

Pauling, Fred W., III, xxx-xx-xxxx
 Reister, Henry C., xxx-xx-xxxx
 Sakakini, Joseph, Jr., xxx-xx-xxxx
 Scavarda, Angelo, xxx-xx-xxxx
 Schamber, Dean T., xxx-xx-xxxx
 Soriano, Franklin M., xxx-xx-xxxx
 Stansifer, Phillip D., xxx-xx-xxxx
 Strader, Lorenzo D., xxx-xx-xxxx
 Stuart, Richard B., xxx-xx-xxxx
 Szymonski, Zdzislaw, xxx-xx-xxxx
 Top, Franklin H., Jr., xxx-xx-xxxx
 Ulinik, Wayne R., xxx-xx-xxxx
 Villabazac, Gilber, xxx-xx-xxxx
 Virtue, Clarence M., xxx-xx-xxxx
 Williamson, Harold, xxx-xx-xxxx
 Winter, Phillip E., xxx-xx-xxxx

Yhap, Edgar D., xxx-xx-xxxx
 The following named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298:

Peckitt, Fred D., xxx-xx-xxxx
 Wells, Brian F., xxx-xx-xxxx

ARMY PROMOTION LIST
 To be first lieutenant

Adams, Mitchell K., xxx-xx-xxxx
 Clark, Freeman C., xxx-xx-xxxx
 Hunt, Kenneth D., xxx-xx-xxxx
 Jones, Louis G., xxx-xx-xxxx
 McGilvray, David H., xxx-xx-xxxx
 Moore, Bidwell D., xxx-xx-xxxx
 Muir, David N., xxx-xx-xxxx
 Pearson, Charles D., xxx-xx-xxxx

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31, 1974:

IN THE PUBLIC HEALTH SERVICE

Public Health Service nominations beginning John C. Bailar III, to be a senior surgeon, and ending Jon P. Yeagley, to be an assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 22, 1974.

EXTENSIONS OF REMARKS

THE DECLINING ROLE OF FATHERS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, January 31, 1974

Mr. THURMOND. Mr. President, as important as the women's rights movement may be, there is still a need for increased emphasis to be given to the role of the father in the home as well as throughout our system.

As a consistent advocate of full rights for American women, which I have expressed in many positive ways, it nevertheless concerns me when I view the eroding of the traditional role of the father as the strong masculine center of the family. A decisive masculine personality is also important in our economic as well as our family life.

An interesting article on this subject has been written by the Rev. W. Lee Truman, which appeared in the January 22 issue of the Aiken Standard newspaper in Aiken, S.C. Mr. President, I ask unanimous consent that this article be published in the Extensions of Remarks.

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

FATHER'S ROLE IS DECLINING

(By Rev. W. Lee Truman)

Father's dominion is under attack.

Mothers are becoming liberated and children are rebelling against authority, but Dad's job keeps him away from the home at least eight hours a day, and many more hours if he drives to the inner-city. Like never before, old Dad needs to understand the pressures that are on him if he is helping to raise a modern family.

What kind of a man is it that makes a good father? That is a question that no one asks. It once was that a man married, he worked hard, and he got his promotions. The children came, and he was the breadwinner and undisputed head of the family. If he wanted some help he either talked to the pastor if he was a church goer, or checked with his pals at the poker club or the local pub if he wasn't.

In truth, the man is no longer king of his castle, and in case you haven't caught on, there is a court revolution going on. Father has been dethroned and his new position seems to be the court jester, according to most American humor.

Dr. Egbert writes that the "eroding of the power and glory of the American father" began during the depths of the depression when the father was no longer the major or

certain breadwinner. The doctor sees the embattled father now struggling to maintain his self-esteem in the face of an aggressive wife-mother and powerful adolescent peer group.

The main means of entertainment, television, is no help to the father because there is a large segment of TV programming in which the women and children consistently outwit the father. This is sanctioned by the advertisers who seek the dollars that the women are spending.

Certainly Dad is no longer as powerful a figure as he once was. Part of the cause is that he is no longer as available as he once was. Dad has to be out of the home to earn a living, and if he is to achieve a better living for his family, he can be absent 12 or more hours each day.

A second factor beyond the half-absent father, is the wholly absent father. One out of eight children lives in a single-parent family, and in ghetto areas 85 per cent of the homes have no live-in father. This is all changing the effect that the fatherhood role has on children.

In the studies on delinquency and crime, it is found that the presence of father is vital to the mental health of youngsters. It maintains a crucial part of the socialization of children in that they learn to accept restraints on their behavior, and it is the father that is most likely to impose those restraints.

In early years, male and female children tend to develop dependency on mother. Later, the father is better qualified than the mother to pry them loose from this dependency, which allows them to grow up, and prepares them to leave the nest and accept responsibility as adults.

If a son is to accept his normal masculine personality, he must become firmly fixed in his masculine identity in his early years. One has to read little in literature dealing with juvenile delinquency to find the constant factor of broken marriages and absent fathers as predominant.

Dr. Merriweather, of Drew University, has pointed out in his studies that in both black and white male children, parental absence has been found to be associated with strong preference for immediate gratification, lack of social responsibility, inaccurate time perception, a variety of intellectual deficits, differences in interpreting relationships, highly aggressive behavior, a lack of trust in adult males as well as other antisocial behavior problems. The professor's conclusion is that in divorce cases when circumstances are balanced, sons should stay with their fathers.

The role of father is in so much difficulty, that this may be one area for sociological help in reestablishing a role and identity for the American male parent, and a major responsibility of the mass media to recast Dads in some other role than the in-resident clown.

TAIWAN'S ECONOMIC PROGRESS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. GILMAN. Mr. Speaker, I appreciate this opportunity for calling attention to the economic development and progress of the Republic of China.

During my recent visit to Taiwan I met and spoke with officials and representatives of the Republic of China, learning first hand of the remarkable economic growth of that small, independent nation.

Despite successive setbacks, including its exclusion from the United Nations and the severing of diplomatic relations by many countries, this industrious nation has made substantial progress in solving internal problems, emerging as a serious contender in the world trade market.

It is remarkable to note that the gross national product of Taiwan, with its 15 million population, increased four times between 1952 and 1970, and even more interesting to learn that the distribution of these increases have been shared by the poorest 20 percent of the population.

While we can readily appreciate growth in developing countries as a natural occurrence, the manner in which the people of Taiwan have effectively dealt with this growth is even more impressive. In one decade, Taiwan has moved from an agricultural to a predominantly industrial economy.

As the third largest economic trader on the Pacific Ocean, Taiwan has set an outstanding example for developing countries not only because of its marked economic progress, but even more importantly because of the enterprising attitude of its government in addressing itself to its critical problems of poverty, unemployment, education and health care. The industrious, diligent Taiwanese have produced dramatic results, setting an example we can all admire.

Following its inception in 1949, Taiwan was assisted by the United States in the strengthening of its economy. By 1965, the hard work of the Island's population had changed its role from aid recipient to aid donor, with Taiwan funding highly successful agricultural programs in Africa, Asia and Latin America.

