broad national payoff necessary to insure a return on their investments.

The third type of film falling within the X classification are so-called softcore films. They need national pay-offs to recoup their investment and there is a large and willing national audience waiting to see them. They represent entertainment in the style of the 70's. Your legislation enumerates "artistic, scientific, or literary purpose." Nowhere does it mention entertainment which is the primary purpose of film as we know it.

I spoke of grass roots reaction and I will give you two examples though I know of many. The Irving Theatre in Baltimore had a successful policy of X rated product. Local pressure groups forced them to switch to G and PG rated films. Within three months the Irving closed for lack of patrons. The members of those pressure groups, many of whom had never seen an X, did not support the pictures they professed to want once they had them. Another example comes from

a small town in Ohio where the citizens sought to keep open their only downtown theatre even though they had not supported its G and PG policy while they sought to close the only drive-in which was operating successfully with R and X materials. A legitimate compromise was hammered out and is functioning effectively. The downtown theatre remains open offering family films with the cooperation of merchants and others. The drive-in continues to operate with R's and X's and is carefully supervised by the theater owner.

Having presented the three major areas in which I wished to share my views I think we have a suitable base from which to analyze the effects on the motion picture industry were you to pass the obscenity provisions of S. 1 and S. 1400 in their present form.

The first very predictable effect would be the virtual destruction of the independent film industry as we know it today. The domino theory would become a practical application. Job loss would be tremendous, theatres would be without product, a valuable training ground would be lost and foreign made films would gain a tremendous competitive advantage.

Another effect would be to stunt the process of natural evolution that was already beginning to take place. What can evolve is a situation wherein pornographic films ultimately become yesterdays news leaving as their legacy to the serious American film maker the right to use certain content when the script warrants it.

Finally, you cannot legislate morality. Prohibition is a sterling example of this and I am suggesting that sex in the 70's forms a perfect parallel. Further, attempts at legislating out of existence that which millions of theatre goers have proven they want can only drive certain segments of the industry underground where they will fall profitable prey to criminal elements. I seriously question the moral fabric of our country when violence is condoned in so many forms while natural relationships between two people are held to be obscene.

Like many other industries, most recently the oil concerns, I would prefer no regulations. But if there must be legislation then let its general tone be constructive for all concerned and not destructive for a particular national industry. Specifically, allow each individual to see or hear or read whatever he or she so chooses with adequate protections for those who do not so that they are not inadvertently exposed to it. How do we do this? A. By the establishment of a publicly administered rating code. One which is not controlled by a handful of companies and which rates on the basis of content not budget. Allow three classifications—children, teenagers and adult. The last is the most vital and I believe if we can vote at 18, fight at 18 we should also be able to choose our own movies at 18.

B. Educate the public as to the various kinds of films which may be grouped in one classification, particularly the adult, so that they may differentiate between them. C. Strictly enforce admission ages at the theatre level, but adequately protect theatre owners from undue harassment and pressure. D. Make those of us who produce, distribute and exhibit responsible for our advertising both on theatre fronts and in the media, but prohibit the media from arbitrarily rejecting the advertisements of films strictly on the basis of their rating classification.

Our law enforcement agencies today have more important items on their agendas than the prosecution of people for what they see or read. The presidents own commission on obscenity and pornography concluded

that such things have no ill effects on those who are exposed to them. Must we destroy a national industry to prove in the end that conclusion was correct?

THE SSI MESS IN CALIFORNIA

Mr. CRANSTON. Mr. President, I would like to share with my colleagues a letter I have received from the owner/manager of a Sacramento home for the aged, a man familiar with the redtape mess being experienced by thousands of Californians during the switch to Federal supplemental security income:

DEAR SENATOR CRANSTON: Most the people in our residential care home for the aged are not getting their correct monthly assistance checks since the switch to Federal Supplemental Security Income. Things are so confused that some aren't getting any checks at all. I went to the local Social Security office and waited seven hours without seeing anyone who could help. They don't answer our letters. And you can't phone in because the lines are always busy. I tried for 45 minutes one day until I got a recording saying the number was no longer in use and no new number was available.

EDWARD WOLF,
Sacramento.

Mr. President, things were supposed to get better for the aged, blind, and disabled when the Federal Government took over State assistance programs and initiated supplemental security income—SSI.

But it did not happen that way. In California the 500,000 SSI recipients were loaded onto already over-burdened social security local offices which now are supposed to handle a combined SSI and social security caseload of over 3 million persons.

It has been chaotic. Mr. Wolf's letter is typical of many I have received reporting processing delays, snarled payments, and generally poor service. My office has been swamped with reports of elderly people threatened with eviction for nonpayment of rent, unable to buy food, and suffering extreme mental anguish waiting for checks that do not arrive.

I showed Mr. Wolf's letter to Caspar Weinberger, Secretary of Health, Education, and Welfare. And I told him of the other hardships that have been brought to my attention. Later I followed up with a telegram asking what steps were being taken at HEW to correct the situation.

Secretary Weinberger has now reported to me that 180 additional claims representatives have been added to California's Social Security offices to help untangle the SSI mess and speed monthly checks to their recipients.

I also have been assured that telephone lines at social security offices will be increased, overtime will be used more extensively and employees will be shifted from area to area if problems become particularly acute in one district office.

This may not be enough. There is a hidden workload still to come when the 500,000 SSI recipients come up for annual

reevaluation to determine their continuing eligibility for assistance.

The hardship that older Americans have had to bear because of this bureaucratic snafu is intolerable. I will continue to watch this situation closely and ask HEW for still more staff if I believe it is warranted.

FOREIGN AID IN AN ERA OF SCARCITY

Mr. BROOKE. Mr. President, in recent remarks given at Michigan State University, I discussed the increasing importance of our foreign aid as we become more aware that the well-being of the United States is increasingly linked with what has been termed an "Era of Scarcity."

In the hope that my remarks will be of some interest to my colleagues, I ask unanimous consent that my speech entitled "Foreign Aid in an Era of Scarcity" be printed in the RECORD.

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

FOREIGN AID IN AN ERA OF SCARCITY

I purposely choose not to speak on the most obvious topic of interest to most Americans. Our internal political crisis has so occupied our attention during this past year that insufficient consideration has been given to the growing seriousness of the world's inability to cope adequately with what has been termed an "Era of Scarcity." Growing food shortages, the energy crisis, and the effects of worldwide inflation are immediate and powerful reminders of a dramatic alteration of conditions on our planet.

No one can accurately predict the ultimate consequences of the various world crises that are coalescing at this point in time. However, it can confidently be stated that their negative impact will fall most heavily on the world's poor. Whereas we may be inconvenienced by gas lines or pressures to cut down on our conspicuous consumption, millions in the world will and do literally face the danger of death by starvation and disease. Others are experiencing a dramatic decrease in a standard of living already near the margin of existence.

These bleak prospects of millions of our fellow human beings accentuate the importance of an effective effort by the more fortunate countries to provide both immediate and long-term assistance to the poor nations of the world.

The American people are being asked to continue to assume a significant foreign aid burden. The fiscal year 1975 Administration request for foreign assistance totals approximately \$5.2 billion. \$3.1 billion of this total is for either bilateral or multilateral economic assistance; \$1.9 billion is classified as military and security supporting assistance. The remaining \$200 million is for other programs such as the Peace Corps and refugee assistance. If the American people are going to support the commitments represented by these sums, they must feel confident that our interests and our ideals justify such outlays.

Foreign aid has increased in importance as we have become more aware that the well-being of the United States is increasingly linked with events throughout the world. Our historical interdependence with the nations of Europe is well known. Interdependence now is encompassing a growing number of the 100 or more states comprising the so-

called Third World. The energy crisis is a cogent manifestation of this phenomenon.

The way in which nations manage this interdependence will determine the extent to which stability will prevail in the world. Hence, the need for an effective foreign aid program is greater than ever. For it can be a key tool in structuring a stable international environment.

Yet, many have grown disenchanted with our aid program, especially its bilateral aspects. With certain justification they contend that foreign aid has failed in its purpose and that it should be abandoned, or at the very least substantially restructured.

Their criticism has taken several forms. One of the frequent charges is that it is too often given to foreign governments whose policies and practices run counter to American ideals and practices. This view presupposes that our aid should be offered only to countries whose governments abide by principles that we ourselves have difficulty in fully implementing even with all of our unique advantages. It also entails what I believe to be a misconception as to our ability to determine the political acceptability of other governments to the majority of their own citizens. The attitude of people in the less developed countries toward their leaders frequently fluctuates unpredictably, compounding the difficulties of obtaining reliable political assessments and making the determination of the "popularity" of a given regime a highly subjective exercise.

In challenging this criticism I do not condone the barbaric practices of certain governments. But I do recognize that we are often faced with choices between the lesser of the two evils in our relations with other countries. I believe that our decision to help the poor should transcend our dislike for a particular government but I understand there are situations where the nature of the governmental apparatus precludes us from accomplishing our humanitarian purposes. Therefore we must judge the merits of aid on a case-by-case basis rather than by some general principle that precludes doing something decent and right because other governments do not measure up to our ideals—as ironic as it is to hear an American politician talk about American ideals in this year of 1974.

It is also charged that our aid has not brought us friends or even Third World neutrality, that despite giving billions of dollars in aid, in foreign countries our embassies are burned, our representatives murdered and recipient countries oppose many of our interests in such bodies as the United Nations.

Foreign aid was never designed solely to buy friends or to win votes. But it would be a mistake not to recognize that self-interest always has been and will continue to be an integral part of any foreign aid program. It is foolhardy to believe we can or should use foreign aid to buy friends. No country, not even the poorest, is prepared to sacrifice its independence, or what it perceives as its basic sovereign interests, for the amount of foreign aid it receives. The fierce struggle by the developing countries to throw off colonialism proves that they will protect their sovereign independence at all costs.

More cogent criticisms than these have been leveled at our aid program in recent years. Several strike close to home such as the argument that until we conquer poverty at home, we can ill afford to spend American money to reduce poverty abroad.

The problems of our domestic poverty are indissolubly linked to worldwide conditions. In our country the energy crisis has had its greatest impact on the poor. Moreover, jobs, pay scales and the cost of living are increasingly influenced by the nature of our involvement with other countries—for example, by the cost to the United States of

essential imports for our economy, and by the marketability of U.S. exports.

And the problems of the poor countries are increasingly our own because a stable world structure—and thus our economic and political security—is dependent on the effective management of many interacting relationships involving rich and poor countries alike; relationships touching on such critical matters as trade and monetary flows, resource utilization and protection of the environment. Domestic or world poverty will not be mitigated if these relationships break down.

Our foreign aid is insignificant when we consider the resources we take from the rest of the world. It is small too in terms of our national wealth. We devote less than 1/3 of one percent of our Gross National Product to foreign aid. In 1973 we ranked approximately 14th among nations in the amount of our annual national income when we give or loan to the developing nations.

And foreign aid is not conducted at any significant expense to our domestic programs. The \$3.1 billion projected in fiscal year 1975 for U.S. bilateral and multilateral economic assistance for developing countries is only about 2% of the amount for social and human resource programs in the United States.

With our national wealth now exceeding a one trillion dollar gross national product, it is difficult to believe that we cannot afford this modest investment in helping other less fortunate countries lessen the abject poverty of their peoples. Yet, even with our relative affluence, foreign aid decisions now will entail more difficult choices than they did in the past. Previously foreign aid did not require great personal sacrifice on our part. But in the "era of scarcity," what we provide other countries in terms of aid could well necessitate a change in our standard of living. The food we provide for the starving millions around the world no longer comes from vast surplus stocks. These stocks no longer exist. Thus food given or sold to the world now will have to come from food heretofore available for domestic consumption.

Fertilizer supplies are another example of the changing implications of our aid program. For years we have assumed an unlimited supply of fertilizer. We have spread it on our lawns and our golf courses with little thought as to its real value. To the developing countries fertilizer represents one of the key bulwarks against mass famine for its effect in those countries is to double or even triple the yield per acre of land. We shall have to decide whether our priority will be the golf course or food for starving people. Thus foreign aid is now a personal as well as governmental concern.

Another criticism touching on domestic concerns is the charge that foreign aid subsidizes foreign economic competition and eliminates jobs for Americans. There is a kernel of truth in this charge. No one can deny that there is a degree of economic dislocation in our society caused by inexpensive imports from developing countries. This is the inevitable result of the striving of other nations to fulfill their potential as we have fulfilled ours. This is a process we cannot reverse nor should we want to reverse. We must adjust to it and operate within the constraints it imposes upon us.

However, these negative effects are more than offset by the beneficial impact of our foreign aid on our own economy. To the extent our aid helps promote the economic development of recipient countries, it increases their ability to buy our exports. In 1972, the developing countries purchased some \$16.3 billion worth of American goods—or nearly as much as we sold to Japan and the European Common Market combined!

As the poor countries are dependent on others for development aid and relief assistance, so too is the United States dependent

on them for needed raw materials. What was true of oil may soon be true of other vital resources. The United States imports between 50 and 100 percent of eight metals vital to our industries—zinc, platinum, asbestos, manganese, nickel, tin, bauxite and cobalt. And up to forty-five percent of four other metals—lead, tungsten, potassium and iron ore.

The major reservoir for replenishment of these reserves is the developing world. And as the U.S. requirement for raw materials grows and our internal supplies diminish, we will have to rely increasingly upon the resources of that developing world.

It has further been said that our aid program aids mainly the privileged few in the developing countries, with little benefit extending down to the poor majority. This is an over-simplification. The underprivileged majorities in the developing countries do benefit from our aid to the extent that education systems are expanded, food production is increased, health clinics are established and roads are built connecting rural and urban areas.

However, it is quite true that the fruits of economic growth stimulated by our aid have been unevenly distributed in many countries. There is clearly a need for a more equitable and immediate distribution of the benefits. But this will only occur through a patient effort on our part to work with recipient countries in evolving the proper mechanisms and incentives to effect this change.

And yet, this task will be an exceedingly difficult development, even at the macro-level of erecting an economic infrastructure is a complex undertaking. The euphoric optimism of the 1950's and 1960's regarding immediate development progress, arising from our aid program has disappeared. We know now that development is an exceedingly slow process subject to numerous setbacks. As we move to give greater emphasis to specific human problems the complexity of the task will increase. For there is no either-or choice between developing an economic infrastructure and directly helping the poor. Without concurrent efforts in both areas our aid program will be little more than an open-ended relief effort.

With a growing need to carefully manage the resources of our country we could ill-afford to do this. Development, not relief, must occur.

Another factor inhibiting development progress, according to many, is the amount of our aid which emphasizes military and political considerations over those of development. In addition to the \$1.9 billion requested in FY 1975 for military and security supporting assistance, it can be argued that a large portion of the \$939 million requested for Postwar Indochina Reconstruction is directly or indirectly related to military or political considerations.

The large amounts requested for Indochina, moreover, illustrate the manner in which military and political preoccupations tend to dominate our thinking regarding aid. Aside from such preoccupations, it would be difficult to justify spending some 18% of the total FY 1975 request of \$5.2 billion in the three countries of Laos, Cambodia and South Vietnam. Indeed, it is becoming increasingly questionable whether such a high level of expenditure in Indochina can or should be tolerated much longer. Every year we are confronted with requests for large expenditures, with no indication of how long or how much we will be expected to spend in Indochina. The American people have a right to know what national interests prompt our still overwhelming preoccupation with Indochina.

These criticisms of foreign aid identify many of the constraints which limit the effectiveness of our development assistance. Yet the need for foreign aid has never been greater.

The developing countries occupy two-thirds of the earth's land area and contain three-

fourths of the world's total population—roughly two billion people. Over 800 million of these people live on thirty cents a day—barely on the margin of life.

Unemployment and underemployment rates in these countries range up to more than thirty percent—considerably higher than the United States experienced in the worse years of the depression.

Mass poverty pervades the developing nations, perpetuating malnutrition, ill-health, illiteracy and a whole other catalogue of human miseries.

One-half of the deaths in the less developed countries are children under the age of six—deaths caused primarily from intestinal infection and malnutrition.

But the most intractable problem facing developing countries today is overpopulation. All too often, economic gains are wiped out by population growth, leaving little or no improvement in the lives of the poor.

The impoverished nations account for about ninety percent of the annual world population growth. In India alone, some fifteen million are added each year to an estimated 600 million population.

World population will climb from 3.7 billion today to 6.3 billion by the end of this century. It will reach a staggering ten billion people in the next fifty years unless the developing countries as well as the developed countries can lower their birth rates to an average of two children per family within the next twenty-five years.

And to add to this, the impoverished nations are experiencing natural disasters which exacerbate the existing distress and wretchedness of their people.

A major international relief effort saved millions from dying from starvation because of the drought in the six countries of Sahelian, Africa and Ethiopia. Yet there is still a progressive deterioration of the land from years of neglect and inadequate development in these countries which are among the world's least developed. And because of crop failures there must be a continuing large international relief effort if millions are not to die.

At long last the Congress has refocused the U.S. bilateral economic assistance which is the first step in an overall evaluation of our entire foreign aid program.

The Agency for International Development will now emphasize greater use of the U.S. private sector, coordination with other donors, and a collaborative style which recognizes the responsibility of recipient countries for their own development.

In concentrating on these aspects of the program, the Agency will move beyond the traditional concept of technology and resource transfers from rich to poor countries. It will seek the linkage of relevant individuals and institutions in the less-developed world with their counterparts in developed countries in a partnership effort to foster meaningful progress.

But, most importantly, the Agency is beginning to redesign its program to focus a greater percentage of aid funds on the central human problems of population, health, education and nutrition rather than on expanding the Gross National Product of the developing countries.

Up to forty percent of the total population in all the developing countries are trapped in conditions of poverty beyond the reach of market forces and without minimal living standards. Rapid aggregate economic growth is still a requisite of development, but our aid program is fortunately abandoning the "trickle down" approach that assumes that if GNP is expanding, the benefits of development will eventually extend to all sectors of a society. The emphasis is now on direct aid for the poor as it always should have been.

It was in the early 17th century that John Donne wrote:

"No man is an island, entire of itself; every man is a piece of the continent, a part of the main . . . any man's death diminishes me, because I am involved in mankind; and therefore," he went on, "never seem to know for whom the bell tolls; it tolls for thee."

"No man is an island. . . ." Recognizing this the American people have generously shared the burdens of the world's poor.

And we must persist in doing so. Our self-interest requires it. Our ideals compel it.

SHEPAUG RIVER

Mr. RIBICOFF. Mr. President, this morning I testified before the Subcommittee on Public Lands of the Senate Interior Committee in an effort to save a beautiful river. The Shepaug River, which flows through Litchfield County, is an untouched preserve in a magnificent setting. Inclusion of the Shepaug on the study list of the Wild and Scenic Rivers Act would protect the river against the commercial development that has scarred so many of our scenic landmarks.

I ask unanimous consent that my testimony be printed in the RECORD.

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

STATEMENT BY SENATOR ABE RIBICOFF

The Shepaug River is something of an anomaly. Located in the heart of the populous Northeast, the river has remained almost untouched by the spread of roads and industry and power lines.

I have crossed over the Shepaug River many times over the years, but it was not until last month that I actually floated down its stretch by canoe. It doesn't take an avid outdoorsman to be awed by the beauty and tranquility of a sometimes meandering, sometimes rushing river within an hour's drive of 10 Connecticut cities.

As most of the access roads to the river's edge are unpaved, we set out in four-wheel drive vehicles. The number of local canoeists who joined us for the float trip was just a small showing of the local awareness and popular sentiment for the Shepaug.

If the river is not one of the nation's wildest rivers, it doubtlessly remains as one of the most scenic. With the occasional exception of pasture land, the river's bank and the wooded hills above haven't changed since the Indians roamed the valley centuries ago. Running through a series of gorges which rise up more than 700 feet, the river becomes a torrent of white water and rapids. Yet, in some spots, you can throw a stone from one bank to the other.

In the spring, scores of canoes and kayaks enter the fast stretches for the annual Shepaug white water race. As the season grows warmer, picnickers stretch out along the Shepaug's banks with the children. In the fall, the river is a quiet setting to watch the changing Connecticut foliage—or cast bucktails for brown trout.

The Shepaug River valley remains if not the only, at least one of the very last largely undeveloped major watersheds in southern New England. Over twenty-five miles of forested hills are scarcely broken by three small, essentially rural communities.

Thus, the valley—because it has been bypassed by the major urban development pushing through the area—remains one of the richest trails into our state's past.

The American Indian has lived in this region for at least 9,000 years—at times in

vast numbers and with a highly evolved culture. One five-mile stretch of the river now being explored by local archaeologists contains eight Indian sites, most of which have been occupied for 5,000 years or longer. The mysteries of how and why a unique Indian culture which did not grow its own food disappeared is just being studied.

The valley's pre-revolutionary history follows the river's path from the Wyanenock Forest down to Roxbury Falls. Mine shafts still stand, silent reminders of the flourishing metal and logging industries that have now been reclaimed by the valley's natural beauty.

To ignore this legacy dotting the Shepaug's banks would be a tragedy of great proportions.

But time, as we all know too well, does not stand still. Nor do draftsmen, bulldozers and power linesmen.

Four sites for damming the Shepaug River are already sketched on topographical maps—along with 345 kv transmission lines cutting a path parallel to the river.

I am making a personal appeal to add the Shepaug River to the study list of Wild and Scenic Rivers as an expression of one of the most moving environmental sentiments that I have ever felt first-hand.

And I am sure I speak for my colleague, Senator Lowell Weicker, who strongly supports efforts to preserve the Shepaug.

The Shepaug is more than a scenic river. It is a small flowing sanctuary for a way of life that is fast disappearing in the Northeast.

TRUTH IN SAVINGS

Mr. HARTKE. Mr. President, during the past 3 years, I have spoken on several occasions of the need to provide for full disclosure on consumer savings deposits. The fact is that earnings can vary by as much as 171 percent on accounts in different savings institutions which use the same annual earnings rate.

It is just this sort of confusion that my truth in savings bill, S. 1052, addresses. It provides consumers with the information they need to shop among various savings institutions so they can decide the best place to put their savings; and it enables depositors to check up on the earnings calculations of savings institutions.

Mr. President, I ask unanimous consent that a table comparing truth in savings to truth in lending—which has already been enacted into law—and a table which describes the differences between my truth in savings bill and a proposal made by the administration be printed in the RECORD.

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

TRUTH-IN-SAVINGS IS ANALOGOUS TO TRUTH-IN-LENDING

EARNINGS/FINANCE CHARGE

Truth-in-savings

6(b) (1) The amount of earnings paid;

3(a) (4) "earnings" means any amount accruing to or for the account of any individual as compensation for the use of funds constituting an individual savings deposit. Such terms include dividends and interest on any individual savings deposit.

Truth-in-lending

226. 7(b) (4) The amount of any finance charge, using the term "finance charge," debited to the account during the billing

cycle, itemized and identified to show the amounts, if any, due to the application of periodic rates and the amount of any other charge included in the finance charge, such as a minimum, fixed, check service, transaction, activity, or similar charge, using appropriate descriptive terminology.

ANNUAL PERCENTAGE RATE

Truth-in-savings

6(a) (1) and 6(b) (2) The annual percentage rate:

4(b) Annual percentage rate is the periodic percentage rate multiplied by the number of periods in a calendar year of 365 days for all years including leap year, and may be referred to as the APR.

Truth-in-lending

226.7(b) (6) The annual percentage rate or rates determined under 226.5(a), . . . (1) by multiplying each periodic rate by the number of periods in a year;

TIME ALLOWANCE

Truth-in-savings

6(a) (2) The minimum length of time a deposit must remain on deposit so that earnings are payable at that percentage rate;

Truth-in-lending

226.7(b) (9) The closing rate of the billing cycle and the outstanding balance in the amount on that date, using the term "new balance," accompanied by the statement of the date by which, or the period, if any, within which, payment must be made to avoid additional finance charges.

NUMBER OF TIMES EACH YEAR EARNINGS ARE COMPOUNDED

Truth-in-savings

6(a) (5) The number of times each year earnings are compounded;

Truth-in-lending

Not applicable.

ANNUAL PERCENTAGE YIELD

Truth-in-savings

6(a) (3) The annual percentage yield:

4(c) Annual percentage yield is the amount of earnings which accrue in one year to a

principal amount of \$100 as the result of the successive applications of the periodic percentage rate at the end of each period to the sum of the principal amount plus any earnings theretofore credited and not withdrawn during that year, and may be referred to as the APY.

Truth-in-lending

Not applicable.

PERIODIC PERCENTAGE RATE

Truth-in-savings

6(b) (3) The periodic percentage rate;
4(a) Sec. 4 (a) Periodic percentage rate is the rate applied each period to the principal amount for that period to determine the amount of earnings for that period and may be referred to as the PPR.

(6(a) (4) The periodic percentage rate and the method used to determine the balance to which this rate will be applied.

Truth-in-lending

226.7(b) (5) Each periodic rate, using the term "periodic rate" (or "rates"), that may be used to compute the finance charge (whether or not applied during the billing cycle), and the range of balances to which it is applicable.

METHOD USED TO DETERMINE BALANCE TO WHICH RATE IS APPLIED

Truth-in-savings

6(a) (4) The periodic percentage rate and the method used to determine the balance to which this rate will be applied.

6(b) (4) The principal balance to which the periodic percentage rate was applied, and the method by which that balance was determined;

Truth-in-lending

226.7(b) (8) The balance on which the finance charge was computed, and a statement of how that balance was determined. If the balance is determined without first deducting all credits during the billing cycle, that fact and the amount of such credits shall also be disclosed.

DATES EARNINGS PAYABLE OR FINANCE CHARGE ASSESSED

Truth-in-savings

6(a) (6) The dates on which earnings are payable:

Truth-in-lending

226.7(b) (9) The closing date of the billing cycle and the outstanding balance in the account on that date, using the term "new balance," accompanied by the statement of the date by which, or the period, if any, within which, payment must be made to avoid additional finance charges.

OTHER CHARGES

Truth-in-savings

6(a) (7) Any charges initially or periodic made against any deposits;

6(b) (5) Any charges made against the account during the period covered for purposes of computing the payment of earnings and making the report;

Truth-in-lending

226.7(b) (4) The amount of any finance charge, using the term "finance charge," debited to the account during the billing cycle, itemized and identified to show the amounts, if any, due to the application of periodic rates and the amount of any other charge included in the finance charge, such as a minimum, fixed, check service, transaction, activity, or similar charge, using appropriate descriptive terminology.

OTHER FACTORS AFFECTING YIELD

Truth-in-savings

6(b) (6) Any other terms or conditions which increased or reduced the earnings payable under conditions as disclosed under item (1) or (3) of subsection (a).

Truth-in-lending

Not applicable.

Source: *Truth-in-Savings* (Section S. 1052 or H.R. 4985) and *Truth-in-Lending* (Section of Regulation Z).

TRUTH IN SAVINGS—COMPARATIVE ANALYSIS

COVERAGE

Hartke (S. 1052) and Roy-Sullivan (H. 4985)

Sec. 106 of Financial Institutions Act of 1973 (S. 2591)

Scope

Broad. Includes all who in the regular course of business receive and hold or issue individual savings deposits and pay earnings. (3) (6)

Limited to insured and member banks and savings and loans. Not applicable to credit unions nor to all of those savings institutions not now regulated. (e) (2)

Exclusions

Listed 3(b) (1) (2) & (3)

Same list

DEFINITIONS

Earnings

All-inclusive definition 3(4)

Not defined, but term is used (a) (1) (2) & (3)

Periodic Percentage Rate

Defined 4(a)

Not defined yet used to define annual percentage rate and yield (a) (3) (A) & (B)

Annual Percentage Rate

Defined 4(b)

Same definition (a) (3) (A)

Annual Percentage Yield

Defined 4(c)

Same definition (a) (3) (B)

Regulations

Issued by Federal Reserve Board 5

Same, after consultation with others (e) (1)

DISCLOSURES

Disclosure upon request of only any individual

Full disclosure in writing of all information required at the time initial deposit is made (6) (a)

No provision

Disclosure—at the time funds are initially placed

All the information with respect to the individual savings deposit being opened (6) (a)

Information with respect to all of the types of interest-bearing deposit accounts offered at that time by such institution.

- (1) annual percentage rate
- (2) minimum length of time
- (3) annual percentage yield

- (A) same
- (B) same
- No provision for APY

- (4) Periodic percentage rate and the method used to determine the balance to which this rate will be applied
 - (5) the number of times each year earnings are compounded
 - (6) the dates on which earnings are payable
 - (7) any charges initially or periodically made against any deposits
 - (8) any terms or conditions which increase or reduce the rate of earnings payable as disclosed under items (1) and (3); and
 - (9) any restrictions . . . penalties . . .
- Disclosure . . . Annually and at the time any earnings report is made in person or by mailing to the depositor's last known address
- 6(b) same as above
 - (1) the amount of earnings paid
 - (2) the annual percentage rate
 - (3) the periodic percentage rate
 - (4) the principal balance to which the periodic percentage rate was applied, and the method by which the balance was determined
 - (5) any changes . . .
 - (6) any other terms or conditions which increased or reduced the earnings payable under conditions as disclosed under (1) or (3) of subsection (a)
- 10-day notice of change
- 6(d) no notice required if change is directed by a regulatory authority
- Disclosures in Advertising
- Sec. 7
(Note: Since the yield must be disclosed for every type of account, the advertised yield for account should be no different from the manner in which it is calculated.)
- Administrative Enforcement
- Sec. 8. Consistent with the broad scope and utilizes language comparable to Truth in Lending
- Sec. 9
- Sec. 10 Criminal liability for willful and knowing violation
- Sec. 11 Views of other agencies
- Sec. 12 Effect on other laws
- Sec. 13 Report to Congress

SUMMARY

In summary, the two measures are quite similar. They differ significantly, however, in their concepts of the needs of consumers:

(1) The consumers' need for full information about available types of savings in order to make a knowledgeable decision about where to save, and whether to shift savings with changing conditions.

(2) The consumers' need to have access to the accounting mechanics so they can verify their records.

Specifically, Sec. 106—

Falls to give the consumer information until the initial deposit is made.—And then it strangely requires information about all the other types of savings offered by that institution. Thus information is disclosed after the consumer has made the savings decision, and not before;

Falls to give the consumer full information:

—the yield, which portrays the effect of compounding, is not required.

—the periodic percentage rate and the balance to which it is applied are not mentioned. Both are useful because they alert the consumer to ways of getting maximum benefit from the account and whether the account type is incomprehensibly complex. The periodic percentage rate is the "unit price" for time-money.

Falls to cover all savings plans. Credit unions are not covered. Finance companies and other offering debentures, certificates and countless other forms to attract savings will be free of comparable regulation. As a result, the consumer will continue to be confused by the myriad of terms and unable to weigh the merits of competing options.

Richard L. D. Morse, Department of Family Economics, Kansas State University, Manhattan, Kansas 66506, January, 1974.

THE POLITICAL ROLE OF THE MEDIA

Mr. GOLDWATER. Mr. President, I am certain Members of this body know that I cannot possibly be classed as a full-time advocate or a supporter of the opinions published by Columnist Joseph Alsop. In fact, down through the years I suspect that I have opposed more of his opinions than I have supported. Be that as it may, I want to go on record right now as endorsing Mr. Alsop's column of June 14 which was published in the Washington Post under the headline "The Political Role of the Media."

In effect, what Columnist Alsop had to say was that if the U.S. Government loses the valuable services of Secretary of State Henry A. Kissinger, it will have only the American press to blame. He added:

The plain fact of the matter is that we now have in Washington, not just a double-standard, but a triple standard. You have to begin right there to understand the resulting orgies of hypocrisy. And the first part of this triple-standard for public judgment of public men concerns the political role of the press or media.

Mr. President, I believe that at a time when the American people should have

been giving Henry Kissinger a ticker tape parade down Fifth Avenue in New York, the insensitive members of the Washington press corps were busily engaged in an operation of nitpicking and asking the Secretary of State whether he had hired an attorney to defend him against possible charges of perjury. It was a thoroughly disgraceful performance. Mr. President, I ask unanimous consent to have this column printed in the RECORD at this point in my remarks.

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

THE POLITICAL ROLE OF THE MEDIA
(By Joseph Alsop)

It is a time to stop being mealy-mouthed. If the U.S. government loses the invaluable services of Secretary of State Henry A. Kissinger, the enormous, Watergate-induced self importance of the American press will be to blame.

If the U.S. dollar—your dollar and my dollar—loses a lot of its value on the world markets; and if American foreign policy also joins American economic policy on the dung-heap of disorder, you can thank your friendly media.

The plain fact of the matter is that we now have in Washington, not just a double standard, but a triple standard. You have to begin right there to understand the resulting orgies of hypocrisy. And the first part of this triple standard for public judgment of public men concerns the political role of the press, or media.

It is the smarrest kind of hypocrisy to pretend that the press was not directly responsible for Dr. Kissinger's decision to resign his office unless his name could be promptly and decisively cleared.

On last Thursday, he had just returned from one of the greatest and most totally exhausting diplomatic feats in rather more than a century. The secretary was being very modest if he merely thought he had "deserved well of the Republic"—in the phrase of old Rome.

His reception was a savage and disgusting press conference, during which he was treated like a common criminal. At one point, one of his interrogators even suggested that he might well be indicted for perjury, and belittlingly inquired whether he had already retained counsel to represent him in case of a perjury indictment. To be sure, only a minority thus disgraced the formerly honorable reporter's trade.

Yet in the subsequent commentaries, the members of this minority were never rebuked by their colleagues. Instead, Dr. Kissinger was rebuked. The climax came on the evening of Monday, when *The New York Times* hit the streets with an editorial accusing Dr. Kissinger of "dissembling" in tones majestically combining self-righteousness and pecksniffery. Telegraphed to Salzburg, the editorial promptly triggered Dr. Kissinger's press conference and resignation statement on Tuesday.

Those are the plain facts. What has happened cannot be comprehended without those facts. Yet this reporter has seen no account of Dr. Kissinger's threat to resign that has set forth the facts either fully or forthrightly. Over all, it seems a mite odd for the major political role of the press to be left out of the accounting, when we have taken to holding our public men so strictly accountable.

This is the first part of the prevailing triple standard in Washington. As to the other part that justifies the word, "triple," it is simple enough. Dr. Kissinger has in fact been accused of "dissembling," and has even heard the word "perjury" hurled at him, because of a crucial national security matter involving less than a score of wiretaps. Under the law, such wiretaps are entirely permissible for national security purposes.

One wonders, then, why it was so shocking for a servant of the Nixon administration to worry about national security to the extent of knowingly approving under a score of wiretaps. After all, national security wiretaps were very much more numerous in the Truman administration, and they were vastly more numerous in the administration of President Kennedy.

This reporter, with a known three wiretaps to his credit, all pre-Nixon, has long held the doctrine that if you have not been tapped, you have been slacking on your job. As to the Johnson administration, President Johnson sensibly did not trust the late J. Edgar Hoover—so he had the Secret Service do the tapping for him, again on a major scale. In short, the servants of the Nixon administration are plainly being judged by different tests than those that prevailed in happier times.

So we come back to the Watergate induced self-importance of the American press that was noted at the outset, noting this is not meant to detract for one moment from the great achievement of exposing the crimes and squalors that now go by the name of Watergate.

Yet it seems this success has now led to a new and dangerous situation. Some people have now openly begun to follow the rule: "I'll be judge, I'll be jury," said Cuning Old Fury; "I'll try the whole cause, and condemn you to death."

Meanwhile Sen. J. William Fulbright, who has seen more than mere leaked bits of the total data, is reportedly confident that Dr. Kissinger did not dissemble when he appeared before the Foreign Relations Committee. Furthermore, even with Cuning Old Fury, one supposes that some vague notions of national interest usually prevailed.

1974 CROP OUTLOOK NOT ENCOURAGING

Mr. CLARK. Mr. President, about 2 months ago, the prospects this season for a record grain crop in Iowa and other States were good. Then, farmers were concerned about the shortage of fertilizer and the high prices caused by the shortage. But they were still optimistic—Government reports of unprecedented demand for their product throughout the world made them feel secure in any investment.

Two months ago, much of the land already had been prepared by fall plowing, and farmers had begun to plant corn.

Then, the rains came. And the effect has been devastating. The rains washed fertilizer, seed and topsoil into and onto the bottom lands. Miniature gullies formed between corn rows on the hills, and up to 24 inches of silt covered seeds planted in the lowlands. Not only was a large portion of the planted crop destroyed, but future crop production has been threatened by the loss of valuable topsoil.

By last week, 60 days after corn planting started—30 days after soybean planting started, farmers in Iowa were faced with a very wet and depressing picture.

To get a better idea of the effect of the heavy rain, I met with about 20 people earlier at the Federal Building in Des Moines last weekend to discuss the magnitude of the problem and what was being done to provide relief. Everyone there—farmers, bankers, businessmen—expressed very real and very justifiable concern. A primary reason for that concern is that there is virtually no Federal assistance to farmers who have been hit hardest by the weather. The farmer who carries Federal Crop Insurance for protection against such heavy rains now finds that corn must be planted by June 5 and soybeans by June 25 before that acreage will qualify under the insurance program. And because of the rain, more than 10 percent of the Iowa corn crop had not been planted by June 5.

Almost all of the potential benefits of the highly publicized disaster clause written into the feed grain title of the Agricultural Act of 1973 was eliminated by the Department of Agriculture's interpretation of the act. USDA has encouraged farmers to plant a maximum corn acreage. In Iowa, farmers responded by planting 13.2 million acres; but, at the same time, USDA set the allotment on which the disaster guarantee attaches at 68 percent of the 1973 base—about 10 million acres. As a result, more than 3 million acres of corn are not covered by the disaster clause. A similar subversion of the harvested

guarantee for corn growers practically eliminates any possibility of measureable relief for corn producers. The act contains no provision at all for helping the soybean producer.

At that meeting, we also considered the long-term effect of the torrential rains and flooding. About half of the counties in Iowa have lost an average of 50 tons an acre of topsoil—with losses of up to 200 tons an acre in the most severely hit areas.

Sod waterways, dams, terraces, and other erosion control structures have been damaged or destroyed. The State ASCS office has received cost sharing requests amounting to \$660,000 for debris and silt removal from six county disaster committees. ASCS anticipates requests from another 14 or 15 counties totaling \$1,800,000 in cost sharing authority.

Once cost sharing is authorized, the work still must be done and conservation contractors face the same problems as farmers when it comes to getting into the fields. Not much repair work or new construction has been accomplished this year. Given the fact that so much conservation work needs to be done to maintain the productive capability of the land, I will introduce legislation next week to extend by 1 year the time for farm owners and tenants to earn cost sharing under the 1973 program.

The Governor of Iowa has requested a Federal disaster designation for 42 counties in Iowa to prepare the way for emergency assistance. Hopefully, there will be an affirmative answer to his request soon.

Many, many farmers in Iowa are discouraged and disgusted. Economic disasters in the livestock and poultry industries have many of them on their knees. Many more must spend the profits from last year—and then some—just recovering from 6 weeks of rain and flood. Grain prices are reasonably good but the crop is late and spotty.

In the meantime, it seems the Federal Government has turned its back on the agricultural community.

Administration officials have testified in the last few days against emergency operating loans for the livestock industry.

The target price on corn is 60 cents a bushel below the cost of production.

The price support loan rate on corn is at 43 percent of parity.

The administration has encouraged planting "fence to fence" with vague promises of lucrative "free" markets but so far has failed to demonstrate that those markets really exist.

And now that the topsoil of Iowa has been ravaged by nature and years of conservation work have been destroyed, the Federal Government is slow to produce the necessary assistance.

An article in the *Wall Street Journal* of June 18 accurately describes the 1974 corn crop situation. I ask unanimous consent that this article be printed in the RECORD.

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

[From the Wall Street Journal, June 18, 1974]
CORN HARVEST COULD BE MUCH SMALLER THAN EXPECTED BECAUSE OF HEAVY RAINS

(By Norman Fischer and Gene Meyer)

CHICAGO.—That 6.7 billion-bushel corn crop you've heard Agriculture Secretary Earl L. Butz talking about has been canceled because of rain.

In fact, at a time when corn should be just about knee-high, many of the nation's cornfields are still unplanted. "My field's under water," says an Effingham, Ill., farmer, echoing the laments of corn growers in his state as well as in Iowa and Indiana, which together provide nearly half of the country's corn.

Wet and cold weather in those states and only moderately better conditions in some other parts of the Corn Belt have produced a universal gloom among farmers, crop analysts, agronomists, and others surveyed by The Wall Street Journal. "We've got a snowball's chance in hell of getting a 6.7 billion-bushel corn crop," one disgusted grower says.

The consensus emerging from the survey is that only good growing conditions from now through harvest time will produce a crop of even six billion bushels. That would still top last year's record crop of 5.6 billion bushels but would be well under the government's public projections and, many observers think, less than the amount of corn needed to brighten the profitability of producing meat, poultry, eggs and milk. Corn is the most important feed ingredient in producing these foods, and feed accounts for 60% to 75% of total production costs.

CURTAILING OUTPUT

At worst, analysts say, the present abundant supplies and lower prices of meat, eggs and cheese could vanish next year. High costs and slack demand have already caused producers to curtail output. Just last week the government reported that as of June 1 there were 16% fewer cattle being fattened than a year earlier, and that the number of animals placed on feed during May plummeted 40% from May 1973. (More cattle are being grass-fed until they are shipped to market, by-passing the feedlots.)

Government inflation fighters are banking on a bin-busting crop to reduce feed costs. No one wants to say it for publication, but a few analysts believe there is an outside chance that this year's corn crop won't even match last year's. At least, observers in Iowa, Illinois and Indiana say production in their states could be down this year. A lower total crop this year would deal a severe blow to hopes for increased meat, milk and egg production and thus to prospects for lower or at least only moderately rising food prices next year.

To be sure, some observers, buoyed by good weather and above-normal planting progress in Ohio, Nebraska and parts of Minnesota and South Dakota, say the corn crop could be as high as 6.2 billion bushels. These same people say that even a six billion-bushel crop might mean lower corn prices, at least for a while, because there will be fewer animals around to eat the corn. A hog consumes about 15 bushels of corn before reaching maturity, for example, and some livestock analysts figure that for the rest of the year there will be 10% fewer pigs chomping corn than in the same period last year.

Even so, the present outlook is in marked contrast to the mood in early May, when good weather both then and last fall (allowing a lot of advance plowing to be completed) got corn planting off to a fast start. Planting on May 12 was 52% completed, compared with 30% a year earlier and a normal completion rate on that date of 40%.

WATER, WATER EVERYWHERE

Then the rains came.

In Effingham, Ill., for example, about 15 inches of rain fell between May 14 and last Thursday. In roughly the same period in Iowa, up to seven inches fell in a 75-mile wide band extending through the heart of the state. "You get a half-day of sunshine and spend the rest of the week looking at the calendar," one farmer grumps.

Though some growers simply planted around the water holes, much planting was delayed. In addition, rain washed away a lot of seed that was already in the ground, necessitating replanting. Some farmers have planted the same fields three times.

Robert Lounsberry, Iowa secretary of agriculture, estimates that about 93% of the state's corn was in the ground before the rains hit. But as much as 15% of that was lost, he says, putting planting progress in the state behind last year, when wet weather also was a problem. Similarly, Indiana and Illinois plantings are now behind last year's rate.

In all, about 1.8 million acres were lost for corn planting this year, the National Corn Growers Association estimates. That's because many corn growers have decided it is too late to plant corn and are switching to soybeans and to sorghum, another feed grain. As a result, this year's corn acreage is likely to increase by perhaps 6% over last year, compared to the 10% the government has been hoping for.

DELAYS LOWER YIELDS

But the acreage loss isn't as worrisome as the loss of yield that results when corn is planted too late. Corn growers traditionally estimate that yield in many areas is reduced a bushel an acre for each day after May 15 that a field is planted. An Illinois agronomist says yields in the state are reduced 15%-20% if plantings are made in late May and another 15%-20% if planting is delayed until June.

"So corn that would have yielded 130 bushels an acre if planted in early May will yield about 80 bushels if it's not planted until June," the agronomist says.

Missing much of the prime early-growing season isn't the only reason yields will be down, however. A good deal of the additional acreage planted this year is marginal land that can't yield as much under the best of conditions. Fertilizer shortages have occurred in some areas and even where fertilizer has been available, the oxygen in water standing on fields has reacted with the fertilizer's nitrogen, neutralizing the effectiveness of the nutrient. An increasing number of farmers reportedly are discovering yellowish plants in their fields, one of the symptoms of nitrogen deficiency. In addition, a lot of the late plantings will consist of early-maturing corn that simply yields less.

All this means that "there's just no way we can come up with that bumper corn crop," says Mr. Lounsberry, the Iowa secretary of agriculture.

PROBLEMS OF EROSION

Government analysts based their projections of a 6.7 billion-bushel crop on expected average yields of 97 bushels an acre, nearly matching the record 97.1 bushels yielded in 1972, and up from 91.5 bushels last year. But the National Corn Growers Association says the yield will be closer to 89 bushels an acre. (That would result in a total crop of just 5.95 billion bushels, the association says.)

Some corn-growing areas have rain-caused problems that extend beyond this year's crop: erosion that threatens the soil's longer-term productivity. "Erosion in Iowa fields during May was the worst in 25 years," says Wilson T. Moon, the state's conservationist. In some cases, as much as

200 tons of soil an acre may have washed away, he says. Erosion of 10 tons of soil an acre generally is considered severe.

The changing prospects for the corn crop have been reflected in corn prices. The excellent early-planting weather caused prices for "old-crop" corn to retreat to \$2.53½ a bushel in early May from February's near-record high of \$3.34 a bushel. Since May, prices have rebounded to about \$2.90 a bushel and could reach \$3 a bushel before long, analysts say. That's a far cry from the \$1.75 to \$2 a bushel some people were predicting when crop hopes were high.

Looking ahead, farmers agree that the worst thing that can happen is for the heavy spring rains and cool temperatures to be followed by very hot and dry weather in July and August. The abundant moisture presently in the soil would enable the crop to withstand moderately dry weather, but drought conditions "would cause the corn market to explode," one analyst says.

The growing concern about the new crop comes when the amount of corn left over from last year's crop is expected to be the smallest in 26 years. That's based on the government's estimate of a 463-million-bushel carryover; private forecasters say the carryover could be as low as 350 million bushels—about a three-week supply.

Faced with all the obvious negative factors, "a lot of farmers and government people are seeking reassurance in the old adage that you never have short crops because of rain," one crop analyst says. "I hope they're right, but this year might be the exception."

VETERANS' LEGISLATION

Mr. HOLLINGS. Mr. President, today there are 309,000 veterans living in South Carolina, nearly 80,000 of them Vietnam-era veterans. Historically, America has recognized the debt she owes to veterans by providing benefits and services which have allowed them to readjust to civilian life and contribute effectively to their community. However, in recent years inflation has eroded the effectiveness of most of our veterans programs. I believe it is high time we renewed our commitments to all veterans by providing benefits and services equal to those received by veterans of 25 years ago.

As a result of the readjustment problems that are being encountered by veterans returning from Southeast Asia, Congress is becoming more responsive to the plight of all veterans. This has led to the enactment of several important pieces of veterans' legislation and offers the promise of further improvements. I would like to highlight some congressional efforts and accomplishments in areas of major concern to veterans—education benefits, medical services, pensions, and compensation.

EDUCATION BENEFITS

Educational assistance programs under the VA have been a tremendous success for veterans and a boon to the country. More than 5 million veterans, including myself, have been educated with VA assistance. Last year alone, 30,000 South Carolina veterans participated in the program. However, spiraling inflation has undercut education benefits, causing many veterans to drop out of school before earning their degree.

Therefore, I was extremely pleased to see the Senate approve overwhelmingly,

S. 2784, the Vietnam-era education bill. This legislation goes a long way toward updating education benefits for veterans and puts them on a par with veterans of earlier wars. The Senate-passed bill which I cosponsored calls for an 18-percent increase in benefits, direct tuition assistance to veterans, extension of the delimiting period from 8 to 10 years, extension of benefits eligibility from 36 to 45 months, and low-interest loans for veterans attending high-cost schools. I firmly believe enactment of this legislation will represent a prudent investment in our veterans and in the future well-being of our country.

MEDICAL SERVICE

The Veterans' Administration operates the largest medical care system in the country. Last year 1,118,000 veterans received VA medical care. In spite of its size, VA facilities are still faced with a severe shortage of beds. In South Carolina we hope to alleviate these shortages with the construction of a new bed building and a modernization program at the Columbia VA hospital complex. As a member of the Senate Appropriations Committee I will be fighting for a \$21 million funding of this project which could mean over 400 new beds before the end of fiscal year 1975.

The Veterans Health Care Expansion Act became law last August. This legislation expands coverage for medical care and treatment by a cost-sharing contract to spouses and dependent children of the veterans with total service-connected disability, and to widows and dependent children of veterans who died from service-connected disability. It also extends eligibility for VA outpatient care and medicines, and provides a program for sickle cell anemia screening. A final provision authorizes an independent in-depth study aimed at improving staff-to-patient ratios in VA medical facilities and directs the Administrator to maintain the bed and treatment capacities of all VA facilities so as to insure the accessibility and availability of such beds and treatment capacities to eligible veterans and to minimize delays in admissions and in the provision of medical care and services.

I believe the legislative authority and funding exists to allow the VA medical organization to become a highly efficient system of health care. But for this to become a reality we must have quality leadership by the Veterans' Administration in Washington. I hope this leadership will evolve as upcoming changes in the VA are made.

PENSIONS AND COMPENSATION

Last year, the veterans pension system provided \$2.5 billion in benefits to veterans and their survivors. In spite of these large outlays the pension system has not kept pace with the cost of living. In fact, recent increases in social security have resulted in some veterans having their pension reduced and others losing it all together. Last year, we in the Senate passed a bill to raise the income limitation for pensions, thereby allowing veterans to benefit from the social security increase without paying for it from their pension. This measure was opposed

by the administration and the House and therefore was dropped in favor of a simple 10-percent pension increase. The VA and the House of Representatives and the Senate Veterans Affairs Committees are presently working on a comprehensive pension reform measure, but in the meantime I have again cosponsored legislation to raise the income limit.

On May 31 of this year the Congress completed action on legislation increasing disability compensation and survivor benefits. This law provides a 15- to 18-percent cost-of-living increase to all service-connected disabled veterans and widows and children receiving dependency and indemnity compensation. I was a cosponsor of this bill, because I know of no one more deserving of support than a veteran who has suffered a permanent disability in defense of his country.

I believe the results I have reviewed represent the beginning of a firm commitment by Congress on behalf of our veterans. I expect to see a continuation of this trend until our commitment is fulfilled.

DR. WILLIAM H. CORNOG

Mr. PERCY. Mr. President, I should like to pay tribute to Dr. William H. Cornog, retiring superintendent of New Trier Township High Schools, for his distinguished 19 years of service to New Trier students, faculty, parents, and alumni.

No one could attend New Trier, as I proudly did, without wanting to continue close ties with the school. Even though Dr. Cornog was not superintendent when I attended, I appreciated his gracious and cordial invitations to return time and again for various events, to participate in student assemblies, to view the progress of such new developments as educational television and to participate in the dedication of New Trier West. But most importantly was an opportunity to observe firsthand that the standards of quality and excellence that have always distinguished New Trier as one of the best, if not the best, public high schools in the United States were being maintained. Its outstanding student body, effective administration, gifted faculty, and loyal alumni have helped establish new standards of excellence for other secondary schools to emulate. To Dr. and Mrs. Cornog, we all extend our deep appreciation and best wishes for their retirement in Santa Fe, N. Mex.

I ask unanimous consent that an article about Dr. Cornog from my hometown newspaper, *Wilmette Life* be printed in the RECORD.

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

RETIRING SUPERINTENDENT DR. CORNOG LOOKS BACK ON 19 YEARS (By Leslie Ator)

On his paneled office wall hangs a modest wooden plaque that Dr. William H. Cornog, 65, retiring superintendent of New Trier Township High Schools, may be as proud of as his Phi Beta Kappa key.

Nineteen years of New Trier's students, faculty and parents should be grateful to the source of that plaque—Central High

School of Philadelphia—Cornog's alma mater and the school he guided as president before he came to New Trier in 1955.

The tall, wavy-haired admirer of Charles Dickens, and eight other distinguished graduates were honored by other Central alumni in a "Hall of Fame" ceremony last September.

"My four years at Central gave me intellectual stimulation and directed me," Cornog said in an interview recently. "I learned my limits—pretty well off in languages, not bad in math . . . and I knew I'd never be an architect or an artist."

"I believe it is important to learn not only what your talents might be, but what your limits are," he added. "There is a kind of educational philosophy that says, 'Everybody wins; nobody loses.'"

"This is not any more true of education than it is of life. You have abilities in one direction, you don't in another. You cultivate the abilities you have and you cut your losses in the other respect."

"Some people believe that failure is inevitably damaging. I believe that it can be instructive."

Thus stands part of the philosophy of the complex man who has guided New Trier through the late '50s, all of the '60s, and the early '70s—years of dramatic growth and academic and cultural excellence.

Another Cornog belief is that one key to motivating young persons is "being there" when needed. Certainly Cornog practiced such availability to his students, faculty, school board, and other district residents.

"You could see him; he was around, not like some school officials or administrators who never let themselves be seen by the students," said Marian McQuiddy of Wilmette, a 1970 New Trier graduate and 1974 graduate in journalism, radio-television, film, and history from Purdue University.

"You could see him at plays and basketball games, and he listened to the school FM radio station, WNTH; he would stop people in the hall and comment on their programs."

Stephen Peyton of Evanston, a New Trier student in the mid-1960s and now a doctoral candidate at the University of Chicago studying philosophy and the history of culture, remembers discussing books with Dr. Cornog in the administrator's office.

"I found there was something in these casual meetings that was lacking in many other 'educational experiences,'" Peyton said in a letter he sent to New Trier East recently. "Perhaps it was more real life in books than most other classes could disclose, or that reflection about one's reading could be so articulate—perhaps simply that there was reflection. These were cherished occasions."

"In the 19 years I've been here, my problem has been growth: in the numbers of courses, the varieties of services, the faculty, the students (from 2,865 in 1955 to the current 6,500-plus), the salaries and the fringe benefits," said Dr. Cornog.

"And now my successor, Dr. (Roderick N. Bickert, faces a quite different situation. It will be a scenario of retrenchment: diminishing resources and a gradually reduced student body and staff." In seven years, he added, enrollment is expected to be down to about 5,600.

"If we have to face a few more years of this ghastly inflation, our personal lifestyles will go on changing; if our personal lifestyles are going to change, certainly our institutional lifestyles are going to change. We won't be able to supply the New Trier education we have supplied in the past."

"The basic problem before the (school) board and the community is: How shall we preserve and advance the 'unique excellence' of the New Trier High School at the costs of our available resources?" wrote Dr. Cornog in a newsletter sent to New Trier parents this week.

Looking back at achievements at New Trier under his leadership, Dr. Cornog listed the special education program, started in 1958 "long before the state mandated it," educational television, "which leads the field throughout the country," and the advanced placement program, begun at the school in 1955. "But 'innovations' here is the wrong word," he said. "One has to realize that the school is constantly renewing itself."

One of the developments during his years that he is proudest of is the seven-year-old New Trier West campus. "It was a struggle to get the site," he recalled. "People didn't believe that we would grow as quickly as we did or that we could create a second New Trier with the excellence of the first."

"We had a referendum for the site; it failed. We could have had these 45 or 46 acres for \$800,000-\$900,000. The next year, the proposal passed and we had to pay \$1.8 million." A citizens committee had helped promote the proposal.

"And the standards didn't have to be lowered at West," Cornog said. "Some of the East faculty was allowed to come out here."

To achieve what Cornog likes to call New Trier's "uniquely excellent education," you have to make sure you have a creative faculty," he said.

"New Trier has attracted men and women not only with a high degree of competence, but with a kind of imaginative drive. The climate here hasn't allowed anyone to relax, to do the same things year after year."

"Dr. Cornog is one of the quick ones to throw back the credit," said Miss Blanche Veach, adviser chairman for freshmen girls, who is retiring also this spring. "Yes, I think he's right—it is an outstanding faculty . . . but he's been an outstanding superintendent who is nationally known . . . and we as a school and a faculty have been nationally recognized because of him."

With its great diversity of programs and services, New Trier has "not bought packaged innovations in general from the educational industry," Dr. Cornog said. "This means we don't innovate unless we can do it. There has been pressure to adopt the new thing; I guess some people think we're arrogant, because we say, 'We'll do it; we'll shape our own destiny.'"

The school has "many gifted students gifted in many different ways and not just intellectually, but in art, music, drama, the technical arts, and in serving their fellow man. The privileged backgrounds of these kids allows them to have music, books, art, and considerable travel outside school. And the elementary districts feeding into New Trier do a first-rate job."

There is a drop in the number of New Trier graduates who go directly to college; 80 to 85 percent today versus 90 to 92 percent a few years ago, Cornog said. But this is seen throughout the country, he added, and is caused by inflation and the wish to have job experience or to travel before college.

After retiring June 30, Dr. Cornog and his wife, Ruth, a graduate in music whom he met when he taught her composition class at Northwestern University, will move to Santa Fe, N.M. There, he plans to have a long rest, fish, take color photographs, write in the field of educational philosophy and someday perhaps teach English at the college level.

The Cornogs are the parents of Michael, 33, headmaster of Dublin (N.H.) School; Gary, 31, associate director of admissions at Columbia University, New York, and Evan, 21, who will be graduated this month from Harvard University, Cambridge, Mass., and the grandparents of Sarah, 1½.

TAX REFORM

Mr. HUDDLESTON. Mr. President, at the time I was elected to the Senate

in 1972, I said that one of the greatest needs facing this country was to bring about true tax reform that would do at least two things: provide some relief for the victims of recordbreaking inflation, and restore as much equity as possible to our tax system.

And as I said during a recent colloquy on tax reform with the Senator from Maine (Mr. MUSKIE), one of my greatest disappointments since taking office has been that we have done so little in the way of meaningful tax reform. It seems that every candidate and every party promises tax reform, but somehow those promises never get delivered.

Mr. President, this frustration is illustrated by a letter I received a couple of weeks ago from a rather irate taxpayer. It was short and to the point: "You have talked a lot about tax reform, and so has every other politician, but what have you done about it?"

There are literally millions of American taxpayers who feel the same way. They have heard everything possible about tax reform except that it has occurred.

I realize that our undertaking here this week could turn out to be a largely symbolic exercise—especially if the House remains unresponsive to true tax reform. But even if that is the case, the effort needs to be made. We need to demonstrate to the House Ways and Means Committee and the Nixon administration that the American people do indeed support and desire a genuine reform of our tax system.

Taken together, the tax reform proposals which have been made would—if adopted—constitute the most meaningful and comprehensive tax reform package approved by the Congress in decades. And it would be a package that the American people would applaud.

Let me cite a few provisions which I think are especially important to any overall tax reform package.

I support the modest Kennedy-Mondale tax cut proposal. This amendment would increase the personal tax exemption from \$750 to \$825, or give the taxpayer an optional \$190 tax credit. Like everyone else in this body, I have heard the administration's argument against a tax cut; namely, that it will cause inflation.

My response to that is: Inflation is already here—and at record levels. The double digit inflation which now hits the American taxpayer is canceling out any wage increases he might receive, it is devastating to the retired persons who live on a fixed income, and the middle-income taxpayer must struggle harder to make ends meet at the end of the month.

Besides, I would cite a recent study by three economists of the Brookings Institution which concluded that a modest tax cut along the lines of Kennedy-Mondale would have a negligible effect on inflation, while at the same time preventing a further increase in unemployment. I would also cite a Treasury Department study last year which reached pretty much the same conclusion, but which the administration now disowns. I would also point out that the revenue loss from such a tax cut

would be offset by tax reform proposals which are part of the reform package now under consideration.

So I think a modest tax cut is not only desirable, I think it is essential.

Repeal of the Domestic International Sale Corporation—DISC—provision which gives special tax treatment to corporations doing export related business. This provision costs the Treasury about \$740 million annually.

Repeal of the Asset Depreciation Range—ADR—enacted in 1971 to encourage economic growth, that allows corporations to depreciate real property up to 20 percent faster than normal. Cost to the Treasury: \$1.4 billion.

Strengthen the minimum income tax on tax-sheltered income by reducing the \$30,000 exclusion to \$10,000 and by eliminating the deduction for other Federal taxes paid before applying the minimum tax. The result of the latter provision has been to reduce the effective rate of the minimum tax from 10 percent to about 3 to 4 percent. Revenue gain: \$860 million.

Repeal or at least modification of the oil depletion allowance, effective January 1, 1974. Revenue gain: \$2.6 billion.

A substantial increase in the retirement income credit for retirees who receive little or no social security. This will provide more comparable tax treatment for the almost 1 million affected Americans with those on social security. This provision is already part of H.R. 8217, which will come up following the debt ceiling bill.

An amendment which I plan to offer to H.R. 8217 to provide an automatic cost-of-living adjustment in this retirement income credit for retired teachers, policemen, firemen, and others who do not receive tax-exempt social security. Without such an escalator, the retirement credit will once again be outdated—as is the case today.

The so-called single taxpayer equity amendment, which will equalize the tax treatment of 35 million unmarried Americans with married people by giving them the same benefits married people receive through income splitting.

An amendment to expand and extend deductions for child care and household care to working mothers and students.

An amendment to provide tuition tax credits for the expense of higher education.

The net effect of the aforementioned amendments as far as revenue is concerned—if all of them were adopted—would be a relatively modest loss of revenue. Most of the revenue loss, however, would be offset by increased revenue derived from closing tax loopholes and shelters.

Most importantly, however, the impact of these reforms would be to shift tax benefits away from the wealthy and huge multimillion dollar corporations and give them to individual taxpayers in the low- and middle-income brackets.

Thus, we would be restoring equity and giving tax relief to those who need it most.

Mr. President, these are the kinds of tax reform measures that must be enacted if we are to deliver on the long-

standing promises that are made every year to the American people.

And I believe the enactment of such a tax reform package would help restore confidence in the institutions of government, public officials, and the Congress.

Mr. President, I sincerely hope that the Senate will have an opportunity to vote individually on all of these tax reform proposals. It would be tragic if we even failed to go on record on matters so vital to the American people.

SOUTHERN CALIFORNIA OFFSHORE OIL DRILLING

Mr. CRANSTON. Mr. President, last Friday in Los Angeles I held an informal meeting with Federal officials in charge of the proposed Outer Continental Shelf oil production program for the southern California area, and with representatives of cities and communities and environmental groups from this coastal area.

As part of his Project Independence, President Nixon has proposed that more than 1 million acres of Outer Continental Shelf lands off the coast of Los Angeles, Orange and San Diego Counties be opened up for exploratory oil drilling and, eventually, oil production.

There is no question that large quantities of oil lie off the coast of southern California. Some of the most prolific oil-bearing strata in the United States extend from the coastal plain out into the ocean. Oil is being produced onshore from these strata.

However, the entire coastal area from the northern reach of Santa Monica Bay to the Mexican border also is one of the most beautiful beach and ocean recreation areas in the United States. Millions of Californians and hundreds of thousands of tourists enjoy the swimming, surfing, skin diving, fishing, and boating every year.

Now this marvelous environment is being threatened by the proposed oil drilling in Federal waters.

Mr. President, I believe the Federal action is ill-conceived, hasty, and a serious environmental threat to the southern California coastal region. In addition, it could be a tragic economic mistake—an exploitation of one of the last of our remaining oil reserves which should be protected for future use.

At my meeting with public officials, residents, and environmentalists, there was unanimous opposition to oil drilling in this region. Only a representative of the oil industry spoke in favor of the project.

Mr. President, in the furor of news about Watergate, inflation, and world problems which flood us daily, it is easy to overlook or to forget the pressing importance of our energy and environmental problems. This oil drilling project is one of those problems that could be overlooked in the rush of other events.

I hope it is not, because what happens off the coast of southern California affects every American. The oil there belongs to every American. The beautiful ocean environment and beaches are available to every American.

So I have been trying through the meeting I held last Friday in Santa Monica and in other ways to call attention to the urgency of dealing cautiously with our energy-environment problems. Let us not rush in wildly and start tearing down our mountains and digging for oil on our beaches in a mad scramble to develop our dwindling resources. The watch word should be: Proceed with caution.

For that reason I have asked Secretary of the Interior Rogers Morton to delay further development of the southern California oil production project. The Bureau of Land Management already has made its recommendation for selection of tracts for oil company bidding. The machinery that is now in motion should be stopped until we have developed a national energy and resources policy that takes into account our short- and long-range needs, the development of new sources of energy, and the serious questions of use of our oil resources for conversion to electricity, for example, when other energy sources could be used.

Mr. President, I ask unanimous consent that three items dealing with this problem—an editorial from the Los Angeles Times of June 18, the text of my letter to Secretary Morton, and a press release and statement which I issued at my meeting in Santa Monica last Friday—be printed in the RECORD.

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

[From the Los Angeles Times, June 18, 1974]

A BETTER APPROACH TO OFFSHORE OIL

The Federal government is toughening its standards as it prepares for the possibility of new oil drilling off the Southern California shore. That is reassuring.

"We realize mistakes were made in the past," a senior official of the Bureau of Land Management told a Times reporter. "We're trying to do better."

Two things have happened that we like: —There has been a slowdown in what had seemed precipitate action by the Department of the Interior to speed the offshore exploration.

—Tougher standards and a more objective search for facts seem to be going into preparation of the environmental impact report that will be the subject of autumn public hearings before any leases are signed.

There remains, nevertheless, a large unanswered question: Is this oil needed now? The oil companies separately and the Western Oil and Gas Assn. collectively have failed to clarify the long-term implications for the West Coast of both the Alaska oil and the Southern California offshore oil. Is all this oil going to be consumed on the West Coast? If so, is the refining capacity adequate? If not, where is it going?

A long-range projection of supply and demand is required. Such a projection may well show that the nation cannot at this time absorb the vast resources believed to be under the ocean off Los Angeles. But it is evident from what is known of the world energy picture that there will be a need for this oil in the future. That justifies the present study of the potential of this supply and the safest way to tap the undersea fields. It is not too early to develop the environmental protections.

One of the most heartening aspects of the environmental study now under way is the consideration being given to making the

operation invisible from shore. This would foresee the use of underwater facilities once the drilling had been completed, an advance that goes beyond existing technology but is regarded as within the capability of producers. Certainly if underwater facilities are not possible, then the near-shore development should be left to last and the initial development done beyond the horizon.

The hysteria caused in some circles by the supply crisis of last winter has passed. The problem of developing a reliable energy supply for long-term needs of the nation remains unsolved, however. It is encouraging that the search for solutions at least is proceeding with appropriate caution, at a pace more likely to take into account long-term requirements, and with an approach placing greater emphasis on environmental protection.

U.S. SENATE,

Washington, D.C., June 12, 1974.

HON. ROGERS C. B. MORTON,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: I am writing to express my very deep concern about the proposed new oil drilling off the coast of Southern California and to request that you meet with local government officials and citizens groups to discuss federal plans for the oil development.

A number of organizations and public officials have contacted my office to request a meeting with you to provide them with an opportunity to express their concern about the oil drilling plans and what effect oil development could have on the coastal environment of Southern California. The State of California has banned oil drilling from most of the offshore and beach areas now designated for development in the federal waters beyond the state's three-mile tidelands boundaries. In addition, the state, under the 1972 Coastal Zone Conservation Act, now has a number of regional coastline commissions at work drawing up long-range plans for orderly development and preservation of the California coastline. It may be two or more years before those plans are finally adopted. Any move by the federal government to increase oil development along the coast could seriously compromise state planning efforts.

In view of the Administration's oft-stated principle that states and local communities should be primarily responsible for land use planning, the proposed federal oil development off our coast presents your department with a fine opportunity to work with the state and local communities to accomplish the objective of an orderly, coordinated planning effort.

There is a special concern about the timing of this development because of repeated news accounts about an imminent announcement from your office on selection of tracts which will be put up for bid.

It is the feeling of many in this area, and I share this feeling, that the government has an obligation to discuss this proposal with local citizens and officials before further official actions are taken to effectuate it.

Oil drilling off our coast could have a devastating effect on the coastal environment, especially the beaches, as the Santa Barbara oil blowout demonstrated five years ago.

The prospect of another oil spill disaster affecting beaches that are used by millions of Southern Californians is not one which is taken lightly by officials and citizens who live here and use the beaches and the offshore waters for sailing, fishing, surfing and other activities.

I understand, of course, that there are detailed procedures established for official public hearings and time for preparation

of impact statements and comment on those statements.

But what many Southern Californians want to express at this point is that there are strong objections to proceeding with oil development in these waters until certain conditions are met, and it is necessary for the government to know of these objections and concerns before the leasing program proceeds further.

There are many other serious questions beyond the environmental which I and other public officials and private citizens would like answered. For example:

1. There have been reports that the Alaskan oil development on the North Slope will actually create an oil surplus on the West Coast.

If that is true why is the Department of Interior rushing new oil development in Southern California? Where will this oil be processed or shipped to? Will it be exported to Japan or other foreign countries?

2. In addition to the Alaskan oil, the Administration proposed additional production from the Santa Barbara Channel fields where it is suggested that new units be opened up. In a separate letter, I have expressed my objections to further development in the Santa Barbara Channel. Are there refineries available for processing this oil? Where? How will it be shipped and stored?

3. If the Administration proceeds with its plans to lease 10 million offshore acres a year for oil development, how soon will U.S. oil reserves be exhausted?

4. Given the fact that oil is a finite, irreplaceable resource, should not this diminishing resource be reserved to the maximum degree possible for future use, pending development of alternate sources of energy which will relieve pressure on scarce oil supplies?

These are only four of many questions in the minds of many Californians who are concerned about preserving the very special environment with which this state has been blessed in the face of great population and developmental pressures.

Because of the Santa Barbara disaster and all of the questions raised since the recent energy crisis, I feel the federal government has a special obligation to explain fully all of its plans for developing new energy sources, including offshore oil, before plunging full-scale into a huge new operation in the waters of Los Angeles and Orange counties.

For all of those reasons I respectfully request that you order a halt to further processing of applications for tracts to be put up for bid until you come to Southern California and have met with me and other public officials and concerned organizations and individuals to discuss the problem.

Sincerely,

ALAN CRANSTON.

OPENING REMARKS OF SENATOR CRANSTON,
JUNE 14, 1974

I want to thank each of you for coming here today.

I know you are all busy but I believe it is important to get some discussion going on the important question of the proposed federal oil drilling off Southern California. And I hope this meeting will be as useful to you as I'm sure it will be for me.

I will make just a few brief comments and then I would like to call on some specific individuals to make some explanatory statements and answer questions.

Please feel free to volunteer your ideas and questions.

This is an informal meeting and I want to hear your views.

In my letter inviting you to attend this meeting I mentioned my concern that we use this as an opportunity for beginning pub-

lic discussion of a key issue which could affect millions of Californians.

I find that the single greatest fault of the federal government is its failure to communicate properly with the public.

The President can get his views across all right. And Secretary Kissinger does pretty well too. But when it comes to a department head or some action by a government bureau too often all we have is an official statement in the Federal Register or a press release issued from Washington.

I believe the federal government has a greater responsibility than that and in this new proposal to open up a million or seven million acres of tidelands for oil drilling we are faced with an enormously complex and serious project which requires long and full public discussion.

On Monday this week we got a reminder once again about the problems of oil development along the coast.

A two-mile long oil slick north of Ventura washed ashore between Sealcliff and Pitas Point.

Fortunately, it was a small spill and did little damage but it demonstrated again a fundamental fact of life in the oil business on our coast; blowouts, spills and seepage will happen. And they will happen with more frequency when man and his works are involved.

I believe that the proposed oil development off Southern California should be postponed until the government completes studies of the environmental, economic and social risks involved and establishes a reasonable and orderly resources development policy for the area.

I communicated that view last month to the Senate in testimony before an Interior subcommittee.

And I have also written to Secretary of Interior Rogers Morton asking him to take no further action on the oil drilling until all parties involved have had a chance to publicly discuss the issues.

A copy of my letter to Mr. Morton is available here and should be in your hands.

In my letter to Mr. Morton I also requested that he personally come to Southern California to meet with our public officials and representatives of citizen groups.

A number of communities already have expressed themselves on this issue.

The city councils of Santa Monica, Manhattan Beach, Torrance, Redondo Beach and Hermosa Beach are among those cities which have gone on record as opposing the oil drilling plan.

I would appreciate hearing from other cities represented here your views whether opposed or in favor of the oil drilling.

We will also hear from the newly-formed Seashore Environmental Alliance which is a coalition organization representing a number of different organizations.

For the benefit of the news media here I would like to say that I have a prepared statement and press release which has been released for publication and broadcast. I won't read that full statement but I stand by the quotes.

And now, to get our meeting started I would like to call on Mr. Fred Schambeck, of the U.S. Geological Survey, and Mr. William Grant of the Bureau of Land Management.

Mr. Schambeck and Mr. Grant will bring us up to date on the federal plans for oil drilling and will be happy to answer your questions.

PRESS RELEASE FROM THE OFFICE OF U.S. SENATOR ALAN CRANSTON, JUNE 14, 1974

SANTA MONICA.—U.S. Senator Alan Cranston (D., Calif.) told a meeting of Los Angeles area mayors, city officials and environmen-

talists here today he has asked Secretary of Interior Rogers Morton to delay a proposed massive federal offshore oil development for Southern California.

He also asked Morton to come to Southern California to meet with representatives of coastal cities, property associations and environmental groups to hear objections to the plan to open up to 7 million acres of the outer continental shelf from the Santa Barbara Channel Islands south to the Mexican border for oil drilling.

The area is known as the Southern California Borderlands and has been classified by the U.S. Geological Survey as a "frontier area" for drilling.

Cranston met at the City Council chambers of the Santa Monica City Hall with a group of city officials from the Los Angeles and South Bay area, federal officials in charge of the proposed Department of Interior drilling project and citizen groups to discuss steps for a full public airing of the issue before the area is opened for bidding.

An announcement of selection of tracts for bidding by oil companies is expected shortly. Actual bidding will take place next spring after environmental impact statements have been prepared and filed. The Department of Interior also has announced it will hold public hearings on the oil development plan.

But Cranston in his letter to Secretary Morton said that public discussions should be held before tract selection takes place.

"Oil drilling off our coast could have a devastating effect on the coastal environment, especially the beaches, as the Santa Barbara oil blowout demonstrated five years ago," Cranston wrote Morton.

"The prospect of another oil spill disaster affecting beaches that are used by millions of Southern Californians is not one which is taken lightly by officials and citizens who live here and use the beaches and offshore waters for sailing, fishing, surfing and other activities."

Cranston told the meeting here that he favors legislation to create a federal energy reserve of the Borderlands area.

Oil and gas production would be prohibited until public hearings are held and a number of environmental safety conditions are met. These include proper oil spill containment and recovery technology, pollution prevention, underwater completion of wells, demonstrably reliable drilling and production techniques, environmental impact recommendations and studies on the stability of the ocean floor where drilling is to be done.

These are similar to protections incorporated in Cranston's Santa Barbara Channel Federal Energy Reserve bill (S. 2339).

"I believe new legislation is needed that can strike a reasonable balance between our desire to develop new energy resources and our continuing need to insure maximum environmental protection," Cranston said.

"Our recent experience with serious fuel shortages has made clear that we must become more self-sufficient in meeting our energy needs. An obvious domestic energy resource is the oil and gas on the Outer Continental Shelf.

"But I suggest that we cannot afford to rush head-long into massive OCS development without careful planning, consideration of the environmental risks, and comparison of this resource with competing energy sources. We must proceed, but we must do so with the utmost caution.

"We must also review the resources of the OCS within the general context of a national energy policy which encourages stringent energy conservation measures until we have developed and made available abundant and environmentally sound energy sources.

"I am the author of legislation now moving through the Senate to authorize a major government-sponsored demonstration of

technology for utilizing the energy of the sun for the heating and cooling of buildings. The goal of the bill is to stimulate widespread commercial application of this technology in the shortest possible time. If successful, solar energy could supply by the year 2000, 10 to 30 percent of the Nation's required BTU's and as much as 50 percent by the year 2020.

"I raise this point to illustrate how new energy sources are now being developed which may well reduce our reliance on petroleum in the same general time period that will be required to obtain reasonable quantities of OCS oil and gas. We cannot assume that our present demand for petroleum will be maintained indefinitely.

"The resources of the OCS cannot be viewed in isolation. Although the need for improved regulation exists, development should be weighed against the development of improved recovery methods of other energy resources such as coal, the many uses of the coastal zone, and the effects of energy conservation. The energy crisis will be with us for many years, and we cannot afford to sacrifice our environment to temporary solutions."

MEDIPHONE

Mr. PERCY. Mr. President, despite the best efforts of the medical community and the expenditure of more than \$93 billion in fiscal 1973 alone for health care, our Nation is greatly in need of creative programs to help improve our health care delivery system. Recently my attention was drawn to an innovative program, located in Chicago, which is contributing greatly to the improvement of health care for Americans and, at the same time, helping to reduce health care costs. This important program is the nationwide Mediphone service of the American Society of Contemporary Medicine, Surgery, and Ophthalmology.

Mediphone, sponsored by the American Society of Contemporary Medicine, Surgery, and Ophthalmology and accredited by the American Medical Association, is the first and only nationwide physicians' telephone consultation service. With more than 600 consultants located in some 60 university medical centers throughout the country, Mediphone is on call 24 hours a day, 7 days a week. Established in 1972 by its director, Dr. John G. Bellows, a Chicago eye specialist, Mediphone helps doctors practicing in areas where they have difficulty keeping pace with the most advanced medical technology to overcome barriers of distance and to consult quickly with experts on medical problems that may be unusual or baffling.

Mediphone demonstrates its lifesaving potential daily. Recently a doctor in a small northern Illinois community was called to treat a patient who had been bitten by a deadly brown recluse spider. This species has only recently migrated from the South to the Northern States and few, if any, medical practitioners are familiar with the proper treatment for its bite. Time was critical. The attending physician immediately dialed the Mediphone consultation number. Moments later he was in consultation with an expert toxicologist at a Texas university medical school. The expert ad-

vised the physician about the proper treatment, and the prompt application of these life-saving measures saved the patient from a great deal of pain and possible death. As a professional consulting service, Mediphone service is available only to licensed physicians. Doctors who use Mediphone not only obtain critical medical information and consultation, but they also can accumulate credits for continuing medical education. By helping doctors provide better care, which is always less costly in the long run and by providing expert consultations at a fraction of their usual cost, Mediphone has the capability of benefiting the doctor, the patient, and taxpayers in general who pay the Nation's staggering health bills.

CONGRESSIONAL BUDGET REFORM

Mr. MUSKIE. Mr. President, tomorrow the Senate will consider the conference report on H.R. 7130, the Congressional Budget and Impoundment Control Act of 1974.

That legislation, upon which we have been working for more than a year, may be the most important bill Congress will consider in this session.

This morning's edition of the Washington Post carried an editorial analyzing the impact of that bill.

Calling the budget reform bill a "remarkable accomplishment," the Post editorial pointed out that it should, particularly in the anti-impoundment title, "bring about substantial changes in legislative-executive relationships."

And, the editorial states, that:

While this bill will not automatically insure sound economic policies, "it ought to reduce the likelihood of inflation by inattention, and should curb the confusion and delays which have been so damaging to the economy, to the image of Congress, and to the agencies and individuals dependent on the timely, orderly flow of federal funds.

The Post editorial has well stated what the sponsors of the budget reform bill hope that legislation will accomplish. I ask unanimous consent that the Washington Post editorial entitled, "Managing the Budget on Capitol Hill," be printed in the RECORD.

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

MANAGING THE BUDGET ON CAPITOL HILL

The congressional budget control legislation now on the verge of enactment is a remarkable accomplishment. The aim—recapturing effective legislative power over the federal purse—is easy to state and endorse. But working out the mechanisms and accommodating all of the congressional committees, interests and personalities involved is something else. So there is reason for the self-congratulations now being heard on Capitol Hill. President Nixon also deserves substantial credit, though of a backhand sort, for without his vetoes of appropriations bills and his imperious impoundment policies the Congress might never have been spurred to cause such vast and systematic changes in the way its fiscal work is done.

Under its ambitious reform, new House and Senate budget committees will be cre-

ated to review each year's budget proposals as a whole and to recommend overall levels of spending revenues and public debt, and the amount of budgetary surplus or deficit which seems appropriate. Congress would be required to adopt these tentative targets by May 15, before taking up any individual appropriation bills. In September, after all money bills had been passed, Congress would review its budgetary goals, make adjustments reflecting economic changes since the spring, and bring outlays into accord if necessary, through a final reconciliation bill before the start of each new fiscal year Oct. 1.

The system demands a great deal of congressional self-discipline. The timetables are tight. Appropriations panels will be subject to some new constraints. Authorizing committees, too, will be called on to work more expeditiously and to propose their spending programs further in advance. Nor will the legislative panels keep their current option of avoiding appropriations fights by resorting to backdoor spending, such as contract authority, or by providing automatic entitlements for benefits. All such devices are to undergo appropriations review. Finally, dallying will be discouraged. If the reforms really take hold, there should be no more of those tedious Christmas Eve snarls over foreign aid or education assistance for the fiscal year already under way.

The new system should bring substantial changes in legislative-executive relationships. For one thing, the reform act would deny Presidents the broad impoundment power which President Nixon has claimed. Under the act, the Congress would have final say on whether appropriated funds could be withheld. Either house of Congress could override an executive decision to defer spending for a particular program, while programs could be terminated or overall spending level reduced only with the consent of both House and the Senate. Thus the chief executive would have far less leeway to ignore the legislative will—but he should also have less reason or excuse for doing so, as Congress becomes more capable of making tough budget choices itself.

In economic terms, the impact of budget reform should not be overstated. The new procedures could produce either expansionary or restrictive congressional policies—and Congress could carry out all of the prescribed studies and reviews, on time, and come up with a carefully crafted budget which turned out to be very wrong. The new act won't prevent mistakes. But it ought to produce the likelihood of inflation by inattention, and should curb the confusion and delays which have been so damaging to the economy, to the image of Congress, and to the agencies and individuals dependent on the timely, orderly flow of federal funds.

THE POLITICS OF BUSING

Mr. HARTKE. Mr. President, the education of our children has always been the basic concern of interested citizens and parents. Yet, the issue of education has been caught up in emotional seeds of political busing.

During the consideration of the Elementary and Secondary Education Act amendments on the Senate floor several weeks ago, I voted to support the anti-busing measures in order to focus our attention on the real issues of education.

An article by my friend, Clayton Fritchey, appearing in the Washington Post of June 1, sums up the emotional challenges of the issue, stating:

The Gallup Poll finds that a majority of Americans still favor public school integration, but few—black or white—believe that busing pupils from one school district to another is the best way to do it.

That article goes on to mention that:

When the National Black Political Convention was held in Gary, (Gary) Ind., it passed a resolution condemning busing that is based on the "false notion that black children are unable to learn unless they are in the same setting as white children."

I believe we must heal the increasing divisions and chasms in our society when polarization of emotional issues clouds the real issue of quality education for our children.

Mr. President, I ask unanimous consent that the article by Mr. Fritchey be printed in the RECORD.

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

THE POLITICS OF BUSING
(By Clayton Fritchey)

If there is one issue nearly all Democratic politicians—including many liberals and blacks—long to get rid of, it is school busing for racial balance, and nobody knows this better than Mr. Nixon, who is a master at keeping it alive.

The President is sending up signals that he will veto the \$24 billion Senate education bill if it emerges from conference as it stands. The Senate bill is not as adamant against busing as the House bill, which he favors. A veto would send the legislation back to Capitol Hill for another round of inflammatory debate and further agitation of this divisive issue.

Except for "forced" busing, the Democrats are pretty well rid of the emotional issues that Mr. Nixon exploited so effectively in 1972—especially amnesty, marijuana and abortion. Time is eroding the first two, and the Supreme Court has to a large degree taken the heat off the politicians by outlawing state antiabortion laws.

The Democratic and Republican liberals can hardly be blamed for hoping that the Supreme Court in the next week or two will also defuse the busing issue when it rules on the now famous Detroit school case, which involves a lower court order compelling the busing of suburban white children to black schools in the core of the city as part of a metropolitan desegregation plan.

A growing number of civil rights supporters would not be too disappointed if the high court found a compromise formula that would ameliorate the passions that have been aroused by the issue. Part of their concern is that a continuing all-out fight over the uncertain benefits of extreme busing may provoke a backlash that would seriously endanger racial progress on other major fronts, such as employment, housing and politics.

The black community itself seems to have little enthusiasm for the kind of solution typified by the Detroit case. The Gallup Poll finds that a majority of Americans still favor public school integration, but few—black or white—believe that busing pupils from one school district to another is the best way to do it. Only 9 per cent of blacks and 4 per cent of whites favor such busing.

When the National Black Political Convention was held in Gary, Ind., it passed a resolution condemning busing that is based on the "false notion that black children are unable to learn unless they are in the same setting as white children." Instead, it said, "blacks should be given control of schools in Negro areas, and more money should be spent there to achieve quality education."

Suiting action to the words, the Atlanta branch of National Association for the Advancement of Colored People (NAACP) supported a minimal classroom integration plan in return for a pledge giving blacks substantial control over school administration in Georgia's largest city. The national office of NAACP disapproved of the action, but later its general counsel reported there was a movement under way in other cities to adopt the Atlanta formula.

Rep. Shirley Chisholm (D-N.Y.), a prominent member of the Congressional Black Caucus, says parents of children in community-controlled schools tell her that their offspring are learning to read better, are developing a better attitude toward school and have teachers—mostly black and Puerto Rican—who are "concerned and committed to educating their children."

She says she finds it difficult "to argue with parents who for the first time have some faith in the educational process." Also, she added, some of her fellow members in the Black Caucus are having second thoughts about fighting further for forced busing. In the recent Senate vote on busing, significantly, several outstanding liberals in both parties wavered for the first time.

Another leading member of the Black Caucus, Rep. Louis Stokes (D-Ohio) said only a few days ago that "busing is not a real issue." At most, he declared, "it is one of the tools of desegregation. Politicians have brought the issue to the front because it is an emotional issue."

One of the nation's most liberal mayors, Boston's Kevin White, has been a civil rights leader for years, but he is now saying, "I am for integration, and I am against forced busing. And they are not mutually exclusive."

The Democrats feel that if the busing issue can be put on a back burner, their electoral chances this fall and in the 1976 presidential race will be greatly enhanced. Their aim, of course, is to concentrate attention on Watergate and the need for restoring morality in government.

WGN CONTINENTAL BROADCASTING CO. CELEBRATES ITS 50TH ANNIVERSARY

Mr. PERCY. Mr. President, for the last 50 years WGN Continental Broadcasting Co. has provided its radio and television audiences with the finest in entertainment and balanced programming. The station's outstanding career has been marked by innovative approaches toward broadcasting.

In 1925, WGN was the first station to broadcast the controversial Scopes Trial from Dayton, Tenn., bringing the debates between Clarence Darrow and William Jennings Bryant live to Chicago radio listeners.

Then in 1929, WGN helped speed the nationwide adoption of the police radio system when it undertook relaying police messages to detectives in squad cars.

The station also led the field in providing excellent entertainment. Amos and Andy began their radio careers on WGN in 1926 as a comedy team known as Sam n' Henry. "Little Orphan Annie," which became one of the Nation's most popular radio serials, was first dramatized on WGN in 1930 with Shirley Bell "Cole" in the title role.

During the 1930's much of the Nation's radio programming originated in Chicago and WGN continued to initiate un-

precedented broadcasting techniques. Through live remotes, not recorded programs, WGN brought the music of the big name bands into the homes of listeners.

In April of 1948, WGN television began daily broadcasting. The station quickly won a reputation for outstanding programming. Its selection to be one of the few participants and originators of the first satellite telecast allowed Telstar to beam across the world a portion of a Chicago Cubs baseball game.

Sports broadcasting is one field in which WGN remains unsurpassed. Today the station originates more live sports programs than any other station in the Nation.

WGN's accomplishments in educational and children's programs are also well known. The Peabody Award, the most prestigious of all broadcast awards, has been given to the station four times during its career in television.

WGN Continental Broadcasting Co. has maintained a high standard of excellence over the past 50 years and it continues to provide programs which serve the interests of Chicago, the Middle West and the Nation.

I congratulate WGN Continental Broadcasting Co. on its 50th anniversary.

ARE THERE ANY AMERICAN POETS?

Mr. PELL. Mr. President, we are taught that poetry can be the highest form of man's verbal expression, but in the course of our own busy activities we often settle for the dross of prose, rather than seeking the enrichment of poetry.

A lady who has long raised our sights in this regard is Mrs. Hugh "Marie" Bullock. She has contributed immensely to the development of poetry by emphasizing its qualities and by bringing it closer to the mainstream of our lives.

President of the American Academy of Poets, she deserves special thanks and special praise for all she has done to enhance our cultural well-being.

I well remember that when the National Endowment for the Arts began its excellent program of stressing the importance of poets and poetry in our Nation's schools, the Academy of American Poets was a partner in this initiative.

This is but one example of the leadership role Mrs. Bullock has played.

Mr. President, I am happy to bring to the attention of my colleagues a recent article by the late Pulitzer Prize-winning poet, Mark Van Doren, summarizing some of the accomplishments of Mrs. Bullock.

The article was published in Saturday Review/World, and I ask unanimous consent that it be printed in the RECORD following my remarks.

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

ARE THERE ANY AMERICAN POETS?

(By Mark Van Doren)

(NOTE.—Shortly before his death in 1972, Mark Van Doren, Pulitzer Prize poet, wrote this tribute to Marie G. Bullock, guiding spirit of The Academy of American Poets.

This article was among his unpublished papers.)

When The Academy of American Poets was founded in 1934, someone wrote to Bernard Shaw, asking him to say a good word for the new group. Shaw promptly replied in his fine, spidery handwriting. "Are there any American poets?"

Today, just forty years later, the list of poets given the academy's yearly grant stands as eloquent answer to Shaw's question: The grantees have included E. E. Cummings, Robert Frost, William Carlos Williams, Marianne Moore, Archibald MacLeish, and Howard Nemerov.

In addition to giving the \$10,000 annual poet's grant, the academy sponsors poetry contests in dozens of colleges; holds poetry readings in schools, libraries, and public parks; and within the past few years has helped to get the names and faces of American poets on millions of postage stamps. Quietly but effectively, the academy has helped to make poetry a living force in our national life.

The main personality behind this accomplishment is Marie Graves Bullock, a modest New York City resident whose aim and dream is simply to bring poetry more into the American mainstream. In saying that Mrs. Bullock is modest, I am not being conventionally polite: She is so genuinely modest that I have not asked her permission to write this account of her work, for I am sure she would say no.

Nonetheless, hers is a story that deserves telling. She was born just before World War I in Paris, to American parents, and she spent her youth abroad. Her life in the United States following her marriage in 1933 might easily have been nothing but the life of a society leader, for she was and is brilliant, vivacious, and beautiful. But she had a consuming interest in poetry that carried her almost at once into the company of poets and into a study of their art.

Remembering the honor paid to poets in Europe, she was distressed by what seemed to her the indifference, even the contempt, with which they were treated in the United States. What especially struck her was the hard time they had financially. None of them—literally none—made a living from writing poems. She also knew how few writers of any kind are kept alive by royalties alone—the percentage is pitifully small—but it was enough for her that her favorite kind of writer was notoriously ill rewarded, and she determined to do something about it.

I don't remember just what year it was when Marie Bullock and I had our first conversation, but I'm pretty sure it was after The Academy of American Poets had been incorporated, in 1934. She had moved quickly, within the year following her marriage, to realize her dream of enabling at least one American poet a year to write as he pleased and when he pleased.

The academy's original incorporators were Charles Hanson Towne, Eldgely Torrence, Joseph Auslander and his wife, Audrey Wurdemann, and, of course, Marie Bullock. And the original Board of Chancellors included J. Donald Adams, William Rose Benét, Henry S. Canby, Max Eastman, Robert M. Hutchins, Robinson Jeffers, Archibald MacLeish, and F. O. Matthiessen.

From the outset, Mrs. Bullock's energy, confidence, and resourcefulness were limitless. Nothing, naturally, was more important than raising the money with which Fellows—as the poets honored by the academy were called—were paid their stipends. That was the big job and in many ways the least attractive, for we all hate to beg. Meetings, however, were held everywhere—for instance, in Wall Street offices during lunch hours.

Since then the academy has been active indeed. More and more money has been

raised, and more and more functions have been added, though the selection and appointment of Fellows remains central and fundamental.

One of the most admirable and useful of these secondary academy functions is the Lamont Poetry Selection. Starting from the premise that it is not easy for poets to find publishers, the academy began asking publishers whether they had on hand a good poetry manuscript that they were hesitant to accept because they doubted it would sell. If the answer was yes, they were asked to submit the manuscript to a committee of the academy that would compare it with others sent in by competing publishers. The volume judged best would then be given by the academy a guaranteed sale before publication of a thousand copies. The Lamont Poetry Selection judges assumed that this would persuade the winning publisher to print the volume.

The idea worked, and an impressive series of volumes has resulted; none of them would have appeared otherwise. The poet chosen, it was stipulated, would be previously unpublished. Nothing about the Lamont Poetry Selection was more telling, probably, than this proviso.

The academy promotes annual poetry contests at sixty colleges, with prizes of \$100. Regional poetry circuits provide reading tours for poets; on the average, there are ten colleges to a region. And since 1963 the academy has presented poetry readings in New York City's Guggenheim Museum and in the Donnell branch of the New York Public Library. It has also presented readings and discussions on contemporary poetry to elementary, junior, and senior high school students and their teachers in the New York public school system—a program so successful that it has become the model for similar programs in many other American cities.

All the while, it has been the glowing presence of Marie Bullock that has brought all these things to pass and has made them so fabulously successful. American poets, and American letters generally, owe her and the academy a debt whose extent is still insufficiently recognized.

CHANCELLOR DEAN E. MCHENRY

Mr. PERCY. Mr. President, an outstanding educator, Chancellor Dean E. McHenry, has decided to take early retirement after 35 years at the University of California, 13 of which he has served as chancellor of its campus at Santa Cruz. Chancellor McHenry has been an outstanding administrator as well as educator.

Anyone who has visited Santa Cruz knows that a bold experiment in planning and design has developed into one of the most spectacular campuses in America. In the past 13 years in constructing this campus, Chancellor McHenry has gone through many cycles and experiences, some of them frustrating and many rewarding. An article that appeared in the Sunday, April 7, 1974, edition of the Los Angeles Times by William Trombley, describes some of his experiences common to educators. I pay tribute to Chancellor McHenry for his outstanding accomplishments and the great contribution he has made to the field of higher education.

I ask unanimous consent that the article already mentioned about Chancellor McHenry be printed in the RECORD.

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

SANTA CRUZ CHANCELLOR SAYING FAREWELL, WITH PRIDE AND HOPE (By William Trombley)

For 13 years, Chancellor Dean E. McHenry has been the guiding spirit behind the University of California's remarkable campus at Santa Cruz.

McHenry was there before the first ground was turned on the beautiful 2,000-acre campus overlooking Monterey Bay. He was there before the first faculty member was hired, before the first students arrived in the fall of 1965.

He has watched part of the original dream come true—the emergence of a series of small, residential colleges (eight so far), nestled among oak and redwood trees. As McHenry hopes, each college is small enough to retain a sense of community, yet the total campus is large enough to support excellent library and laboratory facilities and cultural events.

The chancellor has survived student disturbances, the development of a student life-style he finds personally dismaying and budget cuts that have made some of the original plans for Santa Cruz unattainable.

Now, at 63, McHenry has chosen early retirement, and he will leave the chancellorship at the end of June. Why?

"You'll think this is bogus," he said over a bowl of clam chowder in a student-run coffee shop recently, "but I think an old duck ought to get out of the way and make some room for the next generation."

"I can afford it," McHenry said. "I have some money. I'm at the maximum in the UC retirement system (after 35 years with the university) and I'm going to do some interesting things while I still can."

McHenry and his wife Jane own a 40-acre farm at Bonny Doon, about 10 miles north of the campus, where they plan to raise wine grapes and Christmas trees and enjoy some of the bucolic life McHenry recalls from his youth on a small farm near Lompoc.

They also plan to travel, and McHenry wants to write a book, either about UC Santa Cruz or, more generally, about experimentation in higher education.

And there is one more pleasure of retirement the chancellor expects to savor to the full.

"I'm going to spend a full day a week in the library," he said. "In all these years I've never been able to get into the library for more than a half hour and I'm about 13 years behind in my reading."

Looking back, McHenry believes there have been more successes than failures in the Santa Cruz experiment.

"This is a magnificent setting for an educational institution and I think we've developed it with great sensitivity," he said. "I'm very proud of the architectural awards we've won . . . we have fewer monstrosities than most campuses."

"The faculty is remarkable. If I leave a legacy, I suppose I ought to talk about the faculty. We got, by and large, people off the top of the deck, the cream of the country's graduate schools."

"I think we've done pretty well in finding people who are not just researchers or not just teachers but who genuinely combine the two. They represent a group you don't mind being stuck with over the long plateau we are facing."

McHenry was referring to cutbacks in the planned size of UC Santa Cruz.

When the campus opened, it was thought the eventual enrollment would be about 27,500 divided among 20 or 25 separate residential colleges.

However, higher educational enrollments have leveled off in California as in the rest of the nation and budgets have become tighter.

As a result, last spring the UC Board of Regents set an enrollment ceiling of 7,500

by the year 1980-81 (there are about 5,000 students on campus this year).

This is the "plateau" the chancellor talked about.

The combination of a youthful faculty and slower enrollment growth means there will be few new faculty appointments in the 1980s and 1990s, a situation that worries McHenry.

"We've just got to have people retiring in those years," he said, "so we can get new people, new ideas, new talent percolating into the campus. Otherwise we'll ossify."

To ease this problem, McHenry has asked statewide officials for permission to fill half of his allotment of 16 new faculty positions next year with tenured professors in their 50s, professors who can be expected to retire in the 1980s.

McHenry also hopes for some relief from the present requirement that the campus attain a student-faculty ratio of 18-to-1 next year.

Originally it was planned that UC Santa Cruz, which tries to provide small-group instruction for undergraduates, would be given a decade or more to reach the university-wide student-faculty ratio.

However, the budget demands of recent years have robbed Santa Cruz of that precious growth time. Now the campus is being asked to achieve a teacher-student ratio that is higher than those of UC Berkeley or UCLA, a situation McHenry regards as unjust and unwise.

"The greatest deficit we have in terms of becoming a well rounded, small university is our lack of professional schools," he said.

The early plans for UC Santa Cruz included professional schools in engineering, business administration and other fields, but none of these have come into being, again because of the combined effects of lower enrollments and tighter budgets throughout the UC system.

Now McHenry hopes that a school of environmental design, including landscape design and regional planning, will be included in the 1975-76 budget.

He has started a study to see what might be done in the health sciences.

"We're not thinking of a medical school," the chancellor said, "but we think there are some peripheral areas in which we might be able to train some advanced technicians in health sciences."

There are a dozen Ph.D. programs and about 300 graduate students on campus, but UC Santa Cruz remains predominantly an undergraduate institution.

Demand for admission is heavy, although it slackened somewhat this year in the wake of a series of grisly murders in the Santa Cruz area.

"Our students are still extraordinary," the chancellor said, "partly through self-selection. Only the best seem to apply."

If competition to enter UC Santa Cruz is still keen it becomes less so once a student has enrolled. The campus is the only one in the UC system where traditional letter grades have been largely replaced by a "Passed" or "No Report" system.

Although a student never fails a course, he must maintain satisfactory progress toward a degree or be subject to disqualification.

McHenry opposed nontraditional grading in the early years but now is a strong supporter.

"Of all the experiments we've attempted here, perhaps one of the clearest successes is the grading system," the chancellor said, although he conceded there was a "chronic problem" of persuading the best graduate and professional schools to accept the written evaluations Santa Cruz faculty members provide in lieu of grades.

McHenry is proud of the academic achievements of Santa Cruz students but their personal behavior sometimes has caused him anguish.

A low point came in October, 1968, when protesting students disrupted a regents' meeting on campus and one or two regents were pushed around in the process.

(That incident, and another at UCLA the following spring, caused the regents to cancel campus meetings, a practice they are only now cautiously resuming.)

The increasing popularity of long hair, strange dress, marijuana smoking and casual sexual behavior have been upsetting to McHenry.

"I have to confess I don't like beards and an unkempt appearance," he said. "I wonder, 'what's he protesting behind the beard and the long hair? What's he trying to convey?'"

"But I've had to reconcile. I have one son who wears a beard. I wish he didn't, but it doesn't mean I don't love him and I certainly respect him."

Then McHenry flashed a characteristic ear-to-ear grin, an expression that somehow manages to contain both joy and sadness, and added:

"I guess I've never gotten over it. It's one of the very minor reasons I'm retiring now. The most blatant period of the student revolt is over, but it would be worrisome for me to have to continue to accept responsibility for the way young people behave."

McHenry often is called upon to defend this way of life and the apparent lack of ambition of many Santa Cruz students before hostile audiences.

He recalled a recent service club meeting. A businessman said he knew of a UC Santa Cruz graduate who was working as a janitor and another who was a lineman for a utility company. The businessman thought taxpayers' money had been wasted on these students. But McHenry disagreed:

"I told him I thought their goals would change and they might both become vice presidents some day and they would be better vice presidents because they worked at those jobs and came up through the ranks."

McHenry described a "downward escalation" process that sometimes takes place on this mellow campus.

"Many a youngster comes in here from a family earning \$100,000 or more a year and goes out having learned to live on \$100 or \$200 a month," he said.

"Students find a certain tranquility here. It's not all bad. People find a way of life that is not entirely attached to money grubbing."

"At least, these are the best arguments I can muster and I believe them. All in all, the product here is pretty good."

If that is so, it is in part due to McHenry, who has placed his personal imprint on the educational institution he is about to leave.

CONSERVATION SERVICE AWARD

Mr. McGEE. Mr. President, it was with great pride for all Wyomingites that we learned yesterday two of our citizens, Mr. Tom Bell of Lander, Wyo., and Mrs. Margaret E. Murie of Moose, Wyo., will be recipients of the Conservation Service Award, to be presented by Secretary Rogers Morton at the 42nd Annual Interior Department Awards Convocation.

No two more deserving individuals could have been chosen by the Department of Interior to receive the esteemed Conservation Service Award. Both Tom Bell and Mardy Murie have committed their lives to service in the cause of conservation. And it is no overstatement on their respective accomplishments to suggest that we live in a better world for their efforts.

Trained as a biologist, Tom Bell has been a teacher, worked for the Wyoming

Game and Fish Commission, served as executive director of the Wyoming Outdoor Coordinating Council, and is now editor of the High Country News, the biweekly voice of environmental concern throughout the Intermountain West. When Tom took over the paper 5 years ago, it was an obscure little publication known as Camping News Weekly. To keep the paper alive, he has sacrificed his personal fortune as well as 5 years of hard labor in pursuit of excellence in the field of environmental journalism. Today the High Country News is recognized as among the major, and certainly most effective, newspapers dedicated to the conservation movement. Readers can be found in nearly every State of the Union and several more in foreign countries, and I think Tom Bell's selection as a recipient of the Conservation Service Award attests to the fact that the clarion call of the High Country News is heard within the halls of the Interior Department itself.

There can be no justice by even my best efforts to describe Mardy Murie when those efforts are matched against the actual experience of having known this truly remarkable person. Among the few true veterans of the American environmental movement, Mardy's spirit and conviction burn ever brighter with each passing year. Her perpetual enthusiasm and love for the wildlands of America have become an inspiration for thousands of young conservationists.

With her late husband Olaus, the noted American naturalist and definitive authority on the wapiti or elk, Mardy authored books which to this day are treasures in environmental literature. In her own right, she has written "Two in the Far North," recounting her life and experiences with Olaus Murie, and numerous articles for such noted publications as *The Living Wilderness* and *Natural History*. It would be an almost impossible task to account for the many honors and positions which have been bestowed upon Mardy Murie in recognition of her work in behalf of the conservation movement. That she should now be selected by the Department of Interior to receive the Conservation Service Award seems to me the obvious progression in the course course of these honors. Yet I know I am not alone in the conviction that we can never give to Mardy Murie the honors which could match the things she has given to us. If we are strong enough to the task, we will honor her best by our personal efforts made in the spirit of the philosophy which Mardy shared with Olaus that "... if mankind is worth saving at all, he needs some of his natural earth left for occasional retreat."

Mr. President, I am but one of many who feels a little fortunate in knowing that Wyoming has two fine citizens deserving of the Conservation Service Award. I feel especially fortunate because the selection of Tom Bell and Mardy Murie for this honor is demonstrative of the fact that they care for us and the world we live in. And I am happy that the Department of Interior provided an occasion by which we could show how much we care for them.

LOS ANGELES DEPUTY CHIEF OF POLICE ROGER MURDOCK

Mr. TUNNEY. Mr. President, I would like to call to the attention of my colleagues the retirement of Los Angeles Deputy Chief of Police Roger E. Murdock on June 30, 1974 by asking unanimous consent to print in the RECORD excerpts from the chronicle of a most distinguished career.