While I laud the initiatives by our

President in bridging the gap with the People's Republic of China, a vast expanse we cannot ignore, we must at the same time be ever mindful of our old friend and ally, Taiwan.

May the emergence of the Republic of China as a prosperous, industrial nation, her economic and cultural contributions to the world and her continuing friendship to the United States only strengthen our relationships and close ties to the Taiwanese.

BLACKMARKETING IN HOME HEATING OIL AND DIESEL ALLEGED

HON. ROBERT McCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. McCCLORY. Mr. Speaker, the shortage in essential fuels has become a topic of general concern in this country. While evidence at present is scant, there is fairly widespread belief that black-marketing of allocated fuels is taking place. One case in point is related to middle distillates.

The middle distillate designated No. 2 can be used either as home heating oil or diesel oil. If a blackmarket exists in heating oil, it happens when heating oil is diverted at some point on the supply stream and sold as diesel oil. When such a transaction takes place, the homeowner loses out because heating oil for his home is in shorter supply than before. The State and Federal Governments do not collect excise taxes on the heating oil used as diesel fuel.

Mr. Speaker, my office has been informed by Federal Energy Office—FEO—officials that there is a general suspicion that an illegal traffic in home heating oil exists. In some States and in foreign countries, such suspicions have been proved.

An alert constituent of mine, Mr. James C. Vlazny, who resides at 480 Essex Lane, Crystal Lake, Ill., has informed me that with the simple addition of a dye to the heating oil, an increase in excise tax revenues can be realized. Mr. Vlazny, who is employed by the Morton Chemical Co. in Chicago, Ill., has information relating in particular to Canada and France, countries where a dye has been added to the fuel oil. Mr. Vlazny is willing to come to Washington, D.C., and to give a briefing and demonstration.

Mr. Speaker, for the benefit of my colleagues, I am including the entire text of the letter dated December 20, 1973, that Mr. Vlazny received from Mr. Paul E. Moreau, Assistant Deputy Minister, Bureau du Sous-Ministre, Ministère du Revenu, Gouvernement du Québec. Mr. Moreau says that it was estimated that the Government was losing about \$25 million a year on diesel tax. In 1972, when the dye program began, increases in revenue became apparent. For example, between July 1972, and July 1973, the increase in revenue was 42.1 percent. While the letter covers the period up to October 1973, Mr. Vlazny informs me

that the November 1972, to November 1973, increase in revenue is 55.8 percent. Because of the apparent effectiveness of the dye program, Mr. Moreau expects to be able to reduce his audit staff by 50 percent. He also noted that in the cases brought before the courts, there is evidence that organized crime is heavily involved in the blackmarketing activities, which may be a similar circumstance in this country.

Mr. Speaker, the following is the letter from Mr. Moreau:

QUEBEC,
December 20, 1973.

Mr. JAMES C. VLAZNY,
Morton Chemical Co.
Chicago, Ill.

DEAR MR. VLAZNY: In answer to your letter of December 13, 1973, in connection with our marking program of heating oils, I take pleasure to give you some information on the progress of this program.

Firstly, I am glad to say that we are very enthusiastic about our coloring program which has already brought a substantial increase in our monthly revenues as revealed by the following statistics:

| | Revenue diesel tax 0.25¢ gal | Increase (percent) | Revenue diesel tax 0.03¢ gal |
|---------------------|------------------------------------|-----------------------|------------------------------------|
| July 1972..... | \$3,576,475 | | \$150,366 |
| July 1973..... | 5,083,110 | +42.1 | 188,388 |
| August 1972..... | 4,525,441 | | 143,542 |
| August 1973..... | 6,079,010 | +34.3 | 107,738 |
| September 1972..... | 4,712,599 | | 148,924 |
| September 1973..... | 5,907,999 | +24.5 | 165,807 |
| October 1972..... | 4,306,273 | | 149,282 |
| October 1973..... | 6,144,371 | +42.7 | 222,423 |

It has been estimated that we were losing about \$25 million a year on diesel tax. We are confident that additional revenue from \$15 to \$18 million will be recuperated in the first year of operation and the \$25 million target should be reached in the second year when the control and enforcement of the Act are fully put into force.

In order to appreciate fully the benefits derived from our dyeing program it must be taken into account that our Quebec Department of Revenue has for years made constant efforts to crack down on motor fuel tax dodgers. The following statistics in our revenues over the last five fiscal years are self revealing:

| Year | Revenue diesel tax 0.25¢ gal. | Increase (percent) | Revenue diesel tax 0.03¢ gal. |
|--------------|--|-----------------------|--|
| 1968-69..... | \$24,094,533 | -3.75 | \$2,228,467 |
| 1969-70..... | 28,583,879 | +18.6 | 2,272,121 |
| 1970-71..... | 35,336,208 | +23.6 | 2,122,792 |
| 1971-72..... | 39,399,847 | +11.5 | 2,172,941 |
| 1972-73..... | 43,679,612 | +10.7 | 2,053,005 |

It is our contention that the major increases in 1969-70 and 1970-71 were the direct result of aggressive investigation programs, court actions and prosecutions against tax evaders.

In order to achieve these already encouraging results we used to have an audit staff of 95 employees; i.e. 25 professional auditors and 70 audit agents. After July 1st, 1973, we have engaged 25 inspectors to check in the field the illegal use of colored fuel in self propelled vehicles. Besides our audit staff of 95 auditors and agents, from 10 to 12 special agents of our Special Investigation Branch were continuously engaged in investigating fraud cases, rackets in the illegal use of fuel oil and in building up cases for prosecution.

We honestly believe that after we have completed our audit programs related to

the application of our former Fuel Tax Act we will be in a position to gradually reduce our audit staff by 50 percent.

Should we be able to attain this objective our cost for the dye and compensation paid to the oil companies will be compensated by a reduction in our operating cost. According to our estimates our cost for the dye would be around \$270,000 for 12 months, this for the marking of 1.6 billion gallons of fuel oil.

In addition we are paying the oil companies a compensation of 0.01 cent per 100 gallons for the coloration, i.e. an additional cost of \$10,000 per year. This compensation is being paid to cover any extra storage tanks and facilities paid by the oil companies as well as operating cost related to the marketing program.

The overall cost of extra storage facilities and equipment for the coloration (mechanical injectors and equipment) has been estimated at \$3.5 million for the whole petroleum industry. This estimate was determined after a detailed study and discussions of the additional facilities needed with officials of the refiners, importers and wholesalers. The original cost claimed by the petroleum people was \$21 million.

Although, at first, we have faced a strong opposition on the part of people of the petroleum industry we have since received a very good cooperation after our regulations were published late in March 1973. The marking of fuel oil was in full operation on July 1st, 1973. As a temporary measure we have accepted that the dyeing of fuel oil be done by hand at the refineries and terminals. The oil companies are now completing the installation of mechanical injectors and by the end of December or early in January the coloring will be done and controlled entirely by mechanical equipment.

We are fully satisfied with the use of your Blue No. 10 dye and the tests at the laboratory are quite conclusive so far even on illegal blending of 5% colored fuel with clear diesel fuel.