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

Throughout the United States, if not the world, no municipal law enforcement agency is more highly regarded than the Los Angeles Police Department. The reputation it holds today was sought after and attained during the career of Roger E. Murdock—a career that spans more than 42 years of exemplary service to the Department and the people of Los Angeles. Thus, any attempt to catalog his accomplishments tends to become less a biography than testimony to the attainments of the Department he has served so long and well.

Roger Murdock has lived in Los Angeles for all but the first six months of his life. Two years before his birth in St. Johns, Michigan, in 1909, the Department established its first Detective Bureau which he would one day command. As an infant newcomer to Los Angeles, his eyes doubtlessly widened in wonder at the sight of the Department's first "gas" automobile—a two-cylinder conveyance capable of reaching the speed of 25 miles an hour. Some four decades later, Roger Murdock would find himself in charge of 430 officers coping with the specific problem of automobile traffic.

At the age of 22, Roger Murdock became a Los Angeles Policeman assigned to what is now Harbor Division. He was wearing a Sergeant's stripes nine years later when he was graduated with high honors from the University of Southern California with a Bachelor of Science degree in Public Administration, earned during off-duty hours.

As an undergraduate, he was elected to Phi Sigma Alpha (Honorary Political Science Fraternity) and Phi Kappa Phi (Honorary Scholastic Fraternity), University of Southern California.

His competence as a field officer, supervisor and Police Academy Instructor brought him ever-increasing recognition. By 1950—just ten years after his first promotion—Roger Murdock had advanced to Lieutenant, Captain, Inspector and Deputy Chief. He had never failed to be among the top three candidates in every promotional examination.

During almost all of the 17 ensuing years (1950-1967) Deputy Chief Murdock headed the Patrol Bureau, responsible for all uniformed operations of the Department's 17 geographic divisions. In this capacity, he was Field Commander during such trying occurrences as the Bel Air fire, Baldwin Hills dam disaster and the Watts riots.

Twenty-four years ago, he placed in the top three in the examination for Chief of Police. Although he was never to seek that office again, it was his to occupy five years ago when the Board of Police Commissioners elevated him to Chief of Police following the retirement of Chief Thomas Reddin and preceding the appointment of Chief Edward M. Davis.

Selected by Chief Davis in 1971 as Chief of Staff, Roger Murdock has continued to administer many of the more complex operations assigned to the Office of the Chief of Police. They include Inspection and Control Section, Press Relations Section, review of internal discipline, and liaison between the Department and the City Council, the California State Legislature, Municipal and Superior Courts, City and County prosecuting

agencies and the Consular Corps, second largest in the United States.

Professional, civic and fraternal organizations have long held his intense interest. Deputy Chief Murdock is a life member and past president of the Peace Officers Association of Los Angeles County. He holds additional life memberships in the International Association of Chiefs of Police, the California Peace Officers Association, and is an honorary member of the Chief Special Agents Association.

Past Potentate of the Al Malaikah Temple of the Shrine and Knight Commander of the Court of Honor of the Scottish Rite, he is on the Board of Governors of the Shriners Hospital for Crippled Children. Deputy Chief Roger Murdock is also a member of the Board of Governors of the California Community Colleges, Board of Directors of the Midnight Mission and Board of Trustees of the Los Angeles Philanthropic Foundation.

Deputy Chief Murdock and his wife, Muriel, have two sons—Stephen, a Deputy City Attorney, and Tom, an executive of the Computer Science Corporation.

I know that my colleagues join with me in fitting tribute to this distinguished career peace officer and humanitarian and convey to him our appreciation and best wishes for a long and happy retirement.

YOUNG GRAD SOUNDS TRUMPET OF HOPE

Mr. HUGH SCOTT. Mr. President, a recent article in the Philadelphia Bulletin indicates that our young people have not given up hope in our country, rather they view the future optimistically and as a challenge.

I want to share with my colleagues the eloquent and optimistic comments made by Jeffrey Marriott, a recent graduate of Philadelphia's University City High as he addressed the guests assembled during graduation exercises. I ask unanimous consent that this article be printed in the RECORD.

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

YOUNG GRAD SOUNDS TRUMPET OF HOPE (By Jeffrey Marriott)

More than in any other period in history, the peoples of the world are threatened not only by the forces of nature, but by man himself. Presently, man is drowning in a sea of poverty; he is tossed about by the winds of despair and apathy; he is sinking in the quicksand of confusion; he is overwhelmed by fear. Man is unable to distinguish right from wrong. Brotherhood is a word that has become alien to him; he has suffered a spiritual death; and his very fiber has been corrupted and stained by war, envy, and hate. If there is anyone who believes that this is merely a phase in the course of human events, he is gravely mistaken.

We are here to convey a new hope to you, a hope that shines above the dark clouds of misery. We are here to tell you that no matter how badly man is entangled in the mire and clay of his failures, he can exonerate himself. We are here to reassure you that this desert sweltering with racial bigotry and discrimination can be transformed into an oasis of justice and equality. If we can put a man on the moon, we can put a man on his feet. If we can put a man on welfare, we can take a man off of welfare. If we can create war, we can create peace. We can turn juvenile delinquency into juvenile decency. We can feed our poor, clothe

our naked, comfort our downhearted, and cure our sick. I see no reason why we can't turn our boys into strong men, and our girls into diligent women.

I believe a spark of justice anywhere can become a threat to injustice everywhere. I feel man can restore unto himself those human elements of love, kindness, respect, faith, and hope. I believe we can live as brothers ought; we can spread the message of brotherhood; our living does not have to be in vain.

At University City, we have been taught the standards of integrity. I think it has been the furthestmost aim of our teachers to build in us a strong character, giving us the desire to venture on in the services of one another. The trumpet has been sounded calling us into battle. Our future, as well as our present, depends on how we react and respond to this call. Some of us may be ignorant of the fact that we are needed as individuals. Some of us fail to see the seriousness and the complexities of our problems. Some of us will go down that road of apathy without caring. Others will concern themselves only with their own selfish desires. They will hold up that sign, I've got mine, now you get yours.

But thankfully, at University City, I feel a majority of us are aware of the troubles that confront us, and we will not be afraid to roll up our sleeves and get to work. We have come to know the true heroes of our time. They bore the burden in the heat of the day, and did not retreat while under fire. They were not afraid to sit in at segregated lunch counters; they were not afraid to shout, "Bring the boys home, this country is in the wrong." They marched, walked, sat in, and prayed from the depths of their souls. Hopefully, we can be the same type of heroes, not ashamed to keep the faith in, and stand up for, what we believe is right.

We are the first graduating class of the University City High School, and we have something to prove. There are some who say that the young people of today do not have the potential or even the will to meet the challenges of tomorrow. We must prove them wrong. We cannot afford to be a people of promise, we must be a people of progress. We can't be afraid to be called rebels. Martin L. King, Malcolm X, John Kennedy, Mahatma Gandhi, and Jesus Christ were all rebels. Change for the better has always been produced by people who stood up, who sacrificed their own reputations and comforts, and who did not adhere to the standards and norms mandated by society.

And when we've finally overcome, we shall see that tomorrow when we've begun to reap from the labors initiated today, that day when we will rejoice in peace, be glad in brotherhood, and dwell in freedom. This is a dream that can become a reality, if we endeavor to be our brother's keeper.

AMENDMENT TO EXPORT ADMINISTRATION ACT DEALING WITH NUCLEAR TECHNOLOGY

Mr. PROXMIER. Mr. President, in response to inquiries from my colleagues, I ask unanimous consent that the text of my amendment to the Export Administration Act dealing with nuclear technology be printed in the RECORD.

This amendment addresses the transfer of nuclear technology for both civilian and military purposes.

Under present law embodied in the 1954 Atomic Energy Act, civilian technology can be transferred once the President has proposed an agreement and it is sent to the Joint Committee on Atomic Energy. After 30 days it goes in effect.

There often is no vote in the full Congress.

With respect to military technology, the proposed agreement must rest 60 days in Congress during which time both Houses of Congress must pass a concurrent resolution denying the action for the proposal to be killed.

This allows several serious situations to occur. First, Congress often does not have an opportunity to vote on these critical issues. Only the Joint Committee has any authority during the 30-day civilian technology period and even then the committee can waive this requirement.

Military technology can be sent abroad even if one House of Congress opposes the move. Or even if one Member of the Senate decides to not allow the issue to come to a vote, then the proposed agreement would go into effect.

My amendment would make mandatory that every time the President proposes such an agreement involving civilian or military technology, Congress must respond with an affirmative vote or else the agreement cannot be put into effect.

I would welcome the cosponsorship of my colleagues.

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

AMENDMENT NO. 1489

At the appropriate place in the bill, insert a new section as follows:

Sec. —. Notwithstanding any other provision of law, no cooperation with any nation or regional defense organization shall be undertaken pursuant to section 54, 57, 64, 82, 91 (c), 103, 104 (d), 123 or 144 of the Atomic Energy Act of 1954 (42 U.S.C. 2074, 2077, 2094, 2112, 2121 (c), 2133, 2134(d), 2153 and 2164) on or after 1 June 1974 until the proposed agreement for cooperation has been submitted to Congress by the President and the Congress has adopted a concurrent resolution stating in substance that it favors the proposed agreement for cooperation.

RHODE ISLAND OPTOMETRIST OF THE YEAR

Mr. PELL, Mr. President, during the next 2 weeks, the American Optometric Association will be holding its annual congress here in Washington. It is timely, therefore, to take note of the achievements of Dr. Morton Silverman of Warwick, R.I., who received the Rhode Island Optometrist of the year award recently from the Rhode Island Optometric Association.

I am pleased to learn of Dr. Silverman's selection for this award, the highest honor given by the State association.

Dr. Silverman has been a member of the American Optometric Association since 1950, and has served with distinction on a number of committees and councils of that organization. Many of his areas of interest parallel the concerns of the Congress. He has been active as a member of the committee on international affairs, which is working now to assist other nations in the establishment of optometric educational programs, and of the committee on social and health care trends, which is regarded as one of the most productive units of the American Optometric Association

under the name of the community health division.

Dr. Silverman's professional contributions have covered optometric education, comprehensive health planning, traffic safety, group practice, and military affairs.

Besides his many professional activities, Dr. Silverman served as a member of the Rhode Island department of social welfare and as a member of a Group Health Association ad hoc committee on insurance. He is highly regarded among his optometric colleagues across the Nation.

I extend to Dr. Silverman my hearty congratulations.

HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE ACT OF 1974

Mr. JAVITS, Mr. President, the urgent need for the "Health Professionals Educational Assistance Act of 1974" (S. 3585)—which I recently developed and introduced with Senator KENNEDY—was dramatically portrayed in a timely front page article in today's New York Times by Lawrence K. Altman. The article entitled "Many Foreign Physicians in U.S. Found Unlicensed" describes, and I quote:

A growing medical underground of thousands of foreign-trained doctors in practicing medicine without licenses and often without supervision in many American hospitals.

The Altman story is based on a report published today in the New England Journal of Medicine.

Our bill, S. 3585, addresses the growing foreign medical graduate—FMG—problem by one, providing for the number of training slots; and, two, by the establishment of minimal medical licensure requirements, including proficiency in the English language—both verbal and written. The activities would be achieved by the Secretary of the Department of Health, Education, and Welfare working in consultation with appropriate medical organizations.

When I introduced this measure with Senator KENNEDY, I documented the FMG problem—in slightly more than a decade the number of FMG's in the United States has increased four times more rapidly than has the total physician supply. In 1972, almost as many FMG's—46 percent of the total—as graduates of U.S. medical schools were added to the licensure registries for physicians in our separate States—with particular emphasis with respect to the problem in New York, where about one-fourth of all foreign-trained physicians—10,000 of 45,816—in the United States are in New York City. Taking the State of New York as a whole, foreign medical graduates represented about 19 percent of all physicians in 1959; the proportion has risen steadily, until now about 36 percent of physicians in the State are graduates of foreign schools.

I am deeply concerned that FMG's, taken as a whole, should sustain not dilute the quality care provided to the American people. I ask unanimous consent that this article be printed in the RECORD.

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

MANY FOREIGN PHYSICIANS IN UNITED STATES FOUND UNLICENSED

(By Lawrence K. Altman)

A growing "medical underground" of thousands of foreign-trained doctors is practicing medicine without licenses and often without supervision in many American hospitals, according to a report published today in the New England Journal of Medicine.

These uncertified doctors, most of whom have either failed to pass or have not yet taken the examinations necessary for American licensure, are making crucial diagnostic and therapeutic decisions affecting the outcomes of patients' illnesses, the report said.

Although many of the doctors were officially hired as laboratory technicians or assistants in various low-level job categories, the report said that they often assumed responsibility for patient care, without consulting licensed physicians.

The authors of the report did not deal with the question of legality, but the findings are likely to arouse debate on whether the doctors or the hospital officials who accede to the practice as a way of coping with a doctor shortage are legally liable.

One state, Georgia, has already passed a law offering temporary licensure to such doctors provided they practice in parts of the state with too few doctors.

The study, carried out by five American doctors, who surveyed 4,035 foreign medical graduates now working in the United States, was undertaken at the request of the body that examines foreign graduates for their competence to seek licensure in the United States. That body, the Educational Council for Foreign Medical Graduates, of Philadelphia, is not a part of the American Medical Association.

The study raises basic questions about how well the quality of medical care in this country is regulated, particularly since the number of graduates of Asian medical schools practicing in the United States has soared after a change in immigration laws in 1966. Many American medical experts have long questioned the adequacy of training given in some foreign medical schools.

The report also rekindles the controversy about this country's growing reliance on graduates of foreign schools to treat patients. Last year the number of foreign medical graduates licensed in the United States almost equaled the number of doctors who graduated from American medical schools.

FEW AMERICANS FOUND

The report comes at a time when a record number of Americans—about 6,000—are studying medicine in foreign medical schools. There are 50,716 students enrolled in American medical schools. Few Americans were found in the medical underground study because the bulk of Americans who are getting their M.D.'s abroad have yet to graduate.

Foreign medical graduates must pass the examination given by the Educational Council for Foreign Medical Graduates to qualify to take another set of examinations to get a state medical license. The precise number of foreign-trained doctors practicing without license or examination certification is unknown.

American Medical Association records cited by the study's authors show at least 10,000 unlicensed physicians working in the health field in 1971. Dr. Henry Mason of the A.M.A., characterizing these people as "not quite physicians," has attributed the problem to "loopholes in our immigration laws" and to the practice whereby some states grant temporary licenses to uncertified doctors who work in state hospitals.

Because they hold M.D. degrees they are

appropriately called "doctor." But their patients might not know that the doctor is unlicensed and practicing medicine without direct supervision from a licensed colleague.

The senior author of the new study, Dr. Robert J. Weiss of Harvard, said in an interview that the medical underground consisted of M.D.'s lacking American credentials who, though they are called X-ray technicians, laboratory assistants, or by some other title in job descriptions, act independently as physicians.

Some do surgery in the operating room or in the emergency ward. Others give anesthesia. Many practice psychiatry. Some read X-rays. A few look under a microscope at biopsy specimens in pathology laboratories to distinguish between cancers and benign tumors, for example, and thereby determine what course the surgeon must take while the patient is anesthetized on the operating table.

These doctors generally are Asians, usually from the Philippines or India. They work for less pay than American doctors in a city of more than 100,000 population in one of eight states—New York, Illinois, California, Florida, Ohio, Massachusetts, Michigan and New Jersey.

According to the latest statistics reported by the National Science Foundation, three-quarters of the 7,119 foreign doctors admitted to the United States as immigrants in the year ended June 30, 1973, were from Asian countries. India contributed the largest share with 1,921, followed by 753 from the Philippines and 610 from South Korea.

EXAM IS FIRST STEP

The crux of the medical underground problem is the examination given by the Educational Council for Foreign Medical Graduates. The examination serves as the first step to a permanent place in the American health care system.

It was originally created in 1958 by the American Medical Association, the Association of American Medical Colleges, the American Hospital Association and the Federation of State Medical Boards as a means of determining which foreign doctors were considered best qualified to serve as interns and residents in specialty training programs in American hospitals.

The six and one-half hour examination is not a license to practice medicine. A physician can pass this examination yet not obtain a medical license. In any year, about two out of five foreign doctors pass the examination. Ultimately, two out of three pass, but often only after several tries and with the aid of cram courses.

"Passing the E.C.F.M.G. examination does not make you a competent doctor," Dr. Weiss said.

Dr. Weiss said he had become interested in studying the problem after other health experts had detected a gap in the American Medical Association's listing of physicians. He said that the A.M.A. did not record doctors with partial licenses in a systematic way and that the Chicago-based organization had no way of learning the names of immigrant doctors unless they entered formal training programs.

Documentation of the medical underground is based on the study that Dr. Weiss and his colleagues, Dr. Joel C. Kleinman, Dr. Ursula C. Brandt, Dr. Jacob J. Feldman and Dr. Aims C. McGuinness undertook at the request of the Educational Council for Foreign Medical Graduates. The team received responses from 3,935 of the 4,035 foreign doctors who were given questionnaires when they took the examination in January 1973. The overwhelming majority were permanent residents of the United States.

Surprisingly, the 48 per cent of the respondents who were actively working in the

health field had a lower pass rate (15 per cent) than foreign medical graduates who were not practicing (26 per cent).

The team headed by Dr. Weiss completed interviews with 850 of the 1,069 respondents randomly selected for such interviews, and they learned that 75 per cent were involved in direct patient care and 64 percent were employed by hospitals.

To underscore his point, Dr. Weiss said that when he called one noncertified doctor in North Carolina, the person answering his phone replied that the doctor was busy caring for patients in his office.

ASSURANCES RECEIVED FROM OFFICE OF MANAGEMENT AND BUDGET WITH RESPECT TO VA'S VET REP PROGRAM AND VCI PROGRAM

Mr. CRANSTON. Mr. President, yesterday, the Senate unanimously passed, by a vote of 91 to 0, S. 2784, the Vietnam-era Veterans Readjustment Assistance Act of 1974. As the principal coauthor of this measure with the distinguished chairman of the Committee on Veterans' Affairs (Mr. HARTKE), I am delighted by the overwhelming support shown by my colleagues in the Senate for this very broad, comprehensive measure.

Mr. President, section 217 of S. 2784 adds a new section 243 to title 38 to provide specific statutory authority and congressional guidance with respect to the implementation of the Vet Rep program. This program was designed by the Veterans' Administration to improve service relationships with veterans, colleges and universities, and veterans' service organizations, by placing VA representatives on college and university campuses to identify and resolve VA educational assistance allowance problems.

My remarks on the floor yesterday during Senate consideration of S. 2784—S11044, June 19, 1974—devote considerable attention to my concerns regarding the relationship that would develop between VA Vets Reps and those persons already involved in campus veterans' programs, particularly, the veterans' cost-of-instruction — VCI — program campus coordinators. VCI coordinators, who are responsible for planning, implementing, and directing the full-time offices of veterans' affairs established under a provision I authored in the Education Amendments of 1972, Public Law 92-318, have expressed substantial concern that their programs were about to be taken over by the VA, and, considering the seemingly duplicative nature of the VA's early plans and job descriptions for the Vet Reps, their fears appeared to be well founded.

Mr. President, in order to work out details of the Vet Rep program, and to insure that the concerns of VCI coordinators would be taken fully into consideration before plans for the program were finalized, my staff worked closely with the Veterans' Administration, the Civil Service Commission, the Office of Management and Budget, and the White House to work out details of the program.

Additionally, on June 14, 1974, I wrote to the Director of the Office of Manage-

ment and Budget, Mr. Roy L. Ash, with respect to the assurances I believed were necessary regarding the manner in which it is proposed that this new program be implemented. This morning, I received Mr. Ash's most definitive and responsive reply to my letter, and I ask unanimous consent that both the full text of my June 14, 1974, letter to Mr. Ash, and his June 19, 1974, response to me be printed in the RECORD at the conclusion of my remarks.

Mr. President, in addition to the assurances spelled out in Director Ash's letter to me, it is my understanding that this entire matter was discussed very thoroughly this morning at the Appropriations Subcommittee on HUD, Space, Science, and Veterans hearing on the Veterans' Administration's urgent supplemental budget request. The VA had included \$2 million in this request to begin implementing the Vet Rep program. I want to express my appreciation to the able chairman of the subcommittee, the Senator from Wisconsin (Mr. PROXMIRE), for the very detailed and very probing questions he put to the Veterans' Administration's Chief Benefits Director, Mr. Odell Vaughn, concerning the VA's general plans for implementing the Vet Rep program, and specifically, its understanding of the separate and distinct responsibilities of Vet Reps and VCI coordinators.

Chairman PROXMIRE's thorough efforts today are one more example of the probing and comprehensive overview which the Appropriations Subcommittee applies to VA funding requests under his excellent leadership. I believe that my correspondence with the Office of Management and Budget, and the assurances Chairman PROXMIRE received from the VA at today's hearing, evidence clearly the administration's willingness to consider and meet effectively the specific problems and concerns that have been expressed on this proposed program. I am hopeful that the Appropriation Committee and the Senate will approve this \$2 million supplemental request and that the Vet Rep program, indeed, will improve the VA's ability to implement the GI bill educational assistance program in a timely and efficient manner.

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

EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., June 19, 1974.

HON. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: Thank you for your letter of June 14 concerning the Veterans Administration's new Vet Rep program. As you know, members of my staff worked closely with VA staff in developing the concept of the new program.

Responses to the points you raised in your letter follow in the order in which you presented them:

1. The Vet Rep program is not designed to replace nor will it infringe in any way on the statutory responsibilities of the VCI coordinators. The primary responsibility of the Vet Reps will be to make advance Educational Assistance payments, to act as focal points to assure that the veteran's pay status will continue, to facilitate VA paper work

handling, and to resolve VA educational benefit problems.

2. Vietnam era veterans are being given priority in filling Vet Rep positions. Of the over 1,100 positions already recruited, 90 percent plus are Vietnam era veterans.

3. VA Regional Office Directors have been provided flexibility in the assignment of Vet Reps to campuses. Assignments will take into account the need for service in particular schools, the availability of ongoing programs such as the VCI program, and the desires of the institutions.

4. After the advance payment problems associated with fall enrollment have been resolved, Regional Office Directors will have discretion, with the approval of the Chief Benefits Director, to assign Vet Repts to work wherever the need is greatest.

5. An initial evaluation of the Vet Rep program will be undertaken by the end of December 1974.

I trust the above alleviates the concerns expressed in your letter and that we can look forward to your support for the program.

Sincerely,

ROY L. ASH,
Director.

U.S. SENATE,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D.C., June 14, 1974.

Hon ROY L. ASH,
Director, Office of Management and Budget,
Executive Office Building, Washington,
D.C.

DEAR MR. DIRECTOR: The Senate Appropriations Subcommittee on HUD, Space, Science, and Veterans has received the Veterans Administration's amended supplemental budget request for FY 1974, which contains \$2.5 million for the VA's new Vet-Rep program, announced by the President on May 31. This new program was designed to improve VA service relationships with G.I. Bill trainees, colleges and universities, and veterans' service organizations by placing VA representatives on college and university campuses to identify and resolve VA educational assistance allowance problems.

I am generally supportive of this attempt to deal constructively with payment problems which have plagued the G.I. Bill educational assistance program, and thus authored a provision in S. 2784 (section 217, copy enclosed), as reported by the Committee on Veterans' Affairs, to provide statutory authority, as well as Congressional guidance, for this new program.

Given the considerable confusion surrounding preparation of the specifications for this program, and the great concern expressed by those persons already involved in campus veterans' programs, especially campus coordinators under the Veterans Cost-of-Instruction (VCI) program, which I authored in the Education Amendments of 1972 (P.L. 92-318), it would be most useful for those of us working on resolving differences between S. 2784 and the House-passed bill, H.R. 12628, as well as for the Chairman (Senator Proxmire) and members of the Ap-

propriations Subcommittee, to receive, in writing, certain assurances regarding the manner in which it is proposed that this new program be implemented. Due to the uncertain leadership situation at the VA at this time and because O.M.B. was so instrumental in developing the concept of the new program, I am addressing these concerns to you.

Specifically, I believe assurances are needed with respect to the following points to set forth the understanding expressed to my staff over the last several weeks by O.M.B. Assistant Director, Paul O'Neill:

1. Clarification is badly needed as to the scope and purpose of the new program in relationship to the VCI program. VCI coordinators are responsible for planning, implementing, and directing the full-time offices of veterans' affairs required to be established under the VCI program. The VCI program was designed to provide incentives and supporting funds for colleges and universities to recruit returning veterans and to establish the kinds of special programs and services necessary to assist veterans in readjusting to and succeeding academically in an educational setting. VCI coordinators are required by law to fulfill numerous substantive, programmatic responsibilities, although in this past year, as a result of the repeated problems in the VA's implementation of the educational benefits program, they were obliged to spend much of their time trying to facilitate routine paperwork in connection with G.I. Bill benefits.

It is my understanding that the responsibilities of Vet Reps will include facilitating all routine VA paperwork, the handling of all VA educational benefits program problems, and the provision of information concerning particular laws and VA regulations; Vet-Reps are to cooperate closely, but in no way overlap, or interfere with, the duties and responsibilities of VCI coordinators.

In order to assuage the very strong concerns which continue among many VCI coordinators that Vet Reps will duplicate, rather than complement VCI programs, I think it would be extremely important for you to indicate very emphatically that the Vet-Rep program is not designed to replace the VCI program, nor focused on carrying out the specific statutory functions assigned to VCI coordinators under section 420 of the Higher Education Act of 1965, as amended.

2. I believe assurances are also needed that Vietnam-era veterans will, in fact, be given priority in filling Vet-Rep positions.

3. Additionally, assurances are needed that VA Regional Directors will be provided flexibility in allocating and reallocating Vet Reps among schools in the most practicable manner, taking into account the need for these services at particular schools in light of ongoing programs (especially VCI programs) and the desires of the school to have a Vet Rep on campus.

4. Further, assurances are needed that VA Regional Directors will have the discretion—with the approval of the VA's Chief Benefits Director—to assign Vet Reps to work in a VA Regional Office, with special responsibility

for one or more than one particular educational institution. Such flexibility will be essential, especially after the onslaught of advance payment problems has subsided in November or December.

5. Finally, I would urge that a commitment be made to provide for a full, expedited evaluation of the Vet-Rep program not later than December, 1974, and, in order to facilitate this, to build-in to the program necessary data-gathering procedures at the outset. Such an evaluation should give special attention to the longer range assignments of Vet Reps, as well as the most efficient use of their services.

I will appreciate your earliest response to the concerns above, and I ask that you send copies of your reply directly to Mr. Odell Vaughn, Chief Benefits Director of the VA, and others.

Sincerely,

ALAN CRANSTON.

THREE HUNDRED AND NINETY ADVISORY COMMITTEES ABOLISHED LAST YEAR

Mr. METCALF. Mr. President, one purpose of the Federal Advisory Committee Act (P.L. 92-463) is to terminate automatically those advisory committees no longer necessary or justifiable. Progress is being made toward significantly reducing the proliferation of Federal advisory committees.

Last year, as required by law, the President submitted the first annual report on advisory committees. He reported 1,439 advisory committees in existence at the end of 1972.

The President has just submitted his second annual report. It shows that 1,250 Federal advisory committees existed at the close of calendar year 1973. Although 216 committees have been established, 390 were terminated—a net decrease of 174 advisory committees—in addition, 15 other committees are no longer listed because of changes in the reporting requirement regarding subcommittees.

The President's second annual report is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, stock No. 2202-00042. The price is \$1.55. However, this report does not list the advisory committees abolished. That information should be conveniently available. Therefore, I ask unanimous consent to print the list of terminated committees in the RECORD, preceded by summary data excerpted from the second annual report.

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

ADVISORY COMMITTEE SUMMARY DATA FOR CALENDAR YEAR 1973

Agency	Numbers current ¹ Dec. 31, 1973	Numbers statutory Dec. 31, 1973	Numbers terminated calendar year 1973	New committees calendar year 1973		Changes in numbers, calendar year 1973	Total cost	Average cost ²
				Total numbers	Numbers statutory			
Presidential advisory committees ²	(32)	(15)	(5)	(5)	(3)	(0)	(\$4,372,121)	(\$118,165)
Executive Office of the President:								
Office of Management and Budget.....	4	0	0	1	0	1	82,000	20,500
Council of Economic Advisers.....	1	0	1	0	0	-1	240,000	120,000
Council on Environmental Quality.....	3	0	2	1	0	-1	56,000	11,200
Federal Energy Office.....	5	0	0	5	0	5	5,000	1,000
Office of Telecommunications Policy.....	2	0	0	0	0	0	6,087	3,044
Special Action Office for Drug Abuse Prevention.....	1	1	0	0	0	0	125,000	125,000
DEPARTMENTS								
Agriculture.....	136	62	52	5	1	-47	229,909	1,223
Commerce.....	41	11	52	17	9	-35	1,549,118	16,657

Footnotes at end of table.

ADVISORY COMMITTEE SUMMARY DATA FOR CALENDAR YEAR 1973—Continued

Agency	Numbers current ¹ Dec. 31, 1973	Numbers statutory Dec. 31, 1973	Numbers terminated calendar year 1973	New committees calendar year 1973		Changes in numbers, calendar year 1973	Total cost	Average cost
				Total numbers	Numbers statutory			
Defense	481	5	22	10	0	-12	\$2,299,714	\$22,327
Health, Education, and Welfare	286	39	183	101	5	-82	14,625,963	31,185
Housing and Urban Development	2	2	2	0	0	-2	19,458	4,865
Interior	129	73	7	6	1	-1	1,196,130	8,795
Justice	4	1	3	0	0	-3	870,492	124,356
Labor	44	7	4	3	1	-1	871,775	18,162
State	44	3	6	8	3	2	379,062	7,581
Agency for International Development	3	0	2	0	0	-2	225,000	45,000
Transportation	41	3	16	2	0	-14	485,237	8,513
Treasury	25	0	5	3	0	-2	146,000	4,867
AGENCIES								
ACTION	1	1	0	1	1	1	0	0
Administrative Conference of the United States	1	1	0	0	0	0	600,000	600,000
American Revolution Bicentennial Administration	12	0	0	0	0	0	44,900	3,742
Atomic Energy Commission	11	2	2	0	0	-2	1,113,495	85,653
Civil Aeronautics Board	2	0	0	0	0	0	2,635	1,183
Consumer Product Safety Commission	4	3	0	2	1	2	60,000	15,000
Cost of Living Council	7	0	3	7	0	4	163,858	16,386
Environmental Protection Agency	16	3	6	2	0	-4	606,426	27,565
Export-Import Bank of the United States	1	1	0	0	0	0	9,600	9,600
Federal Communications Commission	6	0	1	0	0	-1	231,581	33,083
Federal Home Loan Bank Board	1	1	0	0	0	0	(^c)	
Federal Mediation and Conciliation Service	1	1	0	0	0	0	0	0
Federal Power Commission	47	0	0	0	0	0	393,609	8,375
General Services Administration	37	1	4	2	0	-2	159,752	3,896
Interstate Commerce Commission	1	0	3	1	0	-2	12,000	3,000
National Aeronautics and Space Administration	23	1	5	11	0	6	452,400	16,157
National Credit Union Administration	1	0	0	0	0	0	9,900	9,900
National Endowment for the Arts	13	1	0	0	0	0	388,625	29,894
National Endowment for the Humanities	7	1	0	1	0	1	374,148	53,450
National Science Foundation	43	1	5	5	0	0	341,183	7,108
Railroad Retirement Board	1	0	0	0	0	0	2,600	2,600
Securities and Exchange Commission	1	0	1	0	0	-1	1,500	750
Small Business Administration	66	0	0	0	0	0	126,631	1,919
U.S. Arms Control and Disarmament Agency	1	0	1	0	0	-1	0	0
U.S. Civil Service Commission	7	4	1	0	0	-1	373,350	46,669
U.S. Commission on Civil Rights	51	0	0	0	0	0	963,618	18,894
U.S. Information Agency	2	1	0	0	0	0	58,500	29,250
Veterans' Administration	26	3	1	21	2	20	263,964	9,776
SELECTED COMMITTEES, COMMISSIONS, AND COUNCILS								
Ad Hoc Advisory Group on Puerto Rico	1	0	0	1	0	1	30,000	30,000
Advisory Committee on Federal Pay	1	1	0	0	0	0	130,000	130,000
Advisory Council on Historic Preservation	1	1	0	0	0	0	479,000	479,000
Cabinet Committee on Opportunities for Spanish Speaking People	1	1	0	0	0	0	2,360	2,360
Commission on the Organization of the Government for the Conduct of Foreign Policy	1	1	0	0	0	0	282,000	282,000
Commission on the Review of the National Policy Toward Gambling	1	1	0	0	0	0	20,000	20,000
National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance	1	1	0	0	0	0	0	0
U.S. Water Resources Council	1	0	0	0	0	0	1,500	1,500
Total	1,250	241	390	216	24	-174	31,110,810	18,970

¹ Where they occur, differences between 1972 and 1973 current numbers result from changes in reporting.

² These Presidential advisory committees are included in the numbers below for those agencies having jurisdiction.

³ This number may be affected by some legal decisions on whether certain committees are Presidential advisory committees.

⁴ Includes 29 committees under Secretary of Defense, Joint Chiefs of Staff and Defense agencies; 12 committees under Air Force; 25 committees under Army; and 15 committees under Navy.

⁵ No cost to the United States. Cost of \$74,487 funded by the self-supporting Federal Home Loan Bank System.

⁶ Includes Federal Employee Pay Council.

⁷ Status under review.

FEDERAL ADVISORY COMMITTEES TERMINATED DURING CALENDAR YEAR 1973

EXECUTIVE OFFICE OF THE PRESIDENT

Council of Economic Advisers (1)

President's Advisory Panel on Timber and Environment.

Council on Environmental Quality (2)

CEQ-FCST Committee on Ecological Research Stream Channel Modification Study Advisory Group.

DEPARTMENTS

Agriculture (52)

See attached list.

Commerce (52)

See attached list.

Defense (22)

See attached list.

Health, Education and Welfare (183)
See attached list.

Housing and Urban Development (2)

Urban Studies Fellowship Advisory Board.
New Community Advisory Board.

Interior (7)

Colorado Grazing District No. 2 Advisory Board.

Fire Island National Seashore Advisory Commission.

National Advisory Board for Sport Fisheries and Wildlife.

National Commission on Materials Policy.

National Fisheries Center and Aquarium Advisory Board.

National Indian Education Advisory Committee.

Theodore Roosevelt Birthplace and Sagamore Hill NHS Advisory Committee.

Justice (3)

Advisory Committee for Law Enforcement Technology.

National Advisory Commission on Criminal Justice Standards and Goals.

National Commission on Marihuana and Drug Abuse.

Labor (4)

Advisory Committee on Testing and Selection.

Standards Advisory Committee on Asbestos Dust.

Standards Advisory Committee on Carcinogens.

Standards Advisory Committee on Noise.

State (6)

Advisory Committee on Art in the Embassies Program.

Advisory Council on Inter-American Affairs.

African Affairs Advisory Council.

European Advisory Council.

Panel of Experts on International Athletic Programs.

U.S. Advisory Committee on the Arts.

Agency for International Development (2)

Advisory Committee on AID—University Relations.

Labor Advisory Committee on Foreign Assistance.

Transportation (16)

See attached list.

Treasury (5)

American Life Insurance Association, the Economic Policy Committee.

Independent Bankers Association Government Fiscal Policy Committee.

National Association of Mutual Savings Banks Committee on Government Securities and the Public Debt.

Treasury Liaison Committee of the Business Council.

U.S. Savings and Loan League, National League of Insured Savings Associations, the Advisory Committee on Government Securities of the Savings and Loan Business.

AGENCIES

Atomic Energy Commission (2)

Advisory Committee for Biology and Medicine.

Standing Committee on Controlled Thermonuclear Research.

Cost of Living Council (3)

Committee on the Health Services Industry.

Committee on State and Local Cooperation. Rent Advisory Board.

Environmental Protection Agency (6)

Coal Desulfurization Advisory Committee. Coal Preparation Industrial Advisory Committee.

Grain and Feed Industrial Advisory Committee.

Pax Company Arsenic Advisory Committee. Phosphate Industry Liaison Advisory Committee.

Soap and Detergent Industrial Advisory Committee.

Federal Communications Commission (1)

Dialer and Answering Devices Advisory Committee.

General Services Administration (4)

Authentication Subcommittee of Americana Committee for the National Archives. Economic Stabilization Committee.

Federal Records Council.

Nominating Subcommittee of the Americana Committee for the National Archives.

Interstate Commerce Commission (3)

Pipeline Advisory Committee on Valuation and Accounting.

Railroad Advisory Committee on Equipment and Roadway Property.

Tariff Users Advisory Committee.

National Aeronautics and Space Administration (5)

Ad Hoc Subcommittee of the Space Science and Applications Steering Committee for the Evaluation of the Large Space Telescope (LST) Experiment Proposals.

Ad Hoc Subcommittee of the Space Science and Applications Steering Committee for the Evaluation of Pioneer Venus Flight Experiment Proposals.

Ad Hoc Subcommittee for the review of the Second and Third High Energy Astronomy Observatory (HEAO) Missions.

Infrared Telescope Site Evaluation Advisory Committee.

Science Advisory Committee on Comets and Asteroids.

National Science Foundation (5)

Advisory Committee for Computing Activities.

Advisory Panel for Polar Programs.

Ship Construction Review Panel.

Ship Material Condition Review Panel.

Ship Operations Review Panel.

Securities and Exchange Commission (1)

Advisory Committee on a Central Market System.

U.S. Arms Control and Disarmament Agency (1)

Social Science Advisory Board.

U.S. Civil Service Commission (1)

National Advisory Board of the Federal Executive Institute.

Veterans' Administration (1)

Advisory Committee on Vocational Counseling, Training and Adjustment.

Total Committees Terminated: 390.

U.S. DEPARTMENT OF AGRICULTURE

ADVISORY COMMITTEES TERMINATED DURING CALENDAR YEAR 1973

Agricultural Facilities Review Task Force.¹ Broiler Advisory Committee.

¹ Ad hoc committee. Established and terminated in CY 1973.

Cache National Forest Grazing Advisory Board.

Caribou National Forest Woolgrowers' Advisory Board.

Caribou National Forest Cattlemen's Advisory Board.

Central Advisory Board, Ashland Division, Custer National Forest.

Colville National Forest Advisory Committee.

Colville National Forest Grazing Advisory Board.

Eldorado National Forest Advisory Board. Flathead National Forest Advisory Committee.

Forest Products Marketing and Utilization Research Advisory Committee.

General Conference Committee of the National Poultry Improvement Plan.²

Intermountain Region Timber Roads Advisory Committee.

Kalbar National Forest Multiple Use Advisory Committee.

Kaniku National Forest Advisory Committee.

Kootenai National Forest Advisory Committee.

Lewis and Clark National Forest Advisory Committee.

Lincoln National Forest Advisory Committee.

Medicine Bow National Forest Multiple Use Advisory Committee.

Missouri National Forest Advisory Committee.

Mt. Hood National Forest Advisory Committee.

Multiple Use Advisory Committee for Nebraska and McKelvie National Forests and Ft. Pierre, Buffalo Gap and Oglala National Grasslands.

National Advisory Committee on Safety in Agriculture.²

National Agricultural Research Advisory Committee.

Nemo District Grazing Advisory Board, Black Hills National Forest.

Nezperce National Forest Advisory Board.

Pacific Northwest Regional Advisory Committee.

Payette National Forest Cattlemen's Advisory Board.

Payette National Forest Woolgrowers' Advisory Board.

Prescott National Forest Multiple Use Management Advisory Committee.

Regional Farmer Advisory Committee.

Regional Road Committee (Region 2).

Regional Timber Roads Committee (Region 3).

Region 6 Road Committee.

Rogue River National Forest Advisory Committee.

Salmon National Forest Livestock Advisory Board.

Salmon National Forest Multiple Use Advisory Committee.

Salmon River Breaks Primitive Area Public Advisory Committee.

Salmon River Study Advisory Committee.

Sequoia National Forest Advisory Board.

Sierra National Forest Advisory Board.

Siskiyou National Forest Advisory Committee.

Southeastern Forestry Research Advisory Committee.

Targhee National Forest Cattle Advisory Board.

Tobacco Marketing Study Committee.¹

Tobacco Valley Grazing Advisory Board, Kootenai National Forest.

Toiyabe National Forest Advisory Committee—Charleston Division.

Umatilla National Forest Advisory Committee.

Wallowa-Whitman National Forest Advisory Committee.

Water Bank Advisory Board.

White River National Forest Grazing Advisory Board (Cattle).

White River National Forest Sheep Advisory Board.

U.S. DEPARTMENT OF COMMERCE

1973 ANNUAL REPORT OF ADVISORY COMMITTEES

Advisory committees terminated during the year: (52)

Advisory Panel for Project Stormfury. Commission on American Shipbuilding.¹

International Business Advisory Committee.

National Advisory Committee for the Flammable Fabrics Act.²

NBCCA (National Business Council for Consumer Affairs) Sub-Council on Advertising and Promotion.

NBCCA Sub-Council on Complaints and Remedies.

NBCCA Sub-Council on Credit and Related Terms of Sale.

NBCCA Sub-Council on Packaging and Labeling.

NBCCA Sub-Council on Performance and Service.

NBCCA Sub-Council on Product Safety.

NBCCA Sub-Council on Warranties and Guarantees.

National Export Expansion Council (NEEC).

NEEC Action Committee on Export Financing.

NEEC Action Committee on Taxation in Relation to Exports.

NEEC Action Committee on Trade and Investment in Developing Countries.

NEEC Industry Advisory Committee on Chemicals.

NEEC Industry Advisory Committee on Food Processing and Packaging Equipment.

NEEC Industry Advisory Committee on Office Machines and Computers.

NEEC Industry Advisory Committee on Telecommunications.

NEEC Small Business Advisory Committee.

NIPCC (National Industrial Pollution Control Council) Airlines and Aircraft Sub-Council.

NIPCC Automotive Sub-Council.

NIPCC Beverages Sub-Council.

NIPCC Building Materials Sub-Council.

NIPCC Chemicals Sub-Council.

NIPCC Coal Sub-Council.

NIPCC Construction Sub-Council.

NIPCC Containers (Can) Sub-Council.

NIPCC Containers (Glass and Plastic) Sub-Council.

NIPCC Containers (Paper) Sub-Council.

NIPCC Detergents Sub-Council.

NIPCC Electric and Nuclear Sub-Council.

NIPCC Fertilizers and Agricultural Chemicals Sub-Council.

NIPCC Food (Dairy, Fish, and Other) Sub-Council.

NIPCC Food (Grain-Based Products) Sub-Council.

NIPCC Food (Poultry and Animal-Based Products) Sub-Council.

NIPCC General Manufacturing Sub-Council.

NIPCC Heavy Equipment Sub-Council.

NIPCC Leisure Sub-Council.

NIPCC Mining and Non-Ferrous Metals Sub-Council.

NIPCC Paper Sub-Council.

NIPCC Petroleum and Gas Sub-Council.

NIPCC Process and Systems Engineering Sub-Council.

NIPCC Railroads and Rail Equipment Sub-Council.

¹ A Presidential advisory committee, the responsibility for which was delegated to Commerce by the Office of Management and Budget on 6/25/73.

² A "termination" of reporting accountability only, for this committee was transferred to the Consumer Products Safety Commission (on 5/14/73) pursuant to P.L. 92-573.

² Expired. In process of being renewed.

NIPCC Rubber Sub-Council.
 NIPCC Shipping Sub-Council.
 NIPCC Steel Sub-Council.
 NIPCC Utilities Sub-Council.
 NIPCC Wood Products Sub-Council.
 NIPCC International Environmental Committee.
 OFDI Advisory Committee on Accounting.
 Patent Advisory Committee.

DOD ADVISORY COMMITTEE TERMINATED DURING CALENDAR YEAR 1973—22

OFFICE OF THE SECRETARY OF DEFENSE

1. Defense Advisory Committee for the Domestic Action Program.

DEFENSE CIVIL PREPAREDNESS AGENCY

2. Civil Defense Advisory Committee.

DEPARTMENT OF THE ARMY

3. Advisory Committee, U.S. Army Command & General Staff College.
 4. Advisory Committee to the U.S. Army Institute for Military Assistance.
 5. Advisory Committee, U.S. Army Combat Developments Command.
 6. *Munitions Advisory Group.
 7. Scientific Advisory Committee, U.S. Army Engineer Topographic Laboratories.
 8. Scientific & Management Advisory Committee, U.S. Army Computer Systems Command.
 9. Test & Evaluation Advisory Group.
 10. Board of Visitors, U.S. Army Military Police School.
 11. Board of Visitors, U.S. Army Transportation School.
 12. *Weapons Advisory Group, U.S. Army Weapons Command.

DEPARTMENT OF THE NAVY

13. Joint Materials Handling Equipment Industry Advisory Committee.
 14. Navy Industry Shipboard Cable Advisory Committee.
 15. Shipbuilding Industry Advisory Committee.
 16. Naval Ordnance Systems Command Hydroballistics Advisory Committee.
 17. Commandant of the Marine Corps Advisory Committee for Minority Affairs.
 18. Naval Weapons Center Advisory Committee.

DEPARTMENT OF THE AIR FORCE

19. Air Force Systems Command Board of Visitors.
 20. School of Military Sciences, Officer, Advisory Committee.
 21. USAF Academy Public Affairs Advisory Committee.
 22. USAF Academy Advisory Council.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, ANNUAL REPORT OF ADVISORY COMMITTEES, REPORT PERIOD: CALENDAR YEAR 1973, LIST (5)

ADVISORY COMMITTEES TERMINATED DURING THE CALENDAR YEAR

Ad Hoc Advisory Committee for the Frederick Cancer Research Center (NIH).
 Ad Hoc Committee to Review Cancer Center Support (NIH).
 Ad Hoc Committee for Review of the Special Virus Cancer Program (NIH).
 Ad Hoc Committee on Smoking and Health (NIH).
 Ad Hoc Committee on Testing for Environmental Chemical Carcinogens (NIH).
 Ad Hoc Large Bowel Cancer Committee (NIH).
 Ad Hoc NCI-VA Collaborative Program Review Committee (NIH).
 Ad Hoc Pancreas Working Group (NIH).
 Ad Hoc Patient Care Costs Committee (NIH).
 Ad Hoc Toxicology Committee (NIH).
 Advisory Committee on Education of Spanish and Mexican Americans (OE).

*Merged into the Armaments Command Scientific Advisory Group.

Advisory Committee on Older Americans (OS).
 Advisory Council on Environmental Education (OE).

Advisory Council on Graduate Education (OE).

Advisory Council on Library Research, Training and Resources (OE).

Advisory Council on Research and Development (OE).

Allergy and Infectious Diseases Training Grant Committee (NIH).

Allied Health Professions Institutional Improvement and Training Review Committee Section A (NIH).

Allied Health Professions Institutional Improvement and Training Review Committee Section B (NIH).

Allied Health Professions Institutional Improvement and Training Review Committee Section C (NIH).

Allied Health Professions Review Committee (NIH).

Anatomical Sciences Training Committee (NIH).

Anesthesiology Training Committee (NIH).

Anthropology ad hoc Proposal Review Panel (NIE).

Arthritis and Metabolic Diseases Program—Project Committee (NIH).

Arthritis and Metabolic Diseases Research Career Program Committee (NIH).

Arthritis Training Grants Committee (NIH).

Artificial Heart Assessment Panel (NIH).

Behavioral Sciences Training Committee (NIH).

Bioassay Operations Segment Advisory Group (NIH).

Biochemistry Training Committee (NIH).

Biohazards Control and Containment Working Group (NIH).

Biological Models Segment Advisory Group (NIH).

Biological Sciences Training Review Committee (ADAMHA).

Biology and Immunology Segment Advisory Group (NIH).

Biophysical Sciences Training Committee (NIH).

Board of Scientific Counselors, DBS (FDA).

Breast Cancer Task Force (NIH).

Breast Cancer Virus Working Group (NIH).

Cancer Cause and Prevention Advisory Committee (NIH).

Cancer Control Cause and Prevention Review Committee (NIH).

Cancer Control Detection and Diagnosis Review Committee (NIH).

Cancer Control Rehabilitation Review Committee (NIH).

Cancer Control Treatment Review Committee (NIH).

Cancer Research Training Committee (NIH).

Carcinogen Metabolism and Toxicology Segment Advisory Group (NIH).

Carcinogenesis Advisory Panel (NIH).

Cardiovascular Training Committee (NIH).

Chemistry and Molecular Carcinogenesis Segment Advisory Group (NIH).

Child Development National Advisory Committee (OS).

Child and Family Development Research Review Committee (OS).

Cholera Advisory Committee (NIH).

Clinical Cancer Training Committee (dental) (NIH).

Clinical Cancer Training Committee (general) (NIH).

Clinical and Personality Sciences Fellowship Review Committee (ADAMHA).

Colon Cancer Segment Advisory Group (NIH).

Committee for Young Scientists in Cancer (NIH).

Community Environmental Management National Advisory Council (HRA).

Comprehensive Health Planning Training and Studies Review Committee (HRA).

Construction of Nurse Training Facilities Review Committee (NIH).

Construction of Schools of Public Health Review Committee (NIH).

Cultural Anthropology Fellowship Review Committee (ADAMHA).

Current Medical Procedure Terminology Technical Advisory Committee (HRA).

Dental Education Review Committee (NIH).

Dental Health Research and Education Advisory Committee (HRA).

Dental Research Institutes and Special Programs Advisory Committee (NIH).

Dental Training Committee (NIH).

Dermatology Training Grants Committee (NIH).

Developmental Research Working Group (NIH).

Diabetes and Metabolism Training Grants (NIH).

Disease Control Study Section (CDC).

Economics ad hoc Proposal Review Panel (NIE).

Emergency Health Preparedness Advisory Committee (HRA).

Engineering in Biology and Medicine Training Committee (NIH).

Environmental Sciences Training Committee (NIH).

Epidemiology Advisory Committee (NIH).

Epidemiology and Biometry Training Committee (NIH).

Erythropoietin Committee (NIH).

Fogarty International Center Board of Advisors (NIH).

Gastroenterology and Nutrition Training Grants Committee (NIH).

General Research Study Section (SRS).

Genetics Training Committee (NIH).

Gerontology Research Center Resources Advisory Committee (NIH).

Grants Administration Advisory Committee (OS).

Growth and Development Research and Training Committee (NIH).

Head Start National Advisory Committee (OS).

Health Manpower Opportunity Advisory Committee (NIH).

Health Research Facilities Scientific Review Committee (NIH).

Hematology Training Grants Committee (NIH).

History of Life Sciences Study Section (NIH).

Human Development ad hoc Proposal Review Panel (NIE).

Immunology-Epidemiology Working Group (NIH).

Information and Resources Segment Advisory Group (NIH).

International Centers Committee (NIH).

International Fellowship Review Committee (NIH).

Learning and Instruction ad hoc Proposal Review Panel (NIE).

Loan Guarantee Programs in Health Advisory Committee (HRA).

Lung Cancer Segment Advisory Group (NIH).

Medical Assistance Advisory Council (SRS).

Medical Care and Medical Economics Advisory Committee (NIH).

Medical Education Review Committee (NIH).

Medical Research Study Section (SRS).

Medical Scientist Training Committee (NIH).

Mental Health New Careers Training Review Committee (ADAMHA).

Microbiology Training Committee (NIH).

Multiple Sclerosis ad hoc Scientific Advisory Committee (NIH).

Myocardial Infarction Committee (NIH).

National Advisory Allied Health Professions Council (NIH).

National Advisory Committee on Consumer Product Safety (FDA).

National Advisory Committee on Education of the Deaf (OE).
 National Advisory Committee on Handicapped Children (OE).
 National Advisory Committee on Services for the Blind and Visually Handicapped (SRS).
 National Advisory Council for Disease Control (CDC).
 National Advisory Council on Vocational Rehabilitation (SRS).
 National Head and Neck Cancer Cadre (NIH).
 National Heart, Blood Vessel, Lung and Blood Program Committee (NIH).
 National Policy and Performance Council (SRS).
 Neurological Science Research Training A Committee (NIH).
 Neurological Science Research Training B Committee (NIH).
 NIMH Communications Advisory Committee (ADAMHA).
 Nurse-Scientist Graduate Training Committee (NIH).
 Nurse Training Act Project Grants Review Committee (HRA).
 Nursing Training Review Committee (ADAMHA).
 Nutritional Sciences Training Committee (NIH).
 Objectives, Measurement, Evaluation and Research Methodology ad hoc Proposal Review Panel (NIE).
 Optometry, Pharmacy, Podiatry and Veterinary Medical Education Review Committee (NIH).
 Organization and Administration ad hoc Proposal Review Panel (NIE).
 Orthopedics Training Committee (NIH).
 Pathology Training Committee (NIH).
 Perinatal Biology and Infant Morality Research and Training Committee (NIH).
 Pharmacologic and Clinical Approaches in Smoking Working Group (NIH).
 Physiology Training Committee (NIH).
 Political Science and Legal Research ad hoc Proposal Review Panel (NIE).
 Preventive Medicine and Dentistry Review Committee (NIH).
 Psychiatry Training Review Committee (ADAMHA).
 Psychological Sciences Fellowship Review Committee (ADAMHA).
 Psychology Training Review Committee (ADAMHA).
 Psycho-Social Study Section (SRS).
 Public Health Review Committee (NIH).
 Pulmonary Training Committee (NIH).
 Radiological Health Research and Training Grants Review Committee (FDA).
 Radiology Training Committee (NIH).
 Regional Health Advisory Committee, Region I (HRA).
 Regional Health Advisory Committee, Region II (HRA).
 Regional Health Advisory Committee, Region III (HRA).
 Regional Health Advisory Committee, Region IV (HRA).
 Regional Health Advisory Committee, Region V (HRA).
 Regional Health Advisory Committee, Region VI (HRA).
 Regional Health Advisory Committee, Region VII (HRA).
 Regional Health Advisory Committee, Region VIII (HRA).
 Regional Health Advisory Committee, Region IX (HRA).
 Regional Medical Programs Review Committee (HRA).
 Renal Disease and Urology Training Grants Committee (NIH).
 Research Resources Committee (NIH).
 Research Scientist Development Review Committee (ADAMHA).
 Secretary's Advisory Committee on Automated Personal Data System (OS).
 Secretary's Advisory Committee, Region I (OS).

Secretary's Advisory Committee, Region II (OS).
 Secretary's Advisory Committee, Region III (OS).
 Secretary's Advisory Committee, Region IV (OS).
 Secretary's Advisory Committee, Region V (OS).
 Secretary's Advisory Committee, Region VI (OS).
 Secretary's Advisory Committee, Region VII (OS).
 Secretary's Advisory Committee, Region VIII (OS).
 Secretary's Advisory Committee, Region IX (OS).
 Secretary's Advisory Committee, Region X (OS).
 Sensory Study Section (SRS).
 Small Grants ad hoc Proposal Review Panel (NIE).
 Social Sciences Training Review Committee (ADAMHA).
 Social Thought and Processes ad hoc Proposal Review Panel (NIE).
 Social Work Training Review Committee (ADAMHA).
 SRS Manpower Development National Advisory Committee (SRS).
 Surgery Training Committee (NIH).
 Technical Advisory Committee on Aging Research (OS).
 Tumor Virus Detection Working Group (NIH).
 Tuskegee Syphilis Study ad hoc Advisory Panel (OS).
 Ultraviolet Radiation and Skin Cancer Working Group (NIH).
 U.S. National Committee on Vital and Health Statistics, Financial Data Year Planning Subcommittee (HRA).
 U.S. National Committee on Vital and Health Statistics, International Classification of Diseases Subcommittee (HRA).
 U.S. National Committee on Vital and Health Statistics, Uniform Hospital Abstract Form Subcommittee (HRA).
 U.S. National Committee on Vital and Health Statistics, Working Party on Classification of Mental Disorders of the International Classification of Diseases Subcommittee (HRA).
 U.S. National Committee on Vital and Health Statistics, Working Party on Classification of Neoplasms of the International Classification of Diseases Subcommittee (HRA).
 Working Committee for the International Registry of Tumor Immunotherapy (NIH).

MISSING IN ACTION IN SOUTHEAST ASIA

Mr. THURMOND. Mr. President, a great many of our courageous men who were listed as POW's and MIA's during the Vietnam war were expected to be alive after the war, according to some previous reports, but they have not been accounted for by the Communists in accordance with the Paris Peace Agreement. Consequently, our military departments have implemented a procedure to change the status of the missing in action to "killed in action," or "presumed killed-in-action," even though very little if any new evidence of death has not been reported.

In my judgment, this procedure could result in relieving the Communists of any responsibility to comply with the agreement to help account for the MIA's and POW's. I believe this procedure needs to be reviewed and legislation may be required which has been recommended by many wives of MIA's.

Mr. President, the United States probably should not take such action, so long as there is any ray of hope based in reports and when it is apparent that the Communists are withholding information. However, the military departments are using a recent U.S. District Court ruling whereby an MIA/POW status can be changed, if certain reviews and procedures are followed. Most families, and especially wives of the MIA's and faithful Americans, are opposed to this procedure.

Mr. President, I question our Government taking precipitous and unilateral action to conclude voluntarily that all MIA's/POW's are dead when evidence is available that there is a good chance some are alive or can be accounted for by the Communists. However, the military departments are proceeding rapidly to review over 1,200 MIA cases for status changes. Since March 1974, the departments have changed the status of 65 MIA cases. These reviews have not resulted in retaining an MIA status for any of the 65 cases. In some cases, next of kin have requested or agreed to these reviews and additional evidence was available to support the conclusion.

I believe the Congress may have to take action to accept more of its share of the trust and responsibility to our servicemen and their families before a change in status to "killed-in-action" or "presumed killed-in-action" is pronounced by the U.S. Government. Our Government has ample evidence that the Communists are not cooperating.

It is obvious to the world that Hanoi is flagrantly violating the Paris Agreement with continued full scale war against South Vietnam. The Communists have prevented MIA search team operations provided for by the Paris Agreement. I urge my colleagues to give serious attention to this grave issue with a view toward appropriate legislation. I plan to further examine this defense policy with a view of determining whether legislation is needed.

Mr. President, I am contemplating a bill which would require the military departments to obtain congressional

DEPARTMENT OF TRANSPORTATION, ADVISORY COMMITTEES TERMINATED DURING CALENDAR YEAR 1973

Committee	Annual cost to operate	Man-years of staff support
Air Traffic Control Advisory Committees (9):		
Chicago	\$3,000	0.17
Cleveland		
Fairbanks		
Indianapolis		
Los Angeles	400	.25
Minneapolis		
San Francisco	600	.25
Seattle	35	.01
Alaskan General Aviation Industry Advisory Committee		
Civil Reserve Air Fleet Advisory Committee		
Collision Prevention Advisory Group		
Department of Transportation Technical Advisory Board		
Dulles International Airport Design Advisory Committee		
Interagency Aircraft Noise Abatement Program Coordination Committee		
Senior Advisory Committee (Transpo) and the Committee to Appraise Transpo '72		
Total	4,035	.68

approval before changing the status in most cases by this review procedure. It appears to me that this policy should not be followed until the Democratic Republic of Vietnam—North Vietnam, the Provisional Revolutionary Government—Vietcong, and the Laotian Government comply with the provisions made in the Geneva Convention and article 8(b) of the Paris Peace Agreement.

Further, consideration should be given to legislation which will provide for the President of the United States to report to the Congress after no further accounting can possibly be achieved from the Communists. At that time, the Congress will have an opportunity to further evaluate this tragic issue and determine if the U.S. Government should accept the procedural policy to change the status of MIA's and POW's.

Mr. President, there are many cases where our Government has good reason to believe certain MIA's or POW's are still alive, or were alive when captured, but no accounting has been received from the Communists. One of the most convincing articles about an MIA case which also reflects the feelings of many MIA wives throughout the country was published June 19, 1974, in the magazine of Army-Navy-Air Force Times. This article, which concerns MIA Air Force Lt. Col. Robert L. Standerwick and his wife, convincingly illustrates the need for a review of our Government's current procedures. This case is representative of this tragic issue.

Mr. President, I ask unanimous consent for this article by Marianne Lester to be printed in the RECORD at the conclusion of my remarks.

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

AN MIA WIFE: TWISTING SLOWLY, SLOWLY IN THE BREEZE

(By Marianne Lester)

Carolyn Standerwick is angry. It is spring in Omaha, and the winds that whip around her split-level house are getting warmer. It will be Carolyn's fourth spring without her husband, AF Col. Robert L. Standerwick, Missing In Action in Laos.

Carolyn has waited for her husband before in the 20 years since she married her newly-commissioned lieutenant. Waited for him to return from TDYs in Europe. Waited while he went off for F-4 training. Waited while he worked all night at the command post at Offutt AFB, Neb. But this time she has waited too long. She is tired of waiting, tired of being told how brave she is, tired of the quick flashes of hope that turn into disappointment, tired of Air Force officers who tell her her husband must be dead, tired of fruitless meetings with friendly bureaucrats who assure her everything possible is being done, tired of hearing that "some of the men just can't ever be accounted for."

Someone knows where Bob Standerwick is. His papers were seen in Hanoi. His navigator, who was yards away from him in the steamy jungle where they crashed, returned last year with 565 other POWs. And, Carolyn has discovered, a Defense Intelligence Agency report lists her husband as "POW, last known location Hao Lo prison"—the Hanoi Hilton. Whether he was shot by his captors or remains in a prison somewhere in Asia, Carolyn knows one thing—Bob can be accounted for. He did not just vanish into thin air.

The Vietnam ceasefire was signed over a year ago. Five hundred and sixty-six POWs are home, reunited with their families, back on the job. But the families of 1200 MIAs didn't make the jubilant trips to the airport, didn't see their men saluting at Clark or making speeches at Travis. For them, a year and a half later, the waiting is not over. And some of them, like Carolyn Standerwick, are getting angrier every day.

"Angry is the word," Carolyn says flatly. "All along we were told to wait. Wait until the POWs are home—and we did. Wait until Kissinger gets back—and we did. Wait, there are delicate negotiations going on—and we did. Now the war's been over more than a year—and I'm tired of waiting."

All around her as she talks are reminders of her husband. On the dresser in their bedroom is a color photo of the grinning pilot, blond and blue-eyed, clad in his flight suit, leaning jauntily on his plane. Lined up over the ping pong table are the mementoes of his AF career: Framed citations granting the Air Force Commendation Medal, the Combat Readiness Medal. The papers commissioning Robert L. Standerwick as a second lieutenant. A diploma from George Washington University. A framed collection of his wings, insignia and medals on a blue background. And one small color photograph of Carolyn and Bob, younger, smiling, standing close together on a windy beach.

On the bumpers of the Standerwicks' old station wagon are the bumper stickers: "MIA: Only Hanoi Knows." And on the rear window the familiar proud decal: "We are an Air Force family." Carolyn still thinks she's part of the Air Force family. But sometimes she wonders bitterly if the Air Force still thinks she is.

Carolyn tells her story quietly, calmly, hands folded in her lap. She's learned to recite the facts of her husband's disappearance without flinching, running quickly through the painful details, like a familiar saga memorized over many re-tellings. She seems almost embarrassed to spend so much time talking about herself.

If she speaks critically about the government or the Air Force or its officials, she hesitates, tries to be fair, as if silently adding, of course, that's only my point of view, and perhaps they have their reasons. . . . Perhaps it's a combination of her Southern hospitality and 20 years as an officer's wife that prompts her to remember to ask, "Are you sure you won't have more Pepsi?"—even in the middle of her upsetting tale. She seems so innately restrained and tactful that it's almost surprising to hear a faint venomous tone creep occasionally into her soft North Carolina drawl.

"Bob was stationed here at Offutt at the command post," Carolyn Standerwick begins. "He received orders for F-4 training at George AFB and left in February of 1970. And then he actually left for overseas the day after Thanksgiving 1970. He was shot down the third of February 1971. So actually he had been there just a very short time. . . ."

Carolyn sees the blue staff car pull up in the driveway. They're coming to tell me Bob is dead! But no, it's not that. Lieutenant Colonel Standerwick is missing, the men tell her. His F-4D left Ubon Airfield, Thailand this morning. He has gone down in a mountainous area "somewhere in Southeast Asia." He and his backseater have parachuted to the ground in hostile territory. They are still in radio contact with him. He is uninjured. Rescue planes are trying to get in to pick him up, but their efforts are being hampered by bad weather. They will keep her informed.

For the next three days, Carolyn receives intermittent telegrams. Rescue planes are still trying to reach Bob and his WSO (Weapons System Operator), Maj. Norbert Gotner. They are still in radio contact. . . . Another telegram. Bob has relayed one last

radio message. He reports he is surrounded by hostile forces and has been injured. Gotner is still in radio contact. All efforts are being made. . . . Another telegram. There has been no further word from Lieutenant Colonel Standerwick. The search for your husband has been called off due to bad weather. Your husband remains Missing In Action.

Not until April 19th, two months after Bob is lost, does Carolyn receive a letter giving her more details. The letter is from Col. J. G. Luther, Chief of Casualty Services at Randolph AFB, Tex. Carolyn learns for the first time that Bob's plane went down in Laos, not just "somewhere in Southeast Asia." "Colonel Standerwick reported he was on high ground, was in good condition, and there were no hostile forces in his immediate vicinity. . . ." the letter says. "At 11:35 a.m., your husband stated that hostile forces were firing at him and he had been hit. . . ."

And then the clincher, the ray of hope. "The possibility exists that your husband may have been taken captive. This conclusion is supported by the fact that, although he reported he was injured, there is no way to determine the extent of those injuries. . . . It is known that he was in an area populated with hostile forces, and evasion for an extended period would have been unlikely."

WHY MIA FAMILIES DO NOT GIVE UP: RUMORS, THEORIES—AND FACTS

The stories filter around the country in feverish phone calls and exciting conversations, traveling like a chain letter, sometimes taking on a life of their own. Someone says Roger Shields says he cannot deny reports of sightings of living American prisoners in South Vietnam. . . . An MIA wife says her own source in Pentagon intelligence circles has discovered that her husband and 37 other men have been moved from North Vietnam to a prison in China. . . . A Montagnard tribesman has told a reporter that he knows of several Americans who are being held in caves in Laos. . . . A returned POW says he is certain his co-pilot still listed as Missing In Action, was the prisoner he heard being interrogated in the room next to his in a North Vietnamese prison.

Families of the Missing In Action live in a netherworld of rumor, a world of "protected sources," "unconfirmed reports," "documented sightings." It is a world not entirely of their own making, a world prompted by official silence and quick denial, a world made possible by the fact that their government has not been able to demand that North Vietnam and its allies provide an accounting of more than 1000 men still listed as POW/MIA.

Ask an MIA family member why she thinks there may still be American prisoners alive in Asia, and she'll cite the cases of 57 men still listed as POWs but unaccounted for by the North Vietnamese, men whose photos and other evidence of capture we have seen, but whom the North Vietnamese now say they never heard of.

She'll tell you about Navy Lt. (now Lt. Cmdr.) Ron Dodge, shot down over North Vietnam in 1967. His photograph, taken by a Dutch freelance photographer, appeared in *Paris Match* months after his capture, but now the North Vietnamese say it's an example of "trick photography" produced by the American government.

She'll mention AF Maj. (now Lt. Col.) David Hrdlicka, still listed as a POW in Laos. Hrdlicka was shot down in Laos in 1965; a photo of his capture was released by *Pravda* months later and the Chinese confirmed his capture in a propaganda broadcast. In May 1966—a year after his capture—the Pathet Lao released a tape of a letter Hrdlicka wrote in April 1966. But Hrdlicka didn't come back with the other POWs, his name does not appear with others who died in captivity, and Laos acknowledges no American POWs.

She'll recite "the story of Estes and Teague," a tale as familiar in MIA circles as any Bible story, the story of two Navy Phantom crewmen downed near Haiphong in November 1967. Their co-pilots were acknowledged POWs and later released. After their capture, the North Vietnamese news agency put out a wire photo clearly showing the ID cards of Lt. (jg) Walter O. Estes II and Lt. (jg) James E. Teague. The caption stated they were "captured in Haiphong." Radio Hanoi later listed Estes and Teague as captured and gave their dates of capture and birthdays. Both men were subsequently reclassified as POWs—Estes in April 1968, Teague in January 1972. But Hanoi has never disclosed their fates. They were neither released nor identified as having died in captivity. MIA family members note there is no evidence they are dead, but plenty of evidence they were captured. Could they be alive?

These are only a few of the men believed to have landed alive in enemy territory. MIA families pass around other stories with even more poignant touches. Like that of Michael Estocin, a Navy commander shot down over Haiphong in 1967. Intelligence sources reported seeing him alive and held in North Vietnam, and returned POWs heard his name in several POW camps. His sister sent him a package. It was returned with all its contents intact. But added to the package was a crudely hand-sewn felt bootie with two "M"s and three felt hearts tucked inside. Mike's hobby was sewing. He is still carried by DoD as one of the 57 POWs not accounted for.

A few MIA wives hear these case histories and become convinced that North Vietnam could still be holding these men alive. Even more are sure Americans may be held by insurgents in other countries. Their suspicions are intensified by hearing of several former POWs who agree with them. FAMILY asked Michael Bengé—a civilian AID employee who was a prisoner for over five years, held in South Vietnam, Cambodia, Laos and North Vietnam—if he now believes there are Americans still being held.

"I believe there are," Bengé replied. "The North Vietnamese, I believe, have nothing to lose, they know they aren't going to get any aid from us. They've promised their people since 1965 they are going to try and execute American POWs as criminals. They also said they had won the war, that our government would collapse. I think their credibility with their own people has gone down, people wonder why they just released our POWs. I think they are holding a certain number behind, and they'll just drop the Bamboo Curtain, hold public trials and public executions."

FAMILY talked with other returned POWs who agree with Bengé. Retired AF Col. James L. Hughes, another former POW released in 1973, said, "I'm convinced there are Americans who were still there when I left, though I think a lot of them are probably dead now. I know I couldn't have lived another year."

There continue to be reports of prisoners sighted alive in South Vietnam, Laos and Cambodia. MIA families are reluctant to talk to outsiders about the sightings, and insist on maintaining anonymity for their sources. But they do say that much of their information is based on inside tips from within military intelligence circles.

For example, one MIA family member told FAMILY about a report she received informally from a friend in the intelligence community in Southeast Asia. It was a series of sightings of approximately 20 prisoners, both black and white Americans, seen by several agents in Cambodia in the fall of 1973. According to the intelligence source, the reports were detailed in their descriptions of the prisoners' ages, races, heights and weights.

Other reports of American POWs—both servicemen and civilian journalists—now

being moved around in the jungles travel quickly to family members. DoD officials say such reports are carefully analyzed by the Joint Casualty Resolution Center, and that so far no information can be related to specific men still listed as MIA or POW. Usually, the reports are quickly and publicly debunked by DoD—"almost too quickly," says one MIA wife.

More than rumor and blind faith keeps the hopes alive. MIA families wonder as well about official statements from government leaders on both sides. On Sept. 13, 1968, Pathet Lao leader Soth Petrasi named several American airmen (listed as MIA even today) as part of "several tens of American airmen we have captured." He went on to say, "They are treated correctly. They are still in Laos and our fighters are feeding them with the means available: glutinous rice and, when possible, fish and chicken." But in 1973 and 1974 Soth Petrasi denied that any Americans were being held in Laos. "Then what happened to them?" asks the mother of one MIA in Laos. "Which Soth Petrasi are we to believe?"

Apparently the U.S. government wants the families to believe the latter version. In 1973, after only seven Americans captured in Laos were released (out of more than 300 missing there), Pentagon spokesmen insisted that "we don't believe the list from Laos is complete." Now the official U.S. position is that all POWs from Laos were released. "If the list wasn't complete then, how come we consider it complete now?" asks an MIA wife.

Officially, DoD and the State Department deny that any living American POWs remain in captivity anywhere in Southeast Asia. But until there is an accounting of men like Dodge, Hrdlicka, Estes and Teague, stories of living POWs will continue to circulate. And MIA families who believe them are frantic at the thought their men could be in prison camps somewhere, forgotten by the American people and abandoned by their government like TV-series spies whose actions must be disavowed.

Right now some MIA family members have lost confidence in their own government. They believe that only a very low-keyed, low-priority diplomatic approach has been taken in requesting information about the missing. They hear about men like Steve Kiba (see main story), who was hidden in a Chinese prison camp long after all Korean War POWs were supposedly home. And they wonder if the same pattern is repeating itself.

Whether there are prisoners alive or not, nothing short of a full accounting will satisfy the families. The stories and rumors keep magnifying along with their own frustrations. If the government is ready to forget their men, they ask, what implications does it have for military men in future wars? These men went to war prepared to die for their country, knowing they were expendable for military purposes. But did they know they were expendable for reasons of political expediency or diplomatic maneuvering? When each of them joined the armed forces, they took an oath of allegiance to their country. Perhaps it is significant that their country did not take an oath of allegiance to them.

TWISTING SLOWLY, SLOWLY

("With the last known POW home and no further action about the missing, for the first time in her long ordeal Carolyn Standerwick feels betrayed, angry.")

For the next two years Carolyn remembers those words, clings to them like a life jacket. Maybe, maybe, her husband is a POW. Although both he and Major Gotner are officially listed as MIA, every AF official she talks to thinks he must be a prisoner—he was surrounded, he was wounded, the enemy must have him. "All along they told

me that comparatively, his chances were so good that he was a prisoner," says Carolyn.

She sends him packages through the Red Cross. Months later, they are returned, and she stacks them in the hall closet, where they sit today. She sends letters, "Dearest Bob, We are all fine. . . ." They are returned, stamped with a red arrow and some writing which she thinks must mean "return to sender." She files them in the growing stack of letters and papers which become an MIA wife's record of her husband's status . . . and her own. In May, she joins other POW/MIA families on a pilgrimage to European capitals, asking other governments to pressure the North Vietnamese for better treatment and an accounting of American POWs.

Then come the first emotional bombshells. Bob's mother gets a call from a relative in California. Through a friend at the Central Intelligence Agency, the relative says, she has heard that Bob and Major Gotner were definitely captured, that they are alive and well, held in a camp in northern Laos. The CIA source says he knows about the two men by name. After months of hearing nothing, it's Carolyn's first fleeting glimpse, perhaps, of her husband, the first of many tiny swatches of news and rumors to keep her awake at night, sorting them out, wondering what to believe.

There is another coincidence. "They had these briefings a couple years ago for POW/MIA families around the country," Carolyn remembers. "Bob's folks went to Wichita and it turned out Gotner's father was there, and they met. And Gotner's father said to Bob's folks that he knew the men had been captured, and that one had a broken leg, but he knew they were prisoners. I can't give the details because I wasn't there. And he didn't say how he knew."

"So Bob's mother went up to one of the officers from the Casualty Center at Randolph and asked about it. He said he'd check. Well, a month later we got this intelligence report." The letter is Carolyn's first inkling that there is further information about her husband—and that this information is *not* being routinely passed on to her. "I don't think we ever would have found out about it if Bob's mother hadn't asked about it."

The letter summarizing the intelligence report, dated 28 July, 1971, is from the Casualty Center at Randolph AFB. It informs Carolyn of "unverified information we have received through intelligence sources which, although no names are mentioned, may pertain to your husband . . . In the latter part of February two American prisoners of war were paraded through the streets of Malaxey, Laos. One of the prisoners apparently suffered a broken leg and was riding in a cart. The other prisoner appeared to be in good physical condition and was walking with his hands tied behind his back. The approximate time and the area mentioned in the report coincides sufficiently with the incident involving Colonel Standerwick to show the possibility that he might have been one of the prisoners seen. . . ." They will keep her informed.

Later the Casualty Center sends Carolyn a small Xeroxed map, with a tiny red "X" to indicate where Bob's plane went down, and another mark showing the nearby village where the two prisoners were seen two weeks later.

"I was completely shaken from it," Carolyn says. "And of course that gave me far more hope than I had ever had. You just cling to that . . . you think any day maybe you'll hear something else."

But Carolyn hears nothing else. Her own life goes on, and she struggles to maintain an air of normalcy for the children. There is always laundry to do, a PTA meeting to attend, a child to be driven to a Cub Scout meeting or a dentist appointment. For herself, there's Gray Lady work at the Offutt AFB hospital

two days a week, OWC luncheons, choir practice with the Protestant Women of the Chapel.

By 1972, she begins to hear talk of dissent from other POW/MIA wives. A few wives insist they are not being told everything about their husbands' fates, that the government should be doing more to get their men back. "I guess I'm naive" Carolyn says now. "All along I believed the government was doing all it could, telling us all it knew." Soon a vocal minority emerges among the POW families, demanding an end to the war at any price, picketing the White House, supporting anti-war political candidates. Carolyn disagrees with the militants. She's an AF wife, and her husband was lost in the service of his government.

"I guess I'm naive. All along I believed the government was doing all it could, telling us all it knew."

Then . . . "peace is at hand." The POWs will be coming home. Bob must be among them, Carolyn thinks. He and Gotner are still carried as MIA, but everyone has assured her his chances are excellent. And if he has died, at least she will know, will be taken out of the terrible limbo of uncertainty.

But there is one possibility that never occurs to her—that Gotner's name will be on the POW list, and Bob's will not.

On Jan. 27, 1973, the North Vietnamese delegation in Paris hands over a list of American POWs. But it lists only those held in North and South Vietnam, not those captured in Laos. Carolyn waits. Days later, the North Vietnamese release the names of American military men they say were captured in Laos.

DoD carries 311 men as MIA in Laos; the list contains only seven names. Maj. Norbert A. Gotner is among them. Lt. Col. Robert L. Standerwick is not.

"Do you know how I found out?" Carolyn recalls in exasperation. "I saw it on TV! I saw Rose Gotner being interviewed in the beauty shop in Sacramento about the fact that her husband's name was on the list—before I was ever notified that his name was on the list and Bob's was not. I called Randolph about this because I was so upset, not for myself so much as for Bob's folks. I saw this on the early evening news and I wasn't called until eight o'clock that night, and Bob's folks were not called until about one the next morning, which I simply don't understand. When I asked about it at Randolph, they said it had just leaked out in Paris."

Carolyn is frantic. She has waited two years for word about her husband. The list has been released, and still she knows nothing more than she ever has. How can Bob's navigator's name appear, and not Bob? How can the North Vietnamese claim there were only seven men captured in Laos, when hundreds are missing there? Why is there no word about men who might have died in captivity in Laos? All the men listed from Laos have been detained in North Vietnam—but what if Bob is being held in Laos by the Pathet Lao?

Carolyn watches the returning POWs landing at Clark. The press and the public are ecstatic, the POWs are everywhere. In the back pages of the newspapers she sees small items about the missing. Pentagon spokesman Jerry Friedheim is quoted as saying, "We have reason to believe there are more U.S. POWs in Laos." What does that mean? Roger Shields, the Deputy Assistant Secretary of Defense who handled Operation Homecoming, admits, "We don't consider the list from Laos complete." Then what are you doing about it? Again, Carolyn waits. In the midst of public jubilation about the returned men, there begin to be fewer references to the MIAs. And among her own acquaintances, Carolyn begins to see subtle signs that they think her husband is dead.

"I had my own hopes up that the govern-

ment was doing everything possible," Carolyn says bitterly now. "I thought President Nixon would come out with a statement about the fact that not one single man was returned from Laos! But President Nixon never made a statement. So then I based my hopes on Dr. Kissinger making some statement about the MIAs. But he returned from his first trip abroad after the ceasefire and when he returned and nothing was forthcoming. . . ." Carolyn's voice rises angrily for the first time in our conversation. "And then just total silence, nothing from anybody in the Administration, nothing said about the fact that 300 men just disappeared into thin air over Laos. . . ."

With the last known POW home and no further action about the missing, for the first time in her long ordeal Carolyn Standerwick feels betrayed, angry. She has only one hope—maybe Gotner knows what has happened to Bob.

"After [Gotner] was debriefed in the Philippines, I was called from Randolph and told, supposedly, the information he had given. I was told in no uncertain terms that he believed that Bob was dead, because one of his North Vietnamese captors had told him that they had shot Bob, shot him in the heart, killed him and buried him in Laos. So [Gotner] believed him, because he thought he was very sincere. I was told in the phone call from Randolph that Gotner had heard Bob screaming."

But Gotner's story as repeated to Carolyn in the spring of 1973 is not the final version. And for the first time, she is aware that the Air Force may not be telling her everything. "He contacted me from the hospital at Travis. And I'd like to mention here that I really appreciated that, because it's amazing the number of crewmen who have not ever contacted the families, which has really hurt these wives and parents. I have talked to many who have not ever been in touch with the men who were on the same crew."

Carolyn and her children are flying out to Sacramento to visit relatives for Easter. While she's in California, she meets Gotner for the first time. "We spent an evening with him, and one thing we cleared up. He said no, he never at any time said the screams came from Bob, that he didn't know where the screams came from. That the three days he was trying to evade capture, he had heard screams through the jungle, but it was an attempt on the part of the North Vietnamese to disorient him and so he couldn't say where they came from."

Gotner repeats that he was told by a North Vietnamese that Bob had been shot. But he tells Carolyn one other thing. Shortly after his capture in Laos, when he was marched to Hanoi, he was shown papers that he knew Bob was carrying on him at the time of the crash. When he asked what had happened to Bob, the North Vietnamese mysteriously told him that Bob had been "rescued."

"It's like a jigsaw puzzle, and has been the whole time," Carolyn says sadly. "You get these different pieces, find these different pieces, and you try to fit them together. But there's that big question mark."

Carolyn does not know what to believe. But now she is sure of one thing—somewhere in North Vietnam or Laos, there is a trace of what happened to her husband. The North Vietnamese have his papers. If Bob has been shot, someone knows he is dead. If he is alive, someone knows where. He is *not* just a tree which fell silently and unnoticed in the forest.

By July 1973, Carolyn has had it. Already the services are making status changes on missing men, changing their official status from Missing In Action to a "presumptive finding of death." Military officials admit that sometimes the status changes are made not because of any new evidence, but because of the *lack* of new evidence. [By the end of 1973, there will be 206 such status

changes among the 1363 missing.] Among MIA families, there is talk that the government wants to reclassify all the men within another year, to write them off as unpopular reminders of an unpopular war. The story circulates that one MIA wife has been told by an AF general that the AF hopes to have all the men "wiped out" in nine months. The Pentagon denies all such reports, but as the status changes continue, the rumors gain more credence.

Like many MIA wives, Carolyn is determined to resist any change in her husband's status without some definite proof. As the weeks go by and there is still no word about MIAs from the Administration, her frustration grows. She can't just sit around watching Walter Cronkite, hoping to hear something. She flies down to Randolph to look at her husband's records at the Casualty Center. The records don't tell her anything new about her husband. But they do tell her something about the recordkeepers.

In Bob's file, Carolyn finds references to herself. Apparently someone is keeping a file on *her* as well as her husband. Unknown to her, every time she has talked to someone at the Casualty Center, her tone, her inflection, her state of mind has been analyzed by the person at the other end of the line. She finds notations: "Mrs. Standerwick seemed depressed today. . . ." Mrs. Standerwick seemed willing to accept a status change. . . ." "Mrs. Standerwick seemed cheerful today. . . ." And one false statement which really shocks her, a report that she and other MIA wives have held a press conference in which they made "anti-government statements."

"I've *never* held a press conference! And I've certainly never made 'anti-government statements!' I told them this and they said they couldn't destroy the record, but they would insert a statement of mine denying it."

The officers at the Casualty Center try to persuade Carolyn that her husband must be dead, that there is no evidence of additional POWs being held in Southeast Asia. "We believe the North Vietnamese," they say. Carolyn is shocked.

"People think we're just a bunch of neurotic women, that we can't face reality and the fact that our husbands are dead," she complains heatedly. "Well, I'm *not* just a wishful thinker. I know Bob may be dead, and if they have evidence that he is I would certainly accept it. But we know he was alive on the ground, that he was surrounded. I can accept reality—but just to 'presume' death, to just *write off* all these men with no evidence whatsoever. . . . I can't accept that!"

Over the years, there are enough stories and rumors to keep alive the idea that there may be more Americans being held in Southeast Asia. Most Americans dismiss them—they are bored with the war and its aftermath. But Carolyn hears the stories and can't dismiss them. They prick her mind with questions like nagging insect bites that can't be scratched.

She remembers Maj. Nick Rowe, the Army officer who escaped from the Vietcong in 1971—after being carried as MIA for five years. She remembers Ron Dodge, the Navy lieutenant whose photograph appeared in *Paris Match* in 1967, surrounded by his North Vietnamese captors; Dodge wasn't released as a POW, and his name is not included on the list of prisoners who died during captivity. She remembers the 57 other men, still listed as POWs because the U.S. government saw pictures and other evidence of them in captivity, but who were never accounted for. She sees the photos of Eugene DeBruin, a confirmed POW of the Pathet Lao since 1963, seen as recently as 1968—and never acknowledged by the Laotians.

Most of all, Carolyn remembers hearing the story of Steve Kiba, a Korean War POW. Kiba is a frequent speaker at POW/MIA

gatherings, and his story is repeated often among MIA families. It is a story which haunts them because of its implications for their own men.

Airman 1st Class Steve Kiba was a radio operator on a B-29 crew shot down by MIGs over North Korea on Jan. 12, 1953—just six months before the Korean War armistice was signed. Like the Vietnam ceasefire agreement, the Korean armistice called for a cessation of hostilities and a 60-day period during which POWs would be returned to their countries and a full accounting of the missing would be made.

Like thousands of other American servicemen, Kiba was still listed as MIA at the war's end. His family was told he was probably dead. Thousands of U.S. POWs were released. But hundreds more, believed to have been captured during the war, were never accounted for. During the next few years there were continuing reports of American prisoners being transferred to prison camps in Manchuria and Russia. The U.S. government made some inquiries about the reports through diplomatic channels; Soviet authorities labelled them "farfetched."

Then in July 1954, as Kiba tells it, a Chinese diplomat in Washington let slip the fact that China was still holding at least 15 American airmen captured during the Korean War. After a year of diplomatic maneuvering—including a trip to Peking by U.N. Secretary-General Dag Hammarskjöld—Kiba and the other fliers were released in August 1955—two years after the armistice. China maintained that three other crewmen on Kiba's flight had been killed when the plane was shot down.

Kiba, however, says he knows otherwise. He insists he saw one of the "dead" crewmen often in a Peking prison seven months after his capture. He also says he saw other Americans at various times during his imprisonment, but was never able to get close enough for accurate identification. "I figure I saw at least 15 altogether," Kiba told FAMILY, "not counting Downey, Fecteau and my other crewmen."

Kiba says that after his release he told DoD officials about the Americans he had seen, but they warned him not to mention it. "The told me to forget it," Kiba says. "They told me they figured there were close to 450 MIAs possibly alive."

There are still 389 Americans listed as Missing In Action from the Korean War. As in the Vietnam War, photos of some of them in captivity have been seen by U.S. authorities, but the men were never accounted for or admitted by the Communists to have been captured. Kiba and others maintain they may still be alive, held in China or Russia. "All the time I was there, they told me 'Nobody knows you're here—we can hold you here the rest of your life,'" Kiba recalls.

"I know for a fact that the enemy does not return all its live prisoners. I was one of them!" he told one Vietnam POW/MIA group. "Our government knows this and has known this for years. What did they do for them? Nothing. Our government also knows that all of the men MIA [from the Vietnam War] are not dead. What are they doing for them? Nothing."

Whether Kiba is right or wrong, his story makes Carolyn shudder. What if Bob is alive somewhere, unacknowledged by the Laotians or the North Vietnamese, forgotten by the Americans? "This is the frightening thing to me," she says sadly. "I'm afraid that people will just forget these men, that what happened in the past could be happening today."

Carolyn cannot forget. In the fall of 1973 she flies to Laos with a group of MIA wives. She visits the North Vietnamese embassy, is politely told that nothing further can be done to account for the missing until the U.S. ceases its support of the Saigon government. She travels by Jeep to a village

near the site of Bob's crash, a tiny American woman bouncing over dirt roads near enemy-held territory, carrying on the search herself. It is the closest she can get to her husband. But no one can help her, no one has seen the tanned blond American who was lost in the jungle three years ago.

"If the government has hidden this information from her, are they hiding more?"

But at the Joint Casualty Resolution Center in Nakhon Phanom, Thailand, Carolyn sees something which makes her stop cold. Allowed to look at her husband's official record, she opens it and finds an odd notation on the first page. "Robert L. Standerwick. Listed as captured by DIA, but still carried as MIA by the Air Force. Last known location Hoa Lo Prison, North Vietnam."

Captured? DIA? Hoa Lo Prison? What does this mean? Why was I never told about this?

No one knows. Or at least they're not telling Carolyn Standerwick. It must be a mistake, they tell her. We don't know anything about it, they say. Go ask the DIA itself, they urge.

"I was so upset by this I decided to drop by PACAF headquarters in Hawaii on the way back home," Carolyn says. There, she meets with Lt. Gen. Carlos M. Talbot, acting commander of PACAF, Adm. Noel A. M. Gayler, CINCPAC, and their staffs. It's a mistake, they all tell her. It must be just a "computer error." No, she can't see Bob's files at PACAF. Besides, they're just duplicates of what she saw at Randolph. Then why can't I see them? Sorry, lady, you just can't.

Carolyn is not satisfied. Why, she wonders, would the Defense Intelligence Agency, the nation's top military intelligence organization, list her husband as a prisoner, if he were not? More important, why was she never told about the report? What was it based on? Is there some evidence she's never been told about which indicates that Bob was captured? If the government had hidden this information from her, are they hiding more?

Frustrated, angry, Carolyn calls her congressman and asks him to arrange a meeting with Pentagon officials. In December, she flies to Washington and meets AF Secretary John L. McClucas, Jack Stempler, AF's General Counsel, Lt. Gen. J. W. Roberts, Deputy Chief of Staff for Personnel, Maj. Gen. M. L. Boswell, AF's Director of Legislative Liaison, and a representative of Dr. Roger Shields, the Pentagon's chief POW/MIA authority. Carolyn's congressman tells her it's the first time any service wife has ever gone directly to a service secretary for a face-to-face confrontation.

If the group of officials is expecting an easily-placated military wife, they must be surprised. Carolyn strides into the Pentagon office with a handwritten list of specific questions. *Why was I never told about this DIA report? Since when and why has it been invalidated? Why has there been a withholding of information from the families?*

Hours of polite doubletalk and evasion later, Carolyn emerges from the meeting. She still feels her questions have gone unanswered. She submits them again in a written list. A month later she receives, through her congressman, a rambling 14-page answer from DoD's Office of Legislative Liaison. The DIA report, it explains, was based on the sighting of the two prisoners which she was informed of in 1971. It is routine, the officials insist, for such sightings to prompt listing men as POWs, "for internal purposes only." Why Hoa Lo Prison? All suspected POWs were routinely listed as incarcerated there, the report maintains. Of course, that information has since proved false, since Col. Standerwick was not released with the other POWs, and the entry in his records has been scratched out.

Once again, Carolyn does not know what to believe. But by now she has dealt with

enough government bureaucracy and heard from other MIA families about too many discrepancies to accept unquestioningly anything the military tells her. She hears from other MIA wives whose husbands are listed as POWs in DIA reports. She sees Rep. Benjamin A. Gilman (D., N.Y.) return from a trip to Laos and hears him report that Laotian general Vang Pao told him the North Vietnamese are still holding at least nine U.S. pilots—and she hears the Defense Department deny the story, cautioning against "false hopes" among MIA families. She hears AF generals tell MIA wives that their husbands are "certainly" dead. She hears about a CBS news report that "there's new evidence that as many as 10 of the 21 newsmen reported missing while covering the war in Southeast Asia may be held by insurgent forces in eastern Cambodia." And she hears the President continue to remind crowds that he brought all the POWs home.

Her disillusionment is painful. She stands alone in her kitchen in Omaha, this quiet woman whose soft accent and friendly manner remind you of Dinah Shore, and her voice trembles a little as she tells about her ordeal. "I love the Air Force," she says. "The Air Force has been my whole life. That's why it has really hurt me to come to the conclusions that I have finally come to—that the Air Force is not leveling with me, is not being honest."

In January 1974—a year and a day after the Vietnam ceasefire—Carolyn Standerwick and 200 other men, women and children jam into a hearing room to hear testimony on the MIA situation before the Senate Foreign Relations Committee in Washington, D.C. Carolyn sits wearily in the back of the room, quietly reading along with the testimony. She is dressed in a dignified beige dress, the kind of thing you would expect her to wear to an OWC tea. On her arm is a black armband.

Nothing is being done to force the North Vietnamese to account for our missing, the families testify heatedly. Mrs. Joseph P. Dunn, whose husband was shot down in 1968, leans energetically into her microphone and tells the committee, "Our problem has been Watergated, Agnewed, Richardsoned, energy-crisised and Mideasted practically out of existence . . ." Carolyn and the other tense families in the crowd applaud vigorously. Maureen Dunn is one of them, looking Charles Percy and William Fulbright in the eye and letting them know she wants some action.

At the end of the morning, the senators thank the families for appearing, promise to do what they can, accept their MIA bracelets and hurry out of the room for lunch. The next day the Washington Post carries a story about the hearing, and includes a statement that, "Privately, U.S. officials say they believe almost all the missing are dead."

Once again, the families have had publicity. Once again, they have taken their plight to the public. And once again, nothing happens.

The families want action. Carolyn herself says she will support anything that will do any good. Some of the MIA wives and parents call for an embargo on trade with the Soviet Union until it forces its ally North Vietnam to account for the men. Others urge President Nixon to deal directly with Russian, Chinese and other Asian leaders, to demand an accounting of the men believed to have been POWs, to demand access to the Communist-controlled areas where most of the missing went down. Some families propose that Secretary Kissinger and General Alexander Haig be sent on a personal fact-finding mission to Southeast Asia. The North Vietnamese have said repeatedly that they can account for a "surprising number" of our MIAs. Why can't we force them to do it? The families ask. They will wait no longer. They don't believe every possible effort is being made.

Just a few weeks after the well-publicized hearing through the underground of MIA families, Carolyn hears about a memo which the senators had in front of them while they listened to the testimony. The memo has been written by Dick Moose, a civilian employee of the Senate Foreign Relations Committee and an authority on Southeast Asia. The memo represents Moose's analysis of government policy and action on MIAs and was written as background information for the committee.

Somehow, the militant MIA families have gotten hold of the memo, and it appears to justify their suspicion of the American government's commitment to accounting for their men. Copies of the memo marked "for committee use only. Not for publication" begin to circulate among the families of the missing.

"... if it's the militants who are demanding a full accounting you can count me among them!"

"Officials with whom the families meet are equally reluctant to speak frankly with them," the memo says. "Instead, the families are continuously reassured—out of compassion and probably political caution as well—that every effort will continue to be made to obtain an accounting for the missing. Such assurances serve to keep the families' hopes alive and to fuel their efforts at obtaining additional action from the Government. . . ."

"Objective observers are not surprised that the DRV [Democratic Republic of Vietnam (North Vietnam)] and PRG [Provisional Revolutionary Government (Viet Cong)] have not allowed [JCRC search teams] to operate. Apparently no advance provision was made with the DRV and PRG for their operations. . . ."

"There may be some prisoners in Laos but even this is doubtful. Knowing this, the Administration must ask itself what price it should be willing to pay for such limited returns. . . ."

"At this point U.S. policy seems to be to live with the imperfections of the agreement, rather than to seek full implementation. This is where the MIA families are caught. No one wants to say to the families that we have done as much as is politically feasible or that the possibility of obtaining additional information must be weighed against other policy considerations. . . ." The memo seems to confirm the families' worst fears.

Now, Carolyn and other MIA families ask themselves what more they can do. It is beginning to seem that their men, dead or alive, are prisoners not just of the nations with whom the U.S. was at war, but of the American government itself, which does nothing to enforce the ceasefire agreement providing for an accounting of their fates. There have been low-keyed diplomatic attempts to inquire about the missing, but stronger action seems to be politically inexpedient.

And Carolyn Standerwick doesn't know where to turn. She seems an unlikely candidate for the role of a militant, but she's beginning to use the word about herself. "I really thought all along the government was doing all it could. Now I don't know if I think it is. Now, if it's the militants who are demanding a full accounting, you can count me among them!" she heatedly tells Family.

But Carolyn is not a militant. She's not a demonstrator or a political radical. She's just a military wife and a mother of four whose husband went off to war and didn't come back. She's waited three years for her government to find out what happened to him. It hasn't, and she's traveled halfway around the world searching for him because her own government can't, or won't.

EFFECT OF SOCIAL SECURITY INCREASE ON OTHER GOVERNMENT PROGRAMS

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a study done at my request by the Congressional Research Service on the effect which the recently approved 11-percent increase in social security benefits will have on other Government programs.

I would like to point out, however, that, as chairman of the Senate Veterans Affairs, we will be holding hearings later this year on pension legislation which is designed to assure that the recent social security increase will not adversely affect veterans by 1975. I am also advised by the committee staff that its studies indicate that no widow of a veteran has suffered a reduction in total income as a result of the social security increase.

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

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., March 20, 1974.

To: Hon. VANCE HARTKE.
Attention: HOWARD MARLOWE.
From: Education and Public Welfare Division.
Subject: The Effect of Social Security Benefit Increases on Benefits From Other Programs.

The attached material is in response to your question on the number of persons adversely affected with respect to various social welfare programs because of social security cash benefit increases. In most cases the information available is quite limited. For most of the social programs it is not even known how many of the participants are receiving social security benefits. However, the income restrictions for these programs are usually more flexible than for cash, medical assistance, food stamps or housing benefits.

For further information on this subject you may want to read Studies in Public Welfare, Paper No. 1, "Public Income Transfer Programs: The Incidence of Multiple Benefits and the Issues Raised by Their Receipt," prepared for the use of the Subcommittee on Fiscal Policy of the Joint Economic Committee, dated April 10, 1972.

SHARON HOUSE.

VETERANS' PENSIONS

Approximately 15,000 veterans will be ineligible for pensions in 1975 as a result of the 1974 social security increases. The effect of the social security increases would normally be to reduce the average pension benefit. However, because of P.L. 93-177 which provided a 10-percent rate increase effective January 1, 1974, the average annual payment per case will increase approximately \$55 in 1975 over 1974.

Effective January 1, 1974 thousands of widows lost their pensions entirely or received a cut in veterans' benefits because the Social Security Amendments of 1972 raised widows' benefits to the same basic payments to which their husbands had been (or would have been) entitled. However, there are no estimates available as to the number of persons who suffered a reduction in total income as a result of this provision.

Widows' pension benefits will increase an average of \$8 per case per year in 1975 over 1974.

IONA NEMESNYIK.

SUPPLEMENTAL SECURITY INCOME (SSI)

It is estimated that when all SSI eligibles are on the rolls, 71 percent of the aged, and 29 percent of the disabled and blind will also be social security recipients. Presently, these percentages are somewhat lower since the SSI caseload is primarily made up of ex-public assistance recipients—approximately 65 percent of these persons were also receiving social security benefits in 1973.

Since SSI benefits (Federal and mandatory State supplements) are reduced as a result of any increase in outside income, all individuals in receipt of SSI and social security would see a drop in SSI as a result of an increase in social security.

Many states have chosen to supplement the SSI payments made by the Federal government. They may wish to "pass-along" an increase in social security benefits by increasing the amount of the state supplement by an equal amount. However, they are not required to do so.

MARTHA PROSKAUER.

AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)

It is difficult to assess the actual effect of the recently enacted increase in Social Security benefits on recipients of AFDC. It seems likely, however, that the effect will be a rather small one.

At the time of the 1971 AFDC study conducted by the Department of Health, Education, and Welfare it was found that only 6.1 percent of all AFDC families—representing some 153 thousand out of a total of 2.6 million families—were receiving social security benefits.

ELLEN YAFFA.

MEDICAID

As discussed above and in the multilith 74-2 ED, the social security increase which will go into effect on July 1, 1974 will have the effect of discontinuing certain individuals' eligibility for a Federal SSI payment or a mandatory State supplementary payment. Such individuals could also potentially lose their automatic eligibility for Medicaid. States are, however, permitted a number of options in establishing their Medicaid eligibility levels; they could therefore design their programs so such individuals would not lose coverage. In addition, in the 27 States which have "medically needy programs" (Medicaid coverage for those not receiving cash assistance payments), individuals who lose automatic coverage could regain eligibility after they incurred medical expenses equal to the differences between their incomes and the State's medically needy level (which in a number of States is below the cash payment level). Due to the fact that all of the States have not made final decisions with regard to SSI and Medicaid coverage, an estimate of the potential number of people who might lose Medicaid coverage is not available at this time.

JENNIFER O'SULLIVAN.

FOOD STAMPS

Since there are no available statistics on the "overlap" between Social Security payments and the Food Stamp Program, it is not possible to estimate the number of persons who will have their food stamp benefits affected by the recently mandated increase in social security payments.

However, it is possible to make a number of generalized observations on the relationship between the recent social security benefit increase and benefits under the Food Stamp Program—

(a) For social security beneficiaries whose income (after the recently mandated 11 percent increase) remains low enough to keep them eligible for food stamps, the effect of the social security increase on their food stamp benefits will be minimal. Due to

the built-in semi-annual "escalator" in food stamp allotments, monthly food stamp benefits went up 10 percent and 18 percent (\$4 per month and \$12 per month) for 1 and 2-person households in the Food Stamp Program—effective January 1, 1974. These benefits will be going up again in July. As a result, most social security beneficiaries whose income remains low enough to keep them eligible for food stamps will not lose current benefits because of the 11 percent security increase mandated for April and July of 1974. However, they will probably lose out on most of the increased food stamp benefits that would have accrued to them if there were no social security increase. These losses are likely to be in the \$5 to \$10 per person per month range.

(b) An unknown but limited number of those receiving both social security and food stamp benefits will become ineligible for food stamps due to the 11 percent increase in social security payments. In general, these persons can be characterized as those few social security beneficiaries who receive above average social security payments and yet still have incomes and assets low enough to qualify them for the Food Stamp Program. Most of these people will be losing between \$10 and \$20 per person per month in food stamp benefits when they become ineligible. However, the following points should be noted when considering the extent of these losses of food stamp eligibility—(i) many of the social security beneficiaries who receive above average social security payments are not now eligible for food stamps due to their income and assets; (ii) according to the best "rough" estimates available, less than 50 percent of the elderly eligible for food stamps actually participate in the program; and (iii) the number of social security recipients who will lose food stamp benefits completely (when they become ineligible) will be somewhat reduced by the fact that, in July 1974, the income eligibility "cut off" points in the Food Stamp Program will probably be increased substantially and may be increased enough to keep a significant number of them in the program.

JOE RICHARDSON.

HOUSING PROGRAMS

While recent Social Security increases can have a possible adverse effect on the eligibility of participants in some of the major housing programs—Public Housing, Rent Supplement and Section 236—it is not yet possible to obtain precise figures, or even estimates, as to the extent of any resulting ineligibility. Since Local Housing Authorities are responsible for portions of the management procedures for local programs—establishing income eligibility requirements for low-rent public housing, setting income limits for continued occupancy—local data collection is often not sufficiently uniform for evaluation on a national level. It is apparently not possible, for example, to determine what portion of family income is attributable to what family member.

Further complicating evaluation is the fact that schedules for reviewing tenants' income to determine continued eligibility vary with locality and program, so that current overall figures on the status of tenant eligibility, with respect to income, are available only in half-yearly cycles. The next available data from HUD that would take into account the most recent Social Security increase would be due in September 1974.

The following table obtained from HUD, with figures reexamined as of 9/30/73, presents basic information on the number of families and elderly families in housing programs receiving Social Security benefits:

	Number of families receiving social security	Number of elderly families	Number of elderly receiving social security
Public Housing.....	104,765	152,516	91,554
Sec. 236.....	9,725	10,925	9,210
Rent supplement.....	1,968	2,963	1,335

HENRY STEELE COMMAGER ON GROUNDS FOR IMPEACHMENT

Mr. PELL. Mr. President, the Watergate affair, in all of its ramifications, has precipitated a national debate, among lawyers, historians and scholars, on the legitimate grounds for the impeachment of a President of the United States.

It is a provocative, stimulating and highly important debate which I follow with interest.

Recently, Dr. Henry Steele Commager, the distinguished historian and Simpson Lecturer at Amherst College, presented a forceful and persuasive essay on this subject. Because I believe Dr. Commager's presentation will be of interest to my colleagues, I ask unanimous consent that the essay, "High Crimes," which appeared in the May 12 edition of *Newsday*, be printed in the *RECORD* at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PELL. Mr. President, I would add that I have studiously avoided premature judgment on any articles of impeachment that the House of Representatives may vote. Accordingly, I would emphasize that while I find much merit in Dr. Commager's discussion of the historical grounds for impeachment and trial under our Constitution, I will continue to refrain from judgments on whether evidence, when and if presented to the Senate, will be sufficient to sustain conviction on articles of impeachment.

Exhibit 1 follows:

EXHIBIT 1

HIGH CRIMES

(By Henry Steele Commager)

From the very beginning of the Watergate revelations, President Nixon has sought to paralyze or abort the operation of the constitutional provisions for impeachment through delay, evasion, confusion and deception, and by persuading the Congress and the people that they should concentrate on narrow issues of legal crimes or technicalities.