We have now 25 cases pending before the Courts for illegal use of colored fuel, besides we won our first case in Court on a charge of illegal use of colored fuel; the trucker was sentenced to a fine of \$200.

For your information, you will find attached clippings of the publicity we had on our court cases against people with heavy criminal records engaged in fuel oil rackets. We have evidence that these operators were closely linked with ranking members of the underworld in Montreal, same being well known to be related with crime families of the Casa Nostra of New York and Buffalo.

We are glad that our marking program has already closed the door to a number of existing rackets. We are also confident that we now have the necessary tools on hand to exercise a good control over the illegal use on non taxable fuels especially in the present fuel crisis period where diesel oil sells at high price.

Should you need additional information do not hesitate to call on us at any time.

Best regards,

PAUL E. MOREAU,
Assistant Deputy Minister.

Mr. Speaker, "Lost: \$100 Million in Diesel Fuel Taxes" is the title of an article by Mr. Bernie Swart, which appeared in the February 1973, issue of Fleet Owner. Because this article so directly addresses itself to the questions raised above, the complete text of the article follows:

LOST: \$100 MILLION IN DIESEL FUEL TAXES
(By Bernie Swart)

Illegal practices involving the sale and use of diesel fuel are diverting at least \$100 million in taxes from state and federal tax coffers.

This figure may go as high as \$1 billion a year, according to Albert T. Stoessel, an Iowa oil dealer and past president of the Iowa Petroleum Association. Stoessel estimates his state alone is losing more than \$50 million a year in fuel taxes.

The taxes are lost, according to Stoessel, when Number two heating oil is substituted for diesel fuel. The two fuels are almost identical in chemical composition, Stoessel said, although diesel fuel is heavily taxed while home heating fuel is not.

The tax dodge works several ways, according to Stoessel. Some fleets knowingly buy untaxed heating oil at a bargain price in order to beat the fuel tax. In some cases, drivers buy untaxed heating oil rather than diesel fuel, turn in falsified fuel receipts, and pocket the difference. In other cases, independent service station operators will substitute heating oil for diesel fuel, collect, and pocket the taxes.

According to Stoessel, lack of supervision of stations by refinery companies is a factor that makes for easy chiseling by some gas station operators who sell to fleets. However, because most stations are lessee-operated, effective policing often proves extremely difficult.

In still other cases, Stoessel pointed out, what started out as a tax dodge ends up in out-and-out theft. He cited as an example the fuel oil delivery truck driver who shorts homeowners on deliveries and sells the surplus fuel oil to independent station operators, who, in turn, sell it to truckers as taxed diesel fuel. Or, bargain-priced diesel fuel may be heating oil that was stolen from an oil distributor's tank with the collusion of employees. Finally, the bargain-priced diesel fuel may be hijacked heating oil, or it may actually be diesel fuel obtained by a driver who makes a habit of shorting trucking companies on diesel fuel deliveries.

Several midwestern tanker truck drivers confirmed these theft techniques as authentic and added their own experiences.

All fuel delivery trucks aren't metered and comparatively few oil distributors use meters with split loads. But even if they do, the procedure can still be beaten and provide extra gallons to be sold by the drivers through shorting large heating oil users.

One way this is done: Air can be pumped through the meters via the power takeoff unit by connecting the pumps to an empty compartment on the tanker. The meters register as if fuel is being pumped through them. Therefore, the customer gets a metered receipt for gallonage he did not receive and the driver has extra gallons to sell for himself.

If the customer double-checked the delivery with his own "stick" reading he'd spot the inaccuracy. But drivers are wise to who checks and who doesn't. Some large heating oil customers who should know better are regularly gypped this way. One police barracks in the midwest is regularly shorted because no one checks deliveries, fuel oil drivers said.

Here's another way drivers cheat both customers and fleet management: A driver delivers diesel fuel to a service station, and charges the correct price. Then he makes deliveries to private homes for heating use. At the end of the day he destroys the legitimate gas station tickets, makes out fake tickets for home deliveries and pockets the difference. Drivers say that it's easy for them to obtain stacks of blank receipts from their companies.

After shorting large users of heating fuel, drivers may sell a couple of hundred gallons to a friend at a gas station for as low as 10¢ per gallon.

Then again, some of the racket happens because many service stations neither check diesel deliveries nor order correctly. Often they may order too much for their tanks, so

the driver fills them to the brim and keeps the extra gallonage. The service station pays for the amount it ordered.

Both federal and state taxes are beaten this way, many times with apparent knowledge of trucking company management, the drivers say.

According to drivers, instructions, at several tanker outfits are that if they have fuel left over—meaning some users may have been shorted—they are to bring it back and place it in the company's storage tanks. The drivers claim that trucking management seldom asks the reason for the overage.

Although the fuel tax problem takes on national proportions, enforcement is apt to be lax. Little interest is shown by most county, state, and federal officials, and most state legislators aren't excited by the situation. The federal government prefers to leave fuel tax collection to the state, and performs little auditing.

In Chicago, John A. Ainlay, executive secretary of the American Petroleum Institute, commented, "Experienced tax men are almost unanimous in their opinion that nothing will improve diesel fuel tax collections more than a rigid enforcement program backed by an adequate force of field men and auditors."

Stoessel, owner of the Albert Stoessel Co., in Ottumwa, and the oldest fuel oil dealer in the state, has been the sparkplug of much action against diesel fuel fraud, even though he is 77 years old. He recently charged the Iowa Petroleum Council's Tax Evasion Committee with making "no effort over the past 12 years to assist the revenue department to collect the diesel fuel tax."

"Many major interstate truck operators take advantage of the fuel tax situation on a large scale," Stoessel told Fleet Owner. "This would include drivers as well as moonlight operators. However, I don't think trucking companies or private fleets have anything to do with setting up the illegalities."

Stoessel told the Iowa Petroleum Council that one major refinery "sent a letter to all of its dealers in the U.S., telling them to stop selling fuel oil to truckers for use as diesel fuel. The letter received prominence in some of the oil trade publications in 1971, and shows to what extent this evasion has gone."

Supporting Stoessel in his claim that the situation is serious, is a 1970 Iowa State survey of the number of miles trucks travel in the State. According to that survey, an estimated \$13.5 million in diesel fuel taxes is being lost annually.

According to Stoessel, the latest petroleum market price listing indicates diesel fuel in 32 cities costs 12¢ to 14¢ more per gallon at the pump than in Iowa, where prices run from 25¢ per gallon for less than 50 gal., to 23¢ per gallon for larger quantities. The price difference, he said, could indicate that the Iowa tax is not being collected equally.

Checking with Stoessel at press-time, Fleet Owner learned that diesel fuel was still selling for 23.9¢ per gallon in the Ottumwa area. This is below the price at which he says he can buy diesel fuel in transport quantities. The inference is that some dealers are not paying taxes and forcing others who are to lower their prices to stay in business. If diesel fuel taxes were collected with the same efficiency as gasoline taxes, Stoessel added, diesel fuel taxes in Iowa could be reduced 2¢ a gallon.

Stoessel has long advocated that truckers be permitted to buy fuel at the pump without paying taxes, in exchange for a single report and a single tax payment at the end of each month. He feels this type of system would eliminate much of the diesel fuel fraud now existing in Iowa and other states.

Labeling estimates of \$100 million in state and federal tax losses as "very conservative," Carl F. Schach of the Iowa Highway Commission claims Iowa's 1970 diesel fuel tax collections amounted to \$10.8 million, when

it should have totaled \$24.3 million. Iowa's diesel fuel tax collections jumped to \$12.5 million in 1971, but still short of what Schach says they should be.

"Iowa has little or no requirements to differentiate between diesel fuel used for non-highway purposes," Schach said. "The bulk station operator, the tank wagon operator, or even the retail dealer makes this determination. All they need to do is to make a fake set of receipts or records, and no tax is paid."

Schach kicked over a hornet's nest in 1970, when he suggested that trucking associations stop "defending every moonlighter who gets involved in fuel tax violations." The associations don't defend them in any other instances, he said.

Answering protests from the American Trucking Associations and the Iowa Trucking Association, Schach said, "Trucking companies that choose to belong to state and national associations are generally straightforward business firms. However, the organized trucking industry does not represent a majority of operators on the American highway today," Schach added that he intended no inference that non-membership indicated questionable conduct.

"Each time someone avoids the payment of his fair share for road tax use," he continued, "all users are deprived of the use of an improved facility. In defense of the trucker when he pulls into a station, what assurance does he have that the 8¢ per gallon of diesel fuel tax he pays ever gets turned over to the department of revenue?"

Don Briggs, Iowa director of revenue, says his department is conducting a three-year auditing program of trucking operations in the state. By the end of last spring, he said, 140 carriers had been audited, and each one ended up paying an average of \$1,200 in additional taxes. If this percentage holds true throughout the program, Briggs said, the state should reap an annual \$3.6 million in additional taxes. These efforts may be starting to pay off. Iowa diesel fuel collections for the first half of 1972 show a tax gain of \$1,096,626 over 1971.

Briggs appears to be taking a careful, conservative look at the problem, challenging unsubstantiated figures and loss estimates. He is interested in determining whether certain changes in the law would improve collections without hurting the trucking industry. Efforts are also being made by the IRD to simplify reciprocity, increase cooperation with other states, reduce the trucker's information burden, and create uniform reports and filing dates.

"The trucking industry is not fighting us," Briggs said. "They don't like the violators either."

Because of weak enforcement and truck traffic three times greater than Iowa's, Illinois may be losing up to \$100 million a year in diesel fuel taxes.

Even though there has been some progress in the Illinois battle, Revenue Director George E. Mahin said many of the tax dodges used in Iowa are also present in Illinois. Very prevalent in Illinois, Mahin claims, is the practice of shorting large motor carriers on fuel deliveries in order to obtain diesel fuel for untaxed sales.

To thwart this practice, Mahin said the department of revenue has cracked down on oil distributors pumping diesel fuel directly from tankers into the tanks of groups of trucks on the streets and in terminal yards. One such "mobile" operation operated in the old Chicago Stockyard area. This practice, Mahin pointed out, avoids payment of 7.5¢ per gallon in state tax, 4¢ per gallon in federal and 1.5¢ per gallon in sales tax.

In Georgia, the Motor Fuel Tax Division of the Department of Revenue actively enforces the payment of fuel taxes. The department is currently investigating a misbranding case in which the suspect oil dealer has been under surveillance for several weeks.

"From time to time we run into these situations," Georgia Revenue Director Curtis Modling said, "and most of them occur around the borders of the state."

In a recent action, Modling's division rendered an assessment of approximately \$104,000 against an agent of a national service station chain. Filed in the Carroll County (Ga.) Superior Court, following an audit, the suit charged the station operator with failing to pay state taxes.

New Jersey is also becoming more active in clamping down on fuel tax violators. One recently investigated case involved a sand and gravel fleet making suspiciously large purchases of heating fuel during summer months.

Large-scale fuel tax evasion exists in Maryland, despite an energetic campaign by John K. Coleman, gasoline tax division chief, who has increased diesel tax collection more than \$300,000 in each of the past three years. Coleman's crack-down—one of the most effective in the nation—is aimed primarily at mislabeling and fuel adulteration, and involves heating fuel oil distributors, service stations, and truckers who buy heating oil or untaxed diesel fuel.

Working very closely with the Internal Revenue Service and FBI, the Maryland Revenue Department is now involved in investigations in Maryland, the District of Columbia, Norfolk, Va., and New Jersey. Coleman insists that fuel tax evasion exists in every state, even though state officials don't know it. In Maryland, Coleman has noted an increase in violations in all fuel tax categories including violations by truckers.

Maryland truck consumers of diesel fuel are licensed and must post surety bonds. Under this procedure, Coleman explained, diesel fuel ordered from a supplier is placed in the fleet operator's underground storage tanks, and the fleet operator pays for it minus taxes. Each month the trucker files a report with the state tax commission, indicating his inventory, additional purchases, and the tax he owes. These reports are computerized and show a 24% gain in collections of diesel taxes as of July 1972, compared with the 1971 period.

Although some licensed fuel distributors in Maryland are permitted to blend and compound petroleum products, Coleman said, service station operators cannot, and there are severe penalties for violations of this law. And under Maryland law all additives must be added at the refinery to prevent customers from being defrauded. Nevertheless, he added, many investigations of diesel fuel tax evasion turn up incidents of fuel adulteration by water or other foreign substances.

Coleman told Fleet Owner that the problem of fuel tax evasion is not so much with regulated motor carriers as it is with owner-operators and small truckers. "Legitimate truckers," he said, "favor our activities and will often loan us trucks to use in an investigation." Many times, he added, fleet drivers and owner-operators will notify officials if they discover an "obviously suspicious deal." Coleman's staff includes 32 auditors plus 16 inspectors.

Much of Coleman's investigation has been undercover, using trucker informants, hidden cameras, tape recorders, and state troopers planted as gas station attendants. Coleman said hijacking accounts for a substantial diversion of fuel in his state. He cited a few recent investigations by his department:

Truck drivers reported a Baltimore heating oil firm which they believed were shorting certain government and industrial users. Subsequent investigation by Coleman's office disclosed that the firm sold more fuel than it had a record of purchasing. Further investigation revealed the distribution operation, over a two year period, resulted in certain military bases being charged for some 500,000 gal. more than they received.

Military Intelligence aided Coleman's department in an investigation that cost the distributor \$21,000 in fines and a trucking company \$29,000 in fines. One of the military installations recently shorted on deliveries was the U.S. Naval Academy at Annapolis.

A 1971 investigation revealed a Baltimore service station operator was selling fuel oil to steel-haulers and owner-operators. Because he was passing the fuel oil off as diesel fuel and selling it without paying diesel fuel tax, the service station operator was arrested on charges of filing false tax reports, rebranding, and tax evasion, and was hit with a lien of \$127,000.

In another of Coleman's cases, eight state troopers uncovered a re-branding operation involving a long-haul trucking company, operating between Boston and Florida, and a truck stop. Arrests were made and assessments of \$70,000 each were levied against the trucking company and truck stop operator.