Now there is serious danger that the House Judiciary Committee will endorse, not Nixon's philosophy, but his tactics. It has allowed itself to be distracted from the contemplation of those "high crimes" which threaten the integrity of our constitutional system to crimes that are technical, low, and vulgar. This is playing into Mr. Nixon's hands. If it is allowed to continue, the President may score not only a strategic and political victory, but a legal one.

The constitutional bases for impeachment are, or should be, clear enough, and so, too, the nature of those "high crimes" for which Mr. Nixon so richly deserves impeachment. These are crimes against the com-

monwealth—the betrayal of trust; failure to preserve, protect and defend the Constitution; failure to take care that the laws are faithfully executed.

That impeachment and trial by the Senate are not directed to crimes in the ordinary sense of the term is clear from three elementary considerations in the process itself: first, that a verdict of guilty brings no kind of punishment, merely removal from office and disqualification for further public office; second, that the Founding Fathers, who wrote a prohibition of double jeopardy into the Bill of Rights, nevertheless provided that a President who was impeached and convicted might nevertheless be tried for crimes after his removal; third, that by providing for trial by the Senate, they distinguished impeachable crimes from all others where, in every case, "the accused shall enjoy the right of a speedy and public trial by an impartial jury..."

On the positive side, all the evidence we have from the authors of the Constitution makes clear that what they had in mind when they drafted and voted on the provisions for impeachment was what had been long familiar in English law and history, and what was even then being illustrated in the great trial of Warren Hastings in London. It was put well by Edmund Burke.

"It is by this process," he said, "that statesmen who abuse their power are accused by statesmen and tried by statesmen, not upon the niceties of a narrow jurisprudence but upon the enlarged and solid principles of state morality. It is here [in the House of Commons] that those who by the abuse of power have violated the spirit of the law, can never hope for protection from any of its forms. It is here that those who have refused to conform themselves to its perfections, can never hope to escape through any of its defects."

What the framers had in mind, in short, was precisely those "political crimes" that Mr. Nixon is so anxious to rule out of consideration and that James St. Clair, in an argument which would disgrace any schoolboy, has declared to be outside the scope of impeachment.

So said the three men who contributed most of the making and the explanation and elucidation of the Constitution: James Madison, the "Father of the Constitution"; Alexander Hamilton, who wrote the essays on the presidency in the *Federalist Papers*; and James Wilson, who steered ratification of the Constitution through the Pennsylvania ratifying convention, served on the U.S. Supreme Court, and delivered the first formal lectures on the Constitution at the University of Pennsylvania.

Listen to Madison: In the federal convention, he said that it was "indispensable that some provision should be made for defending the community against the incapacity, negligence or perfidy of the Chief Magistrate." In the first Congress, arguing the necessity to give the President power to remove his subordinates, he observed that this "would make him in a peculiar manner, responsible for their conduct, and subject him to impeachment himself if he suffers them to perpetuate with impunity high crimes or misdemeanors against the United States or neglects to superintend their conduct or to check their excesses. . . ." And in the debate on the creation of a department of foreign affairs, he added that "if the President acted so as to displace from office a man whose merits require that he should continue in it [Mr. Cox, perhaps?] he will be impeachable by the House before the Senate against such an act of maladministration, for I contend that the wanton removal of meritorious officers would subject him to impeachment and removal."

Listen to Hamilton, in No. 65 of the Federalist Papers, discussing the duties of the Congress when constituted a court for impeachment: "The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or in other words from the abuse or violation of some public trust. They are of a nature which may, with peculiar propriety, be denominated *political* as they relate chiefly to injuries done immediately to society itself. . . ."

Or listen to James Wilson, discoursing on the Constitution at the University of Pennsylvania: "In the United States . . . impeachments are confined to political characters, to political crimes and misdemeanors, and to political punishments. . . ."

Nor did subsequent commentators differ from these great authorities. It was Joseph Story, who had sat with John Marshall upon the Supreme Court and whose commentaries on the Constitution have been cited by the Supreme Court as authoritative in many areas for almost a century and a half, whose judgment was most respected; here he is discussing the grounds for impeachment in English law, and in American. It will be found, he says, "that many offenses, not easily definable by law, and many of a purely political character, have been deemed high crimes and misdemeanors worthy of this extraordinary remedy. Thus . . . where a lord chancellor has been thought to have put the great seal to an ignominious treaty; a lord admiral to have neglected the safeguard of the sea; an ambassador to have betrayed a trust; a privy counselor to have propounded or supported pernicious doctrines and dishonorable measures; or a confidential adviser of his sovereign to have obtained exorbitant grants. . . . These have all been deemed impeachable offenses."

Such impeachments, Story added, might well be considered harsh, but perhaps necessary. "But others again were founded on the most salutary public justice, such as impeachment for malversations and neglects of office; . . . for official oppression, extortions and deceptions; and especially for putting good magistrates out of office and advancing bad. . . . One cannot [he added] but be struck with the utter unfitness of the common tribunals of justice to take cognizance of such offenses; and with the entire propriety of confiding the jurisdiction over them to a tribunal capable of understanding and reforming and scrutinizing the policy of the state; and of sufficient dignity to maintain the independence and reputation of worthy public officers."

Even more relevant to the current situation is Story's conclusion that "an impeachment is a proceeding purely of a political nature. It is not so much designed to punish an offender, as to secure the state against gross official misdemeanors. It touches neither his person nor his property, but simply divests him of his official capacity."

Let us return then to what Edmund Burke called the Grand Inquest of the Nation: an exercise of sovereignty at once dignified, elevated, and solemn, and one that takes on deep significance when we contemplate how most peoples and nations, throughout the whole of history, have rid themselves of rulers in whom they had lost confidence. The process of constitutional impeachment is, we should remember, one of the many ways in which Americans have legalized and institutionalized revolution. It is an essential part of the very American system of checks and balances; it is an essential device for limiting and rebuking the pretensions of power and the abuse of power; it is an essential ingredient in constitutionalism.

It would be a pity to impeach Mr. Nixon on grounds that are technical (such as excessive public expenditures at San Clemente and Key Biscayne) or vulgar (such as the secret recordings of conversations in his own office). If such offenses are all that is in-

involved, the nation could afford to wait three more years for the moment when Mr. Nixon would be automatically retired to that private life which he so richly merits. Trivial or technical crimes do not threaten the integrity of the Constitution, the sanctity of the Bill of Rights, the safety of the Republic. But "high crimes" do threaten all three.

It is important then, that Mr. Nixon be impeached and tried for high crimes. What are the high crimes with which he may justly be charged and on which he should be tried?

First, the illegal and secret war against Cambodia. The Constitution is clear on the war powers: It is the Congress that is authorized to declare war, not the President, and no arguments of "national security" can change that elementary fact. Its illegality in the eyes of international law is as clear as its illegality in American law: If China—which was supporting the North Vietnamese as we the South—had chosen to fly 3,500 bombing missions over Southern California on the ground that that area was supplying the South Vietnamese with weapons (which it assuredly was), we would not be very patient with the argument that this was merely a diversionary gesture to slow up supplies and should not be considered an act of war.

Second, to compound the crime of the Cambodian war, Mr. Nixon lied not only to the American people but to the Congress. But the Constitution confers the war power on the Congress, as it confers on Congress the power to appropriate money for war. To deceive the American people about a matter of such prodigious importance was clearly immoral. To deceive a coordinate branch of the government—one with a constitutional obligation to participate in the conduct of foreign affairs and of war—was just as clearly unconstitutional.

Third: Mr. Nixon has chosen to "impound" some \$15 billion constitutionally appropriated by the Congress for specific programs. Centuries of history look down on us when we contemplate this particular "high crime"—a history of long and arduous struggle of the Commons against Tudor and Stuart monarchs for the control of the purse—and of the struggle, too, of American colonial legislatures against royal governors for the same objective.

The Founding Fathers were determined that the hard-won power over the purse should never be frittered away, and they wrote it into the Constitution. Now, confronted by congressional votes overriding his vetoes of appropriation bills, Mr. Nixon has resorted to what he calls "impoundment": that is, he refuses to spend money which Congress has appropriated as the Congress wants it spent. What he presents to us here is a two-fold violation of the Constitution; first, a nullification of the constitutional provisions giving to the Congress power to appropriate money, and second, a nullification of the constitutional provisions governing the exercise of the presidential veto and providing the method whereby the Congress can override the veto. If Mr. Nixon can substitute "impoundment" for a veto in the matter of appropriations, he can, presumably, do so in any other matter, and he has therefore amended the Constitution itself.

Fourth, Mr. Nixon has repeatedly and contumaciously flouted, ignored, circumvented, and nullified the guarantees of the Bill of Rights. A large subject this, and it must suffice to list some of the more spectacular examples of Mr. Nixon's impeachable offenses here:

The attempt to apply—for the first time in all of our history—prior censorship to newspapers to prevent them from printing the Pentagon papers.

The mass round-up and arrest of some 12,000 Americans exercising their constitutional right of peaceable assembly and petition in their capital city on May Day of 1971.

The arrests were made without warrants; those arrested were denied the right to consult lawyers or to know the charges against them, and were illegally detained. Within a day, to be sure, all but some 30 or 40 were released—again without charges against them. There was no declaration of a national emergency; there was no suspension of the writ of habeas corpus; there was, in short, no legal justification for the arrests. This was the naked face of the police state.

The widespread and continuous use of that most hated device of the police state—the provocative agent, whose business it is to instigate others to commit crimes and then to expose them. This was what we know happened to the Gainesville Eight, to the Camden Nine, to the Rev. Philip Berigan, and to many others; how widespread was the practice we do not yet know, but we may well believe that we have seen only the tip of the iceberg.

The use of electronic surveillance—wiretaps—in literally scores of instances, contrary to the constitutional prohibition of unreasonable search and seizure as interpreted by the Supreme Court. It is Mr. Nixon's unenviable distinction that his administration may be remembered chiefly as the "wiretap" presidency; everyone in it—and outside it—was apparently "bugged," including even members of the National Security Council. Wiretapping itself is only one manifestation of wholesale invasions of the privacy of the citizen. Add to it—with presidential approval—eavesdropping, military spying, burglary, intimidation of the press and the media, all designed to curb the exercise of those great freedoms guaranteed in the Constitution—freedom of speech of the press and of petition—and to impair that right which now has constitutional recognition, the right of privacy. Nor is the nature of these violations of the laws left to conjecture: The federal criminal code (Section 241) provides that any one who "conspires to injure, oppress, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having exercised the same" is guilty of a crime.

Finally, by resort to "dirty tricks"—fabricating scandalous stories about political opponents, systematic espionage against political rivals, compiling "enemies lists," punishing civil servants who asked embarrassing questions about official malpractices, raising money corruptly from corporations and spending it corruptly to influence elections, Mr. Nixon has attempted the corruption not only of the constitutional system but of those political processes which have come to be an integral part of that constitutional system, essential to its effective working. To instill in the American people a contempt for parties and politics is to encourage contempt for democracy itself, and that is certainly a dereliction of duty and a betrayal of faith.

What this record discloses is precisely those high crimes and misdemeanors which, as far as we know, the Founding Fathers had in mind when they put the impeachment clause into the Constitution: the violation of the principle of the separation of powers, the undermining of the legislative and even the judicial power in many areas, the usurpation of the great power to make war and the historic power of congressional control of the purse; the claim of "inherent" power to do anything and everything necessary to what he deems "the national security"; the subversion of many of the guarantees of the Bill of Rights; the use of money, trickery and chicanery to corrupt elections and the deliberate degradation of the political processes essential to the effective working of our democracy. It is for those crimes that the House should impeach and the Senate try Richard Nixon.

A RESPONSIBLE BUSINESS VOICE, MARCOR, SUPPORTS THE CONSUMER PROTECTION AGENCY

Mr. PERCY. Mr. President, in previous remarks on the Senate floor, I have commended Marcor Corp.'s forthright support for the Consumer Protection Agency. Marcor is the parent company for Montgomery Ward and Container Corp. of America. In recent letters to me, both Edward Donnell, chairman of the board of Montgomery Ward, and Patrick Head, vice president, have reaffirmed their company's support on the eve of Senate debate on the bill.

As the bill evolved, Marcor was not without criticism of certain provisions. But, rather than assume hard-core, blanket opposition as certain businesses did, Marcor chose to offer constructive input at key junctures of the CPA's development. The result is an agency with powers adequate for, but limited to, effective consumer protection.

Opponents of the bill have charged with exaggeration that CPA's proposed powers are dazzling and that the bill is the "consumer's Gulf of Tonkin resolution." But I believe that those who read the bill objectively must inevitably conclude that adequate safeguards exist to prevent CPA from unduly burdening businesses.

Both Mr. Head and Mr. Donnell recognize this. Mr. Head writes:

[P]rovisions of the bill . . . are designed to assure that the authority of the Consumer Protection Administrator is tempered by requirements of due process and by the *bona fide* concerns of business with whom he will deal.

And Mr. Donnell asserts:

The CPA is now clearly intended to be an advocate, not a regulator. Affected businesses will have an opportunity to contest demands for information which in their judgment are unduly burdensome or which seek material that has been supplied to other agencies under a promise of confidentiality.

Mr. President, I ask unanimous consent that Mr. Donnell's June 3, 1974, letter and Mr. Head's May 28, 1974, letter, both of which I have referred to in my remarks, be printed in the RECORD.

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

MONTGOMERY WARD,
Washington, D.C., June 3, 1974.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: Within a short time, the Senate will consider legislation to create a Consumer Protection Agency within the Federal Government. Many well-motivated representatives of business have expressed their opposition to that legislation. I write today to re-affirm Montgomery Ward's support of this bill communicated on previous occasions by Leo Schoenhofen, Chairman of the Board of our parent company, Marcor and Robert E. Brooker, Chairman of the Executive Committee.

A year ago, speaking before the American Retail Federation, I suggested that for business to always oppose whatever consumers or their representatives propose, strains the credibility of our public statements that for us the consumer always comes first . . . We are providing the American public with the most efficient, responsible and protective marketing system in the world. Yet we be-

lieve it can be further improved. Because of this belief we have supported such consumer legislation as the Consumer Protection Agency bill, truth-in-lending, the warranty-guaranty bill, and the Uniform Consumer Credit Code.

Montgomery Ward did not take an affirmative position on the Consumer Protection Agency bill for publicity purposes—nor solely because Aaron Montgomery Ward promised his customers a century ago, "Satisfaction Guaranteed or Your Money Back". We did it because we believe that the consumer's trust is an invaluable business asset.

In our opinion, consumers who don't feel suspicious of business and government—who don't feel shut out and unrepresented in government proceedings that affect their pocket-books, their well-being, and the quality of their lives—will be better customers of ours and of other businesses which are in fact trying to serve them well. We believe that the creation of a new Consumer Protection Agency, as an advocate for consumer interests in government, will contribute to consumer trust and ultimately to better economic results for business.

Since mid-1972, our representatives have worked with Members of Congress and committee staffs in an effort to perfect key sections of the bill. We believe substantial progress has been made in each area that originally concerned us. The CPA is now clearly intended to be an advocate, not a regulator. Affected businesses will have an opportunity to contest demands for information which in their judgment are unduly burdensome, or which seek material that has been supplied to other agencies under a promise of confidentiality.

The bill is not perfect; few bills can be said to be. Much will depend on its administration. If the new agency is to be effective, the Administrator should avoid placing the CPA solely in the role of an adversary against business and the existing Federal agencies. Without sacrificing any part of his role as an advocate, he should seek the cooperation of those with whom he deals on the consumer's behalf. For our part, Montgomery Ward is prepared to offer such cooperation. It is in keeping with the tradition of Aaron Montgomery Ward and we consider it good business.

With best wishes.

Sincerely,

EDWARD DONNELL,
Chairman of the Board.

MONTGOMERY WARD,
Washington, D.C., May 28, 1974.

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.

DEAR CHUCK: Several Senators have asked representatives of Montgomery Ward about our company's position with respect to the Consumer Protection Agency bill. I am writing to provide a specific answer to those inquiries on the eve of the Senate debate on the bill.

Beginning in early 1972, Mr. Leo Schoenhofen, chairman of Ward's parent company, Marcor, and Mr. Robert Brooker, chairman of Marcor's executive committee, corresponded with interested Members of Congress about the legislation. While generally sympathetic toward its purposes, they expressed concern about several of its features—principally those involving the CPA's status in informal government proceedings, its use of the interrogatory power, and the availability to it of trade secrets and other sensitive information which had been supplied in confidence to Federal agencies.

Since mid-1972, we have worked with Members and committee staffs on these and other provisions of the bill.

We thought the agency should be given authority equal to its responsibilities, that it should be a vigorous advocate, with the

right to participate as a full party in formal agency proceedings. For that reason, we opposed the suggestion that the CPA be given only "friend-of-the-court" status, in those proceedings, with the opportunity to present the consumer's case on sufferance.

At the same time, we vigorously opposed any provisions that would have converted the CPA into a regulatory agency or a "second prosecutor," or that would have given the Consumer Protection Administrator substantially greater powers than other parties possessed. We are pleased that the current Senate version of the bill now provides that in informal proceedings, the CPA is entitled to present written or oral submissions for the consideration of the agency. The original language of the bill would have authorized him to participate equally as one more "party" in such proceedings, a concept both confusing and potentially harmful to the orderly processes of government.

The CPA is given power to issue interrogatories to business under both House and Senate versions of the bill. This authority has occasioned grave misgivings on the part of many business observers; and indeed, it creates the possibility of harassment. Nevertheless, as now amended in committee, the bill places the burden of proof on the CPA, where an interrogatory is resisted in Federal court, to show that the information sought substantially affects the health or safety of consumers, or is necessary to discover fraud or other unconscionable conduct. For his part, the recipient must show that answering the interrogatory would be unnecessarily or excessively burdensome. The House bill, by having one of the existing agencies issue the interrogatories on request of the CPA, would render it practically impossible for the recipient successfully to resist an interrogatory which does not meet the criteria set out in the bill. In our opinion, the present Senate version is much to be preferred.

Finally, both bills now contain what we believe to be adequate protection for trade secrets, commercial or financial information which businesses have supplied in confidence to Federal agencies, and which the CPA may request in pursuance of his investigations. We participated actively in the effort to draft appropriate safeguards for such information. It is vitally important to us, and to all businesses who supply confidential information to government, that these safeguards be retained.

There are other provisions of the bill which are designed to assure that the authority of the Consumer Protection Administrator is tempered by requirements of due process, and by the *bona fide* concerns of the businesses with whom he will deal.

But none of these provisions, important as they are, will enable the Agency to succeed in its task unless it understands that the cooperation of business is also necessary. An adversary relationship may sometimes be required. Some government agencies may not have been fully and consistently attended to the special needs of consumers. But if the Consumer Protection Administrator approaches his job with the view that business as a whole is oblivious to consumer interests, or that government agencies are pillable tools in the hands of those whom they supposedly regulate, he will miss a great opportunity to serve those consumer interests by encouraging the cooperation of responsible businessmen and public servants. More will be achieved, we believe, by persuasion than by frontal attack.

Believing that the safeguards that have now been included in the bill will be sustained and enacted we are pleased to advise you of our continuing support of the bill, and to urge its adoption by the Senate.

Sincerely,

PATRICK J. HEAD,
Vice President.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

The ACTING PRESIDENT pro tempore. Is there further morning business?

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

Mr. HART. Mr. President, for the moment I shall have to object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The second assistant legislative clerk resumed the call of the roll.

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

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

Mr. ALLEN. Mr. President, yesterday a substitute to my amendment to H.R. 14832 was filed by the majority leader on behalf, as I understand it, of the distinguished Senator from Massachusetts (Mr. KENNEDY) and the two distinguished Senators from Minnesota (Mr. HUMPHREY and Mr. MONDALE) which sought to add the Kennedy tax package to the pending amendment.

I stated at that time I would have nothing to say on the package because I felt there would be enough said by the various proponents of the measure, as well as the various opponents, both for and against the package.

Therefore I am utilizing some time in the morning hour to state for the RECORD that I am ready to vote any time, and I feel sure that those who have supported the effort against this inflationary measure would agree that we are ready to vote at any time on the Kennedy package.

I hope the majority leader will make a request later in the day for setting the time for a vote. I am ready to vote, and I feel that the Senate is ready to vote. I want to make that statement for the RECORD.

Mr. GRIFFIN. Mr. President, would the Senator from Alabama yield?

Mr. ALLEN. Yes, I would be delighted to yield.

Mr. GRIFFIN. As I understand the pending Kennedy amendment, whatever the merits or demerits about the methods, it does at least have the virtue of providing offsetting revenue for the tax cuts that are proposed; is that correct?

Mr. ALLEN. That is correct; yes.

Mr. GRIFFIN. Since we are in the difficult situation of having to extend the debt ceiling in order to keep the U.S. Government in business fiscally able to operate, would the Senator from Alabama consider it to be responsible for Congress to reduce taxes and make it impossible to live within the debt ceiling that we are providing for if there were no offsetting revenue?

Mr. ALLEN. No, I think not. That is the reason why I am willing to vote on this package and see what the Senate thinks about it.

Mr. GRIFFIN. I certainly agree with that observation. I personally will not

vote for the package. I think that the whole measure of, the whole question of, tax-reduction and possible tax-reform measures to offset it should be the subject of extensive hearings by the appropriate committee which has been established by the Senate for that purpose and should not be handled on the floor.

But certainly if the Senate were to reject the package that has been offered I cannot imagine Senators then coming forward with other amendments which would do nothing but cut taxes and increase the national debt beyond the ceiling that the bill provides.

Mr. ALLEN. I would not put that beyond our imagination, I will say to the Senator from Michigan. But I am ready to vote on the package and I believe the Senate is ready, and I hope the proponents of the package will allow it to come to a vote at an early time. If there is any discussion of the package it will be by advocates not by opponents.

Mr. ROBERT C. BYRD. Mr. President, would the distinguished Senator yield?

Mr. ALLEN. Yes.

Mr. ROBERT C. BYRD. Just so that I may be in position to work toward a possible agreement.

Would the Senator also be willing to immediately follow that vote with a vote on his own amendment as amended, if amended?

Mr. ALLEN. As soon as action is taken he would determine that.

I would like to have an expression by the Senate on the pending amendment and the pending substitute.

Mr. ROBERT C. BYRD. As I understand the Senator, then he would not be willing—and it is immaterial to me, but inasmuch as I have to labor in the vineyard trying to get agreements, I would like to know just how far I can go.

May I be specific: Would the Senator enter into an agreement whereby immediately following the vote on the Kennedy and others amendment, a vote would occur on the Allen amendment, as amended, if amended, or if the Senator would not be willing to do that, would he be willing to vote within a certain time period, say, 2 hours, following the vote on the Kennedy amendment with a vote on the Allen amendment?

Mr. ALLEN. The Senator from Alabama can speak only for himself.

Mr. ROBERT C. BYRD. That is all I wish to know.

Mr. GRIFFIN. Mr. President, I might say there would be objection from this side to any agreement.

Mr. ALLEN. I would like to see it brought to a head, and one additional reason why I would like to see it brought to a head, I feel that many who have talked about being for this package in fact are not for the package. I think that has been demonstrated by statements made here on the floor, and I would like to see a vote here in the Senate up or down on the package.

Mr. ROBERT C. BYRD. Do I understand that there would be objection to an agreement for voting on the Kennedy amendment and then immediately voting on the Allen amendment?

Mr. GRIFFIN. Well, I believe—

Mr. ROBERT C. BYRD. As amended, if amended?

Mr. GRIFFIN. I think we would like to take a look at the situation.

Mr. ROBERT C. BYRD. The answer therefore is there would be objection?

Mr. GRIFFIN. Yes, at this point.

Mr. ROBERT C. BYRD. Would there be objection to a vote on the Allen amendment at a given time period, say, 1 or 2 hours after the Kennedy amendment, as of this point?

Mr. GRIFFIN. I am in a difficult position of trying to represent not only myself but the interests of others whose views I do not know, and I would have to do some checking.

Mr. ALLEN. I might say the Senate has already pretty well expressed itself on the Allen amendment, without the Kennedy amendment, by not voting for the tabling motion.

Mr. ROBERT C. BYRD. Some have expressed themselves on the motion to table.

Mr. ALLEN. Yes.

Mr. ROBERT C. BYRD. I thank both Senators for their frankness because this gives me an opportunity to know how far I can go and where we would have to stop.

Mr. ALLEN. I think it would be well to have an expression by the Senate on this amendment, and I am ready to have that.

Mr. ROBERT C. BYRD. Of course, then the Allen amendment would remain before the Senate.

Mr. ALLEN. It would remain before the Senate, and I am personally willing to vote—

Mr. ROBERT C. BYRD. On the Allen amendment?

Mr. ALLEN. Yes.

Mr. ROBERT C. BYRD. At a certain time?

Mr. ALLEN. Immediately as far as I am personally concerned.

Mr. ROBERT C. BYRD. Immediately following the vote on the Kennedy amendment?

Mr. ALLEN. As far as I am personally concerned.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

The ACTING PRESIDENT pro tempore. The time for morning business having expired, under the previous order the Senate will resume consideration of the unfinished business, which is H.R. 14832, to temporarily increase the public debt limit.

Mr. KENNEDY. Mr. President, as I understand it, there has been a change in the legislative schedule. We are now considering the public debt limit?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. KENNEDY. Mr. President, I listened with some interest to the dialog and discussion. We came around to a situation where the Senator from Alabama is ready to vote on our amendment but he still is not ready and prepared to vote on his amendment.

Mr. ROBERT C. BYRD. Would the distinguished Senator yield?

Mr. KENNEDY. Yes.

Mr. ROBERT C. BYRD. It is probably not my business to explain what the position of the Senator from Alabama

is, but inasmuch as I asked him a question, it was my understanding—and I ask that the Senator from Massachusetts not lose his right to the floor—

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

Mr. ROBERT C. BYRD. It was my understanding that the Senator from Alabama did finally indicate that he would be willing to enter into an agreement to vote on his amendment following the disposition of the Kennedy amendment, but that the distinguished minority whip indicated that there would be an objection from that side.

I hope I am correct in that understanding.

Mr. KENNEDY. Do I correctly understand, then, that the Senator from Alabama is prepared now to accept an immediate vote on his amendment after the disposition of our amendment, or agree to a time limitation?

We have been jockeying around here on various procedures for 4 days. We have been playing ineffective parliamentary games; one person will not object, but another person will; one person is ready to vote, but another will not vote. As a result I think we have made a sham of the procedures in the Senate, not being able to debate or discuss the merits of the amendments.

I would like to hear the Senator from Alabama propose or at least urge the leadership that we get a time limitation on his amendment. I hear he has no objection. It is extremely unusual around here to have the proponent of an amendment call it up and then use it as a delaying tactic. The overwhelming majority of the Members of the Senate—and I believe I speak for all of the cosponsors of the amendment to the Allen amendment—are prepared to vote on the Allen amendment right now. We were prepared to vote on it Monday, Tuesday, and Wednesday, and we are prepared to vote on it today. Yet we have been prevented from voting by parliamentary tactics that I believe should have no place in the Senate rules. That is why, as I indicated yesterday, our charade this week ought to give new impetus to a massive effort to change the Senate rules in January.

I know that the good Senator from Alabama and the Senator from Michigan would at least like to create the impression that they are not the ones who are delaying action by the Senate; so we have every intention, when we have an opportunity to gain the floor, of making another motion to table the Allen amendment.

When we make the tabling motion, as I understand it, if it is successful, it will take our amendment down with it. I shall vote to table the Allen amendment. And then, if we succeed, the parliamentary situation will be that, for the first time, we shall have an opportunity to talk in detail about particular tax measures, and we can address ourselves to that question.

So I, for one, who have been here off and on for the period of the last 4 days, want to assure our good friends from Alabama and Michigan that it is our intention to make such a tabling motion, and I hope we will obtain a yea-and-nay

vote, and then we can be about the business of the Senate.

What I would like to do is suggest the absence of a quorum, with the understanding that I will not lose my right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. Yes, I object to a quorum call under those conditions. I am ready to vote at this time. The Senator has the floor, and he is welcome to it.

Mr. KENNEDY. Mr. President, I shall be glad to discuss this amendment.

Mr. ALLEN. I might say to—
Mr. KENNEDY. I do not yield for any purpose at this time.

What we are seeing right now is clear evidence of the tactics of those who have prohibited us from having a responsible discussion and debate on tax reform and tax equity. We are prepared to examine those in detail. We gave assurances to the Members of the Senate that we try to structure a reasonable debate. In a very limited sense, at least, our amendment is now the pending business, so that, at least, important proposals for tax reform and tax relief are before the Senate.

Although riders on Debt Ceiling Acts are not the usual method of Senate legislation, the periodic bills extending the debt ceiling have established a precedent in recent years as vehicles for vigorous debate and action on some of the most important contemporary issues before the Nation.

To name but three examples, the Debt Ceiling Act in the Senate in June 1972 was the vehicle for major action by Congress to provide a 20-percent increase in social security benefits for the elderly, and to write a cost-of-living escalator in the social security laws. In June 1973, the Debt Ceiling Act was the vehicle for amendments to end the Vietnam war and the bombing of Cambodia. In November 1973, it was the vehicle to establish public financing of elections.

In the case of the social security proposal, the effort to amend the Debt Ceiling Act was successful by the overwhelming vote of 82 to 4, and increased benefits and cost-of-living escalators were signed into law by President Nixon.

In the debt ceiling debate on Cambodia in June 1973, the Senate, by another overwhelming vote, 67 to 29, demanded an end to the bombing of Cambodia. Subsequently, the end the war amendment was shifted to another bill to end the war, and was signed into law by the President.

And, in the debate on the Debt Ceiling Act last November, the Senate by a vote of 53 to 42, adopted a far-reaching election reform amendment calling for public financing of elections. Although final Senate action was stymied by a filibuster, the effort laid the groundwork for the even more far-reaching public financing legislation passed by the Senate in April of this year.

So there are ample precedents in recent years of using the Debt Ceiling Act for progressive legislation in the areas of both foreign and domestic policy on matters of vital importance to the people of this Nation.

Today, we have another such opportunity to use the Debt Ceiling Act, this time to advance the cause of tax relief and tax reform.

We can bring immediate tax relief to millions of families now suffering under the heavy burden of some of the worst inflation America has ever seen. At the same time, we can make a down payment on tax reform, bring greater equity to the Internal Revenue Code, and help insure that all citizens pay their fair share of taxes.

I am pleased, therefore, to be a sponsor of the joint tax reform and tax relief amendment that is being offered as a substitute by Senator MANSFIELD to the Allen amendment and that is sponsored by Senators HUMPHREY, BAYH, CANNON, CLARK, HART, MONDALE, MUSKIE, NELSON, and myself. We are also pleased to have the strong support of Senators MAGNUSON and RIBICOFF on the oil depletion portion of the amendment, and the strong support of Senator LONG on the tax relief portion.

TAX REFORM

The first half of our joint amendment deals with tax reform. It proposes reforms to close four of the most serious loopholes in the Internal Revenue Code—oil depletion, tax subsidies for exports, accelerated depreciation, and the minimum tax.

In essence, the amendment would enact the following four reforms:

First. Repeal the oil depletion allowance, effective January 1, 1974—\$2 billion revenue gain in the first year, \$2.6 billion in the third year; \$3.3 billion in the fifth year.

Second. Repeal the asset depreciation range—ADR—system of accelerated depreciation, effective for plant and equipment placed in service as of May 8, 1974, the date our amendment was originally proposed—\$250 million revenue gain in the first year; \$1.5 billion in the third year; \$2 billion in the fifth year.

Third. Repeal the Domestic International Sales Corporation—DISC—system of tax incentives for exports, effective January 1, 1974—\$815 million revenue gain.

Fourth. Strengthen the minimum tax, by reducing the current exclusion from \$30,000 to \$10,000, and by eliminating the current deduction for taxes paid, effective January 1, 1974. An identical reform in the minimum tax was passed 47 to 32 by the Senate last January, but the underlying bill was later recommitted—\$860 million revenue gain.

Taken together, these four tax reforms will generate new revenues of approximately \$4 billion in the current year and \$7 billion by 1978. Thus, these reforms are sufficient by themselves to offset the major part of the revenue loss produced in the first year by the \$6.5 billion in tax relief that we are proposing in the second half of our amendment; they will offset entirely the long run revenue loss of the tax relief.

Each of these four tax reforms has been debated vigorously and extensively in the Senate in the past, both in committee hearings and in floor debate. They have also received thorough consideration by the House. Therefore, these re-

forms are appropriate for Senate consideration now, as riders to the Debt Ceiling Act.

The oil depletion allowance, for example, has been the most notorious tax loophole for many years; the soaring price of oil in America and the soaring profits of American oil companies make immediate repeal of the depletion allowance our number one tax priority.

DISC and ADR entered the Revenue Code in 1971, and have been controversial ever since, providing windfall tax benefits for some of the Nation's largest corporations.

And the minimum tax, which entered the code in 1969 as a loophole-closing measure, is now best known for the loopholes of its own that have rendered it so ineffective.

My hope is that the Senate will approve these four tax reforms as part of the Debt Ceiling Act, as a down payment or more comprehensive tax reform to come, later in the year.

Over the years, we have allowed a situation to develop in which the Internal Revenue Code has become America's biggest welfare bill of all—but it is the sort of welfare that only Alice in Wonderland can understand, because the greatest benefits of tax welfare go entirely to the Nation's richest individuals and largest corporations.

In distributing these vast amounts of unjust tax welfare, the Federal Government is treating the average taxpayer unfairly.

Billions of dollars in Federal tax revenues are lost each year through countless loopholes and other preferences in the tax laws. Those losses have to be made up somehow—and they are made up out of the hard-earned tax dollars of millions of ordinary citizens, who pay too much because others pay too little.

In effect, the Government is acting like Robin Hood in reverse. By allowing these tax inequities to continue, Congress and the administration are robbing the poor to pay the rich.

The year 1974 is the year to end all that. The 93d Congress has the opportunity to enact far-reaching tax reforms, and the Debt Ceiling Act is the place to start.

One thing is clear—if we fail to act, then 80 million ordinary taxpayers and their families will have every right to hold Congress accountable at the polls on election day this fall.

TAX RELIEF

The second half of our joint amendment contains proposals for tax relief. It has three principal provisions which, taken together, will provide \$6.5 billion in tax relief for hard-pressed American taxpayers:

First. It will raise the personal exemption for individuals in the Federal income tax from its current level of \$750 to a new level of \$825.

Second. It will provide an option for every taxpayer, to take a \$190 tax credit in lieu of the \$825 personal exemption.

Third. It will provide a refund of a portion of the social security payroll tax to low-income workers with children, through a tax credit—Senator RUSSELL Long's work bonus—equal to 10 percent

of wages up to \$4,000 in income. For incomes over \$4,000, the credit is phased out at the rate of 25 cents per dollar, so that the credit disappears when income reaches \$5,600. The credit is refundable—that is, it is paid as an income tax refund, even if the recipient has no income tax liability.

The purpose of these tax relief provisions is twofold: to provide an urgently needed fiscal stimulus to keep the economy from sinking deeper into the current recession; and to provide significant across-the-board relief to millions of taxpayers suffering under the sustained severe inflation that has now reached the double-digit level and that has sharply contracted consumer purchasing power in every section of the country.

The economic figures are increasingly pessimistic. At the end of May, we learned that GNP has declined precipitously by a revised 6.3 percent annual rate for the first quarter of 1974—an even steeper decline than the original estimate of a 5.8 percent plunge a month ago, and more than twice as steep as the rosecolored 2.3 percent decline forecast by administration economists earlier this year.

The new figure represents the steepest slide since the serious recession of 1968. The slide makes clear that the economy has slipped badly in recent months and that, in fact, the Nation has now entered a period of recession, America's sixth recession since World War II.

Clearly, the efforts of the administration are inadequate to stop the slide. The question is not whether we are already in the valley of a recession, but how long and how deep the valley is going to be.

Prompt action is required by Congress to keep the economy from sinking deeper into the current recession, and immediate tax relief is our most effective possible response.

By channeling the proposed tax relief through the income tax withholding system, the relief can take effect at once. It will begin to be felt in the weekly paychecks of millions of working men and women, within 30 days after the measure is signed into law.

In the face of these depressing figures, the somewhat optimistic current levels of plant and equipment spending do not present a significant counterargument. The history of the recession of 1957-58, our worst and sharpest postwar recession, teaches the disastrous consequences that can result when consumer spending is flat and a boom in plant and equipment spending collapses as business awakens to the reality that there are no customers to buy the products piling up on the shelves.

Once before, in the early 1960's, Congress successfully used a tax cut to pull the economy out of a period of recession and stagnation, thereby launching the longest uninterrupted period of genuine economic growth and sustained price stability in our history.

If we do not learn this obvious lesson from our recent economic history, then we are doomed to repeat the recessions of the past, instead of enjoying the prosperity the future ought to bring.

The proposed tax cut would not be inflationary in itself. The rampant inflation of today is caused primarily by the spurt in prices when controls were ended last April and by the exorbitant recent increases in the cost of food and fuel, which are now working their way through the rest of the economy. Apart from these inflationary elements, which tax relief will not significantly affect, the central economic problems today are slack capacity, falling output, the weak demand—the very factors that are causing the current recession. In sum, although tax relief will not impede the fight against inflation, it can keep the recession from growing worse.

In addition, the antirecession tax relief proposal has the strong support of four of the most influential and respected economists in the Nation—Walter Heller, Arthur Okun, and Leon Keyserling, all past chairmen of the Council of Economic Advisers, and Paul Samuelson, Nobel prize winner in economics in 1970. That is a grand slam of economic support for tax relief by any standard.

Moreover, in a separate but important way, tax relief can actually help to fight inflation, by leading to a moderation in demands for higher wages this year. Thus, tax relief can make up part of the loss in real income that millions of workers have suffered because of inflation; it can thereby help prevent large wage demands that would lead to another drastic upward round in the spiral of inflation.

We hold in our hands the key to the present health of the economy. If we do nothing now, if we allow ourselves to be lured yet again into following the administration's Pied Pipers of Prosperity, then we have only ourselves to blame. Five years of mismanaged policy and shattered credibility on the economy are enough. It is time for Congress to assert its power, and to exercise its own independent judgment on economic policy.

My hope is that the Senate and House will act quickly to adopt the tax relief and tax reform proposals we are offering. The health of the American economy for the remainder of 1974 and well into 1975 may hang on the outcome of our action.

As I have indicated, all of our tax reform proposals have been widely debated before. In the area of oil depletion, let us recognize that the extraordinary increase in the cost of fuel has made the energy crises enormously lucrative for the oil companies. All we have to do is examine the profit statements of the oil companies during the period of the past year and the first quarter of this year, and we see a most extraordinary increase in their profits. Obviously, these enormous profits are due in major part to the oil depletion allowance.

Our first tax reform will close this gaping loophole in the tax laws. It will bring in revenues of approximately \$2 billion the first year, and will ultimately go up to approximately \$4 billion.

Our total revenue gains, if we are able to enact all of the tax reforms, will easily offset the reductions that we are providing for middle- and low-middle-income people in the tax relief portion of our package. That includes not only the

repeal of depletion allowance, but also the inequities that are created by DISC, accelerated depreciation and the minimum tax on the current revenue code.

We hear on the floor that we have not given adequate consideration to these various proposals. Actually, as everyone knows, the oil depletion allowance has been controversial for a generation. Now in the face of the profits 1974 is spawning, it has become intolerable.

On the minimum tax, it was originally proposed by the Committee on Finance, as a part of the Tax Reform Act of 1969. It was only a 5-percent minimum tax at that time. That was modified on the floor by the former Senator from Iowa (Mr. Miller), who increased the percentage to 10 percent, but who also introduced the notorious "deduction for taxes paid" loophole. That loophole allows a taxpayer to reduce his tax loop-hole income by the amount of regular taxes he pays, before the 10-percent minimum tax is applied to his net loop-hole income. This is nothing more nor less than an "executive suite" loophole. It is there for the benefit of executives with high salaries, executives, who receive, in some instances, anywhere from \$200,000 to \$900,000 a year, and who may pay \$100,000 to \$250,000 in taxes. They use those taxes to shelter large amounts of income from tax loopholes, and thereby escape the minimum tax altogether.

This has meant that the minimum tax, rather than working at the statutory rate of 10 percent, is actually working at an effective rate of only 2.7 percent.

By closing this services loophole, our reform will strengthen the minimum tax and bring in \$900 million a year.

The Senate has voted on the minimum tax several times since 1969. We have had extensive discussions and floor debate on the measure. Extensive hearings have been held. Last January, the Senate actually voted in favor of this exact same reform we are proposing now, so I see no reason why the Senate should not vote again.

We have also debated the issue of the asset depreciation range many times. We had voted on that. This was an amendment which has been strongly supported by the Senator from Indiana (Mr. BAYH).

The same is true of DISC, the special tax windfall for exporters. We have debated it many times on the Senate floor, thanks to the leadership of Senator MUSKIE and others who have called continual attention to its flaws.

So these are four very specific tax reforms directed toward very specific tax abuses. Those of us who have developed this particular package, developed it not as a total and comprehensive tax reform program, but in recognition that there are certain parts of the current tax system which are full of flagrant loopholes. We think the Debt Ceiling Act is the place to make a stand, and to insist that those loopholes be voted on by the Senate.

Now there were a number of Members of the Senate who had differing views about this proposal on the questions of the depletion. I talked with some Mem-

bers of the Senate who felt on the question of depletion that we should not end the oil depletion allowance completely, but that we should eliminate depletion only on foreign production, retaining it for domestic production. That is what this debate is for. I hope that we will have the opportunity to discuss and debate that proposal and resolve it on the merits.

There are other proposals on oil. Some wish to eliminate the oil depletion allowance for the major companies and to permit it for smaller companies, so that we would provide incentives to the small companies that have been so ambitious in the industry in exploration and development. We have debated that particular approach for a number of years, and it has special urgency today, when many feel that even the independents no longer need depletion as an incentive, because the price of oil is so high that it provides all the incentive any producer, large or small, will need.

Mr. HART. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. I yield.

Mr. HART. Do I correctly understand that the amendment offered by the Senator from Massachusetts and several of our colleagues reaches four areas; the repeal of the oil depletion allowance, with reference to which the Senator has just made some comments. The remaining three areas, as I understand them, and I would ask the Senator from Massachusetts if I understand correctly, would repeal the depreciation range system of accelerated depreciation, would repeal the Domestic International Sales Corporation—DISC, and would strengthen the minimum tax.

The reason for my inquiry, I should explain, is that I have been required for the past several days to attend forenoon and afternoon hearings of the Committee on the Judiciary involving executive nominations. So, may I inquire of the Senator from Massachusetts whether these four points are the basic elements in his amendment.

Mr. KENNEDY. Yes, the Senator is correct.

Mr. HART. Now further, Mr. President, may I ask the Senator from Massachusetts how much new revenues will be generated by these four reforms?

Mr. KENNEDY. There will be a revenue gain of \$4 billion in the first year, and \$7 billion for the fifth year. It will completely offset any revenue lost by the tax relief part of our package.

The Senator is quite correct. There will be a revenue gain from tax reform that will completely offset any revenue loss from tax relief. The benefits would go to the middle, low-income, and the working poor. The burden would be on the higher-income individuals as well as on the most profitable corporations.

Mr. HART. May I ask what I suggest will be a final question, if the Senator will continue to yield?

Is it the intention of the Senator from Massachusetts, in the event the Senate approves these four reforms, to leave the tax reform issue at this point, awaiting another and conceivably happier year, or is it his thought or intention, if he is free

to indicate, that later this year an additional effort to add further equity to the tax code might be undertaken?

Mr. KENNEDY. It would certainly be my hope that those reforms would be only a downpayment on future tax reform by Congress. We have identified what I think are the most notorious loopholes in the Internal Revenue Code. It would be my hope that the Ways and Means Committee and the Finance Committee will consider additional tax reform, as well, this year, and allow us to bring it to a vote.

Mr. HART. If the Senator will yield for one last question, Mr. President, as I understand it, the amendment has two basic thrusts: to reform the code in at least four respects, in an effort to increase revenue, and, second, in at least three areas to provide tax reduction, to bring greater equity to the tax code.

These are the two thrusts of the amendment which the Senator, I hope successfully, seeks to persuade his colleagues to adopt. Is that correct?

Mr. KENNEDY. The Senator is correct. Many outstanding economists, Walter Heller, Arthur Okun, Paul Samuelson, and Leon Keyserling, believe that in addition to the tax equity which will be achieved by the adoption of the amendment, there will also be a significant antirecessionary economic impact of the amendment. So it is sound economic policy and sound tax policy.

Mr. HART. I do thank the Senator from Massachusetts.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

Mr. MONDALE. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued to call the roll.

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

Mr. MONDALE. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk resumed the call of the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. MONDALE. Mr. President, I yield to the Senator from West Virginia.

ORDER FOR LIMITATION OF TIME ON CONSIDERATION OF PROTOCOLS FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1971

Mr. ROBERT C. BYRD. As in executive session, I ask unanimous consent that at such time as calendar No. 2 on the executive calendar for treaties, Executive C (93d Cong. 2d sess.), Protocols for the Extension of the International Wheat Agreement, 1971, is called up and

made the pending business before the Senate, there be a time limitation thereon of 30 minutes, to be equally divided between Mr. AIKEN and Mr. FULBRIGHT; that there be a time limitation on any amendments thereto, any understanding or any reservation in relation thereto, of 30 minutes; that there be a time limitation of 20 minutes on any debatable motion or appeal, and that the agreement be in the usual form with respect to the division and control of time.

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

Mr. ROBERT C. BYRD. Mr. President, I thank the Senator from Minnesota.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

The Senate continued with the consideration of the bill (H.R. 14832) to provide for a temporary increase in the public debt limit.

Mr. MONDALE. Mr. President, the pending amendment offered by Senator KENNEDY, myself and others is designed to couple tax reform with tax relief. It is not designed to add additional burdens to the budget. We seek to pick up as much from tax reform as we deliver to working Americans of average and low income in the form of tax relief.

The reform package includes a proposal to eliminate and repeal the oil and gas depletion allowance, to repeal the so-called DISC tax preference for exporting corporations, known as Domestic International Sales Corporations; to tighten up the so-called minimum tax so that wealthy Americans who are now able through a series of deductions, preferences, and exemptions to avoid all or most of the tax burden which others pay, are required to pay at least some portion of their income toward the support of the American Government. We seek to increase Federal revenues and then swing those revenues, approximately \$6 billion, into relief for taxpayers of average and low income.

The relief provisions would increase the present personal tax exemption from \$750 to \$825 per dependent, or, in the alternative, permit families to take a tax credit of \$190 per dependent. The tax credit alternative approach, I believe, is new, and I believe it has a great deal of merit. The tax exemption has the disadvantage of delivering more real tax relief the wealthier you are and less relief per dependent the poorer you are. Thus a wealthy taxpayer in the top tax bracket may save up to \$525 in real taxes under the present tax exemption per dependent, whereas the low-income worker might save only \$105 to \$125 per dependent. This is a strange upside-down form of relief for American families, which says "To the extent that you do not need it, you will receive relief, and to the extent that you do need it, you will not receive relief."

The exemption, however, is a long-standing provision in the tax laws. It is well recognized. So the main thrust of this amendment is a new provision for an alternative form of relief called the tax credit for dependents. It would provide a credit of \$190 for each dependent

in the family, and this would be a credit against one's final tax bill. Under this provision, more than 80 percent of the relief would go to Americans earning about \$15,000 a year or less, and it would provide special relief to families with many dependents.

There is no question but that poverty varies very dramatically with the size of the family, but the present tax exemption does not help large families with average incomes very much.

The tax credit would. For example, a married couple with four dependents earning, say, \$8,000 a year would receive a tax saving of \$322 under this tax credit. A married couple with four dependents earning \$10,000 a year would receive a tax savings of \$270, and so on. The idea is to provide some relief to Americans who are now being tortured by inflation.

The other element of tax relief is a new proposal which had earlier passed the Senate, but is now stalled in conference for a low-income work bonus, which would give low-income workers with one or more children a refundable tax credit equal to 10 percent of their income up to \$4,000, and a gradually smaller percentage of their income up to \$5,600.

The idea behind this provision is that these are working Americans with children, but their income is so low that not only are they being tortured by inflation and the high cost of living, but we seem to double the insult by having what is, in effect, a 10-percent payroll tax imposed upon them because they are working.

These are almost identically the people who could well be considering whether work is worth it, and whether it might be better just to quit, go on welfare, and let Uncle Sam and the State taxpayers pick up the whole burden.

I think anyone who is interested in welfare reform has to begin with the notion that it ought to be more beneficial for a person who can work to do so than to remain on welfare. In order to make that the case, the economics of working have to lead to that result.

The trouble with the payroll tax, particularly as it applies to these low-income workers, is that it is a 10-percent bite out of their income for working, and in many cases, if one looked just at economics they might well be better off to go on welfare.

That is one of the reasons why I strongly support Senator Long's proposal for this work bonus, to try to obtain some relief and a further incentive to work for low-income workers with children. This is a proposal that I think has tremendous merit and I believe deserves the support of the Senate. It is a measure which we have adopted before. We adopted it last November by a vote of 57 to 21.

Returning to the exemption tax credit proposal, I refer my colleagues to page 15814 of the CONGRESSIONAL RECORD of May 21, 1974, on which there is a table which demonstrates how this money would be directed to moderate and low income workers with the credit and exemption proposals of the Kennedy-Mondale bill. It clearly demonstrates that this proposal will bring relief where it is needed most: to those who are hav-

ing the hardest time making it under our present inflationary system.

These are the Americans whose taxes are going up now. They are going up because as their wages increase with dollars that are worth less, they also get into higher tax brackets, and their taxes are thereby increased under the income tax laws.

In other words, not only are their dollars worth less, but their tax is more. We propose to bring some relief to them for that reason.

Secondly, the payroll tax has been rising all the time. This is something which I think the workers of America are just beginning to realize. The payroll tax is a flat tax. It has no marital share split. It has no deductions for dependents. It does not vary with family size. There is no deduction for medical costs. There are none of the equities built into the payroll tax which we have built into the income tax over the years.

The result is that Americans of average and low income are finding that payroll tax soaring, and I believe shortly most Americans will pay more in payroll taxes than they pay in income taxes. It is a harsh tax; it is a regressive tax; it is one that strikes particularly cruelly at Americans in the low- and moderate-income brackets.

So what we are proposing to do here is try to provide some relief, modest though it might be, to the Americans who need it the most, who are working, trying to care for their families, pay taxes, be good citizens, and who above all others are being adversely affected by the combination of rising interest rates—now the highest since the Civil War—rising taxes, one of the worst inflationary periods in American history, together with rising unemployment. It seems to me that if we are going to have a system in which we fight inflation with some sense of equity, this modest proposal on tax relief is well in order. As I said earlier, we are going to fund this relief through tax reform, through closing loopholes and reducing preferences which now permit many Americans to avoid all or most of the taxes they would otherwise pay.

A good example is the oil industry. The multinational oil corporations are a classic study in tax preferences. On overseas operations they are able to take the oil depletion allowance, intangible drilling costs and, in addition, we give them the right to credit against all earnings from foreign sources, for U.S. tax purposes, all taxes paid to foreign sources. In addition, some years back, in what Paul Douglas used to call the "golden gimmick" we let them treat royalty payments as "taxes" for the purpose of credit earnings brought in from overseas against U.S. taxes and that made overseas oil operations virtually tax free.

As a result, instead of leading toward a policy of more national oil independence, we created a tax policy which made it almost imperative that the major oil companies go overseas, because that is where the tax haven was; and more than that, they could take such operations as shipping, insurance, and anything else in the way of management costs, refining capacities, particularly, and put them

overseas, because it was tax free for all practical purposes. So now it has resulted in great dependence of this country on foreign oil and foreign refineries and it has made the major multinational oil companies during this period of the highest profits of any corporations in the history of the United States, a virtually tax free industry.

Let us look at the taxes that are reported in U.S. Oil Week on June 10, 1974.

Exxon paid 5.4 percent in Federal income taxes on their income.

Gulf Oil paid 1.1 percent.

Mobil Oil paid 2.2 percent. I should like to digress for a moment to say that one of the arguments used against us when we try to rollback oil prices so that the consumer could have a break, or when we try to increase their taxes by closing some of the loopholes, the argument we have always heard is, "Well, this money is needed by us in order to develop domestic oil resources and domestic refineries." They make the argument that every dollar that goes to them is automatically invested in the form of increased domestic oil exploration development, refining, and all the rest.

Well, 2 days ago, Mobil Oil Co. announced that it was buying the Marcor Corp., one of the largest corporations in the country. Marcor owns Montgomery Ward and another large corporation, Container Corp. of America. The cost of this corporation, I think, is something like \$500 million.

These major oil companies are getting just like the major Arab exporting countries, they have so much money they do not know how to handle it. Finally, in order to invest it, they had to go public.

A few months ago, Gulf Oil Co. offered to buy the Barnum & Bailey Circus in the midst of debate over whether they needed as many profits as they now enjoy. In my opinion, Mobil Oil Corp.'s proposed acquisition of Marcor is the best sign yet that the oil industry is engaged in a desperate search for ways to get rid of embarrassingly high profits and lends substantial weight to the wisdom of repeal of the oil depletion allowance.

Mobil paid 2.2 percent in Federal income taxes. The maid who cleans the office of the president of Mobil must pay

at least 10 percent in taxes. The figures show that on the average, approximately 10 percent in taxes are paid at the lowest income levels.

Texaco paid 1.6 percent in Federal income taxes.

Standard of California paid 4.1 percent in Federal income taxes.

Arco paid 8.1 percent in taxes, and so on.

This pattern of major multinational corporations bringing in billions of dollars collectively and being treated virtually tax-free is nothing short of a national scandal. I do not know how we can go to the average American and ask him to sacrifice, to restrain inflation, to pay the cost of Government, when we have this policy of unlimited preferences for the corporation and only higher taxes, inflation, higher interest rates, and unemployment for the rest.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the proposed Marcor acquisition by Mobil Oil Corp., and another survey which shows that in 1971, 45 percent of all foreign tax credits were taken by U.S. oil corporations overseas; I also ask unanimous consent to have printed in the RECORD a table which was published in U.S. Oil Week on June 10, 1974, showing what the major oil companies paid in taxes from 1969-73.

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

CONNECTION SEEN BETWEEN MOBIL'S PROPOSED ACQUISITION OF MARCOR CORP. AND NEED FOR REPEALING OIL DEPLETION ALLOWANCE

WASHINGTON, D.C., June 18.—Senator Walter F. Mondale (D-Minn.) said today that Mobil Oil Corporation's proposed acquisition of Marcor Corporation is the "best sign yet that the oil industry is engaged in a desperate search for ways in which to get rid of embarrassingly high profits" and "lends substantial weight to the wisdom of repealing the oil depletion allowance immediately."

Mondale made the statement in connection with Senate debate on the Debt Limit Bill, H.R. 14832. He has joined with a group of Senators in proposing an amendment to this legislation which eliminates the oil depletion allowance retroactive to January 1, 1974.

The Minnesota Senator pointed to the Mobil Oil Corporation's proposed acquisition of Marcor Corporation as "the latest in a series of oil company moves that clearly

indicate they do not know what to do with the excessive profits which they have realized over the past year.

"These companies are desperately searching for ways to spend their excess cash, since they apparently cannot spend much of it in expanding domestic oil and gas exploration," Mondale said. "The acquisition of Marcor—which owns Montgomery Ward and the Container Corporation of America—will cost up to \$500 million, and is some indication of the size of excess profits that only one oil corporation has amassed."

Referring to Gulf Oil Corporation's proposed purchase of both the Ringling Brothers and Barnum and Bailey Circuses and the "giant" CNA Financial Corporation, Mondale noted that "these proposed mergers were called off, apparently after embarrassment caused by the outcry that met these announcements."

"Apparently Mobil now thinks, however, that the American people's attention is no longer on the energy crisis, and that they can therefore move with impunity," the Senator added.

In addition, he stated, "a host of major oil companies have recently given large bonuses to their non-union employees, apparently in another attempt to divert profits which they cannot invest in expanding domestic oil and gas operations."

"Mobil recently gave 37,000 non-union employees a one-month bonus estimated to cost \$32 million; and Exxon, Standard of California, Continental, Standard of Indiana, Shell, Atlantic Richfield and Union are all raising the pay of their non-union employees, most by an average of six per cent," Mondale added.

"This pattern of a desperate search for ways in which to get rid of embarrassingly high profits should indicate that the vast recent increases in oil industry profits are not all being reinvested in oil and gas exploratory and producing operations, as the companies would like the American public to believe," Mondale said. "It lends substantial weight to the wisdom of repealing the oil depletion allowance immediately, and should help end speculation that ending this unnecessary tax break would result in increases in the price of oil products to the consumer."

"The Congress should help the oil industry out of its current embarrassment of riches by removing the source of that embarrassment—profits so large that the companies cannot possibly invest most of them in the domestic oil and gas business. And the best and most sensible way of accomplishing this is the immediate repeal of the oil industry's percentage depletion allowance."

FEDERAL FOREIGN TAXES OF MAJOR OIL COMPANIES (FROM SECURITIES AND EXCHANGE COMMISSION 10-K FORM REPORTS) [In thousands]

	Net income before tax	Federal income taxes	Federal tax as percent of net	Foreign, state income taxes	Foreign, state as percent of net	Net income after tax		Net income before tax	Federal income taxes	Federal tax as percent of net	Foreign, state income taxes	Foreign, state as percent of net	Net income after tax
Exxon:							Standard (California):						
1973	6,195,000	333,000	5.4	3,419,000	55.2	2,443,000	1973	1,324,677	53,900	4.1	427,200	32.2	843,577
1972	3,878,000	240,000	6.2	2,106,000	54.3	1,532,000	1972	937,970	19,400	2.1	371,500	39.6	547,070
1971	3,346,916	251,398	7.5	1,663,396	49.7	1,432,122	1971	855,692	14,000	1.6	330,600	38.6	511,092
1970	2,474,748	268,273	10.8	896,938	36.2	1,309,537	1970	658,517	29,700	4.7	174,000	26.4	454,817
1969	2,069,697	265,789	12.8	756,269	36.5	1,047,939	1969	590,386	10,900	1.8	125,700	21.2	453,786
Gulf:							Standard (Indiana):						
1973	2,164,000	23,000	1.1	1,341,000	62.0	890,000	1973	767,773	165,642	21.6	90,882	11.8	511,249
1972	1,009,000	12,000	1.2	800,000	79.3	197,000	1972	470,130	48,050	10.2	47,330	10.1	374,740
1971	1,316,463	31,662	2.3	724,000	55.0	561,401	1971	435,954	63,462	14.5	31,859	7.3	340,633
1970	985,258	11,892	1.2	423,000	42.9	550,366	1970	391,951	56,018	14.3	24,502	6.2	311,431
1969	986,822	4,264	.4	372,000	37.7	610,558	1969	406,670	64,524	15.9	22,991	5.6	319,155
Mobil:							Shell:						
1973	1,995,478	43,500	2.2	1,102,666	55.3	849,312	1973	455,818	112,680	24.7	10,444	2.3	332,694
1972	1,343,610	17,300	1.3	752,111	56.0	574,199	1972	342,246	73,989	21.6	7,777	2.3	260,480
1971	1,321,959	85,700	6.5	695,464	52.6	540,795	1971	292,075	43,738	14.9	-3,833	1.3	244,504
1970	873,951	95,600	10.9	295,644	33.8	482,707	1970	274,681	34,285	12.4	3,191	1.1	237,205
1969	736,403	41,800	5.7	260,088	35.3	434,515	1969	308,451	5,464	1.7	11,836	3.8	291,151
Texaco:							Arco:						
1973	1,891,203	30,000	1.6	568,800	30.1	1,292,403	1973	450,611	36,276	8.0	144,150	32.0	270,185
1972	1,375,840	23,600	1.7	463,200	33.7	889,040	1972	303,995	11,141	3.7	97,293	32.0	195,561
1971	1,319,468	30,000	2.3	385,600	29.2	903,868	1971	295,245	11,115	3.8	85,428	28.9	198,702
1970	1,137,666	73,250	6.4	242,400	21.3	822,016							
1969	952,854	7,250	.7	175,800	18.4	769,804							

FEDERAL FOREIGN TAXES OF MAJOR OIL COMPANIES (FROM SECURITIES AND EXCHANGE COMMISSION 10-K FORM REPORTS)—Continued

	Net income before tax	Federal income taxes	Federal tax as percent of net	Foreign, state income taxes	Foreign, state as percent of net	Net income after tax		Net income before tax	Federal income taxes	Federal tax as percent of net	Foreign, state income taxes	Foreign, state as percent of net	Net income after tax
1970	263,406	10,622	4.0	43,280	16.4	209,504	Getty:	211,616	20,930	9.9	48,449	22.9	142,237
1969	279,932	3,963	4.0	47,282	16.9	228,687	1973	154,722	31,965	20.7	41,583	26.9	81,174
Amerada Hess:							1972	200,619	23,665	11.8	46,011	22.9	130,943
1973	385,642	31,317	8.1	108,560	28.15	245,765	1970	151,844	26,863	17.7	12,585	8.3	112,396
1972	123,164	9,262	7.5	87,901	71.4	26,001	1969	146,774	18,168	12.4	9,338	6.4	119,268
1971	240,003	22,552	9.3	84,202	35.1	133,249	Cities Service:						
1970	183,208	6,648	3.6	62,550	34.1	114,010	1973	194,727	41,600	21.4	6,200	3.2	146,927
1969	133,447	2,406	1.8	46,385	34.8	84,656	1972	119,492	3,629	3.0	3,756	3.1	112,107
Sun:							1971	117,574	9,934	8.4	3,173	2.7	104,467
1973	380,306	62,561	16.45	88,014	23.1	229,731	1970	151,562	27,169	17.9	5,816	3.8	118,577
1972	234,299	30,999	13.2	48,591	20.7	154,709	1969	165,418	27,254	16.7	4,766	2.9	133,398
1971	236,070	41,081	17.4	43,373	18.4	151,616	Ashland:						
1970	223,086	56,957	25.5	27,054	12.1	139,075	1973	149,199	53,135	35.61	10,845	7.3	85,219
1969	228,787	49,651	21.7	25,585	11.2	153,551	1972	106,715	32,282	30.3	6,376	6.0	68,057
Marathon:							1971	53,488	24,635	46.06	4,111	7.7	24,742
1973	369,406	36,675	9.9	189,384	51.27	143,347	1970	70,942	28,978	40.8	3,605	5.1	38,359
1972	255,999	19,202	9.5	157,012	61.3	79,785	1969	88,482	28,331	32.0	3,719	4.2	56,432
1971	229,390	14,000	6.1	147,176	64.2	68,214	Standard (Ohio):						
1970	196,412	8,200	4.2	101,680	51.8	86,532	1973	108,408	3,937	3.6	15,086	13.9	89,385
1969	170,657	3,250	1.9	77,929	45.6	89,478	1972	70,165	706	1.0	11,992	17.1	57,467
Phillips:							1971	60,462	1,245	2.0	7,508	12.4	54,199
1973	322,044	42,830	13.3	48,803	15.15	230,411	1970	65,848	6,918	10.5	4,252	6.5	68,514
1972	214,097	40,928	19.1	24,741	11.56	148,428	1969	99,193	42,601	42.9	5,183	5.2	51,409
1971	179,391	28,230	15.7	18,845	10.5	132,316	Kerr-McGee:						
1970	165,626	38,821	23.4	15,625	9.4	111,180	1973	95,694	28,638	29.9	4,229	4.4	62,827
1969	184,981	35,366	19.1	19,505	10.5	130,110	1972	69,463	16,222	23.3	2,642	3.8	50,599
Conoco:							1971	54,741	11,089	20.2	2,963	5.4	40,689
1973	257,632	12,557	4.9	2,411	.1	242,664	1970	47,322	9,169	19.4	2,236	4.7	35,917
1972	175,354	3,149	1.8	2,024	1.15	170,181	1969	42,747	7,130	16.7	1,977	4.6	33,640
1971	290,528	4,653	1.6	176,447	60.7	109,428	Totals—19 companies:						
1970	301,447	20,010	6.6	121,190	40.2	160,247	1973	17,975,704	1,164,278	6.47	7,670,323	42.67	9,187,860
1969	255,075	11,553	4.5	88,647	34.75	154,875	1972	11,337,004	643,634	5.68	5,052,829	44.56	5,640,541
Union							1971	10,994,345	723,309	6.58	4,475,839	40.71	5,797,687
California:							1970	8,754,686	816,913	9.3	2,474,758	28.26	5,476,851
1973	256,470	32,100	12.5	44,200	17.2	180,170	1969	8,018,206	638,464	7.96	2,064,400	25.74	5,315,642
1972	152,743	9,800	6.4	21,000	13.75	121,943							
1971	148,307	11,750	7.9	21,850	14.7	114,707							
1970	137,211	7,540	4.6	15,210	9.4	114,461							
1969	171,430	8,800	5.1	9,400	5.4	153,230							

What about deferred?—Refiners may object to our omitting "deferred" taxes from the table. While accountants differ widely on how to show deferred taxes the current taxes shown above are the only ones clearly paid Uncle Sam. Companies may defer taxes to future years under many provisions of tax law. Some may be paid the following year or several years later or not at all in the case of provisions for capital gains on property that's never sold. Dr. Gerard Brannon, a former Treasury Department official, now at Georgetown University, said ignoring deferred taxes gives a more accurate picture. To properly treat deferred taxes would take a good accountant weeks to analyze what each deferral is for . . . if refiners would reveal their tax returns.

Older figures changed?—Yes in many cases the figures for earlier years have been changed from those in earlier U.S. Oil Week tables. We assume IRS auditors of refiners tax returns have caused refiners to change figures for earlier years in their 10K reports at SEC.

MONDALE SAYS OIL COMPANIES USED FOREIGN TAX CREDIT TO LOP 75% OFF 1971 U.S. TAX BILL

WASHINGTON, D.C., January 27.—Senator Walter F. Mondale (D-Minn.) said today that a just-released Treasury Department report shows that U.S. oil companies used foreign tax credits to cut their 1971 U.S. tax bill by more than 75%.

According to the Treasury report, the oil companies reduced their 1971 U.S. tax bill from \$3.2 billion to \$788 million by subtracting from their U.S. taxes the amount they paid in taxes to foreign governments.

"This extraordinary use of the foreign tax credit reinforces the long-standing suspicion that the big multi-national oil companies have worked out special deals with the Arab sheiks to jack up their foreign tax credits," Mondale said. "Instead of having their payments to the Arab countries treated as royalties—which can only be deducted from income—the oil companies have succeeded in getting them treated as income taxes, which can be subtracted dollar for dollar from their final U.S. tax bill.

"No other U.S. industry uses the foreign tax credit to this massive scale," Mondale noted.

"The U.S. oil companies take more than 45% of all foreign tax credits claimed by U.S. industry. And for U.S. industry as a whole, foreign tax credits reduced their U.S. tax bill by less than 15% in 1971, compared to more than 75% for the oil companies."

Mondale said the new Treasury report on 1971 corporation income tax returns showed all U.S. industries claimed \$5.486 billion in foreign tax credits against total 1971 income taxes of \$36.865 billion. But the oil companies (listed in the Treasury report as "crude petroleum and natural gas" and "petroleum refining and related industries") claimed \$2.444 billion in foreign tax credits against total 1971 taxes of \$3.232 billion, thereby reducing their U.S. taxes to \$788 million.

"With the recent huge increases in Arab oil prices and taxes," Mondale said, "the companies will now have even more foreign tax credits to charge against their U.S. taxes. Some of the companies may be hard pressed to pay any U.S. taxes at all on their current income.

"The effect of the foreign tax credit on the tax bill of individual companies is even more striking than the aggregate figures," Mondale added.

Mondale pointed to data from U.S. Oil Week showing that Gulf paid only 2.3% of its 1971 income in U.S. taxes, Standard of Ohio 2.0%, Texaco 2.3%, Mobil 6.5%, Standard of California 1.6% and Exxon 7.5%.

The average tax payment for the 19 largest oil companies in 1971 was 6.5% of their total income, according to the U.S. Oil Week study.

"By far the greatest factor in this grand scale oil company tax avoidance was the foreign tax credit," Mondale said. "While the foreign tax credit is generally a legitimate device to recognize the worldwide tax burdens of U.S. corporations, there is strong evidence that it has been abused by the big multi-national oil companies.

"The whole package of tax breaks the big oil companies have enjoyed for decades—the oil depletion allowance and the deduction for intangible drilling expenses, as well as the foreign tax credit—must be totally re-examined," Mondale stated.

"These tax breaks have become so enormous that they are now overlapping each other, especially in the oil companies' foreign

operations. The big multi-national oil companies hardly make any use at all of the oil depletion allowance in their foreign drilling, for example, since their foreign tax credits alone are more than enough to relieve them of almost all U.S. taxes.

"That is why the Nixon foreign tax proposals are so feeble," Mondale continued. "His proposal to take away the oil depletion allowance for foreign drilling will have little effect on the major oil companies, since they don't use it anyway. His own Treasury Department admitted repeal was only 'symbolic'.

"And his proposal to turn 'excess' oil company foreign tax credits into deductible royalties may well turn out to be a windfall boon to the big multi-nationals. They now have so many foreign tax credits they can't use them all. Now Nixon comes along and proposes to turn some of the credits into royalties, so they can be deducted from income instead of going to waste. It is too clever by half.

"It does little good to cut back on one or two oil company subsidies while leaving the others untouched. We must deal with all of them together, with perhaps a form of minimum tax as a back-up to make sure that the multi-nationals pay their fair share in U.S. taxes," Mondale observed.

He concluded, "I will be looking at a number of possible approaches during Finance Committee hearings on the trade bill and on proposals for excess and 'windfall' profits taxes. With oil company profits and prices soaring to unprecedented heights, the last thing we need to do is line their corporate coffers even more magnificently with excessive tax subsidies."

Mr. MONDALE, Mr. President, what we have sought to do is to vote on these proposals, to have an opportunity to permit the Senate to debate and vote. We are not interested in delaying these proceedings. We are interested in coming to a vote. We are interested in agreeing to a time limitation on all amendments. We are interested in having these matters worked out and decided and sending the measure over to the House in time to extend the debt ceiling before its expiration on June 30.

Mr. President, I see my colleague and cosponsor of this measure, the Senator from Massachusetts (Mr. KENNEDY), in the Chamber and I know he shares with me our desire to bring this matter to a head, have the debate take place, and then have the vote take place, and let the American people see that the Senate is concerned about the present desperate situation in which the average American family finds itself today.

Mr. KENNEDY. Mr. President, will the Senator from Minnesota yield?

Mr. MONDALE. I am pleased to yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, those of us who developed this proposal, to provide a degree of tax equity and tax reform, have worked over a period of months to develop this package of tax relief and tax reforms.

We have worked with the leadership to try to schedule this debate at the most appropriate time in the Senate calendar, recognizing that there is much unfinished business before the Senate, recognizing the particular exigencies which may arise on other matters. We have worked with the majority leader, and the majority leader has worked with the minority leader, to afford an opportunity for us to bring these matters up with sufficient time for debate and discussion. We all recognize the importance of these measures and the comprehensiveness of these measures, and their significance in terms of tax equity and tax reform. The leadership has complied with our request in every way, and I commend them for the extraordinary role they have played.

Now we find ourselves in the early part of Thursday afternoon, after a desultory discussion and debate which started on Monday on a delaying amendment, the substance of which the Senate addressed last week. I daresay it would be overwhelmingly accepted now by the Senate, were we to have an opportunity to vote on the particular measure offered by the Senator from Alabama.

No new idea was suggested by the amendment of the Senator from Alabama. No new presentation of new material was made. There were no new studies; no new information that has not generally been available to the Senate or to Senators in the course of 4 days of discussion by those who have supported the amendment of the Senator from Alabama.

I am satisfied that we could dispose of that amendment in a few short moments. I am inclined to vote for it myself.

So what is happening here should be extremely clear to the American people. We have the submission of an amendment, by a Senator, followed by the same Senator filibustering on his own amendment, to prevent the Members of the Senate from voting on other amendments.

I join the Senator from Minnesota in expressing the great sense of frustration that many of us feel over these parliamentary tactics and devices. We understand that tactics and devices exist under the rules of the Senate, but it is exceedingly difficult to explain why the Senate cannot act to the hundreds of thousands and millions of Americans

who have only recently paid their taxes and who see other thousands of Americans who are able to take advantage of all the tax loopholes to avoid this fair share of taxes.

They wonder why Congress does not act. They wonder why Congress does not do something about this situation.

If we have to go back and say that we got wrangled up in a parliamentary situation, that we were unable to bring it to a vote, I wonder what sense of confidence the American people are going to have in their particular institution of their government.

We are already aware of their general view about Congress and the Senate of the United States. I dare say there will be a further drop in confidence after the exercise of the past few days, if we are prohibited from getting a chance to vote on tax relief and tax reform.

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

Mr. KENNEDY. Yes, I yield.

Mr. MONDALE. I find it remarkable that the administration opposes this amendment. They do so, first of all, because they say it is inflationary. But they are not against tax cuts. The President announced the other day that he was setting up a high level commission to see if they could develop new ways of bringing tax relief to big business. That is a tax cut. What he is opposed to is any tax relief to the average American living on an average income, trying to make his way in these difficult times.

Some of the great economists in the country—Walter Heller, Art Okun, and Paul Samuelson—have said that this is not inflationary. More than that, a study that leaked out the other day from the Office of Management and Budget pointed out that their own governmental economists do not think that this tax cut is inflationary.

I suppose that, having released that information, it is now inoperative. In any event, we coupled this tax relief with tax reform.

As the Senator pointed out, there are many wealthy Americans who escape all or most of their taxes. The IRS reports that 402 Americans, who earned \$100,000 or more in 1972, paid nothing in Federal income taxes. Four of them reported \$1 million each and did not pay a dime in taxes.

We passed a minimum tax a few years ago, and then it was amended to permit an offset of other taxes paid. As a result, we drove a big loophole through the minimum tax. I believe the IRS figures show that 33,000 Americans reported an average of \$152,000 each in this preferential income and paid only 4 percent of it in tax.

So you have billions of dollars slipping out of the tax net, but not from working Americans, because you can hire the best tax lawyer in town and he cannot find any loopholes for them; there are none. You have to be rich enough to be able to structure your income to come within one of these preferences in order to avoid taxes in that way.

So the evidence is absolutely clear. We have now had these figures on the multinational oil companies which show that they are virtually tax free—1 percent, 2

percent, or in a bad year they might pay 3 percent in Federal taxes—even though they are in the period of the highest profits of any corporations in the history of the United States. They are now threatening to buy everybody else up—Montgomery Ward, and so forth.

All we are saying is, let us have some modest tax reform and swing that money, picked up in the form of tax relief, to Americans who are now being asked to assume all the burdens. Their taxes are going up. They are paying the highest interest rates. We have a survey which shows that at the end of World War II, the average family paid only 10 percent of its income for interest and debt and mortgage payments for homes and other credit. Today, because of the tremendous rise in interest rates, the highest since the Civil War, 25 percent of their income has to go just to pay for interest charges, debt repayment, and for the cost of staying in their own home.

That is one of the reasons why home mortgage foreclosures are beginning to soar.

In addition, because of tight credit, unemployment is rising. The average work week is dropping.

In addition, the part of the Federal budget that is being slashed are the programs to help the same people through education, through health, student assistance, and other things.

Under this administration, it is always the average American who is asked to pay everything. It seems to me that in this modest tax reform proposal and tax relief proposal, the embarrassing thing is that it is so small. It is only \$6 billion of relief to millions of Americans. Perhaps it would make a \$200 or \$300 difference to the average family. At least, it is some relief. But they even oppose that.

Mr. KENNEDY. Will the Senator yield for a question?

Mr. MONDALE. I will be glad to yield.

Mr. KENNEDY. We have heard in the course of this debate about how inappropriate it is for the Senate to amend the Debt Ceiling Act with a proposal to provide tax relief or tax reform. Yet, the Senator from Alabama, himself, voted for an amendment to the Debt Ceiling Act 2 years ago, to increase social security benefits for the elderly people of this country.

We listened yesterday to the discussion and the debate of the Senator from Illinois (Mr. PERCY), who deplored adding an amendment to the Debt Ceiling Act. Yet, he voted not only for the increase in social security but also for the amendment to end the war in Cambodia. Both these votes were on amendments to the Debt Ceiling Act.

But when it comes to doing something about tax reform it appears that this body is unwilling to proceed. It is deaf to the pleas and demands of the American people for tax reform. It is willing to yield to the pressures of those special interests when they say, "No, this is going to wait. Save our tax loopholes."

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

Mr. KENNEDY. I yield.

Mr. MONDALE. Mr. President, I think it must be recognized that under

the Constitution revenue measures must originate in the House of Representatives; that the only way the Senate can work its will in expressing its views about tax policy is to amend revenue measures coming to the Senate from the House. For that reason from the beginning of this body tax measures from the House have been freely amended because that is the only way the Senate can work its will. To say that amendments must remain germane in all cases to House-passed bills is to make this a body of only secondary importance in matters involving tax policy, which is intolerable, and from my standpoint it is unacceptable.

The second point is that we now have a government by veto. The present President vetoes nearly everything that helps the American people. He has vetoed the social security bills, he has vetoed HEW bills, he has vetoed Legal Services Legislation, sewer and water, conservation, and environmental legislation. One can almost bet that when we pass something that will give help to the average American it will be vetoed.

So the President has said, "In spite of all my vetoes, do not pursue a strategy that makes it difficult."

The debt ceiling bill is one of the measures to which we can attach tax reforms and make the President look at them I think the procedure is perfectly valid. We have done it time and time again. Many of the people objecting to the procedure here today have done it time and time again.

I believe if we are given a chance, the Senate will reform taxes and bring relief to the average American.

Mr. KENNEDY. Mr. President, as I understand it, in a few moments a motion will be made to table the Allen amendment and the tax reform-tax relief amendment which is also pending before the Senate. We are extremely hopeful that after that, we will be able to call up Amendment No. 1443, which is the amendment we have been debating, without having had an opportunity to vote on it section by section.

We hope we will be able to get a division on the various sections of the amendments, and that we will be able to have free and open debate on those sections and permit the Senate to exercise its will.

In effect, what we have to do through this tabling motion is to clear the deck, and begin a serious debate and resolution of the issue of tax reform and tax relief.

Mr. HUMPHREY. I thank my colleague. I do appreciate the fact, once again, that the Senator from Massachusetts as well as the senior Senator from Minnesota have explained what the procedural difficulties are here in reference to the amendment No. 1443 laid before the Senate yesterday by the Senator from Montana (Mr. MANSFIELD).

I think it is extremely important that we understand what this is all about because the public surely can misinterpret.

Number one, when this amendment was prepared, which I was privileged to introduce on behalf of a number of Senators, it was then understood that we would put in the total package so that

the public might see the total package, so that the Senate might see the total package of both structural reform and tax laws, as well as the proposed tax reductions for low- and middle-income families and individuals.

It was also decided then that when we put this amendment in we would ask for a division, which is the prerogative, even the privilege, of the sponsor of the amendment, and that would have meant that we were to vote on the separate sections of the bill as now before us and as printed on the date June 12, amendment No. 1443.

The present parliamentary situation denies us the opportunity for a division or separation of the respective sections because the rules of the Senate provide that whenever we add in the second degree an amendment and we strike and insert in lieu thereof other language, we lose the opportunity for a division of the particles or parts of the amendment which have been added.

It is for this reason that some of us who are strongly for amendment No. 1443 will be compelled to vote to table it when the motion is made to table. The reason the motion will be made to table is only in the hope that we can clear the decks, so to speak, and come back and be able to take this amendment piece by piece and do it in an intelligent way, making those necessary adjustments as we go along where different colleagues feel they would like to modify a particular section in this bill.

Having explained that, Mr. President, let me say that there are two issues that this Congress has got to face up to, which this administration does not, is unwilling to face up to.

No. 1, what is happening to the incomes of low- and middle-income people in relationship to the purchasing power of that income.

This morning on the "Today Show," there was a special feature on housing, which showed housing starts down 40 percent, pointing out that over half of the American public, more than that, approximately 80 percent of the American public cannot buy a home today because of high interest rates and the high cost of construction and the lack of adequate income, and also a demand on the part of the financial institutions for larger downpayments.

The second thing is, the American people do want tax reform. They watched the wild profiteering of the oil companies, they have seen all kinds of tax loopholes, and what we are attempting to do here is get two things done to help people with low income by giving them some modest amount of tax relief, on the one hand, and trying to structurally reform certain elements of the tax code so that there is a greater degree of fair play in taxation.

These are things that should be done by this Congress, and the public does not like all these shenanigans about our procedure.

Not only are they fed up with the Executive, they are fed up with us. The public wants some action and what we give them is a charade. What we are demonstrating is that we know the rulebook, but we do not seem to know the

needs of the American people. What we are demonstrating is that we are experts in parliamentary procedure, but we just have no sensitivity to what is happening to millions of people in this country being ground down by inflation and taxed unfairly, while other people are getting a tax bonanza.

Mr. President, I think it is an outrage that we stand here like a stunned ox, unable to do anything, and I hope and pray that we are going to at least have a chance to work our will on this proposed legislation.

I do not know whether this legislation is as good as it should be, but I know that in debate we can find out, and what we are doing now is merely dancing around the issue in parliamentary procedures, which is just jolly for the Members of the Senate. Oh, what a lovely little group we have here. We all know how to do the minuet of the Senate rules, but what the American people want us to do is to quit doing the minuet and march forward and do something for them, and we have not done very much for them except to confuse them and ourselves.

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

Mr. HUMPHREY. I yield.

Mr. MONDALE. Mr. President, I have the floor.

Mr. HANSEN. Very well.

Mr. MONDALE. I would like to respond for a moment to my colleague's remarks. Yesterday we had hearings before the Select Committee on Nutrition and Human Needs, on which both my colleague and I are privileged to serve, on the impact of inflation on the average family's ability to afford nutritious food. Not only has food generally gone up in price, but particularly the items which low-income workers have depended upon the most have skyrocketed. For example, beans have gone up 250 percent in a year. So that a skilled dietitian living on a low income can no longer figure out a way of providing a minimum nutritious diet, according to the Government's own figures.

They further pointed out that even though we have increased food stamps and other forms of Federal Government food assistance by \$5 billion in the last 5 years, the bite of inflation has wiped out those advances, so that we have millions of Americans, some on welfare, most of them working on low incomes, who are unable to earn enough money even to feed themselves and their children a minimum nutritious diet. By that diet I mean one which has been prepared by the Department of Agriculture, which they themselves say no one could live on very long; but even by that standard, those people are no longer able to feed their families.

What our amendment does is bring a little relief by targeting into those families a tax credit, which gives immediate relief to families earning \$15,000 and under, and more relief to large families, because, after all, they have more mouths to feed, and then a special work bonus for working families with children making \$5,600 or less. In other words, we are giving this relief to those tortured people who cannot feed their families properly.

Mr. HUMPHREY. And what does the opposition say? They say it is inflationary. But when the banks charge these very high interest rates, when the oil companies pile up their profits, they call it a free economy. The American people call on us to do something.

Mr. RIBICOFF. Mr. President, the Senate should have an opportunity to vote on each and every tax reform and tax relief measure.

I support tax relief for low- and middle-income families. I support elimination of loopholes which allow many to escape their fair share of tax liability. And I support the immediate elimination of the oil depletion allowance.

The Senate should have an opportunity to vote on these and other tax reform matters now without being thwarted by parliamentary tactics which prevent us from exercising the will of the Senate.

I hope the Senate will table the Allen amendment so that the Senate can proceed to consider tax reform measures which I support, such as my amendments to eliminate the oil depletion allowance, provide tax relief for low- and middle-income families, and provide tax credits for the costs of higher education.

Mr. MONDALE. Mr. President, I yield to the majority leader.

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is my intention to move to lay the Allen amendment on the table. It is my understanding that a motion of that kind includes the Kennedy-Mondale-Humphrey amendment to the Allen amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. I think, though, in all fairness, that there ought to be a brief quorum call so that Senators could be on notice.

I would like at this time to suggest the absence of a quorum with the proviso that at the conclusion of the quorum call, whether it is live or partial, I be recognized. I will make the request now.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. Mr. President, I have no objection, but would the distinguished Senator allow the Senator from Alabama to make a further parliamentary inquiry—

Mr. MANSFIELD. Certainly.

Mr. ALLEN. Either at this time or, preferably, when there is a larger group of Senators present. I would like an opportunity to make that inquiry before a vote.

Mr. MANSFIELD. Fine.

Mr. ALLEN. Mr. President, I ask unanimous consent that I may do so.

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

Mr. HANSEN. Mr. President, will the Senator yield for just one question?

Mr. MANSFIELD. I yield.

May I first ask what the Senator from Alabama requested?

Mr. ALLEN. I merely requested that I be given the opportunity to make a parliamentary inquiry prior to the vote.

Mr. KENNEDY. Mr. President, reserving the right to object—

Mr. MANSFIELD. The request has been granted.

Mr. ALLEN. I have no objection to the Senator's interposing an objection. The Senator from Alabama would have that right whether or not he interposed an objection.

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. Would the Senator from Alabama have that right without unanimous consent?

Mr. ALLEN. Yes.

Mr. KENNEDY. I would like the Chair to respond.

The PRESIDING OFFICER. The Senator is correct. The Senator from Alabama would have a right, provided it did not go into debate, because a motion to table is not debatable.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I regret that I just came in lately and missed part of the debate that preceded the action on the floor now. Has the distinguished majority leader moved to table the amendment that he proposed late yesterday afternoon?

Mr. MANSFIELD. I will move to table, at an appropriate time, the Allen amendment, which includes the Kennedy-Mondale-Humphrey-Nelson amendment, which I called up on yesterday. That is correct.

Mr. HANSEN. Would the Senator submit to one further inquiry?

Mr. MANSFIELD. Surely.

Mr. HANSEN. Is it the feeling of the majority leader that the amendment that he proposed and offered last night, that is cosponsored by a number of Senators, including the Senator from Minnesota (Mr. HUMPHREY), who was speaking when I came on the floor, and other Senators, does not serve the purposes he envisioned by its enactment list night?

Mr. MANSFIELD. Oh, yes; I have told the sponsors of that amendment that I could not vote for any amendment which contained the compensatory clause which would do away with the domestic depletion allowance; overseas, I would not object to. However, I think the domestic oil industry, in this time of crisis, needs help, and I would recall the words of the distinguished Senator from Louisiana on a TV broadcast last Sunday wherein he said the effect would be to increase the price of gasoline to the consumer by 3 to 4 cents.

Furthermore, in my opinion, it would bring about a deterioration in the number of explorations carried on to find new discoveries for the purpose of achieving our own ends and, may I say, in effect help to bring about what the President has referred to as Project Independence, to become self-sufficient in energy by the end of the present decade.

Further, there are lots of other segments of the economy which are subject to the depletion allowance which would not be covered by this amendment. I mention that incidentally.

So I did tell the sponsors of the amendment my position. They are very clear,

and have been, as to what my stand would be.

Mr. HANSEN. I thank the distinguished majority leader very much.

If I could be permitted an observation, may I just say that I feel, as does he, that the one provision of this amendment to knock out the depletion allowance will do a great disservice to the United States of America—

Mr. MANSFIELD. Only domestically. I think it would do a great service to the United States of America if it were done away with on the basis of foreign investments of United States and other oil companies.

Mr. HANSEN. May I hasten to say I meant in no manner to put words in the distinguished majority leader's mouth.

Mr. MANSFIELD. I am sure of that.

Mr. HANSEN. I understand what he did say. I was in the process of starting to specify what he did say.

Would the distinguished majority leader agree with me that this is a complicated, involved amendment, as those of us who were on the floor last night when it was being read will recall? A number of issues are raised that do deserve close scrutiny, close examination, and an evaluation so as to enable us better to determine what indeed would be the impact on the United States, whether it would serve the purposes that we hoped to achieve in considering amendments to the debt limitation increase provision in the bill which is now before us.

Would the majority leader agree that there are many things that ought to be looked at in the amendment, or is this the only one?

Mr. MANSFIELD. Well, I would agree that a lot of things should be looked at in any legislation before the Senate. I would agree with the motives of the sponsors of this amendment in seeking to achieve compensation for the reductions which would apply to people in the lower- and middle-income groups, where I think relief is needed.

Mr. HANSEN. So as not to further unbalance the budget.

Mr. MANSFIELD. Exactly.

Mr. HANSEN. All right. I thank the majority leader very much for that.

Mr. MANSFIELD. Mr. President, I would like to suggest the absence of a quorum with the proviso that I retain my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 266 Leg.]

Abourezk	Church	Long
Allen	Cranston	Mansfield
Bartlett	Eastland	McGee
Bentsen	Ervin	McIntyre
Bible	Griffin	Mondale
Burdick	Hart	Moss
Byrd, Robert C.	Hathaway	Nunn
Case	Hughes	Schweiker
Chiles	Kennedy	Talmadge

The PRESIDING OFFICER. A quorum is not present.

Mr. ROBERT C. BYRD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Aiken	Hansen	Pearson
Baker	Hartke	Pell
Bayh	Haskell	Percy
Beall	Hatfield	Proxmire
Bennett	Helms	Randolph
Biden	Hollings	Ribicoff
Brock	Hruska	Roth
Brooke	Huddleston	Scott, Hugh
Buckley	Humphrey	Scott,
Byrd,	Inouye	William L.
Harry F., Jr.	Jackson	Sparkman
Cannon	Johnston	Stennis
Clark	Magnuson	Stevens
Curtis	Mathias	Stevenson
Dole	McClellan	Symington
Domenici	McGovern	Taft
Eagleton	Metzenbaum	Thurmond
Fannin	Montoya	Tower
Fong	Muskie	Tunney
Fulbright	Nelson	Weicker
Goldwater	Packwood	Williams
Gravel	Pastore	Young

Mr. ROBERT C. BYRD. I announce that the Senator from Montana (Mr. METCALF) is necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), and the Senator from Idaho (Mr. McCLURE) are necessarily absent.

I also announce that the Senator from Vermont (Mr. STAFFORD) is absent on official business.

I further announce that the Senator from New Hampshire (Mr. COTTON) is absent due to illness.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Michigan and then to the distinguished Senator from Alabama, without losing my right to the floor.

Mr. HART. Mr. President, I ask unanimous consent that Doris Pitts of my staff be permitted the privilege of the floor during the consideration of the pending business.

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

Mr. ALLEN. I wish the distinguished majority leader would go ahead and make his motion. I want to make an inquiry with respect to the motion.

Mr. MANSFIELD. Mr. President, it is my understanding that the motion to table the Allen amendment also encompasses amendment No. 1443, the amendment proposed by Senators HUMPHREY, BAYH, CANNON, CLARK, HART, KENNEDY, MONDALE, MUSKIE, and NELSON. Is that correct?

Mr. ALLEN. I believe that 1495 actually is the pending amendment.

The PRESIDING OFFICER. The Chair advises the Senator that if the amendment of the Senator from Alabama is tabled, it will, of course, take with it amendment 1495.

Mr. ALLEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TALMADGE. Mr. President, may we have order?

The PRESIDING OFFICER. The Chair requests the Members to take their seats. The Senate is still not in order.

The Senator will state his inquiry.

Mr. ALLEN. Mr. President, I believe the distinguished majority leader has elicited at least half of the information the Senator from Alabama is seeking. As the Senator from Alabama understands it, if the motion to table prevails, it will table not only the so-called Allen amendment, but also the Kennedy package substitute as embraced in the amendment filed on yesterday by the distinguished Senator from Montana for the sponsors of the amendment. Is that correct?

The PRESIDING OFFICER. That is correct. The amendment would also fall.

Mr. ALLEN. A further parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLEN. In the event the motion to table does not prevail, it would still leave as the pending business before the Senate the Kennedy package as embraced in amendment 1495. Is that correct?

The PRESIDING OFFICER. Amendment 1495 would still be the pending question.

Mr. ALLEN. I thank the Chair.

Mr. MANSFIELD. Mr. President, I move to table the Allen amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Montana (Mr. METCALF) is necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), and the Senator from Idaho (Mr. McCLURE), are necessarily absent.

I also announce that the Senator from Vermont (Mr. STAFFORD), is absent on official business.

I further announce that the Senator from New Hampshire (Mr. COTTON), is absent due to illness.

I further announce that, if present and voting, the Senator from Florida (Mr. GURNEY), would vote "nay."

The result was announced—yeas 47, nays 44, as follows:

[No. 267 Leg.]

YEAS—47

Abourezk	Hartke	Mondale
Allen	Haskell	Montoya
Bayh	Hatfield	Moss
Biden	Hathaway	Muskie
Brooke	Huddleston	Nelson
Burdick	Hughes	Pastore
Byrd, Robert C.	Humphrey	Pell
Cannon	Inouye	Proxmire
Case	Jackson	Randolph
Chiles	Kennedy	Ribicoff
Church	Magnuson	Schweiker
Clark	Mansfield	Stevenson
Cranston	Mathias	Symington
Eagleton	McGovern	Tunney
Fulbright	McIntyre	Williams
Hart	Metzenbaum	

NAYS—44

Aiken	Fannin	Percy
Baker	Fong	Roth
Bartlett	Goldwater	Scott, Hugh
Beall	Gravel	Scott,
Bennett	Griffin	William L.
Bentsen	Hansen	Sparkman
Bible	Helms	Stennis
Brock	Hollings	Stevens
Buckley	Hruska	Taft
Byrd,	Johnston	Talmadge
Harry F., Jr.	Long	Thurmond
Curtis	McClellan	Tower
Dole	McGee	Weicker
Domenici	Nunn	Young
Eastland	Packwood	
Ervin	Pearson	

NOT VOTING—9

Bellmon	Domenici	McClure
Cook	Gurney	Metcalf
Cotton	Javits	Stafford

So the motion to lay Mr. ALLEN's amendment (No. 1460) on the table was agreed to.

Mr. ALLEN. Mr. President, having voted with the prevailing side, I move to reconsider the vote.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to reconsider the vote by which the amendment was laid on the table. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Montana (Mr. METCALF) and the Senator from Arkansas (Mr. FULBRIGHT) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), and the Senator from Idaho (Mr. McCLURE) are necessarily absent.

I also announce that the Senator from Vermont (Mr. STAFFORD) is absent on official business.

I further announce that, if present and voting, the Senator from Florida (Mr. GURNEY) would vote "yea."

The result was announced—yeas 48, nays 43, as follows:

[No. 268 Leg.]

YEAS—48

Aiken	Ervin	Packwood
Allen	Fannin	Pearson
Baker	Fong	Percy
Bartlett	Goldwater	Roth
Beall	Gravel	Scott, Hugh
Bennett	Griffin	Scott,
Bentsen	Hansen	William L.
Bible	Hatfield	Sparkman
Brock	Helms	Stennis
Buckley	Hollings	Stevens
Byrd,	Hruska	Taft
Harry F., Jr.	Johnston	Talmadge
Cotton	Long	Thurmond
Curtis	Mathias	Tower
Dole	McClellan	Weicker
Domenici	McGee	Young
Eastland	Nunn	

NAYS—43

Abourezk	Case	Hartke
Bayh	Chiles	Haskell
Biden	Church	Hathaway
Brooke	Clark	Huddleston
Burdick	Cranston	Hughes
Byrd, Robert C.	Eagleton	Humphrey
Cannon	Hart	Inouye

Jackson	Montoya	Ribicoff
Kennedy	Moss	Schweiker
Magnuson	Muskie	Stevenson
Mansfield	Nelson	Symington
McGovern	Pastore	Tunney
McIntyre	Pell	Williams
Metzenbaum	Proxmire	
Mondale	Randolph	

NOT VOTING—9

Bellmon	Fulbright	McClure
Cook	Gurney	Metcalfe
Dominick	Javits	Stafford

So the motion to reconsider the vote by which the amendment was laid on the table was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the motion to lay on the table the amendment of the Senator from Alabama (Mr. ALLEN), as amended.

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. Is the pending vote on a motion to lay on the table the Allen amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRIFFIN. If the motion to lay on the table is not agreed to, is it correct that the Kennedy amendment to the Allen amendment would remain the pending question?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRIFFIN. I thank the Chair.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Montana (Mr. METCALF), is necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS) and the Senator from Idaho (Mr. McCLURE), are necessarily absent.

I also announce that the Senator from Vermont (Mr. STAFFORD), is absent on official business.

I further announce that, if present and voting, the Senator from Florida (Mr. GURNEY), would vote "nay."

The result was announced—yeas 45, nays 47, as follows:

[No. 269 Leg.]

YEAS—45

Abourezk	Hartke	Mondale
Bayh	Haskell	Montoya
Biden	Hatfield	Moss
Brooke	Hathaway	Muskie
Burdick	Huddleston	Nelson
Byrd, Robert C.	Hughes	Pastore
Cannon	Humphrey	Pell
Case	Inouye	Proxmire
Chiles	Jackson	Randolph
Church	Kennedy	Ribicoff
Clark	Magnuson	Schweiker
Cranston	Mansfield	Stevenson
Eagleton	McGovern	Symington
Fulbright	McIntyre	Tunney
Hart	Metzenbaum	Williams

NAYS—47

Alken	Bible	Dole
Allen	Brock	Domenici
Baker	Buckley	Eastland
Bartlett	Byrd	Ervin
Beall	Harry F., Jr.	Fannin
Bennett	Cotton	Fong
Bentsen	Curtis	Goldwater

Gravel	McGee	Stennis
Griffin	Nunn	Stevens
Hansen	Packwood	Taft
Helms	Pearson	Talmadge
Hollings	Percy	Thurmond
Hruska	Roth	Tower
Johnston	Scott, Hugh	Welcker
Long	Scott,	Young
Mathias	William L.	
McClellan	Sparkman	

NOT VOTING—8

Bellmon	Gurney	Metcalfe
Cook	Javits	Stafford
Dominick	McClure	

So the motion to lay on the table was rejected.

Mr. MANSFIELD. Mr. President, if I may have the attention of the distinguished Senator from Alabama (Mr. ALLEN); the distinguished Republican leader; the chairman of the committee handling the bill; and the ranking Republican member the distinguished Senator from Utah (Mr. BENNETT), I wonder if it would be possible to reach an agreement to vote on the Kennedy-Mondale-Humphrey-Nelson amendment to the Allen amendment now or in 5 minutes, or in 10 minutes, or any time mutually agreeable.

Mr. PASTORE. How about now?

Mr. MANSFIELD. We have the legislative appropriations bill.

Mr. ALLEN. I am agreeable.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

Mr. TALMADGE. Mr. President, the Senator from Louisiana had to leave the floor briefly. I have to object until the Senator from Louisiana is consulted.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

Mr. HUMPHREY. Mr. President, might we not just go ahead and vote?

Mr. MANSFIELD. Mr. President, I think we ought to extend the courtesy to the Senator, who is temporarily absent from the Chamber.

Mr. HUMPHREY. All right.

Mr. MANSFIELD. I ask unanimous consent, with the approval of the Senate, once all the ducks are in order, there be a limitation of 10 minutes, equally divided between the majority and minority leaders, or whomever they may designate, and that at that time there may be a vote.

Mr. GOLDWATER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HANSEN. Mr. President, I did not hear the unanimous-consent request of the majority leader.

Mr. PASTORE. Mr. President, if we all took ours seats, we would understand what is going on. I believe all Senators should take their seats.

The PRESIDING OFFICER. The Senate will be in order. This is an important matter.

Mr. MANSFIELD. Mr. President, I withdraw my request at this time.

Mr. HUGH SCOTT. Mr. President, will the distinguished majority leader indicate whether he plans to bring up the legislative appropriation bill this afternoon?

Mr. MANSFIELD. My understanding is that it is not to be brought up before 3:30.

Mr. HUGH SCOTT. Thereafter, is it

the majority leader's intention to bring it up?

Mr. MANSFIELD. Yes, sir.

Mr. HUGH SCOTT. And tomorrow the conference report on the budget bill is to be brought up, under a limitation of 2 hours. Is that correct?

Mr. MANSFIELD. Yes; and also the convention having to do with wheat will be taken up following that.

Mr. HUGH SCOTT. At what time does the Senator estimate that the debate will begin on the conference report on the budget?

Mr. MANSFIELD. I would say around 10:30.

Mr. McCLELLAN. Mr. President, may I make this observation—

Mr. HANSEN. Mr. President, may we have order?

The PRESIDING OFFICER. Will the Senators who are not participating in this colloquy take their seats?

Mr. McCLELLAN. Mr. President, we have scheduled for 10:30 in the morning the markup in the Appropriations Committee of the continuing resolution. I do not think it will take long. If we can get a quorum, we would like to proceed with that and let the leadership set this matter over until 11 o'clock or 11:15, when we can be through, I believe. I do think we need to move on the continuing resolution, also.

Mr. MANSFIELD. Yes, I think that can be worked out, I may say to the distinguished Senator.

Mr. President, I would suggest, in order to accommodate all concerned, that the protocols for the extension of the International Wheat Agreement, 1971, be taken up ahead of the conference report on the budget. That would take care of that measure and give the Senator plenty of time.

Mr. HUGH SCOTT. I thank the majority leader.

Mr. KENNEDY. Mr. President—

Mr. ROBERT C. BYRD. Mr. President, was objection heard to the Senator's unanimous-consent request?

Mr. BARTLETT. I object.

The PRESIDING OFFICER. Will the Senator restate the unanimous-consent request?

Mr. ROBERT C. BYRD. Mr. President, the majority leader, I think, wanted to schedule the wheat agreement protocol tomorrow immediately after morning business—there is a time limitation on that matter—and go from that into the budget reform conference report to accommodate the distinguished chairman of the Appropriations Committee.

Mr. McCLELLAN. Mr. President, what is the time limitation?

Mr. MANSFIELD. Thirty minutes.

The PRESIDING OFFICER. Is this the unanimous consent request of the Senator from Montana?

Mr. HUGH SCOTT. Mr. President, I understand that the Senator from Montana is about to propose a unanimous-consent request.

Mr. MANSFIELD. I now make that unanimous-consent request, Mr. President.

The PRESIDING OFFICER. Is there objection?

Mr. BARTLETT. Mr. President, reserving the right to object, does this make the order of business the Humphrey-Kennedy substitute after the other matters are taken care of?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. That is the pending question.

Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, we are prepared to move ahead and go to the consideration of an up-or-down vote on this particular amendment. I think Senators ought to understand quite clearly that those who have supported this amendment have every intention at the earliest opportunity of calling up the different sections of the comprehensive amendment.

We regret very much that, through the various parliamentary devices which have been used since the early part of the week, we have been prohibited from doing so. But we are prepared to vote on this amendment; and after we dispose of this amendment, then it is hoped we can get a vote on the Allen amendment on the basis of the merits.

I intend to vote for the Allen amendment. We have been debating that issue since Monday. It is an issue which is completely familiar to the Senate. It is an issue which was debated—the substance of it, in the amendment of the Senator from Wisconsin (Mr. PROXMIRE)—last week, and I hope it will be agreed to overwhelmingly.

I hope, by indicating the good faith of those who are supporting this amendment and by disposing of it, we can expect good faith from those who have supported the Allen amendment, and permit a vote on that particular measure so that then we could consider amendment No. 1443, examine it in detail, and permit the Senate to exercise its will on each of the measures.

But barring that, and depending on the outcome of this amendment, we have every intention of taking that amendment bit by bit and piece by piece and adding this; and if we are unable to get a vote on the Allen amendment—to vote on it—I would hope that the first provision would be on the depletion allowance.

Mr. President, we have seen, unfortunately, a tragic circus here in barring and prohibiting a consideration on the merits of the matters, which I think are of first importance to the country and on the minds of the people of this Nation. We will leave it to those who voted today to explain themselves to their respective constituencies.

We want to give every warning to the Senate that we will continue to press this issue with all our efforts after the disposal of this matter. We are prepared to vote. I am glad to wait for the Senator from Louisiana, who is the floor manager of the bill and the chairman of the Finance Committee. He has been extremely accommodating to all Senators. I hope that we may wait for him.

Other than that, I think we are all

prepared to move to a vote on the merits. I hope that we may be permitted to have a vote on the merits of this particular measure.

Mr. PASTORE. Vote!

Mr. KENNEDY. Mr. President, I ask for the yeas and nays on the amendment. The yeas and nays were ordered.

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. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. A quorum call is in progress.

Mr. PASTORE. 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. HUMPHREY. Mr. President, my inquiry is that following the quorum call, with the yeas and nays having been ordered, we will be voting on the amendment proposed by the Senator from Montana on behalf of the sponsors of amendment No. 1445, is that correct?

The PRESIDING OFFICER. The pending question before the Senate is on agreeing to the amendment in the nature of a substitute by the Senator from Montana.

Mr. HUMPHREY. Mr. President, I might simply add that that particular amendment should be looked upon in terms of both areas of tax reductions, which is long overdue for low- and middle-income groups, and tax reform which the American people have been asking for overwhelmingly. I hope we will keep that in mind.

Mr. MANSFIELD. Mr. President, before I suggest the absence of a quorum again, I think I should say to the Senate that I would have to talk, and other Senators would have to talk, before a vote could be taken at the conclusion of the quorum call because the Senator from Louisiana is absent officially at the present time, and I think his rights should be protected.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11221) to provide full deposit insurance for public units and to increase deposit insurance from \$20,000 to \$50,000; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PATMAN, Mr. ST GERMAIN, Mr. ANNUNZIO, Mr. BARRETT,

Mr. HANLEY, Mr. BRASCO, Mr. COTTER, Mr. MOAKLEY, Mr. ASHLEY, Mr. WIDNALL, Mr. ROUSSELOT, Mr. JOHNSON of Pennsylvania, Mr. WYLIE, Mr. RONCALLO of New York, and Mr. RINALDO were appointed managers of the conference on the part of the House.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1975

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily and that the Senate proceed to the consideration of the legislative appropriation bill, H.R. 14012, Calendar No. 916.