Another case broke when FBI agents, working on a hijacking case, noticed a heating oil delivery truck making "midnight" deliveries to a truck stop. Further investigation revealed the truck stop had sold between 500,000 gal. and 1.5 million gal. of heating oil to unsuspecting truckers. Although the station operator claimed his records were destroyed by fire, he was convicted and fined \$70,000.

Coleman also described a case in which an abandoned, weed-covered truck terminal in the Curtis Bay area of Baltimore was used as a "drop" for home heating oil by delivery drivers who shorted their customers. The heating oil was sold to "gypsy" truckers at bargain prices.

This system was able to operate, Coleman said, because so few residential and industrial users of heating oil bother to check their fuel indicator gage after a delivery.

In this connection, Coleman suggests that fleet operators buying bulk fuel check delivery tankers when they arrive to make sure they are filled. Tanker compartments should be checked again after delivery, to make certain they are empty.

To encourage more uniformity in state specifications and enforcement programs, the State of Maryland invited eastern corridor states to a fuel tax evasion seminar in 1970, to discuss the whole spectrum of plugging holes in fuel tax laws. During the meeting, about 18 states said they had enforcement programs, but only four states were able to prove they had effective programs. Some states didn't even own a pair of binoculars for surveillance work!

Tax officials were shown copies of a "crime manual" prepared by Coleman's department complete with photographs made by hidden cameras, outlining the various ways of preventing fuel tax evasion. For more than a year now, Coleman has been involved in writing a new manual, one dealing with future state specifications for diesel fuel and heating oil.

Fleet Owner's research shows that two enforcement problems continue to exist:

The federal tax authorities are riding on the coat tails of state enforcement and doing comparatively little on their own.

Secondly, oil companies generally cannot effectively police the stations that carry their names because the dealers or operators are technically independent business men, operating under a lease arrangement. Coleman says, however, this may change in the future because oil companies appear interested in buying back their stations.

In addition, the oil companies are marketing "secondary" brands in new stations under direct company control, competing against regular brands in some areas.

Several recent developments will affect Maryland's diesel tax collection efforts.

As of 1973, Maryland tax authorities will not accept major oil company credit card

receipts as evidence that taxes have been or will be paid. The state prefers meter imprinted tickets or statements which must be signed by company presidents under penalty of perjury.

In this connection several Maryland gas stations were accepting competitive company gas credit cards when offered by truckers. Later these cards were taken to another state and cashed in at other service stations at a discount.

Coleman points out that there have been instances at so-called truck stops in Louisiana where prostitutes were available and their services charged through the truck driver's company credit cards. The "special services" were billed to the trucking company as gallonage placed in the truck's fuel tank.

A signed and witnessed statement obtained from a Florida owner-operator by the Maryland Gasoline Tax Division also indicates that prostitutes were available at a Georgia truck stop where fake Maryland and Delaware fuel tax receipts were readily available to truck drivers.

Maryland is also starting to generate a microfilm file to be placed at all of the state's truck weigh stations. The file will contain the names of truck fleets who haven't paid their fuel taxes.

The situation can only be truly corrected by a combination of state and federal teamwork, together with new efforts and understanding by the major refineries. The trucking industry must also recognize its responsibility in remaining above reproach to eliminate the possibilities of restrictive tax legislation.

Mr. Speaker, Because of the national impact of the oil crisis and because the FEO is being established to give uniformity of regulation and compliance to the interstate movement of petroleum products, it is imperative that the use and control of dyes in fuels be controlled at the national level. By doing this, we will be taking a significant step toward insuring that we have sufficient fuel for our homes and vehicles. The problem of blackmarketing can be eliminated through institution of the steps mentioned above. Mr. Vlazny's proposal is timely and important. It is our hope that it will receive the consideration that it rightly deserves.

OUR HERITAGE

HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, January 31, 1974

Mr. HELMS. Mr. President, North Carolina has been blessed over the years with a number of dedicated public servants. High among them is a longtime friend of mine, Hon. Edwin M. Gill, State treasurer. Mr. Gill is a Democrat, but he has earned the respect of all North Carolinians—Republicans and Democrats alike.

He began his public service in the General Assembly of North Carolina in 1922. For the past 20 years, he has served our State as its treasurer.

Due to his prudent handling of the taxpayers money, North Carolina ranks at the very top in the Nation in its fiscal reputation.

A truly outstanding North Carolinian, Mr. Gill is first and foremost, a Christian gentleman and a great American.

Recently, he spoke to the Greensboro Bar Association in North Carolina and addressed himself to the heritage of our great country. This story can never too often be told; and Mr. Gill's comments are worthy of the attention of all of us who love America. I commend him on his insight, his patriotism and his dedicated public service.

Mr. President, I ask unanimous consent that Mr. Gill's address be printed in the Extensions of Remarks.

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

REMARKS BY EDWIN GILL

I want to talk to you briefly tonight about our country, and how it is being governed. I will have something to say about the origin, purpose and accomplishments of the United States Constitution, which is, after all, the true charter of our liberties.

Of late, we have heard many people express disillusionment with the way things have been going lately in Washington. They wonder if our system of government is really functioning as it should. More than ever, I think our people wish to be reassured as to the kind of government we have. I hope tonight that I can not only be optimistic about the nature of our government, but also point out that it is now functioning as anticipated by the Founding Fathers.

Before I discuss some of the problems now facing the American people, I would like to note, parenthetically, that lawyers, because of the very nature of their profession, have played a major part in the drafting of such great papers as the Declaration of Independence and the Articles of Confederation. Among the fifty-five delegates attending the Constitutional Convention of 1787 at Philadelphia, thirty-four were lawyers. So, I think it is both proper and timely that I discuss matters of this kind with members of the Bar.

The men who went to Philadelphia in 1787 had very little precedent to go by. However, they had learned from their English inheritance to be careful not to clothe the executive with too much power. Generally speaking, it was their job to devise a form of government that would separate and limit public authority so that the nature of the government itself would make tyranny impossible.

The thinking of the Convention is paraphrased in the famous statement of Lord Acton: "Power tends to corrupt, and absolute power corrupts absolutely."

The problem was how to reach a consensus of the many divisions of opinion among the delegates. They wanted to devise a written document that would insure the rights of the states against the new federal government, and vice versa, and to devise a way to protect the small states from the large states, and to define the circumstances under which new states could be admitted. It was their job to devise a union comprising 3½ million people, 13 states and a territory that potentially reached across the continent—to the Pacific.

I have referred to the fact that the Founding Fathers had little precedent to go by. However, many of them were experienced in drafting the Constitutions of their States and some had had experience in the Continental Congress. Also they had done a bit of reading among classical writers as to theories of government. They were greatly impressed by Baron Montesquieu, a Frenchman who suggested that government should be separated into three branches—executive, legislative and judicial. They adopted this theory and made it basic to the Constitution. By the way, it turned out that the Baron had mistakenly gotten this idea from the English government, which he was studying.

However, this principle was of tremendous value to those writing our Constitution.