The PRESIDING OFFICER. The clerk will state the bill by title.

The second assistant legislative clerk read the bill by title, as follows:

A bill (H.R. 14012) making appropriations for the Legislative Branch for the fiscal year ending June 30, 1975, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

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 PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. 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. HOLLINGS. Mr. President, I ask unanimous consent that the clerk state H.R. 14012, the legislative appropriations bill.

The PRESIDING OFFICER. That is the pending business.

Mr. HOLLINGS. Mr. President, before we start with the opening statements, I first yield to the distinguished Senator from Maine.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT—PRIVILEGE OF THE FLOOR

Mr. MUSKIE. Mr. President, I ask unanimous consent that during the subsequent consideration of the debt ceiling legislation and amendments thereto, Reid Feldman of my staff have the privilege of the floor.

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

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1975

The Senate continued with the consideration of the bill (H.R. 14012) making appropriations for the legislative branch for the fiscal year ending June 30, 1975, and for other purposes.

Mr. MUSKIE. Mr. President, I thank the distinguished manager of the legis-

lative appropriations bill for yielding to me. I am delighted to see the distinguished Senator From Illinois (Mr. PERCY) in the Chamber.

I wanted to raise a question, which I discussed with the distinguished floor manager of the bill earlier, which has to do with the conference report on the budget reform legislation, which the Senate will consider tomorrow.

If, as I expect, the Senate approves the report, it will go to the President, presumably he will sign it, and we will face the challenge of implementing it. That bill calls almost immediately for the appointment of a Director of the Congressional Budget Office, which would be created by the bill, the appointment of budget committees, and the beginning of business under that very important legislation.

Normally, we would seek an appropriation in this bill to fund that office.

Mr. HOLLINGS. That is correct.

Mr. MUSKIE. We are not ready at this point for that, but I wanted to have this colloquy with the distinguished Senator from South Carolina so that we may understand what the requirements may be.

I take it that under the authorization contained in the budget reform bill we can draw on the contingent fund of the Senate to carry us in the early weeks after enactment of the legislation. Is that the Senator's understanding?

Mr. HOLLINGS. That is my understanding. The Senator from Maine is correct.

I may add that as we have drawn to the end of the fiscal year, we wanted to expedite the regular legislative appropriations bill. All of us are ready, willing, and able to fund the budget reform bill; but until that is worked out in due course, the funding of that particular measure should be done from the Senate contingency fund, upon approval of the Rules Committee.

Mr. MUSKIE. I understand further that as soon as the budget committees are in position to develop a budget for the Congressional Budget Office, the Senator from South Carolina is willing to conduct hearings and to report a supplemental appropriations bill to fund that office, a bill that contains nothing else, if necessary.

Mr. HOLLINGS. That is right. We expect to report a supplemental bill later this year, as we normally do. But unless something unusual occurs we will make a special supplemental budget for the budget reform bill.

Mr. MUSKIE. I thank the Senator for that understanding.

We anticipate that annual funding for the Congressional Budget Office will be on the order of \$900,000 to \$1 million the first year. It is anticipated that a staff of 70 to 100 people will be needed. Those estimates will be firmed up and the appropriate committee will develop a budget for later submission to the Appropriations Committee.

I appreciate the interest of the distinguished Senator from South Carolina and the promise of subsequent action.

I should like to yield at this point to the Senator from Illinois.

Mr. HOLLINGS. There is one other caveat, of course, and that is that a supplemental appropriations bill must originate in the House.

Mr. MUSKIE. I understand.

Mr. HOLLINGS. We already know of some items that may lead to supplemental appropriation requests for the normal supplemental appropriations bill for this fiscal year.

Mr. MUSKIE. I appreciate the efforts made by the Senator from South Carolina, and I express my appreciation to the chairman of the Appropriations Committee for his understanding.

I think my distinguished colleague on the Republican side, the Senator from Illinois (Mr. PERCY), would like to indicate his appreciation.

Mr. PERCY. Mr. President, I wish to express my deep appreciation to the distinguished Senator from South Carolina.

When the conference report is brought up tomorrow, some pertinent questions will be raised by the distinguished chairman of the Appropriations Committee, who has been immensely helpful in this process. But as I understand the agreement that has been worked out, we now have a mandate to get underway. We have a period of about 10 months in which to deliver a concurrent resolution and to start the process of budgetary reform which will be among the most important single steps we can take.

So long as we have assurance now that committee members can be appointed, that we can begin the process of selecting a staff and that a formal budget will be presented, I think the agreement and understanding that has been worked out will enable us to expedite the work of the Senate, which we consider so extraordinarily important.

I express appreciation on behalf of the minority for this arrangement.

Mr. JAVITS. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. HOLLINGS. Yes.

Mr. JAVITS. Mr. President, I ask unanimous consent that Leslie Bander be extended the privilege of the floor during the debate on this legislation.

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

Mr. HOLLINGS. Mr. President, I ask unanimous consent that my legislative assistant, Mary Jo Manning, also be extended the privilege of the floor during the debate and votes on H.R. 14012.

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

Mr. HOLLINGS. Mr. President, before going into the specifics of the bill, I first want to express my deep regret that the distinguished ranking minority member of the subcommittee (Mr. COTTON) cannot be with us as we take up the legislative branch appropriations for 1975.

The PRESIDING OFFICER. The Senator will suspend. We have groups all around the floor engaging in conversation. The Senator is entitled to be heard. The Senate will be in order.

The Senator may proceed.

Mr. HOLLINGS. I thank the distinguished President. It is a great regret among us all that our distinguished col-

league, Senator COTTON, cannot be with us because he is confined at the moment to Bethesda Naval Hospital. Senator COTTON has been a valued member of the subcommittee since 1967, and over the last several years has been a generous source of wisdom and wit that has been of immeasurable assistance to me in the development of these bills.

This is, of course, Senator COTTON's last year of a splendid 28-year career in Congress, and I was reluctant to proceed with the bill while he is hospitalized. However, when I called him yesterday to see how things were going, he urged me, in his usual unassuming manner, to move ahead with the bill in view of the shortness of time before the fiscal year begins.

We are fortunate, however, that we have an able pinch-hitter in the distinguished junior Senator from Pennsylvania (Mr. SCHWEIKER). Senator SCHWEIKER has brought to the subcommittee extensive experience with modern business practices. As we get into the recommendations, his helpfulness in maintaining an up-to-date Senate will quickly be evident.

SUMMARY OF COMMITTEE RECOMMENDATIONS

The committee is recommending appropriations for the 1975 operations of the legislative branch totaling \$718,387,105, an increase of \$57,054,787 over 1974. This is also \$115,165,825 more than allowed by the House of Representatives but, of course, a good portion of this is due to the fact that the House does not consider the estimates for Senate items. The amounts recommended by major category and the increase over the current year are:

Item	Amount	Increase
Senate.....	\$106,100,380	\$9,521,787
House of Representatives.....	173,683,840	10,972,445
Joint items.....	44,986,700	8,644,820
Office of Technology Assessment.....	4,000,000	2,000,000
Architect of the Capitol.....	51,897,000	-477,300
Botanic Garden.....	916,000	31,900
Library of Congress.....	96,998,585	10,178,135
Government Printing Office.....	117,000,000	4,129,000
General Accounting Office.....	121,376,000	11,926,000
Cost-Accounting Standards Board.....	1,628,000	128,000
Total.....	718,387,105	57,054,787

Several months ago, the committee estimated that we could cut the New Budget Authority by \$13.5 million and the outlays by \$14.5 million. The committee's recommendations would reduce the New Budget Authority by \$4.2 million, but we stand by our estimate for the outlays. Our primary change involves a construction item, little of which will reach the outlay stage in fiscal 1975.

HIGHLIGHTS OF BILL

The committee's recommendations include language and an appropriation of \$20,900,000 to authorize the Architect of the Capitol to restore the West Central Front of the Capitol without change of location or change to the present architectural appearance; and prepare studies and develop a master plan for future development within the Capitol grounds. The committee has also made provision

for salary increases for the highest officials of the Senate, the top position in each Senator's office, and the two highest levels on all the committees funded by the Senate. The service activities of the Sergeant at Arms have been expanded to enable Senators to be of greater assistance to their constituents. This expansion includes providing a developmental capability for the computer center, and the establishment of a microfilm center for better storage and retrieval of records. Additional Capitol Police for the Senate detail are also recommended. The full amount requested has been provided for Senate Office Buildings and the Senate garage, and within these amounts additional positions have been funded to maintain the recently acquired Senate annex and existing facilities. For the Office of Technology Assessment, the committee recommends \$4 million. The committee has restored 62 of the 95 positions that the House disallowed for the Library of Congress, including 24 for the Congressional Research Service. The full number of positions requested by the General Accounting Office has been approved.

SENATE

As I indicated, the recommended level for the Senate is \$106,100,380. Nearly every line item had to be adjusted because of the mandatory additional costs of the general pay raises authorized last year, and the higher costs of goods and services in today's inflationary economy. However, there are two major items that I believe are of prime interest to the Senate, namely: a long overdue pay raise for the top level employees of the Senate; and the provision of additional services and facilities to enable each Senator to adequately serve his constituents and the Nation.

Since 1970 the day of the top officials of the Senate has been frozen at \$36,000. In the meantime, there have been four general pay raises ranging from 4.77 percent to 6 percent. All of these have been denied to the aforementioned employees. If it were not for the \$36,000 ceiling that the Senate imposed on itself, the salaries of the positions covered by this recommendation would now range from \$40,755 to \$45,885; so the Senate can plainly see we are going only a small part of the way in affording some equity to these employees. Due to the cascading effect of this limitation, these employees, who in practically every case are our most experienced and most valuable employees, have not received the additional salary that they otherwise would be entitled to, while junior members of the staff have been receiving annual adjustments to keep up with the cost of living. This has cost the Senate many valuable employees who have taken jobs in industry or downtown agencies, or have chosen early retirement where the undeniable incentive of automatic cost-of-living increases have, in several cases, raised them above their former Senate salaries.

The committee therefore is proposing a limited one-time adjustment in the salaries of these top level positions while the Post Office and Civil Service Committee develops legislation that, hopefully,

will alleviate the Government-wide compressed situation. The adjustments are detailed on page 6 of the report and cover the top 322 positions of the Senate, including the top position in each Senator's office and the highest two staff levels of Senate-funded committees.

I mentioned earlier that the service activities of the Sergeant at Arms was being expanded to assist Senators in serving their constituents. This expansion includes 25 additional positions for the computer center to provide a developmental capability. This additional capability will enable a host of modern programs for more efficient office management that will improve constituent services and issue timely information essential to the legislative process. Similarly the new microfilm center will allow more efficient storage of Senators' correspondence and quick retrieval of information. The committee has also provided a second wide area telephone service line for each Senator's office, so that he may maintain access to his constituents; and has authorized an additional 55 policemen for the Senate detail.

This year there is a radical change in the manner that the Government is financing its office space. In accordance with Public Law 92-313, each agency was required to budget an amount of money to pay to the General Services Administration for rent. The Congress was no exception and the Senate was billed \$1,507,066 for the home State offices of Senators in court houses and office buildings maintained by GSA. In order to have an adequate control on these costs, the committee has developed a mechanism, that is on the same population basis as the clerk-hire allowances, and that covers the current situation while leaving room for expansion in view of the trend toward locating case work in the States. This is spelled out in more detail on pages 6 to 8 of the report.

I hasten to add that the committee did not approve the \$1.5 million for payment to the GSA. As the Senate will recall our action in the recent energy R. & D. appropriations bill, the Committees on Appropriations of both Houses have adopted a policy of holding these payments to 90 percent of the billings so the GSA will receive no more than the actual projected requirements. The exercising of this policy yielded almost \$1.44 million of the amount that the committee cut from the estimates.

JOINT ITEMS

The committee recommends a total of \$44,986,700 for the various joint committees and activities under joint items, of which a mandatory increase of \$8,256,015 for payment to the Postal Service for official mail costs makes up all but \$388,000 of the \$8.6 million increase. The requested expansion of the staffs of the Joint Committees on Atomic Energy and Printing has been approved, and the committee inserted \$135,000 to allow the Subcommittee on Fiscal Policy of the Joint Economic Committee to complete their welfare studies and issue a final report. The committee has also inserted language to bring the Capitol Guide Service under the longevity pay system

that covers other service employees on Capitol Hill.

OFFICE OF TECHNOLOGY ASSESSMENT

There has been provided in the bill \$4 million for the Office of Technology Assessment, an increase of \$500,000 over the amount allowed by the House, and exactly double the amount allowed for 1974 on a half-year basis. As a member of the Technology Assessment Board that oversees the OTA, I see first-hand the potential for equipping Congress with the facts we need of the effect of technology on the legislation before us. However, the committee is concerned about the hazy relation between OTA's budget to the specific measures facing the Congress and decided on the \$4 million level.

ARCHITECT OF THE CAPITOL

As the Nation approaches the 200th anniversary of the American Revolution, the committee is acutely aware of the preparations both in Washington and elsewhere for this historic occasion. Within the Capitol, construction has been completed on the restoration of the Old Supreme Court Chamber and the installation of lighting and furnishings is expected to be finished by the end of this calendar year. On the floor above, restoration of the Old Senate Chamber is underway and the work is now scheduled for completion by the end of calendar year 1975.

More than 40 million Americans and foreign visitors are expected to visit in Washington during 1976; and adjacent to the Capitol, work has finally started to convert the Union Station into a new National Visitor's Center. Along the Mall between the Capitol and the Washington Monument, the Hirshhorn Museum, the addition to the National Gallery of Art, and the National Air and Space Museum are now in various phases of construction.

Funds have been recommended for the Architect of the Capitol to paint the Chambers and adjoining areas of the Senate and House of Representatives and to make other required repairs to the Capitol buildings and grounds. All that is left to be done to prepare the very shrine of America's freedom for the Bicentennial is the restoration of the west central front—the last remaining and exposed wall of the original Capitol—and remove the awful facade of wooden trusses that have been described as theatrical instead of supportive.

Accordingly, within the overall total of the budget estimates, the committee has provided \$20,600,000 for restoration of the west central front of the Capitol. This amount is based on an up-to-date revision of the original estimate for restoration of the west central front by Thomas C. Kavanagh of Madigan-Praeger, Inc., a coauthor of the Praeger-Kavanagh-Waterbury report that was filed with the Architect of the Capitol in December 1970. That report, as the Senate will recall, concluded that restoration of the west central front of the Capitol was feasible.

The language added by the committee enables the Architect, under the joint direction of the Senate and House Office

Building Commissions, to enter into cost-plus-fixed-fee contracts to carry out this restoration. The language provides that any cost-plus-fixed-fee general construction contract would be awarded on competitive bidding upon the amount of the fixed fee to accrue from their performance of the contract.

Last year the committee held extensive and comprehensive hearings on the west front, and it was overwhelmingly indicated during those hearings that there is a need to repair the wall and that the wall can be strengthened by internal means.

The committee has also tied in \$300,000 to the money for the west front to enable the Architect of the Capitol to prepare studies and to develop a master plan for future development within the Capitol grounds and related areas. These funds would be available for study of the feasibility of the future enlargement of the Capitol grounds and for studies with respect to future expansion, growth, and requirements of the legislative branch. The Architect of the Capitol advised the committee that there is a "dire need of a master plan" and that while a comprehensive plan would require as much as 2 years, a considerable amount could be accomplished within 1 year because a great deal of information has already been compiled or appears readily available.

LIBRARY OF CONGRESS

The committee recommends appropriations totaling \$96,998,585 for the Library of Congress in fiscal year 1975. This is an increase of \$10,178,135 above the 1974 appropriation for the Library, but is \$2,392,515 less than the Library requested in the 1975 budget estimates. Included in the committee's recommendation is an allowance for 193 new positions, an increase of 62 above the number allowed by the House in three areas: For full support of the Congressional Research Service; to support 65 percent of the staff increase requested for basic Library reference, processing, and administrative services; and a modest increase in staffing for the Copyright Office to allow it to keep up with its increasing workload of Copyright registrations.

As you know, Mr. President, the Library of Congress has for over a decade been faced with a serious space shortage. I am happy to report that the structure of the Library of Congress James Madison Memorial Building is rapidly nearing completion. The present schedule is to begin installation of furniture and equipment about October 1976 and move operating units into the building early in 1977. Funds amounting to \$2,726,000 are provided in this bill for furniture and furnishings for the Madison Building to give the Library sufficient leadtime to let bids and have the furniture ready in order that there will be no delay in occupancy.

One of the most important features of the Madison Building is that it is being designed to house under strict preservation methods the most valuable materials in the Library of Congress, including historical, musical, and literary man-

uscripts, original maps and charts, and early photographic and motion picture materials. As we approach the Bicentennial and look back on our history, Congress can take pride that it is their Library which has mainly preserved the records of the past for posterity. The Library of Congress James Madison Memorial Building will in itself be another congressional commemoration of our 200th anniversary.

GOVERNMENT PRINTING OFFICE

For the Government Printing Office, the committee recommends a total of \$117,000,000 an increase of \$4,129,000 over the current level of appropriations. In making this recommendation the committee is mindful of the fact that the costs of congressional printing and binding are largely out of the hands of the GPO, and stands ready to make a supplemental appropriation if the volume necessitates additional funds.

GENERAL ACCOUNTING OFFICE

Mr. President, in this presentation I have already indicated how the committee in this bill is moving toward meeting three of the major criticisms of Congress; namely, that we are behind the times in our equipment and facilities to meet our legislative responsibilities; second, the academic community in particular, and the general citizen as well, demands adequate service and information from the Library and the GPO; and third, that the maintenance of the Capitol is our sacred trust as the Bicentennial approaches.

The last two activities in this bill cover a fourth criticism, that all Government is to be suspected. With all that is in the news, Americans have a right to be down on their Government, but in the General Accounting Office, and the closely related Cost-Accounting Standards Board, we have two untainted organizations that stand far above all the agencies as true, loyal, and dedicated professionals. It is the GAO that ferrets out the over-runs, boondoggles, and malfeasance in this huge Government of ours, and I apologize to no one for recommending the full 150 new positions requested. Because of GAO's sterling reputation, the Congress is heaping additional responsibilities on the agency, most recently with regard to the budget reform measure that will probably necessitate a supplemental estimate. Within the amount for the GAO is the requested man-years for auditing and investigating campaign funds, which hopefully will put an end to squirreled away hush money, illegal contributions from corporations, and other devious activities that have become a daily feature of our newspapers.

Mr. President, in closing I want to acknowledge the helpful assistance of the budget officers of the various activities in the bill. All Senators know of Mr. William A. Ridgely, the outstanding financial clerk of the Senate who worked closely with the staff on the Senate items. I also want to recognize Mr. Sanford Cornett, who is retiring June 28, as budget officer of the GAO, the Cost-Accounting Standards Board, and the OTA. Mr. Cornett has over 28 years of dedi-

cated service to the GAO and we wish him many happy years of retirement. The veteran of our budget officers is Mr. Charles Henlock, who will complete 50 years of Government the day after Christmas, and has served the Architect of the Capitol and the committee since July 16, 1929. We rely on this wealth of experience, for sage counsel and advice, as we jointly work toward maintaining this beautiful Capitol and its grounds. Last, and by no means least, is Mr. Donald C. Curran of the Library of Congress, a real "can do" man that knows and serves the Library well.

Mr. President, this concludes my overall statement on the bill. Before I yield to the acting comanager of the bill, I make the usual unanimous consent request that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded as original text, for the purpose of amendment, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

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

The amendments agreed to en bloc are as follows:

Beginning with page 2, insert the following new language:

SENATE

COMPENSATION AND MILEAGE OF THE VICE PRESIDENT AND SENATORS AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

COMPENSATION AND MILEAGE OF THE VICE PRESIDENT AND SENATORS

For compensation and mileage of the Vice President and Senators of the United States, \$4,790,695.

EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND MAJORITY AND MINORITY LEADERS

For expense allowance of the Vice President, \$10,000; Majority Leader of the Senate, \$3,000; and Minority Leader of the Senate, \$3,000; in all, \$16,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For clerical assistance to the Vice President, \$552,045.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For offices of the Majority and Minority Leaders, \$215,460.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For offices of the Majority and Minority Whips, \$110,580.

OFFICE OF THE CHAPLAIN

For office of the Chaplain, \$28,500: *Provided*, That effective July 1, 1974, the Chaplain may fix the per annum compensation of the secretary to the Chaplain at not to exceed \$12,540 per annum in lieu of \$9,120 per annum.

OFFICE OF THE SECRETARY

For office of the Secretary, \$2,691,345, including \$110,010 required for the purpose specified and authorized by section 74b of title 2, United States Code.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, \$8,069,490.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, \$174,135.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, \$174,135.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants to Senators, \$42,477,540: *Provided*, That effective January 1, 1974, the clerk hire allowance of each Senator from the States of Arkansas and Arizona shall be increased to that allowed Senators from States having a population of two million, the population of each said State having exceeded two million inhabitants.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of the Sergeant at Arms and Doorkeeper, \$11,998,500: *Provided*, That effective July 1, 1974, the Sergeant at Arms may appoint and fix the compensation of the following positions (a) in the computer center: four senior computer specialists at not to exceed \$24,225 per annum each; seven senior programmer analysts at not to exceed \$22,515 per annum each in lieu of five senior programmer analysts at \$22,515 per annum each; three systems analysts at not to exceed \$20,805 per annum each; five systems programmers at not to exceed \$20,805 per annum each in lieu of three systems programmers at \$20,805 per annum each; eight programmer analysts at not to exceed \$20,805 per annum each; four computer specialists at not to exceed \$18,240 per annum each; a secretary-receptionist at not to exceed \$11,115 per annum; a secretary at \$10,260 per annum; a systems supervisor at not to exceed \$26,790 per annum in lieu of a systems supervisor at \$25,080 per annum; (b) in the service department: an equipment supervisor at not to exceed \$18,240 per annum; an assistant equipment supervisor at not to exceed \$14,820 per annum; a secretary-receptionist at not to exceed \$11,115 per annum; a secretary at not to exceed \$9,975 per annum; six cameramen at not to exceed \$10,260 per annum each; a film processor at not to exceed \$11,115 per annum; an assistant film processor at not to exceed \$10,545 per annum; ten messengers at not to exceed \$8,265 per annum each in lieu of seven messengers at \$8,265 per annum each; (c) in the Senate post office: a mail supervisor at not to exceed \$11,115 per annum; sixty-three mail carriers at not to exceed \$9,975 per annum each in lieu of fifty-seven mail carriers at \$9,975 per annum each; (d) in the cabinet shop: a chief cabinetmaker at not to exceed \$18,525 per annum in lieu of \$15,960 per annum; an assistant chief cabinetmaker at not to exceed \$17,670 per annum in lieu of \$13,680 per annum; two cabinetmakers at not to exceed \$13,395 per annum each in lieu of \$12,255 per annum each; a cabinetmaker at not to exceed \$12,255 per annum; a finisher at not to exceed \$13,395 per annum in lieu of \$12,255 per annum; an upholsterer at not to exceed \$13,395 per annum in lieu of \$12,255 per annum; and (e) twelve lieutenants, police force at not to exceed \$17,100 per annum each in lieu of ten lieutenants at \$17,100 per annum each; forty-six sergeants, police force at not to exceed \$14,250 per annum each in lieu of forty sergeants at \$14,250 per annum each; 389 privates, police force at not to exceed \$10,830 per annum each in lieu of 342 privates at \$10,830 per annum each.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For offices of the Secretary for the Majority and the Secretary for the Minority, \$265,050.

AGENCY CONTRIBUTIONS AND LONGEVITY COMPENSATION

For agency contributions for employee benefits and longevity compensation, as authorized by law, \$4,000,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the office of the Legislative Counsel of the Senate, \$521,740.

SENATE PROCEDURE

For compiling, preparing, and editing "Senate Procedure", 1974 edition, \$5,000, to be paid to Floyd M. Riddick, Parliamentarian of the Senate.

CONTINGENT EXPENSES OF THE SENATE

SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, \$342,780 for each such committee; in all, \$685,560.

AUTOMOBILES AND MAINTENANCE

For purchase, lease, exchange, maintenance, and operation of vehicles, one for the Vice President, one for the President pro tempore, one for the Majority Leader, one for the Minority Leader, one of the Majority Whip, one for the Minority Whip, for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, \$40,000.

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including \$538,205 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, \$16,253,175.

FOLDING DOCUMENTS

For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding \$3.68 per hour per person \$82,045.

MISCELLANEOUS ITEMS

For miscellaneous items, \$12,921,450.

POSTAGE STAMPS

For postage stamps for the offices of the Secretaries for the Majority and Minority, \$320; Chaplain, \$100; and for air mail and special delivery stamps for the office of the Secretary, \$610; office of the Sergeant at Arms, \$240; and the President of the Senate, as authorized by law, \$1,215; in all, \$2,485.

STATIONERY (REVOLVING FUND)

For stationery for the President of the Senate, \$3,600, and for committees and officers of the Senate, \$21,850; in all, \$25,450.

ADMINISTRATIVE PROVISIONS

1. The paragraph under the heading "Administrative Provision" in chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 64b) is amended by adding at the end thereof the following: "In the event that the Secretary of the Senate is absent or is to be absent for reasons other than disability (as provided in this paragraph), and makes a written designation that he is or will be so absent, the Assistant Secretary shall act during such absence as the Secretary in carrying out the duties and responsibilities of the office in all matters, except those matters relating to the Secretary's duties as such disbursing officer. The designation may be revoked in writing at any time by the Secretary, and is revoked whenever the Secretary making the designation dies, resigns, or is considered disabled in accordance with this paragraph."

2. (a) Whenever—

(1) the law of any State provides for the allocation of an income tax by imposing upon employers generally the duty of withholding sums from the compensation of employees and remitting such sums to the authorities of such State; and

(2) such duty to withhold is imposed generally with respect to compensation of employees who are residents of such State; then the Secretary of the Senate is authorized, in accordance with the provisions of this section, to enter into an agreement with the appropriate official of that State to provide for the withholding and remittance of sums for individuals—

(A) whose pay is disbursed by the Secretary; and

(B) who request the Secretary to make such withholdings for remittance to that State.

(b) Any agreement entered into under subsection (a) of this section shall not require the Secretary to remit such sums more often than once each calendar quarter.

(c) (1) An individual whose pay is disbursed by the Secretary may request the Secretary to withhold sums from his pay for remittance to the appropriate authorities of the State that he designates. Amounts of withholdings shall be made in accordance with those provisions of the law of that State which apply generally to withholding by employers.

(2) An individual may have in effect at any time only one request for withholdings, and he may not have more than two such requests in effect with respect to different States during any one calendar year. The request for withholdings is effective on the first day of the first month commencing after the day on which the request is received in the Disbursing Office of the Senate, except that—

(A) when the Secretary first enters into an agreement with a State, a request for withholdings shall be effective on such date as the Secretary may determine; and

(B) when an individual first receives an appointment, the request shall be effective on the day of appointment, if the individual makes the request at the time of appointment.

(3) An individual may change the State designated by him for the purposes of having withholdings made and request that the withholdings be remitted in accordance with such change, and he may also revoke his request for withholdings. Any change in the State designated or revocation is effective on the first day of the first month commencing after the day on which the request for change or the revocation is received in the Disbursing Office.

(4) The Secretary is authorized to issue rules and regulations he considers appropriate in carrying out this subsection.

(d) The Secretary may enter into agreements under subsection (a) of this section at such time or times as he considers appropriate.

(e) This section imposes no duty, burden, or requirement upon the United States, the Senate, or any officer or employee of the United States, except as specifically provided in this section. Nothing in this section shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, the Senate, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section. Any paper, form, or document filed with the Secretary under this section is a paper of the Senate within the provisions of rule XXX of the Standing Rules of the Senate.

(f) For purposes of this section, "State" means any of the States of the United States and the District of Columbia.

3. (a) The Sergeant at Arms of the Senate

shall secure for each Senator office space suitable for the Senator's official use in places designated by the Senator in the State he represents. That space shall be secured in post offices or other Federal buildings at such places. In the event suitable office space is not available in post offices or other Federal buildings, the Sergeant at Arms shall secure other office space in those places.

(b) The aggregate square feet of office space secured for a Senator shall not at any time exceed—

(1) 4,800 square feet if the population of his State is less than 2,000,000;

(2) 5,000 square feet if such population is 2,000,000 but less than 3,000,000;

(3) 5,200 square feet if such population is 3,000,000 but less than 4,000,000;

(4) 5,400 square feet if such population is 4,000,000 but less than 5,000,000;

(5) 5,800 square feet if such population is 5,000,000 but less than 7,000,000;

(6) 6,200 square feet if such population is 7,000,000 but less than 9,000,000;

(7) 6,400 square feet if such population is 9,000,000 but less than 10,000,000;

(8) 6,600 square feet if such population is 10,000,000 but less than 11,000,000;

(9) 6,800 square feet if such population is 11,000,000 but less than 12,000,000;

(10) 7,000 square feet if such population is 12,000,000 but less than 13,000,000;

(11) 7,400 square feet if such population is 13,000,000 but less than 15,000,000;

(12) 7,800 square feet if such population is 15,000,000 but less than 17,000,000; or

(13) 8,000 square feet if such population is 17,000,000 or more.

(c) The maximum annual rate that may be paid for the rental of an office secured for a Senator not in a post office or other Federal building shall not at any time exceed the applicable rate per square foot charged Federal agencies by the Administrator of General Services, based upon a 100 percent building quality rating, for office space located in the place in which the Senator's office is located, multiplied by the number of square feet contained in that office used by the Senator and his employees to perform their duties.

(d)(1) Notwithstanding subsection (b), the aggregate square feet of office space secured for a Senator who is a Senator on July 1, 1974, shall not at any time exceed, as long as he continuously serves as a Senator, the greater of—

(A) the applicable square footage limitation of such subsection; or

(B) the total square footage of those offices that the Senator has on such date and which are continuously maintained in the same buildings in which such offices were located on such date.

(2) The provisions of subsection (c) do not apply to any office that a Senator has on July 1, 1974, not in a post office or other Federal building, as long as—

(A) that Senator continuously serves as a Senator; and

(B) that office is maintained in the same building in which it was located on such date and contains not more than the same number of square feet it contained on such date.

(e) Clause (4) of subsection (a), the last sentence of subsection (c), and subsection (d) of section 506 of the Supplemental Appropriations Act, 1973, are repealed.

(f) This section is effective on and after July 1, 1974.

4. The Secretary of the Senate, the Sergeant at Arms and Doorkeeper of the Senate and the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of \$38,760. The Secretary for the Majority (other than the incumbent holding office on June 15, 1974) and the Secretary for the Minority shall each be paid at an annual rate of compensation of \$38,190. The Secretary for the Majority (as

long as that position is occupied by such incumbent) may be paid at a maximum annual rate of compensation not to exceed \$38,190. The four Senior Counsels in the Office of the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of \$37,620. The Assistant Secretary of the Senate, the Parliamentarian, and the Financial Clerk may each be paid at a maximum annual rate of compensation not to exceed \$37,620. The Administrative Assistant in the Office of the Majority Leader, the Assistant Secretary for the Majority, the Administrative Assistant in the Office of the Minority Leader, and the Assistant Secretary for the Minority may each be paid at a maximum annual rate of compensation not to exceed \$36,765. The Administrative Assistant in the Office of the Majority Whip and the Administrative Assistant in the Office of the Minority Whip may each be paid at a maximum annual rate of compensation not to exceed \$35,625. The two committee employees referred to in clause (A), and the three committee employees referred to in clause (B), of section 105(e)(3) of the Legislative Branch Appropriation Act, 1968, as amended and modified, may each be paid at a maximum annual rate of compensation not to exceed \$37,050. The four committee employees referred to in such clause (A) and the sixteen committee employees referred to in such clause (B) may each be paid at a maximum annual rate of compensation not to exceed \$35,625. The one employee in a Senator's office referred to in section 105(d)(2)(ii) of such Act may be paid at a maximum annual rate of compensation not to exceed \$37,050. Any officer or employee whose pay is subject to the maximum limitation referred to in section 105(f) of such Act may be paid at a maximum annual rate of compensation not to exceed \$37,050. This paragraph does not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust rates of compensation or limitations referred to in this paragraph under section 4 of the Federal Pay Comparability Act of 1970. This paragraph is effective July 1, 1974.

5. Effective July 1, 1974, the last full paragraph under the heading "ADMINISTRATIVE PROVISIONS" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1972, is amended to read as follows:

Each officer or member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, who performs duty in addition to the number of hours of his regularly scheduled tour of duty for any day on or after July 1, 1974, is entitled to be paid compensation (when ordered to perform such duty by proper authority) or receive compensatory time off for each such additional hour of duty, except that an officer shall be entitled to such compensation only upon a determination made by the Capitol Police Board with respect to any additional hours. Compensation of an officer or member for each additional hour of duty shall be paid at a rate equal to his hourly rate of compensation in the case of an officer, and at a rate equal to one and one-half times his hourly rate of compensation for a member of such force. The hourly rate of compensation of such officer or member shall be determined by dividing his annual rate of compensation by 2,080. Any officer or member entitled to be paid compensation for such additional hours shall make a written election, which is irrevocable, whether he desires to be paid that compensation or to receive compensatory time off instead for each such hour. Compensation due officers and members under this paragraph shall be paid by the Secretary, upon certification by the Chief of the Capitol Police at the end of

each calendar quarter and approval of the Capitol Police Board, from funds available in the Senate appropriation, "Salaries, Officers and Employees" for the fiscal year in which the additional hours of duty are performed without regard to the limitations specified therein. Any compensatory time off accrued and not used by an officer or member at the time he is separated from service on the Capitol Police force may not be transferred to any other department, agency, or establishment of the United States Government or the government of the District of Columbia, and no lump-sum amount shall be paid for such accrued time. The Capitol Police Board is authorized to prescribe regulations to carry out this paragraph.

6. Effective July 1, 1974, the first sentence of section 105(d)(1)(A) of the Legislative Branch Appropriation Act, 1968, as amended and modified, is amended to read as follows: "The aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each calendar year the following:

"\$370,215 if the population of his State is less than 2,000,000;

"\$381,330 if such population is 2,000,000 but less than 3,000,000;

"\$408,120 if such population is 3,000,000 but less than 4,000,000;

"\$442,605 if such population is 4,000,000 but less than 5,000,000;

"\$470,820 if such population is 5,000,000 but less than 7,000,000;

"\$500,460 if such population is 7,000,000 but less than 9,000,000;

"\$532,665 if such population is 9,000,000 but less than 10,000,000;

"\$557,460 if such population is 10,000,000 but less than 11,000,000;

"\$589,950 if such population is 11,000,000 but less than 12,000,000;

"\$614,1745 if such population is 12,000,000 but less than 13,000,000;

"\$646,380 if such population is 13,000,000 but less than 15,000,000.

"\$678,015 if such population is 15,000,000 but less than 17,000,000;

"\$709,650 if such population is 17,000,000 or more."

On page 22, in line 17, strike out "\$12,375,000" and insert in lieu thereof "\$12,059,700".

On page 24, in line 23, strike out "\$80,045" and insert in lieu thereof "\$86,100".

On page 25, in line 4, strike out "\$939,805" and insert in lieu thereof "\$841,770".

On page 25, beginning with line 5, insert the following new language:

For an amount (to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman and the chairman of the subcommittee) for the Subcommittee on Fiscal Policy, \$135,000, to be available until December 31, 1974.

On page 25, in line 12, strike out "\$609,855" and insert in lieu thereof "\$617,045".

On page 25, in line 15, strike out "\$348,315" and insert in lieu thereof "\$354,800".

On page 27, at the end of line 2, strike out "\$474,900" and insert in lieu thereof "\$513,360".

On page 29, in line 6, after "(5)", strike out:

"to pay the lieutenant detailed under the authority of this paragraph the salary of lieutenant plus \$1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent."

and insert in lieu thereof:

to elevate and pay the lieutenant detailed under the authority of this paragraph the rank and salary of captain plus \$1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent,

On page 29, at the end of line 15, insert "and uniform sergeant".

On page 29, at the beginning of line 19, strike out "this position is" and insert in lieu thereof "these positions are".

On page 29, at the end of line 19, strike out "incumbent" and insert in lieu thereof "incumbents".

On page 31, at the beginning of line 21, strike out "\$347,055" and insert in lieu thereof "\$348,760."

On page 32, beginning with line 11, insert the following:

ADMINISTRATIVE PROVISION

Section 106(a) of the Legislative Branch Appropriation Act, 1963, is amended by adding at the end thereof:

"(8) The Chief Guide, Assistant Chief Guide, and each Guide of the Capitol Guide Service established under section 441 of the Legislative Reorganization Act of 1970."

On page 32, in line 21 strike out "\$3,500,000" and insert in lieu thereof "\$4,000,000".

On page 32, in line 21, strike out ", to remain available until expended".

On page 34, in line 12, strike out "\$4,344,500" and insert in lieu thereof "\$4,428,500".

On page 34, beginning with line 21, insert the following language:

RESTORATION OF WEST CENTRAL FRONT OF CAPITOL AND MASTER PLAN FOR FUTURE DEVELOPMENT OF THE CAPITOL GROUNDS AND RELATED AREAS

Notwithstanding any other provision of law, (1) the Architect of the Capitol, under the direction of the Senate and House Office Building Commissions acting jointly, is hereby authorized and directed to restore the West Central Front of the United States Capitol (without change of location or change of the present architectural appearance thereof), and there is herein appropriated \$20,600,000 for such purpose: *Provided*, That the Architect of the Capitol under the direction of such Commissions acting jointly, is authorized and directed to enter into such contracts, including cost-plus-a-fixed-fee contracts, incur such obligations, and make such expenditures for personal and other services and other expenses as may be necessary to restore said West Central Front: *Provided further*, That any cost-plus-a-fixed-fee general construction contract entered into under this authority to restore said West Central Front shall be awarded on competitive bidding among selected responsible general contractors approved by such Commissions upon the amount of the fixed fee to accrue from the performance of such contract: *Provided further*, That with the exception of any subcontract to be made by the general contractor for underpinning, foundation, and special restoration work and work incidental and appurtenant thereto, which may be a cost-plus-a-fixed-fee contract, all other subcontracts made by the general contractor shall be fixed price contracts awarded on competitive bids received from responsible subcontractors, and (2) the Architect of the Capitol is hereby authorized and directed to prepare studies and develop a master plan for future developments within the United States Capitol Grounds, for the future enlargement of such

Grounds through the acquisition and development of areas in the vicinity thereof, and for the future acquisition and development of other areas deemed appropriate by him to include in and incorporate as a part of such plan, in order to provide within such areas for future expansion, growth, and requirements of the legislative branch and such parts of the judiciary branch as deemed appropriate to include in such plan, after consultation with the leaders of the House and the Senate and the Chief Justice of the United States, and in order to project other anticipated growth in and adjacent to such areas, and there is herein appropriated \$300,000 for such purpose, to be expended without regard to section 3709 of the Revised Statutes of the United States, as amended: *Provided*, That the Architect of the Capitol is authorized to enter into personal service and other contracts, employ personnel, confer with and accept services and assistance from the National Capital Planning Commission and other Government agencies and other interested parties to insure coordinated planning, and incur obligations and make expenditures for these and other items deemed necessary to develop such plan: *Provided further*, That upon completion of such plan, the Architect of the Capitol shall transmit to the Congress a report describing such a plan, with illustrated drawings and other pertinent material; in all, \$20,900,000 to remain available until expended.

On page 37, beginning with line 13, insert the following language:

The amount of \$250,000 of the appropriation under this head for the fiscal year 1974, for modifications to and replacement of existing traffic signals and installation of additional traffic signals and all items appurtenant thereto, is hereby continued available until June 30, 1975.

SENATE OFFICE BUILDINGS

For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof, for purchase of waterproof wearing apparel, and for personal and other services; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), prevention and eradication of insect and other pests without regard to section 3709 of the Revised Statutes as amended; to be expended under the control and supervision of the Architect of the Capitol in all, \$6,620,800.

SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, \$103,300.

On page 41, at the beginning of line 4, strike out "\$48,432,500" and insert in lieu thereof "\$48,572,500".

On page 41, in line 4, strike out "\$3,063,000" and insert in lieu thereof "\$2,778,000".

On page 41, in line 13, strike out "\$5,798,600" and insert in lieu thereof "\$5,879,985".

On page 41, in line 4, strike out "\$3,063,000" and insert in lieu thereof "\$2,778,000".

On page 43, at the beginning of line 21, strike out "\$3,312,300" and insert in lieu thereof "\$3,325,000".

On page 46, beginning with line 9, insert the following language:

Funds available to the Library of Congress may be expended to provide additional parking facilities for Library of Congress

employees in an area or areas in the District of Columbia outside the limits of the Library of Congress grounds, and to provide for transportation of such employees to and from such area or areas and the Library of Congress grounds without regard to the limitations imposed by 31 U.S.C. 638a(c) (2).

On page 47, at the end of line 2, strike out "\$88,136,000" and insert in lieu thereof "\$75,000,000".

On page 47, in line 21, strike out "\$36,078,000" and insert in lieu thereof "\$36,000,000".

On page 47, in line 22, strike out "\$300,000" and insert in lieu thereof "\$222,000".

On page 48, in line 7, strike out "\$12,000,000" and insert in lieu thereof "\$6,000,000".

On page 50, in line 1, strike out \$121,834,000" and insert in lieu thereof "\$121,376,000".

On page 50, in line 23, strike out "\$1,650,000" and insert in lieu thereof "\$1,628,000".

On page 52, beginning with line 1, insert the following language:

SEC. 105. No part of any appropriation contained in this Act shall be available for paying to the Administrator of the General Services Administration in excess of 90 percentum of the standard level user charge established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, for space and services.

SEC. 106. Notwithstanding any other provision of law, the citizenship or nationality of Karin Birgitta Holmen shall not prohibit the Secretary of the Senate from paying compensation to the said Karin Birgitta Holmen while serving as an employee of the Senate.

Mr. HOLLINGS. Mr. President, I yield to my distinguished comanager, who has been of great help to me, the Senator from Pennsylvania (Mr. SCHWEIKER).

Mr. SCHWEIKER. Mr. President, I want to endorse the comments of the distinguished Senator from South Carolina (Mr. HOLLINGS) who is chairman of the subcommittee on the legislative appropriation bill. I also want to comment on the outstanding contribution Senator Corron has made on this bill, as well as the legislative appropriation bills for the last 8 years. I regret that Senator Corron cannot be here today to support this bill as he has so ably done in the past. I understand Senator Corron some years ago originated the newsletter technique that we all use now to keep our constituents informed. The innovative idea is only one of many that he has contributed and supported over the years. I also want to say that the able Senator from South Carolina has provided progressive and farsighted leadership for this committee. I am proud to work with him and look forward to a continued association on this subcommittee.

This bill provides additional features to assist all of us in modernizing our offices and becoming more efficient in our responsibilities by increasing the capabilities of the computer center, the microfilm center, library research services, and the GAO. In addition, it provides a second WATTS line for each Senator which will significantly improve communications with our constituents.

Last year we authorized the General

Services Administration to charge all Government agencies, including the Congress, the fair market value for space occupied. Heretofore, the GSA was provided funds by means of direct appropriations for the lease or rental space, as well as maintenance of space occupied by all Government agencies. This change in the method of funding for offices in each State for each Senator has created a situation which could be misused or possibly create a problem in the future.

In order to hopefully prevent such a situation the committee has recommended in this bill the maximum amount of space each Member would be entitled to relative to the population of his State. In no case does this recommendation reduce the present space occupied by a Senator. In many instances this allocation is greater than that presently utilized. Further, the bill removes the three-office restriction previously imposed.

Needless to say, this bill does not do all things to meet everyone's requirements, but it does provide for significant improvements in helping the Senate to attain more efficiency and better management over itself.

Again, I join the chairman in urging your support for this bill.

Mr. HOLLINGS. Mr. President, I ask unanimous consent to print in the RECORD the up-to-date cost estimate on restoring the west-central front of the Capitol, as shown in the letter of June 3, 1974, from Thomas C. Kavanagh, transmitting the revised cost estimate to be published in the CONGRESSIONAL RECORD so that the record on this important project will be complete.

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

JUNE 3, 1974.

Re U.S. Capitol—Restoration of the west-central front.

HON. ERNEST F. HOLLINGS,
U.S. Senator, South Carolina,
U.S. Capitol,
Washington, D.C.

DEAR SENATOR HOLLINGS: In response to your request, an update of our original estimate for restoration of the West Central Front, assuming construction to start one year from now (July 1, 1975) and escalating at 12% per year, compounded, is as follows:

1. Scheme 1—Painted Sandstone Finish \$20,800,000 (Our recommended approach).
2. Scheme 2—Exposed Sandstone Finish \$21,800,000.

Very truly yours,

THOMAS C. KAVANAGH.

Mr. MANSFIELD and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 19 between lines 6 and 7, add the following:

Any witness requested to appear before the Majority Policy Committee or the Minority Policy Committee shall be entitled to a witness fee for each full day spent in traveling to and from the place at which he is to appear, and reimbursement of actual and neces-

sary transportation expenses incurred in traveling to and from that place, at rates not to exceed those rates paid witnesses appearing before committees of the Senate.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

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

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. I did not quite understand the amendment. For witnesses who appear where?

Mr. MANSFIELD. Before the respective policy committees. When that happens nowadays, we pay them their transportation, but we have to swear them in as officials of the Senate for the one day they appear before us. This makes it clearer, it simplifies the whole procedure, and is a lot easier to administer.

Mr. McCLELLAN. This is legislation on an appropriation bill. I do not want to raise a question about that. I had no information about it, and no knowledge that it would be offered. We have had no opportunity to consider it.

Mr. MANSFIELD. I understand. I should have discussed it with the Senator from Arkansas.

Mr. McCLELLAN. That is all right; I just want to understand it. Have the committees heretofore been paying witness fees to witnesses who appear before them?

Mr. MANSFIELD. Yes.

Mr. McCLELLAN. But they did not have the specific authority under the statute?

Mr. MANSFIELD. No; we took them out of the funds appropriated to the policy committees; but in order to do so, the witnesses had to be sworn in, and for the day they were employees of the Senate. This faces up to the issue, and works it out clearly.

Mr. HOLLINGS. This provides the mechanism. I did go over it with the distinguished majority leader, and we agreed. It is my mistake that I did not mention it to the chairman.

Mr. President, we are prepared to accept the amendment, and I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Montana (Mr. MANSFIELD).

The amendment was agreed to.

Mr. JAVITS. Mr. President, will the Senator from South Carolina yield me 5 minutes?

Mr. HOLLINGS. Mr. President, I yield 5 minutes to the Senator from New York. The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I should like to present to the Senate a situation which has been festering and which should be brought out and which is, in my judgment, most unfair to the staff of the minority on the Joint Economic Committee. The Joint Economic Committee, it will be noted, is dealt with on page 25 of the bill and on page 18 of the report on the bill.

The real problem, Mr. President, is that the participation of the minority—I am the ranking minority member—members of the staff of the Joint Economic Committee has been suppressed. This matter has suffered from a dearth of knowledge and information. The minority has 3 staff members on the committee and the majority has 22. This is outside the administrative staff, so it is executive staff. So the minority has 3 and the majority has 22.

Mr. President, a ranking member can often pry these things loose if he simply blocks everything the chairman wants to do. I am pretty well known for not desiring to operate in that way, yet I may be thrown into that position because I seem unable to get any relief whatever in any other way.

The amount is miniscule. It is hardly worth talking about—\$50,000—to try to do something to help the minority staff. It especially needs it now, and for these reasons:

The Appropriations Committee has denied the item for a new Subcommittee on Economic Growth. The House, however, has allowed that item. My belief is, in looking at the cold realities, that there is certainly a 50-percent chance the subcommittee will come into being in the Joint Economic Committee and that it will be financed. There is a 50-percent chance that the Senate will recede to the House. If it does, it already takes our staff, which is breaking its back, 3 against 22, and which is a tremendously added burden on it without any staffing whatever; because the particular committee that I mention will survey the whole economic future of the United States, which is a very ambitious project. I am for the project—it is a sound thing to do—but it is a very ambitious project, and the minority will be drowned in it. It will take at least one staff member and a secretary, which is all I am pleading for.

What I wish to say to the committee is this: In full recognition of whatever may have occurred or may not occur, when we go to conference, at least I would hope, in all fairness, that we would take our thing to conference too, and then we can assess it, and if we are compelled to yield on this new subcommittee, whether you should do anything for us, if we go out the window in that case, there is nothing I can do about it; but at least I will say that you have all the facts. But this way, we are completely out of court. We get nothing here. The Senate committee gives nothing. It may have to recede. I do not know that it will. Maybe it will not. I do not know. It may have to recede on the major points. If it does, then we still get nothing, because there is nothing in the bill. So I asked the committee.

As I say, the amount is miniscule, but as a matter of fairness I wanted to state the situation and indicate that at the conference, at least, there is a chance when the facts are stated. If we recede, we will at least have considered the problem with the minority and give it some staffing if it is thought that it is deserved.

Mr. HOLLINGS. Mr. President, responding to our distinguished colleague

from New York, this brings into consideration several facts.

In the Joint Economic Committee, we had the same request from the distinguished Senator from New York last year at the time the Senate had the chairmanship of the Joint Economic Committee, presided over by the Senator from Wisconsin (Mr. PROXMIRE). At that particular time, Senator PROXMIRE said he always felt that those who serve as staff members of Joint Economic Committee, were serving the whole committee and not serving as minority or majority. I am informed that was the practice for many years until a division of the staff had recently been injected into committee operations.

The fact is, and I am looking at the staff list, and the total of the minority staff is four. I am told that of that four, that is three professional staff and the minority secretary, the distinguished Senator from New York has two. Senator PROXMIRE did not approve this and the Joint Economic Committee did not ask for it when we had the Joint Economic Committee, in a sense, over on the Senate side. Now it is on the House side. We felt, in looking at this particular request, that we did not have a request from the House, namely, the chairman, Representative PATMAN, and that it should not be added on to it for the Joint Economic Committee, because it had not been asked for by the committee.

Second was the consideration of all the functions and the work of each one of the several senatorial committees and a number of joint committees. Each Member serving on the committee thinks that his work is more important. The Joint Economic Committee does not handle any legislation. In fact, in the view of some of the members of the Appropriations Committee, it is already overstuffed. We noted that of some 30 positions, 16 are professional and 14 are clerical; whereas the Joint Atomic Energy Committee has only 23, and our Appropriations Committee has a ratio of 5 professionals to 3 clerical. There was not casual consideration of this but, rather, direct consideration, particularly with the minority members present.

The Senator from North Dakota was present when this was considered. We had three minority members and myself present in the subcommittee. I candidly expressed to them that I did not want to get into a hiatus on minority and majority; that I did not want to treat a colleague unfairly, but to do what was good for all, and how did they feel about it. The vote was, on this particular item, that it be denied. The very reasonable and persuasive arguments made were to go ahead, take the committee, and stand our chances. We also had the amendment of the Senator from Texas for staff for a new subcommittee out of the \$114,000. Again, there was a denial to a colleague. There was no question about its coming into being. It is in being. It has conducted the hearings, to my knowledge, for the past few weeks.

Even the suggestion by the chairman of the subcommittee that we take at least the staff man and one secretary was voted down in the subcommittee. There was a third request by the Senator from Minnesota that he have an additional staff

member on the Joint Economic Committee. So, in fairness to the Senator from New York, the Appropriations Committee did consider it; that is, the subcommittee did. While it is very reasonable to say that this is a small amount in a multimillion dollar bill—only \$50,000—we would be compelled to put those amendments to a vote. As one goes, they would all have to go to a vote. I am not going to get upset. It will not make or break Senate procedures. But it was discussed. I brought it up in detail because I presided when the Senator from New York was diligent enough to come and present his complaint to the subcommittee. Other members of the subcommittee were not present at that time, so I thought it was my duty to present all the facts as fully and as fairly as I could. I have done that, but the vote was in the negative.

Mr. JAVITS. Mr. President, if the Senator will allow me to reply, first as to his argument about last year, here was the situation, as I understand it, last year.

The Joint Economic Committee asked for a \$90,000 increase, of which one-third was to be set aside for the minority. The Joint Economic Committee was not given the total amount of the increase; it was given some increase, but not the \$90,000. Thereupon, as has happened now for a period of time, nothing was done about the minority. It was simply overlooked. It was simply not dealt with. That is exactly what seems to be the general situation. Somehow or other, in this particular case, where minority staffing is so lamentably out of line—and incidentally, the Senator said "I have"—these happen to be two people who are highly trained professional economists, and the majority is delighted to have them associated with its work. They are strictly professionals.