The bitter debate between the States of large and small population over representation in the Congress was brilliantly solved by a process of give and take that was characteristic of other solutions in the writing of the Constitution. It was agreed that there should be two houses in Congress, and that no law could be enacted without the approval of both.

Representation of states in the House of Representatives would be according to population, but all states, no matter how large or how small, would have equal representation in the Senate—that is, two Senators. This simple but wise solution, which has worked so well, has been called "The Great Compromise."

The Founding Fathers knew human nature. They knew of the temptations connected with the holding of public office. How were they to devise a system of checks and balances that would insure that corruption in public office and abuse of public power would be discovered and effectively dealt with? Their answer was the writing of the Constitution of the United States, which mirrors their hopes and fears, which expected human beings to be fallible, and yet hoped that out of a consensus of conflicting opinions, to construct an organic law that would make constitutional democracy possible—not perfect, mind you, but workable if the people have faith in it. Considering all of the problems facing them, all of the varieties of opinion dividing them, as well as the ordinary ambitions, jealousies and fears of mankind, they created a masterpiece, which has been termed "The Miracle of Philadelphia!"

After the Constitution was adopted, there came the first Ten Amendments, which are popularly called "The Bill of Rights." The purpose of these amendments was to spell out the rights of individual citizens to be free from the oppression of the government that had been created. It is impossible in this short time to pay tribute to each and every one of these rights. However, I wish to emphasize Article I, which dealt with freedom of religion, freedom of speech, freedom of the press and the right of the people peaceably to assemble and petition the government for the redress of grievances. Here we have an affirmation not only of the right of the people to worship God as they pleased, but also the right of the people to criticize their government and to be protected in the process of doing so.

Let's take a look at the office of the Presidency. There were those who went to the Convention who wanted a strong Central government, and who thought perhaps the President should be chosen for life. But a majority of the delegates rightly rejected this idea. They were afraid it would lead to monarchy or dictatorship, so they began to discuss the length of term the President should serve. We know there were those who suggested seven years, some six years, and finally, as we all know, they agreed to a four year term with the right of reelection.

In modern times, we had a President who was elected for a third term, and while he was obviously very popular, the idea began to grow that the President should have a four year term with the privilege of reelection for one term only—a maximum of eight years. That is the law today.

Within the last few months, the idea is being advanced that the President's term of office be lengthened to six or seven years, and that he be denied the privilege of reelection. Those acquainted with what has been happening in Washington lately will understand this desire to separate the Presidency as much as possible from the politics of reelection.

There were those in the Convention who advocated a plural Executive; that is, they

proposed that there be three Executives, acting together, one representing the States of New England, one the middle Atlantic States, and the other the States of the South. This proposal, however, was rejected because the Convention felt that it would emphasize regional viewpoints and not accomplish the unity that was desired.

The Convention, remembering the powers that Kings and Emperors had exercised in the old world, were anxious that the President, notwithstanding the great prestige of his office, obey the limitations of his powers set forth in the Constitution. And so they provided that he could be impeached for treason, bribery or high crimes and misdemeanors. In order to construct an appropriate tribunal for the trial of the Chief Executive, they provided that the House of Representatives should have the power of impeachment, and that the Senate should sit in judgment. And so that the whole paraphernalia of government should be represented, they provided that the Chief Justice of the Supreme Court should preside at the impeachment trial. There could not be conviction without a verdict in which two-thirds of the Senate concurred. In all of our history, only one of our Presidents has been impeached and he was acquitted. However, this threat of impeachment throughout the life of our Republic has stood as a wholesome reminder to all Presidents that they must obey the law.

The members of the Convention were afraid that the representatives of the people in Congress might, under pressure, enact unwise laws, so they gave the President of the United States the right of veto. And yet knowing that Presidents are fallible and liable to err, they gave Congress the right to override the veto by a two-thirds vote.

Although the President of the United States is one of the most powerful and important persons in the world, he must have the concurrence of the Senate in making treaties and in all major appointments, including ambassadors and ministers, and judges. This requirement that the President cannot act without the approval of the Senate is another sign of the reluctance of the Founding Fathers to invest absolute authority in anyone.

Students of constitutional government have deplored the tendency of Congress to yield its authority to a strong Chief Executive. Within recent months, the Congress has attempted to reassert its powers, questioning for instance, the President's authority to impound funds which had been appropriated, and also seeking to limit to some extent the power of the President to involve the nation in war without a declaration of war by the Congress. Without passing judgment on these issues, efforts of the Congress to reassert its powers are generally regarded as a healthy sign. Of course, the issues between the President and the Congress on any of these matters may ultimately be determined by the Supreme Court unless they are settled earlier by compromise.

In this connection, the Senate has sought to bring in question certain activities in the Executive Department. This movement is non-partisan, being headed by Senators Ervin and Baker, representing the Democratic and Republican Parties. Although the investigation of this Committee is wide-ranging, it pinpoints alleged wrongdoing in the Executive Department.

As we all know, many fine constitutions have been written and adopted with the best of intentions. Some of them have imitated our Constitution, but the people often became dissatisfied, and men who were eager for power have seized control of the government, usually through a military coup d'etat, and have nullified the constitution. Examples of this are republics in South America, as well as in some nations in Europe—a recent example is Greece. Now the reason our Con-

stitution has survived all of the vicissitudes of two hundred years is because our people have had faith in our constitutional democracy. The problem is how to pass on from generation to generation this veneration and this faith that our people have had in constitutional government. This, of course, involves the educational process, and here is where I think the Bar can be of value.

I wish that the Bar in every County of North Carolina would select some of its members who are knowledgeable in the history of our government, to go at least once a year into the school rooms and tell our children the whys and the wherefores of our Constitution. It might be possible, through the use of television, for leaders of the Bar, including the Chief Justice of the Supreme Court of North Carolina, to talk directly to the children in the high schools of the State, making them aware of their liberties and duties under our Constitutional form of government. Such a program, of course, would have to be worked out between the leaders of the Bar and the leaders in public education in North Carolina.

I do not have to tell this informed audience that our children should be instructed in the meaning of the supremacy of the law, that our nation is a government of laws and not of men, and that, simply put, these famous principles reaffirm the idea that no man, though he be Governor of a State or President of the United States, is in any way above or exempt from the provisions of the law of the land; and that, while it is important for every citizen to obey the law, from the standpoint of public example, it is more important that people in authority do so.

I now wish to record our debt to the press and other media of communication that have, under the protection of the First Amendment, alerted the people of the United States to the failure of some public officials to be true to their trust. For instance, the details of the sordid Watergate story might never have been known to the people of America had it not been for freedom of speech and press as guaranteed by our Constitution. While the press and other media may, at times, be inaccurate, this nation, over all, owes a debt of gratitude to them for alerting our people to the possibility that crimes involving the abuse of power might have been committed by those in government. Where did such papers as the New York Times and the Washington Post get their authority to speak out? Of course, the answer is they were protected by the wisdom of the Founding Fathers who were determined that American citizens should have a right to criticize publicly the policies of their government.

As I pointed out in the beginning, many of the things that the Founding Fathers did in 1787 seem to us to have been obvious. But at that time they were plowing new ground. Those who had been subjects of a king were to become citizens of a Republic, and most all of the acts of men like Washington, Jefferson, Madison, Franklin and Hamilton were unprecedented. Surely no nation has ever been more fortunate in the high character and abilities of those who founded it. What a great heritage they have left us! It is the story of what they did and why they did it, that should be known to every citizen of the United States.

It would be difficult in such a brief time as I have to mention all of the important provisions of the Constitution of the United States, but I would especially like to quote from a portion of Article VI, which reads as follows:

"This Constitution and the Laws of the United States which shall be made in pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall

be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding."

This portion of Article VI helped mightily to cement the States together into "a more perfect union."

I think the most significant words used in writing the Constitution were the first three in the Preamble which were: "We, the people..." The reason for my opinion is obvious because it was thus that the Founding Fathers acknowledged that all powers given to government are derived from the people themselves. This simple declaration was a turning point in constitutional history!

By way of summary, I think we should be proud of the Founding Fathers who in 1787 sat down at Philadelphia and planned a Constitution that would stand the test of time; a Constitution that had built in it the separation of powers and all the checks and balances that were needed in the days ahead. I also think that we should be proud of the way this Constitution has withstood such vicissitudes as The War Between the States, two World Wars, inflation and deflation, recessions and depressions, and is still the best hope of liberty and justice for mankind.

I have also paid tribute to the Bar and the press and other media of communication for being alert to the dangers that always threaten both the liberty and stability of our society. I have tried to emphasize that no written instrument can possibly survive unless it has the overwhelming support of our people. I have tried to point out that other great documents have been scrapped and succeeded by dictatorship because the people expected too much or too little from those in government. We are indebted to the patience and the fidelity of the American people for helping to make our constitutional system work.

In closing, I would like to suggest that in celebrating the Two Hundredth Anniversary of our political birth, this nation, should portray on stage and screen a dramatization of what happened in 1776 and 1787. The thrilling story of American fidelity to freedom should be enacted—a pageant with all the color, the drama and eloquence of which our talented people are capable.

The men of 1787 were extraordinary in their learning and experience, and we pay tribute to them for their vision and foresight. They had in abundance a love of their country, a love of freedom, and, above all, they were men of high character and principle. As I have tried to point out in giving the highlights of our Constitution, its future depends not only upon the wisdom of those who went before us, but upon the continuing loyalty and integrity of the American people.

CONGRESSMAN DANIELS HAILS MASTRONARDY AS "RECOGNIZED PROCUREMENT EXPERT"

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, we here in the House of Representatives expend much of our energies in attempting to fulfill our special responsibility to the Nation to make certain that the Government is run on an economical basis and that the taxpayers receive full value for the public funds that are spent in running our Government. We are, therefore, frequently striving to motivate the executive agencies to display the utmost zeal in spending the funds allotted to them with an

eye to obtaining the best price for the product needed to do the job.

I have been encouraged during my many years of service in this House to find that there are dedicated civil servants in the executive branch who display that motivation. I want to take this occasion to commend to my colleagues an article on this subject which was written by one such public servant. I am referring to Andrew F. Mastronardy, a recognized procurement expert in the Controller's office of the Atomic Energy Commission. His article on "Relative Overall Cost to the Government" was selected by the National Contract Management Association as one of the most significant articles over the last 3 years.

I want to commend Mr. Mastronardy for his keen insight into how the executive can deal effectively with an ever-increasing problem. I also want to take this opportunity to urge officials with procurement responsibilities in the executive agencies to heed his counsel. I would also urge my colleagues here in the Congress to read this concise article, which I have asked be reprinted here for your convenience, with the hope that each of you may spark other Government procurement officials to follow the splendid advice and example of Andrew F. Mastronardy.

I am hopeful that Mr. Mastronardy will see fit to honor his Government and his country with several more years of such dedicated and effective service.

The article follows:

RELATIVE OVERALL COST

(By Andrew F. Mastronardy)

This presentation is intended to provide a better understanding of the potential use of certain "business-management" information (non-technical resources, financial, and administrative) in selecting a contractor through the employment of Board evaluation process. The emphasis here will be restricted to a discussion of procurements involving the acquisition of large scale complex research and development capabilities under cost-type contracts and will be directed to estimating the "relative overall cost to the Government."

The contractor selected should, of course, be the best qualified to do the work. The requirement of "best qualified" should be considered together with the requirement of "all things considered, including price and other factors."

A Board operating to serve the best interest of the Government occasionally dictates the selection of a more costly contractor. Such selections are generally based on such factors as trade-off of potential additional costs against a risk of probable schedule slippage, anticipation of poor quality of work, the proposer's lack of proper facilities and other unfavorable factors which may inhibit the successful accomplishment of overall program objectives. While such factors may not be discovered during an objective review of a contractor's proposal, systematic subjective analysis and anticipation of potential problem areas should be weighed and considered before final selection is made.

Programmatic needs can be best protected by objectively selecting the best qualified contractor on the basis of strict assessment of the technical aspects of each of the proposals considered. However, there are some instances in which the Government's interest may best be served by selecting the qualified contractor who can perform most economically without serious risk in accomplishing the overall programmatic objectives, even

though the technical qualifications of another firm may seem to be superior.

There appears to be a misunderstanding or lack of appreciation of the extent to which probable costs can be evaluated and compared in cost-type situations. Would a prudent businessman engage a high salaried, experienced chemist to maintain a proper level of chlorine in his swimming pool or would he select a high school graduate with appropriate experience at an obviously lower salary rate? It may be argued that this analogy is not appropriate because it does not suggest the necessity to obtain a contractor who will push the "state of the art" and the success of the project "to maintain a proper chlorine level in the pool" does not depend on the individual's ability to push the "state of the art."

The question to be considered in large complex research and development projects, could be more properly stated, as follows:

"Is the small difference in technical capability gained worth the indicated higher costs?"

Recently, at a seminar sponsored by a prominent university, the participants were told that cost should not be a factor in selecting contractors for highly technical complex research and development efforts. When questioned on this point, the speaker explained that the cost factor should not be used as a criterion in the initial evaluation of the proposals, but that it should be considered in the final selection. The rationale underlying this assumption is based upon the recognition in its initial stages the evaluation process is designed to screen in a group of proposers who have approximately equal capability to perform the research services, etc. sought by the buyer; cost becomes a factor subsequent to consideration of these finalists as each is presumed to be capable of performing the required work albeit with less than identical competence.

It is then of paramount importance to advise prospective contractors that estimated costs are a factor and will be considered in arriving at a final selection. They should be requested to include within their proposals a section addressed to cost consideration. This section should be carefully reviewed whenever the proposal, based on the results of the technical evaluation, is considered to be acceptable and within the final competitive technical range.

In evaluating the "business-management" aspects of the proposals under final consideration, the general items to be considered in developing estimated "relative overall cost to the Government" should include, but not be limited to, the following:

1. Specific Cost elements.
2. Workload—present and future (related to capacity and capability).
3. Past experience.
4. Management organization.