If we do get another member, it will be at the selection of the aggregate minority. I have always operated that way in all committees on which I have the ranking position.

In this case, it really is basically unfair. It has been suffocated and not dealt with simply because nobody has cared. After all, I may say to the Senator, if the majority wishes simply to be arbitrary it can deny the minority anything. It can deny any staff to the minority. There have been big fights about this on the floor of the Senate.

But as I said when I began, a ranking minority member can make himself very obnoxious, and if I am reduced to that, I will have to be. I do not want to be. It is not my nature. The Senator knows me well.

So I suggested as the only feasible course that inasmuch as the Bentsen proposition is going to conference—it will, because the House put it in the bill—let us at least take this one to conference, if we want to put it on that basis, strictly as a courtesy to a Senator.

I feel that we have been very badly and unfairly used, and I cannot seem to get relief in any other place. I am perfectly willing to put it on that basis. There is nothing personal about it. It is just a matter of doing a big job which will now get bigger because of the new Bentsen subcommittee. That is what I am really submitting to the Senator.

Mr. HOLLINGS. In all fairness to the Appropriations Committee, I respond to the Senator from New York by saying that if he has not been able to persuade his own colleagues on the very committee that we have under discussion—namely, one whose needs and affairs he would be far more intimate with—if he cannot get his own Joint Economic Committee to ask for it, why should he expect the Senate Appropriations Committee—which is trying its level best to cut back expenditures—to approve it?

Mr. JAVITS. I would like to answer that, Mr. President.

Mr. HOLLINGS. Yes.

Mr. JAVITS. I cannot get the majority of the Joint Economic Committee to do that, though really it has been done by just not doing it. As I say, they asked for an increase before. Some of it was granted. They simply did not give any part of it to the minority.

So far as the members of the Appropriations Committee are concerned, none of the minority was there to hear me. The Senator said that himself.

The Senator from Pennsylvania (Mr. SCHWEIKER) is here. I understand he had in mind raising this question, but did not have the opportunity because it was apparently discussed in his absence.

As to Senator Cotton's impressions of the matter, I really do not know.

I will tell the Senator now that if he does take it, at least so that it could be eligible if the other matter of the Bentsen majority is acted upon, I will undertake personally to talk with each of the conferees and endeavor to present the matter to them and to persuade them in the premise.

Mr. HOLLINGS. Mr. President, on this particular matter I yield to the judgment of the minority member, the Senator from Pennsylvania (Mr. SCHWEIKER), as to whether he wishes to accept the proposal of the distinguished Senator, from New York and take it on that contingent basis.

I see that Senator SCHWEIKER is smiling with glee because I have put him on the spot. [Laughter.]

I will ask the Senator from Pennsylvania what we can do.

Mr. SCHWEIKER. I thank the distinguished chairman. I think that, under these circumstances, we will take it and see where we can go from there. So long as the Senator from New York proposes it on that basis, I think it is a fair proposal.

Mr. JAVITS. I thank the Senator.

Mr. HOLLINGS. Has the amendment been reported, Mr. President?

Mr. JAVITS. Mr. President, I call up the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The second assistant legislative clerk read as follows:

On page 25, line 4, Strike out "841, 770" and insert "894, 176".

Mr. HOLLINGS. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK. Mr. President, will the Senator from South Carolina yield?

Mr. HOLLINGS. I yield.

Mr. MANSFIELD. Mr. President, will the Senator from Iowa yield?

Mr. CLARK. I yield.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the Kennedy et al., amendment occur at 3:30 p.m. on Monday next, to be followed by a vote on the Allen amendment on that day.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Mr. President, reserving the right to object—and I do not intend to object—may it be understood, as a part of that unanimous-consent agreement, that tabling motions as to either amendment will not be in order?

Mr. MANSFIELD. That is correct. It would be a straight up or down vote, with no tabling motions, and there would be a half hour on both amendments together, the time to be equally divided between the sponsors of the bill and the minority leader or whomever he may designate.

The PRESIDING OFFICER. Without objection, that will be a part of the agreement.

Mr. JAVITS. Mr. President, reserving the right to object, may I understand the situation? Will we vote at 3:30?

Mr. MANSFIELD. Yes, on the first amendment, on Monday.

Mr. JAVITS. Mr. President, would it be discommoding the majority leader too much to make it 4 p.m.? I will come in, but my plane will arrive a little later.

Mr. MANSFIELD. Mr. President, we will change the time to 4 o'clock.

Mr. TAFT. Mr. President, as I understand it, the vote on the Kennedy amendment will be one vote; it will not be a divisible vote.

Mr. MANSFIELD. There will be two separate votes, first on the Kennedy amendment and then on the Allen amendment.

The PRESIDING OFFICER. The Chair will state that the vote is not divisible in this instance.

Mr. MANSFIELD. I ask unanimous consent, Mr. President, that it be divisible.

Mr. LONG. I object.

Mr. MANSFIELD. Does not the Senator want it that way?

Mr. ALLEN. What was the question?

Mr. MANSFIELD. The Chair said that the amendment would be indivisible.

Mr. BROCK. That is just the Kennedy amendment.

Mr. MANSFIELD. Yes, just the Kennedy amendment. I withdraw my request. That is correct.

Mr. ALLEN. Reserving the right to object, the majority leader spoke of the first vote on the Kennedy amendment, which is the package amendment about which there has been considerable discussion.

Mr. MANSFIELD. That is right, and which is indivisible.

Mr. ALLEN. Then the second vote would be on the so-called Allen amendment, with or without the Kennedy sub-

stitute, depending upon the outcome of the first vote. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. ALLEN. I thank the distinguished Senator.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. Mr. President, may I ask, in the event the Kennedy amendment or the package amendment fails, that we have at least a half hour, equally divided, before we vote on the Allen amendment? That would be in the event that the Kennedy amendment should be rejected. If it is agreed to, we would be voting on the same thing again, which would be all right, so far as I am concerned. If the Kennedy amendment fails and we then vote on the Allen amendment, I would like to have the opportunity for a debate of 15 minutes on each side before we vote on the amendment.

Mr. ALLEN. I have no objection.

Mr. MANSFIELD. On that basis, I will add another half hour.

Mr. LONG. It is only in the event that the Mansfield amendment, or that offered by the Senator in behalf of Mr. KENNEDY and other Senators, is rejected.

Mr. ALLEN. Mr. President, reserving the right to object, if the Kennedy amendment should be adopted to the Allen amendment, and then the Allen amendment, as amended, should be adopted, the language of the Kennedy amendment would be frozen into the bill. It could not thereafter be amended, could it?

Mr. DOLE. Or stricken.

Mr. ALLEN. Or stricken in any way.

The PRESIDING OFFICER. Not directly. All after the enacting clause could be stricken and changes made.

Mr. ALLEN. Mr. President, I do not understand the Chair's ruling.

The PRESIDING OFFICER. It would be proper to strike out all after the enacting clause, or something of that nature.

Mr. ALLEN. I see. But not merely portions of the amendment?

The PRESIDING OFFICER. No, that would not be proper.

Mr. ALLEN. I thank the Senator. I have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object, and I shall not object, I just want to express appreciation and support for the action that is being requested by the majority leader. I think this will move us to a resolution of the particular dilemma in which we find ourselves, and hopefully we will be able to dispose of the amendment.

I have every intention of voting for the Allen amendment myself, and I hope that we will be able to take up amendment No. 1443 and dispose of it part by part, as we initially intended to do.

We will be doing this 1 week later than we intended to do it, but hopefully we will be afforded that opportunity.

I thank the leadership for the cooperation they have given us and the good faith they have shown in meeting their commitment by permitting the Senate to consider the tax reform and the tax equity amendments.

The PRESIDING OFFICER. Is there

objection to the several requests of the majority leader?

The Chair hears none, and without objection, it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from Iowa and all other Senators who cooperated.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1975

The Senate continued with the consideration of the bill (H.R. 14012) making appropriations for the legislative branch for the fiscal year ending June 30, 1975, and for other purposes.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. CLARK. Mr. President, I send to the desk an unprinted amendment on behalf of myself and the Senator from Maine (Mr. HATHAWAY).

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. CLARK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the appropriate place in the bill, insert the following new section:

Sec. . Section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754 (b)), relating to the use of foreign currency, is amended by striking out the last two sentences and inserting in lieu thereof the following: "Each member or employee of any such committee shall make, to the chairman of such committee in accordance with regulations prescribed by such committee, an itemized report showing the amounts and dollar equivalent values of each such foreign currency expended and the amounts of dollar expenditures made from appropriated funds in connection with travel outside the United States, together with the purposes of the expenditure, including lodging, meals, transportation, and other purposes. Within the first sixty days that Congress is in session in each calendar year, the chairman of such committee shall prepare a consolidated report showing the total itemized expenditures during the preceding calendar year of the committee and each subcommittee thereof, and of each member or employee of such committee or subcommittee, and shall forward such consolidated report to the Committee on House Administration of the House of Representatives (if the committee be a committee of the House of Representatives or a joint committee whose funds are disbursed by the Clerk of the House) or to the Committee on Appropriations of the Senate (if the committee be a Senate committee or joint committee whose funds are disbursed by the Secretary of the Senate). Each such report submitted by each committee shall be published in the Congressional Record within ten legislative days after receipt by the Committee of House Administration or the Committee on Appropriations of the Senate."

Mr. CLARK. Mr. President, last month many of us learned for the first time that the requirement for full public disclosure of foreign travel expenses of Members of Congress had been quietly eliminated. This amendment would simply reinstate that requirement.

In 1961, the Congress passed a law re-

quiring an annual accounting in the CONGRESSIONAL RECORD of appropriated funds or excess foreign currency used as expense money by Congressmen, Senators, and staff members traveling abroad on official business. These annual reports were not perfect—they did not cover all travel costs—but they did provide some measure of accountability. They insured that the public, through the news media, could easily ascertain which Members of Congress were traveling abroad, where they were going, and at what cost to the taxpayer.

The requirement certainly did not inhibit legitimate travel—a report by the Congressional Quarterly showed that foreign travel costs have averaged about \$1 million in recent years. Nor, in all likelihood, did the requirement prevent any abuse of the privilege of traveling at Government expense. But at least the reports made it more likely that the public would know of such abuses if they occurred.

Now that requirement has been removed. Now anyone with any interest in these matters must visit each of the standing committees of Congress to dig out such travel information. There, they have access to a State Department report of each committee's travel activity. But there is some question whether those reports are as complete or as accurate as the composite accounting that used to be required in the RECORD every year.

The opponents of the reporting requirement have argued that printing the travel records cost \$8,000 or \$9,000.

But with travel expenses running \$1 million each year, surely the taxpayers will accept the expenditure of such a small sum so they can find out what's going on.

None of this is meant to imply that most congressional travel is not justified, any more than campaign financing disclosure implies that all politicians are "on the take." Both kinds of disclosure are simply necessary checks on governmental activity, extensions of the people's right to know what their Government is doing.

The amendment before us will simply reinstate a statute that had been on the books for 13 years, until last fall. Its approval would be a small, but very necessary, signal to the American people that they can expect Congress to live up to its responsibilities and to conduct its business as openly as possible.

I urge the adoption of this amendment. I would like to add that I see this amendment as a temporary step—I would hope to introduce a bill soon which would require reporting directly to the Clerk of the House and the Secretary of the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD the texts of the Congressional Quarterly Report and a related editorial.

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

[From the Congressional Quarterly Report, May 18, 1974]

FOREIGN TRAVEL: CONGRESS PUTS LID ON PUBLIC DISCLOSURE

Congress has drawn a curtain over many previously public details of foreign travel by its members and their committee staffs, mak-

ing it impossible to determine the duration and total costs of official trips abroad.

Since 1961, federal law required publication in the *Congressional Record* of reports on both tax dollars and the dollar equivalent of foreign currency spent overseas by each traveling member of Congress. Although these reports did not fully account for all travel costs, Congressional Quarterly studies showed the totals climbing to \$1,114,386 in 1971 and \$955,820 in 1972.

No such accounting will be available for 1973 because of a change in the law engineered by Rep. Wayne L. Hays (D Ohio), chairman of the subcommittee which originated the action. In October 1973, Congress passed a State Department authorization bill containing a Hays-backed provision eliminating the requirement for disclosure in the *Congressional Record*.

Hays claimed he changed the old law to trim down the Record. "We decided we weren't going to spend eight or nine thousand dollars to let you guys (reporters) do your stories on congressional travel," he said. He told Congressional Quarterly that "there was no desire on anyone's part to cover up anything."

For a long time, Hays said, he has been "trying to cut the size of the Record down" and that "this was just another useless bit of using up space in the Record."

REVERSING REFORM EFFORT

Close scrutiny of the revised law and checks with congressional committee staffs show that the impact of the change will be to substantially reverse two decades of reform efforts aimed at preventing abuses of foreign travel and providing full public disclosure.

Under the revised law, the detailed breakdown by committee and member will no longer be published in the *Congressional Record*. And committees are no longer required to submit to public disclosure a separate accounting of tax dollars spent on travel for members and committee employees.

There will be no way to check the dates of arrival and departures in various countries, making it impossible to tell how long senators and representatives stayed abroad.

While there will be much less information made public, the members and their staffs will be receiving more money for each day of foreign travel. In the same amendment deleting the reporting requirements of the law, Congress voted itself a 50 per cent increase in daily travel allowances—from \$50 to \$75 per day.

The revised law does say that each committee of Congress shall make available for public inspection a State Department report on the dollar equivalent of foreign currency spent by each member and employee. But even this limited report was not readily available when a Congressional Quarterly reporter checked 10 committees May 6-9.

At several committees, staff employees said the State Department report was not available. At one, an official said he had not heard of the new law. Several committee staff members warned that the State Department reports contained errors.

At the House Banking and Currency Committee, the State Department figures were produced, but the reporter was told, "Go ahead and make a copy if you want. There are errors in it but go ahead and make a copy." The report contained only the dollar value of foreign currency issued a particular member, the month of the transaction and a notation that the type of transaction was an "advance," "local transportation," or "refund." The currency was identified by country but there were not dates of travel or confirmation that the money was actually spent.

ROADBLOCKS TO DISCLOSURE

Several factors weigh against the partial State Department report being useful as public information. The deleted portion of

the old reporting law required each committee to prepare a consolidated, itemized expenditure report from all sources—members' and committee records as well as the State Department report on use of foreign currencies—within 60 days of the beginning of each session of Congress. The new law provides only for inspection of the limited State Department report and contains no deadline for its verification.

Furthermore, some committees apparently do not intend to allow photocopying of the reports. A clerk at the House Education and Labor committee said that she would not permit photocopying because "so many people want it, all I would be doing would be making copies."

In the 1973 *Congressional Record*, a total of 12 Senate committees, and three joint committees made what were to be their final detailed reports. With warnings of "errors," the limited information in the State Department report, the necessity to copy documents by hand and an attitude of hostility to disclosure at some of these 31 committees, the prospects for any meaningful disclosure appeared bleak.

Paul Nelson, staff director of the House Banking and Currency Committee, gave the CQ reporter a copy of the State Department report and a brief lecture. "Let me tell you first that the press does a damn poor job of reporting foreign travel," Nelson said. "But I think every member of Congress should be required to get his — out of the country every year."

The report handed the reporter showed that Nelson had received the dollar equivalent of \$12,174.49 in foreign currency in 1973. This includes \$7,562 in Kenyan currency in September 1973 under a transaction labeled "local transportation." The report also showed Nelson receiving another \$2,446.56 in Italian currency in the same month under another transaction labeled "local transportation." Nelson later said he was paying transportation expenses for committee members visiting Kenya and Italy, but the report does not break down the figures in this manner.

UNREPORTED SPENDING

Members of Congress have several sources of funds available when they travel abroad. The main categories are "appropriated funds" and "counterpart" funds. The appropriated funds are moneys appropriated by Congress to pay committee expenses, including travel. The counterpart funds are foreign currencies held by American embassies.

Under the new version of the reporting law, the appropriated funds or tax dollars spent on foreign travel need not be publicly disclosed. This will put off the record a large portion of the travel expenditures information previously available on members and their staffs.

For instance, the House Appropriations Committee uses only appropriated funds for travel. In 1972 the committee reported spending \$112,431 on foreign travel. This was the largest total expenditure of any committee in Congress for that year.

When a reporter visited the House Appropriations Committee, a clerk pointed out that the committee did not use counterpart funds for travel, only appropriated money. "We don't use those (counterpart) funds so I would be complying with the law if I did not let you see the travel reports," he said.

Keith Mainland, chief clerk of the House Appropriations Committee, confirmed this interpretation of the new law. The Committee is not covered by that law," he said. "Why don't you do a story on the executive branch?" Mainland asked. "There is some real money spent there."

Mainland finally agreed to let the reporter look at his committee's travel accounts. But he said he would have to ask someone on his staff to find it first. The report was found and the reporter got a call several days later.

REASONS UNCLEAR

What prompted Congress to end its 13-year practice of printing congressional foreign travel information in the *Congressional Record* is not completely clear.

The decision emanated from the House Foreign Affairs Subcommittee on State Department Organization and Foreign Operations, which originally wrote the legislation in the House.

The subcommittee's chairman is Hays, who also serves as chairman of the House Administration Committee. Until 1974, House Administration served as the conduit through which all reports on foreign travel flowed from the various House committees to publication in the Record.

Rep. Clement J. Zablocki (D. Wis.), the subcommittee's ranking Democrat, also served on the House-Senate conference committee on the bill. "Very honestly, I was not even aware we had deleted" the provision requiring publication in the Record, he said. Zablocki also could not recall working out the new provision in the conference committee. "I'm embarrassed by not remembering it," he said. "It could be that I wasn't present at the time the conferees discussed that provision."

Another subcommittee member, Rep. Donald M. Fraser (D. Minn.), said that as he recalled it, "I didn't know it had been done until afterwards." Fraser said he thought it was a "mistake not to continue publishing" the information in the Record.

He added that he thought the increase in the per diem allowance to \$75 from \$50 was justified, "at least in some of the countries." While much of the congressional travel abroad was not necessary, he said, "many of the trips are worthwhile."

An aide to Rep. Vernon W. Thomson (R. Wis.), the ranking Republican on the subcommittee and a member of the conference committee, reported that when he asked his boss what he remembered about the new provision, Thomson responded: "Hays is the one who put it in and made sure it stayed in."

Hays' assertion that the law was changed to save space in the *Congressional Record* is greeted with some skepticism on Capitol Hill. "We all know that's ridiculous," one congressional aide commented.

"It's Wayne's function to take care of the boys," remarked another observer familiar with Hays' subcommittee.

Legislative history

The change in reporting procedures was contained in a little-noticed provision of the fiscal 1974 State Department authorization bill (HR 7645), which cleared Congress Oct. 10, 1973 (PL 93-126). Congressional attention on the bill had been focused on two controversial Senate amendments challenging the President's conduct of foreign affairs. The two amendments were stripped from the bill during a second conference as the price for the House's approval. (1973 *Almanac v. 803*)

HOUSE

The House Foreign Affairs Committee had issued a report on the bill on May 23 (H Rept 93-223). The committee deleted from existing law the requirement that congressional foreign travel information be published in the *Congressional Record*, substituting in its place language requiring that the information be made "available for public inspection." The report stated that the records would be "available in one place in each of the two legislative bodies." It noted that the cost of printing the information in the Record in 1972 had been "in excess of \$9,000."

SENATE

On the same day as the House report was released, the Senate Foreign Relations Committee reported its own bill (S 1248—S Rept 93-176). The committee struck the entire subsection of existing law dealing with con-

gressional travel and inserted new language which had the effect of requiring that the money spent in connection with foreign travel by members of Congress or congressional employees would have to come from those funds appropriated to the congressional committees for their annual operating expenses.

But in deleting the old provision from the existing law, the committee also struck out a sentence stating that foreign travel reports "submitted by each committee shall be published in the *Congressional Record* . . ."

In effect, then, the Senate committee bill did not contain any language regarding public disclosure of the money spent for congressional travel.

But a committee aide subsequently explained that the new provision in fact would tighten control on spending for foreign travel by members of Congress since each committee would have to request that it be appropriated funds for travel expenses and since those expenditures would have to be justified. The amount of money spent by each member or staff aide of each committee then would be released to the public twice every year in what is called the "Report of the Secretary of the Senate." The semi-annual report lists in detail a statement of the receipts and expenditures of the Senate.

STIPEND INCREASES

Both bills reported by the House and Senate committees increased the daily allowance available to members or employees to \$75 from \$50.

When the bills came to the floor in the House and Senate, there was little debate on the foreign travel amendments. In the House Rep. H. R. Gross (R Iowa) offered an amendment striking the provision increasing the per diem allowance to \$75, arguing that it "would set a pattern for junketeers throughout the federal government."

But Hays, the floor manager of the bill, argued against the amendment on grounds that inflation and the devaluation of the U.S. dollar had made the increase unavoidable.

Hays said he agreed with Gross that officials in the executive branch had taken advantage of travel benefits. "Last year, when we published the travel expenses of Congress in the *Congressional Record*, I made available to the press the amount of travel of the AID Agency (Agency for International Development). The press did not use it. One paper said I put it in in an effort to obscure the amount of money Congress used," Hays said.

The Gross amendment failed by voice vote.

CONFERENCE REPORT

After both bills passed their respective chambers, they were sent to a House-Senate conference committee to iron out differences. On July 10, the committee filed its report (H Rept 93-367).

The conferees agreed to an amendment requiring the State Department to submit a report to the chairman of each congressional committee showing the amount of American-owned foreign currency which was provided during the preceding year to members of Congress or congressional employees traveling outside the United States. The report stated that the records "are required to be available for public inspection in the office of each such committee."

On Sept. 11, the House rejected the first conference report on grounds that two Senate amendments in the bill aimed at giving Congress greater access to executive documents and veto power over overseas military base agreements were nongermane. A second conference committee was convened and filed a new report (H Rept 93-563) on Oct. 9 that did not contain the two controversial amendments. The section regarding foreign travel was not changed. Both the House and Senate adopted the second conference report on Oct. 10.

PAST REFORM EFFORTS

Congress first initiated some control over members' foreign travel with the passage of the Mutual Security Act of 1954 (PL 83-665), which allowed congressional committees to use counterpart funds in their travels overseas, but required them to make a full report to an appropriate oversight committee (House Administration, and Senate Rules and Administration), indicating the total amount of currency used and the purposes for which it was spent.

Public reporting in the Record was first required by amendments passed in the Mutual Security Act of 1958 (PL 85-477). The reports for 1958 were published in 1959. Members had to make itemized statements to their committee chairmen, showing the amount and dollar equivalent of counterpart funds they spent, plus the purposes for which the money was used, including lodging, meals, transportation and other reasons. Each committee was required to report this information to the proper oversight committee within the first 60 days of each session. The 1958 bill changed the Senate committee to Appropriations. Within 10 days of receipt, the two committees had to publish the reports in the Record.

In 1961, Congress required mandatory publication in the Record of individual itemized expenditures (Legislative Branch Appropriations Act (PL 86-628)). It also stipulated that appropriated dollar funds be reported along with counterpart funds (Mutual Security Act of 1960 (PL 86-472)).

In 1963, the House took further steps to curb junketing, allowing only five House committees to use committee and counterpart funds for foreign travel. Ten other committees were restricted to travel within the U.S., but could ask the Rules Committee for permission to travel abroad. Such requests would receive "respectful consideration," the Rules Committee chairman said.

In 1967, the Committee on House Administration banned the use of credit cards for transportation and accommodations and required uniform accounting and reporting from all House committees on a monthly basis.

In 1967, Rep. H. R. Gross (R Iowa) revealed that on 12 occasions during a single trip in 1966, five members collected their per diem twice by traveling to two countries in the same day. The House Committee on Standards of Official Conduct issued an ethics report March 14, 1968, calling for "clearer guidelines" regulating use and reporting of expenditures. One response of the House was to amend several committee travel authorizations to specifically limit collection of per diem rates to one period of time, regardless of number of countries visited.

[From the Davenport (Iowa) Times-Democrat, May 17, 1974]

CHECK ON JUNKETS JUNKED

These chaps in Washington have done it again.

There had been a law on the books requiring each congressional committee to provide a rather detailed report on the foreign travels of both members and staffers.

This enabled everyone who had an interest, including the public, to know what congressmen were traveling abroad and where.

The reports were required to be published in the *Congressional Record*, which is the daily chronicle of the business and debate conducted by Congress.

But when the deadline rolled around this year for the publishing of the reports, none appeared. A subsequent inquiry disclosed an amendment had been slipped into a bill last October repealing the disclosure requirement.

The records on foreign travel can still be dug out by inquiring reporters and citizens, but it will be no easy task. A safe prediction is that these taxpayer-financed vacations for junketing congressmen will hit an all-time high.

We wonder what reaction all this tomfoolery would have brought from Will Rogers.

Mr. HOLLINGS. Mr. President, the Senator from Iowa has spoken eloquently and accurately. We are willing to accept the amendment to make public disclosures of our activities. It should be done, and we did not change that on the Senate side.

We are glad to accept the amendment of the Senator from Iowa. Unless the other side has something to add, we are ready to yield back our time.

Mr. President, we yield back our time. The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. TAFT. Mr. President, I wish to ask a question in regard to the provision in the bill relating to office space. As I understand it, the language of the bill at present does not limit the number of offices at all. It really goes to the question of space.

Mr. HOLLINGS. That is right; it is a question of the space involved.

There was a three-office restriction in the original bill. We are doublechecking again with legislative counsel, but I am informed that on page 14 that provision of three offices is repealed, in lines 12, 13, and 14, on the three-office provision, with reference to the substance of the matter to which the Senator is addressing himself.

Of course, two or three are arbitrary. Some Senators only select one office.

If a Senator were to have three offices in a State like Rhode Island, it would really be ridiculous, whereas in California, Texas, and other extensive States, and working within the amount of square footage allowed, the Senators from those States could have several small offices and keep in better touch with their constituents.

So we accepted the population accounting on the matter of square footage so none would be denied, and we pared it down as close as we could, looking at each State and each office requirements as of the present time. We propose putting the home State offices on the square-footage basis, since we will now be reimbursing the GSA for these offices on a rental basis. We thought it was the appropriate way to handle the problem and leave it to the discretion of the particular Senator involved.

Mr. TAFT. I thank the Senator very much. I strongly concur with the position of the committee in this regard.

I have thought it necessary, in order to give proper service to my constituents in my State, to set up a fourth office in the city of Toledo, Ohio, which is more than 100 miles from other major metropolitan centers, and it is in the center of almost a million people when we count the surrounding areas. I have been bearing the expense for that rental space myself.

I am a little concerned and the reason I raised the question is that I understand there is another statutory provision which relates directly to this question. Title II, United States Code, provides that there shall be no more than three home offices for any Senator.

Would this provision, as proposed, repeal that provision?

Mr. HOLLINGS. That is correct. By striking clause (4) of subsection (a) of Public Law 92-607, that is, section 506 (a) (4), we have removed the language "rental charges for office space of not more than three places designated by the Senator in the State he represents."

Mr. TAFT. That is the provision to which I was referring.

I thank the Senator for his explanation. I appreciate the answer to the question.

Mr. HOLLINGS. I thank the Senator. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, do I understand this correctly, that the small States are entitled to 4,800 square feet?

Mr. HOLLINGS. The Senator is correct.

Mr. AIKEN. Then, a Member of Congress could have offices 20 by 24 feet, which are pretty good size for some small counties in the smaller States. He could have 10 State offices?

Mr. HOLLINGS. He could, if he wanted to break it down that way.

We tried to put in a very reasonable restriction. For instance, we provided that when suitable space is not available in a Federal building, the cost per square foot of commercial space could not exceed the GSA rate. We did not want a Senator renting a penthouse on top of a hotel.

Mr. AIKEN. Four thousand and eight hundred square feet? An office 20 by 24 would be plenty large enough for a single office and a Senator could have 10 offices in the State.

What appropriation is made for paying personnel employed in those 10 offices?

Mr. HOLLINGS. There is no increase there. He has to take from his telephone allowance, which is now an adjustable thing, completely up to his discretion. The personnel he has to take from his own staff allowance, which as the Senator knows is similarly tied to population.

I am looking at the particular record for the Senator from Vermont. The Senator does not desire a home office at all, so zero square footage is being used in Vermont. Some Senators have said, I do not want to be bothered with a State office.

Mr. AIKEN. My impression is that a home office will get you in more trouble than it will help particularly if the manager gets the idea that he or she wants to run against you.

Mr. HOLLINGS. But, on the other hand, several Senators now do a good bit of their case work there.

Mr. AIKEN. I agree. Some Senators have 300 miles between one office and the other.

Mr. HOLLINGS. I thank the distinguished Senator.

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 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.

Mr. HOLLINGS. Mr. President, I yield back my time.

Mr. SCHWEIKER. Mr. President, I yield back my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN) and the Senator from Louisiana (Mr. JOHNSTON) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BARTLETT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Massachusetts (Mr. BROOKE), the Senator from New York (Mr. BUCKLEY), the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Florida (Mr. GURNEY), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. McCLURE), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

I also announce that the Senator from Vermont (Mr. STAFFORD) is absent on official business.

I further announce that the Senator from New Hampshire (Mr. COTTON) is absent due to illness.

I further announce that, if present and voting, the Senator from Kentucky (Mr. COOK), would vote "yea."

The result was announced—yeas 85, nays 0, as follows:

[No. 270 Leg.]

YEAS—85

Abourezk	Gravel	Moss
Aiken	Griffin	Muskie
Allen	Hansen	Nelson
Baker	Hart	Nunn
Bayh	Hartke	Packwood
Beall	Haskell	Pastore
Bible	Hatfield	Pearson
Biden	Hathaway	Pell
Brock	Helms	Percy
Burdick	Hollings	Proxmire
Byrd,	Hruska	Randolph
Harry F., Jr.	Huddleston	Ribicoff
Byrd, Robert C.	Hughes	Roth
Cannon	Humphrey	Schweiker
Case	Inouye	Scott, Hugh
Chiles	Jackson	Scott,
Church	Javits	William L.
Clark	Kennedy	Sparkman
Cranston	Long	Stennis
Curtis	Magnuson	Stevens
Dole	Mansfield	Stevenson
Domenici	McClellan	Symington
Eagleton	McGee	Taft
Eastland	McGovern	Talmadge
Ervin	McIntyre	Thurmond
Fannin	Metcalf	Tower
Fong	Metzenbaum	Tunney
Fulbright	Mondale	Williams
Goldwater	Montoya	Young

NAYS—0

NOT VOTING—15

Bartlett	Buckley	Johnston
Bellmon	Cook	Mathias
Bennett	Cotton	McClure
Bentsen	Dominick	Stafford
Brooke	Gurney	Weicker

So the bill (H.R. 14012) was passed.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical corrections in the bill.

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

Mr. HOLLINGS. Mr. President, I move that the Senate insist upon its amend-

ments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLINGS, Mr. BAYH, Mr. EAGLETON, Mr. McCLELLAN, Mr. COTTON, Mr. SCHWEIKER, and Mr. YOUNG conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Louisiana.

EXTENSION OF ELIGIBILITY OF RECIPIENTS FOR FOOD STAMPS

Mr. LONG. Mr. President, there is at the desk H.R. 15124. I ask unanimous consent that the Chair lay that bill before the Senate, and I ask for its immediate consideration.

The Chair laid before the Senate a bill (H.R. 15124) to amend Public Law 93-233 to extend for an additional 12 months—until July 1, 1975—the eligibility of supplemental security income recipients for food stamps, which, by unanimous consent, was read twice by title.

Mr. LONG. Mr. President, late last year the Senate passed a provision designed to assure that recipients of supplemental security income—that is, needy aged, blind and disabled persons—would continue to be eligible for food stamps.

The Senate amendment, to H.R. 3153, would have made a permanent change in the law. The House was not willing to accept the Senate amendment, but instead took only a 6-month suspension as an amendment to another bill.

Unfortunately, the House has not yet met with us in conference on H.R. 3153 this year. I am hopeful that they soon will, because there are important Senate amendments to that bill providing for drug coverage under medicare, a tax credit for low-income working families with children—the work bonus—a new and needed legislative approach to social services under the Social Security Act, an increase in the social security earnings limit, and many other worthwhile provisions.

Until we do go to conference, however, we want to be sure that aged, blind, and disabled persons do not lose their eligibility for food stamps. H.R. 15124 would continue their eligibility for 1 year, through the end of June 1975.

When the Finance Committee held hearings on the debt limit bill last week, I asked OMB Director Roy Ash what the administration's position is on this food stamp bill. He later assured me that if the House bill were sent on to the President, he would recommend that the President sign the bill.

Mr. President, I know of no opposition to this bill.

I would hope we could resolve this matter immediately; otherwise, any kind of delay might mean that these needy people would lose their food stamps, and I do not think anyone would want that to happen.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 15124) was ordered to a third reading, read the third time, and passed.

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

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider Executive C, 93d Congress, 2d session, Protocols for the Extension of the International Wheat Agreement, 1971.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE C, 93D CONGRESS, 2D SESSION—PROTOCOLS FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1971

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate Executive C, 93d Congress, 2d session.

The PRESIDING OFFICER laid before the Senate Executive C, 93d Congress, 2d session, the Protocols for the Extension of the International Wheat Agreement, 1971.

Mr. MANSFIELD. Mr. President, this treaty was reported unanimously by the Committee on Foreign Relations. I ask unanimous consent that the treaty, an excerpt from the committee report (Executive No. 93-29), explaining the protocols, and Senate Resolution 340 and an excerpt from the report (No. 93-944) thereon be printed in the RECORD at an appropriate point, and that the protocols be considered as having passed through their various parliamentary stages up to and including the presentation of the resolution of ratification.

The PRESIDING OFFICER. If there be no objection, Executive C will be considered as having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, which the clerk will state.

The second assistant legislative clerk read the resolution of ratification, as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to ratification of the Protocols for the Extension of the Wheat Trade Convention and the Food Aid Convention constituting the International Wheat Agreement, 1971, which was open for signature in Washington from April 2 through April 22, 1974.

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

PURPOSE OF THE PROTOCOLS

The United States has been a party to various international wheat agreements since 1949. The agreement currently in effect is the International Wheat Agreement, 1971, which consists of two parts: the Wheat Trade Convention and the Food Aid Convention. The Agreement expires on June 30, 1974.

In April, parties to the Agreement signed

Protocols for a one-year extension of both of the Conventions which constitute the Agreement. The Protocol for extending the Wheat Trade Convention was signed by 38 governments and by the European Community; the Protocols for extending the Food Aid Convention was signed by eight governments and, after expiration of the signature period, the European Community indicated its intention to continue as a party. Both Protocols provide that instruments of ratification shall be deposited no later than June 18, 1974; though both provide also for the grant of an extension to any signatory government that has not deposited an instrument of ratification by that date.

PROVISIONS OF THE INTERNATIONAL WHEAT AGREEMENT

The Wheat Trade Convention provides for the continuing operation of the International Wheat Council, an administrative body established in 1949 to provide a mechanism for international cooperation in matters relating to the production and sale of wheat. At present, the Council's role is generally limited to conducting an annual review of the world wheat situation so as to provide participating governments with information relevant to their respective agricultural and price policies. Unlike previous agreements, the Wheat Trade Convention does not contain any provisions on maximum and minimum prices or purchase and supply obligations. The Convention does provide that, if the Wheat Council determines that such matters are capable of successful negotiation, the Council shall promptly request the Secretary-General of the UN Conference on Trade and Development to convene a negotiating conference. During the three-year life of the Agreement, however, this has not happened.

The Food Aid Convention commits its nine parties to provide minimum annual quantities of food aid to developing countries, as follows:

	Metric tons
Argentina	23,000
Australia	225,000
Canada	495,000
European Community	1,035,000
Finland	14,000
Japan	225,000
Sweden	35,000
Switzerland	32,000
United States	1,890,000

U.S. contributions under the Convention are made up of commodities sold or donated under Public Law 480 or through other bilateral aid programs and, according to the Administration, are within the range of what the United States would be providing even without the Convention.

COMMITTEE ACTION

In 1971, when the original three-year Agreement was submitted to the Senate for advice and consent to ratification, the Foreign Relations Committee constituted an Ad Hoc Subcommittee on the International Wheat Agreement. During the Subcommittee's hearings, which included testimony from Administration officials and representatives of various farm groups and grain trading organizations, the principal focus of interest was the absence from the Agreement of provisions on maximum and minimum prices or purchase and supply obligations. Administration witnesses testified that the effort to negotiate such provisions had reached an impasse on the fundamental questions of reference wheats, basing points, and prices. Several farm groups testified as to the importance nevertheless of achieving such provisions. Pointing out that the Agreement provided for the negotiation of price and purchase/supply provisions at any time, Senator McGee introduced Senate Resolution 136, calling upon the Administration to undertake without delay new efforts to achieve such provisions. Both the Agreement and S.

Res. 136 were reported favorably by the Committee and approved by the Senate.

On May 14, 1974, the President transmitted to the Senate Protocols for the extension of both Conventions constituting the Agreement. On May 30, the Foreign Relations Committee held public hearings on the Protocols, at which time testimony was heard from Julius Katz, Acting Assistant Secretary of State for Economic and Business Affairs; Richard Bell, Deputy Assistant Secretary of Agriculture for International Affairs and Commodity Programs; and Reuben Johnson, Legislative Director of the National Farmers Union. Their statements are included in the appendix to this report, along with other material from the hearing. On June 11, the Committee met in executive session and voted, by voice vote without dissent, to report the Protocols favorably.

COMMITTEE COMMENTS

Recognizing the interest of wheat exporting nations in equitable and stable prices and the interest of importing nations in assured supplies of wheat and wheat flour, the Committee continues to support the successful international negotiation of provisions concerning price and related rights and obligations. The Committee notes that S. Res. 136 (92nd Congress), urging the Administration to seek such negotiations, remains in effect.

S. RES. 340

Resolved, That it is the sense of the Senate that the President should request the International Wheat Council, at the earliest possible date, to request the Secretary-General of UNCTAD to convene a negotiating conference as provided in article 21 of the International Wheat Agreement, concluded at Geneva on February 20, 1971, with a view toward the negotiation of provisions relating to the prices of wheat and to the rights and obligations of members in respect of international trade in wheat.

PURPOSE OF THE RESOLUTION

Senate Resolution 340 was introduced with the intention that it be acted upon in connection with the Senate's consideration of the protocols for the extension of the International Wheat Agreement, 1971 (Ex. C, 93-2). The agreement expires on June 30, 1974, and the protocols now before the Senate provide for a 1-year extension.

The International Wheat Agreement, 1971, provides for the continuing operation of the International Wheat Council, but unlike previous international agreements concerning wheat, does not contain any provisions on maximum and minimum prices or purchase and supply obligations. The agreement does provide, however, that if the Wheat Council determines that such matters are capable of successful negotiation, the Council shall promptly request the Secretary General of the U.N. Conference on Trade and Development to convene a negotiating conference. Senate Resolution 340 expresses the sense of the Senate that the President should call upon the Council to make such a request, so that active negotiations may begin.

This resolution is similar to Senate Resolution 136 (93d Cong.), which was passed by the Senate 3 years ago on the same day it gave advice and consent to ratification of the agreement.

COMMITTEE ACTION

On June 11, 1974, having held hearings on the protocols for the extension of the International Wheat Agreement (Ex. C, 93-2), the committees voted to report the protocols favorably. On June 13, Senator Humphrey, for himself and Senator McGee, introduced Senate Resolution 340, which was then referred to the committee. On June 18, the committee met in executive session and voted, by voice

vote without dissent, to report the resolution favorably.

COMMITTEE COMMENTS

In its report on the protocols for the extension of the International Wheat Agreement, 1971 (Ex. C, 93-2), dated June 13, 1974, the committee noted the continuing relevance and effect of Senate Resolution 136 (92d Cong.), urging the administration to seek, within the framework of the agreement, the successful negotiation of provisions concerning price and related rights and obligations of members. Senate Resolution 340, though essentially the same as that previous resolution, is intended to reiterate this sense of the Senate on the occasion of the Senate's approval of continuing U.S. participation in the agreement.

Mr. MANSFIELD. Mr. President, this treaty will be voted on tomorrow. The first thing tomorrow morning, there will be a rollcall vote on it, and the rollcall vote is mandatory; is that correct?

Mr. ROBERT C. BYRD. No.

Mr. MANSFIELD. Then I ask for the yeas and nays on the vote on the treaty tomorrow.

The yeas and nays were ordered.

LEGISLATIVE SESSION

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

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

ORDER FOR YEAS AND NAYS ON BUDGET REFORM CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order at this time to ask for the yeas and nays on passage of the conference report on budget reform.

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

Mr. MANSFIELD. I ask for the yeas and nays.

The yeas and nays were ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as S. 3679, the emergency livestock credit bill, is called up and made the pending business before the Senate, there be a limitation of 2 hours thereon, to be equally divided between the majority and minority leaders or their designees, and that there be a limitation of 30 minutes on any amendment thereto; a limitation of 10 minutes on any debatable motion or appeal; and that the agreement be in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, reserving the right to object, can the distinguished assistant majority leader tell us when he had in mind that this matter would be considered; and if a rollcall vote is requested, when that rollcall might be?

Mr. ROBERT C. BYRD. Mr. President, in response to the inquiry of the distinguished Senator from Nebraska, it is the intention of the leadership to ask unan-

imous consent that on the disposition of the budget reform conference report tomorrow, the Senate proceed to the consideration of S. 3679, and that, if it can be passed by a voice vote, it be passed tomorrow, but if a yeas and nays vote is ordered on passage, the yeas and nays vote be put over until Monday at 3:20 p.m.

It is my understanding that a yeas-and-nays vote will be requested, so the final vote would go over until Monday at 3:20 p.m.

Mr. CURTIS. I have no objection.

Mr. ROBERT C. BYRD. Mr. President, I include in the request that any rollcall vote that is ordered on final passage occur on Monday at 3:20 p.m.

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

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

The Senate continued with the consideration of the bill (H.R. 14832) to provide for a temporary increase in the public debt limit.

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

Mr. ROBERT C. BYRD. I yield.

Mr. MANSFIELD. To keep the record straight, I ask unanimous consent that on the order of one-half hour heretofore granted, the time be reduced to 25 minutes, the time to be equally divided between the majority and minority leaders or their designees.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Second, the vote will occur on the Kennedy-Humphrey-et. al. amendment at the hour of 4 o'clock on Monday afternoon. When that vote is disposed of, and if the occasion calls for it, there will then be a 30-minute period, to be equally divided, as previously agreed to, and following that, the vote will occur on the Allen amendment.

ORDER FOR YEA-AND-NAY VOTES TOMORROW TO BEGIN AT 1:30 P.M.

Mr. HUMPHREY. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. When is the vote scheduled on the beef bill?

Mr. MANSFIELD. At 3:20 p.m. Monday.

Mr. ROBERT C. BYRD. Mr. President, so that Senators will know, there will be rollcall votes tomorrow. There will be at least two, one on the adoption of the budget reform conference report and one on the wheat protocol. Would it be agreeable that they begin at 1:30 p.m.? I make that unanimous-consent request.

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

Mr. ROBERT C. BYRD. I ask unanimous consent that paragraph 3 of rule XII be waived.

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

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

Mr. ROBERT C. BYRD. I yield.

HASTINGS, NEBR., LEADS THE WAY IN EFFORTS TO RAISE CATTLE PRICES

Mr. CURTIS. Mr. President, a great deal has been said in the Senate concerning the very serious situation facing the cattle industry. The low prices being paid for cattle have indeed reached a crisis. Today I am taking the floor of the Senate to report what one community is doing about it.

This community is Hastings, Nebr., population 23,580. I believe that what the businessmen of Hastings are doing will be helpful and effective; and I believe that they are the first in the Nation to undertake such a project. In this endeavor, Hastings, Nebr., is No. 1.

The businessmen of Hastings have launched an all-out effort to increase the sale and consumption of beef. They are going to buy beef and give it away. They expect to give away beef of a value of \$13,000 to \$14,000. Individuals will register for prizes. There will be drawings and some winners will get an entire side of beef. This is going to move a lot of very fine beef. It will be a reminder to the general public what a good food beef really is. It will be a reminder that beef at the present time is a real buy. It will give impetus to a program of buying and eating of more beef. It will encourage people to buy beef and put it in their freezers.

Mr. President, Hastings, Nebr., has led the way. I hope that hundreds and hundreds of other communities will follow the example set by Hastings, Nebr., and join with all other forces in the country in a program that will make a very major contribution in bringing back decent cattle prices.

TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

The Senate continued with the consideration of the bill (H.R. 14832) to provide for a temporary increase in the public debt limit.

Mr. ROBERT C. BYRD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the Mansfield amendment.

Mr. ROBERT C. BYRD. I thank the Chair.

ORDER OF BUSINESS

Mr. MANSFIELD. 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.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as S. 424, a bill to provide for the

management, protection, and development of the natural resource lands, and for other purposes, is called up and made the pending business before the Senate, there be a limitation of 2 hours thereon, to be equally divided between the minority and majority leaders or their designees; that there be a limitation of 2 hours on one amendment by the Senator from Idaho (Mr. McCLURE); that there be a limitation of 10 minutes on any other amendment, debatable motion, or appeal, with the agreement to be in the usual form.

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

ORDER FOR ADJOURNMENT FROM CLOSE OF BUSINESS TOMORROW UNTIL MONDAY NEXT AT 12 O'CLOCK NOON

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon on Monday next.

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

Mr. ROBERT C. BYRD. Mr. President, that is about it.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, tomorrow the Senate will convene at the hour of 10 a.m.

Are there any special orders, may I ask the Chair?

The PRESIDING OFFICER. There are no speakers scheduled.

Mr. ROBERT C. BYRD. I have had a request for one, Mr. President, so if the Chair will allow me, I would 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.

ORDER FOR RECOGNITION OF SENATOR BIDEN TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, that after the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Delaware (Mr. BIDEN) be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, following the remarks of the Senator from Delaware (Mr. BIDEN), there be a period for the transaction of routine morning business for not to exceed 15

minutes, with statements therein limited to 5 minutes.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene tomorrow at 10 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Delaware (Mr. BIDEN) will be recognized 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 statements therein limited to 5 minutes.

At the conclusion of routine morning business tomorrow, the Senate will go into executive session and proceed to the consideration of Calendar Order No. 2, under Treaties, Executive C, 93d Congress, 2d session, the protocols for the extension of the International Wheat Agreement, 1971.

There is a time limitation on those protocols and on amendments, reservations, and understandings, in relation thereto.

A rollcall vote will occur on the adoption of the protocols but that rollcall vote will not occur prior to the hour of 1:30 p.m.

Upon the expiration of the time and action on the protocols, with the exception of the rollcall vote, the Senate will then return to legislative session and will take up the conference report on budget reform. There is a time limitation on that conference report. A rollcall vote has been ordered on the adoption thereof. That vote will follow the vote on the adoption of the protocols.

The Senate will then proceed to take up the emergency livestock credit bill, S. 3679, on which there is a time limitation. Amendments may be offered thereto. Votes could occur on amendments to that bill tomorrow, but the vote on final passage will go over until Monday next at 3:20 p.m.

The Senate will resume the consideration of the debt limit bill tomorrow. I doubt that any amendments will be voted on, but I am not going to say that there will not be any tomorrow.

Conference reports are in order, of course, at any time.

Other matters prepared for action could be taken up tomorrow.

Mr. LONG. Mr. President, will the Senator from West Virginia yield?

Mr. ROBERT C. BYRD. I yield.

Mr. LONG. If there are to be some votes tomorrow, I suppose we should alert Senators who have amendments. If we are to take up any tax cut amendments, I can think of some nice things I can add to the bill that might make some people very happy, provided we were to have unanimous consent to proceed on them; but I would not want to take advantage of any Senator, because it seems to me the Senator from Massachusetts, for example, being interested in his amendment, would not want us to agree to something that would give a tax cut without voting on his tax cut

amendment. I wonder what the Senator's thoughts are on that.

Mr. ROBERT C. BYRD. The Kennedy amendment could be laid aside only by unanimous consent. I do not want to presume to say that that would not be done. That is why I said it is possible that amendments could be called up.

Mr. LONG. If the Senate is in a tax-cutting mood, I can think of some attractive tax cuts that I could offer, just as there are other Senators who might want to offer some.

Mr. ROBERT C. BYRD. But, as the Senator has pointed out, that amendment could be laid aside only by unanimous consent.

Mr. LONG. Of course. I have no thought, at this point, of doing otherwise.

Mr. HANSEN. Mr. President, I appreciate the interrogatory posed by the distinguished Senator from Louisiana (Mr. LONG) because I think a number of Senators may have left early this afternoon firmly persuaded there would be no further votes taken on the debt ceiling limitation bill until Monday next.

I would therefore hope very much that there would be opposition raised to any unanimous consent that might possibly be posed tomorrow to take up an amendment.

Mr. ROBERT C. BYRD. That amendment could be laid aside only by unanimous consent. But I do not want to presume that there would not be, as I have already said. It is possible that a Senator would have an amendment that the chairman would agree to, that could be adopted by a voice vote, and which would not be controversial. So I did not want to say that it would not be possible.

Mr. HANSEN. If there are not too many Senators in the Chamber, the likelihood of its being noncontroversial would be enhanced, I would suspect.

I thank the Senator.

Mr. ROBERT C. BYRD. I would doubt whether there would be any action taken on controversial amendments to that bill tomorrow.

So, Mr. President, in summation, it

would appear that there would be at least two rollcall votes tomorrow.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if no Senator seeks recognition at this time, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to, and, at 5:07 p.m., the Senate adjourned until tomorrow, Friday, June 21, 1974, at 10 a.m.

CONFIRMATION

Executive nominations received by the Senate June 20, 1974:

DEPARTMENT OF STATE

Thomas O. Enders, of Connecticut, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—Thursday, June 20, 1974

The House met at 12 o'clock noon. Rev. John R. Taylor, Lutheran Church of the Good Shepherd, Pearl River, N.Y., offered the following prayer:

Eternal Father, we thank You for the privilege of prayer, this moment not of casual custom, but of courageous commitment.

On this summer eve remind us that we are not biological blobs, but rather Your spiritual sons and daughters.

May we use these hours as an opportunity for constructive compromise rather than for cynical self-interest. Help us to be truly humane in our interpersonal relations, so that people rather than programs will be served.

Grant to these men and women, servants of these United States, that they may work honestly and energetically in our pluralistic society, to bring order out of chaos, reconciliation out of alienation, and community out of crowd. O Father, these Representatives are critically important for the welfare of this Republic. Use them to Your glory. 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 a bill of the House of the following title:

H.R. 13839. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended.

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. 7682. An act to confer citizenship posthumously upon L. Cpl. Federico Silva;

H.R. 11105. An act to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; and

H.R. 12628. An act to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs; and for other purposes.

The message also announced that the Senate had passed bills of the following titles in which the concurrence of the House is requested:

S. 3188. An act to establish the Sewall-Belmont House National Historic Site, and for other purposes;

S. 3474. An act to amend the District of Columbia Unemployment Compensation Act; and

S. 3476. An act to amend section 1291 of the act of March 3, 1901, relating to marriage licenses in the District of Columbia.

REV. JOHN TAYLOR DELIVERS INVOCATION

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

Mr. GILMAN. Mr. Speaker, the invocation was delivered today by the Reverend John R. Taylor, pastor of the Good Shepherd Lutheran Church in Pearl River, N.Y., located in my congressional district. Reverend Taylor personifies the highest ideals of service to church and state.

A graduate of Muhlenberg College and Philadelphia Theological Seminary, Pas-

tor Taylor has served three congregations, from Florida to New York. He has served with distinction, always leaving behind a legacy of wisdom and leadership.

These same stellar qualities were demonstrated in Pastor Taylor's service to his country as a Navy line officer in World War II and as the chaplain of the 45th Infantry Division during the Korean conflict. He proudly reminds us that one of his five children is a graduate of the U.S. Naval Academy at Annapolis.

He has fostered extensive expansion for his congregation at a time in which many congregations are having difficulty maintaining their status quo. His wisdom and leadership have earned him the rank of dean of the Tappan Zee Synod.

Perhaps his greatest contribution has been to the many individuals whose lives he has touched. In these times of uncertainty, Pastor Taylor has brought peace of mind to many, continually striving to make the world a little better for all of us.

Mr. Speaker, I know my colleagues join with me in extending our greetings and thanks to this exemplary man, Rev. John Taylor.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON TREASURY, POSTAL SERVICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND RELATED AGENCIES APPROPRIATIONS, 1975

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the bill making appropriations for the Department of Treasury, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1975, and for other purposes.