Man-power projections, labor rates, material costs, overhead, and other related items should be carefully examined and adjustments made, if necessary, to establish realistic estimates. This may require negotiation leading to an adjustment of the proposer's estimate.

As part of this review, the materials costs should be reviewed by technical representatives to determine the reasonableness of quantities and costs involved and verified to the extent deemed necessary. The accuracy of proposed overhead rates and direct labor rates should be verified; this can often be accomplished rather quickly by checking with cognizant Government auditors. Man-power projections should be reviewed by responsible technical personnel. The estimates for subcontract costs should be supported by quotations or other evidence, if possible, and in any event should be reviewed in detail, particularly where subcontracting represents a significant amount of the total estimated costs.

With respect to workload and its relationship to capacity and capability, it is important to ascertain the extent to which the contractor is capable of providing the facilities and personnel skills necessary to perform the required work on a timely basis. A review of this type would also reveal the need, if any, for additional facilities or people, and provide some indication as to the extent of Government support the proposer will require in this area.

A careful review of the proposer's performance on similar contracts will enable the Board to arrive at a fairly accurate assessment of his ability to perform the work requested at a reasonable cost and within established time schedules.

A review of the proposed management organization should show whether it is stable, adequate, and one which can be relied upon to respond to the needs of the program. For example, does the proposed management organization enhance the proposer's ability to more effectively employ the various skills and talents required? Obviously a poorly organized, poorly managed contractor organization will be a more costly one.

At this point in time it can be safely stated that no two contractors use the same accounting standards or methods of allocation. Therefore, it is necessary to dissect and rearrange each cost proposal if reasonable comparisons of costs of direct labor, overhead, average hourly labor costs and man-year costs are to be made.

The following discussion suggests an approach that might be used in developing comparative cost information assuming, of course, that the proposer has responded with appropriate presentation of its estimate of costs and fees.

1. TOTAL DIRECT LABOR COSTS

Determine the composition of the direct labor dollars. In some cases it will be found that the contractor has included fringe benefits in establishing the direct labor costs. Accordingly, in order to make a reasonable direct labor comparison all other cost factors such as fringe benefits, "loadings," etc. should be set aside for use in developing the overhead costs factor.

2. AVERAGE DIRECT LABOR HOURLY RATE

Divide the amount developed in (1) by the total estimated direct labor hours reported by the contractor.

3. OVERHEAD

Some contractors may assign "loadings" to materials, subcontracts, etc., and may charge other "loadings" directly; other contractors may include all "loadings" in one overhead pool. Therefore, to develop a proper overhead rate for purposes of making a valid comparison, it will be necessary to collect all "loadings," whether designated as direct or indirect charges, including general and administrative expenses. Examples of such "loadings" are listed below:

1. Material overhead.
2. Subcontract work overhead.
3. Fringe benefits.
4. Travel costs.
5. General and administrative expenses.
6. Telephone and telegraph.
7. Printing and reproduction costs.

The total of the above should be divided by the direct labor dollars and the resultant rate established as the normalized overhead rate for each cost proposal. This would enable the Board to accurately compare the proposed overhead costs anticipated by each proposer.

4. AVERAGE MAN-YEAR COSTS

Convert the total man hours to man years. Exclude the costs of materials, subcontracts and consultants from the total estimated price and divide the remainder by the total man years. This will produce a reasonable estimate of average man year costs for comparison purposes.

5. SUBCONTRACTS

To determine whether the costs of subcontracting by one firm are more expensive than another, an analysis and review of such subcontracts should be made along the same lines and in similar detail as recommended above.

Presented below are some examples of actual results obtained from the application of the technique of cost analyses that are presented for consideration.

In one instance, in which the average direct labor cost of one proposer was substantially lower than the average of several other proposers, a further review indicated that the lower rate was based on an unusually high total labor hour base and included a high ratio of production effort to engineering effort. It was concluded that the contractor either assumed that he would be required to fabricate a substantial portion of the required material, or failed to understand the program's requirements and had as a result overestimated the production needs of the program. Further review indicated that the contractor's approach to the problem was in error. This was confirmed in the course of the technical evaluation wherein the relative points in the weighting assigned to "technical approach" and "understanding of the problem" were substantially lower than the points assigned to others. In another instance, it was observed that a particular proposer's average man years cost was significantly higher than his competitor and that he planned to subcontract a sizable portion of the work. This would normally reflect lack of in-house capability. In such a case, the Board's technical representatives should be alerted to these factors during its technical evaluation of proposers for selection.

In the case where a contractor proposes an unusually high overhead rate, the Board must carefully examine the components of that rate to determine whether or not such rates are justified. It may be that the contractor is presently operating, and expects to continue to operate at considerably less than full capacity, thereby producing high cost effort in terms of the relationship of direct labor to overhead costs: he may just be very expensive or his total business may be at a very low ebb with the result that the overhead he expects to pass on to the Government is unrealistic.

In evaluating the contractor's management capability, the Board may make unfavorable findings or comment critically on certain aspects. In such instances the contractor should be afforded an opportunity to respond to these points before the Board makes its final selection. Often the contractor will present a satisfactory explanation or give assurance that appropriate corrective action has been taken to cure the deficiencies. The Board should give full consideration to all such dialog.

In summary, I believe that Government personnel frequently realize that cost is generally an important factor to consider in selecting a contractor and that there is a tendency to minimize the consideration of cost factors in procurements contemplated under cost-type contracts. To minimize or eliminate the consideration of cost factors in the selection process is to suggest that an accurate evaluation of estimated costs of cost-type proposals is virtually impossible. As a result, cost comparisons are frequently not attempted. I hope this discussion will contribute to a re-evaluation by procurement personnel of the role of cost consideration in cost-type contracts.

The time has come to reexamine the generalized contentions that "the more money spent, the more research received" and "only the contractor with the best technical qualifications should be selected." It is in the best interests of the Government to get the job done by qualified personnel, and to contract for only that work deemed necessary to ac-

comply the objectives of a program, at the least overall cost to the Government.

THE OIL INQUISITION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. DERWINSKI. Mr. Speaker, I believe it is essential that we try to maintain a reasonable emphasis on the economic approach to the subject of the energy crisis. Certainly, a subject this complex requires an understanding of the economic facts of life.

An editorial, carried in the January 24 edition of the Chicago Tribune, discusses in a very sharp fashion, a substantially different insight on the effectiveness of the Senate Energy Committee hearings.

I believe the editorial merits a very objective consideration:

THE OIL INQUISITION

One can't follow the Senate energy committee's persecution of the oil industry without wondering what in the world its purpose is. Are Sen. Jackson and his colleagues really trying to find a solution to our present and future energy problems, as they ought to be? Or are they simply yielding to the public and political clamor to find a scapegoat—any scapegoat?

The senators seem to be asking every conceivable question except the right ones. We don't for a minute pretend that the oil barons deserve to be canonized. We have criticized them when they insisted on import quotas and more recently when they have proved unable or unwilling to produce reliable statistics on our supply and consumption of oil. In the present crisis some of them may very well have been guided by motives other than altruism. Like the rest of us, they are in business to make a profit.

But all of this talk about sharply rising and "windfall" profits and "illegal" investment in alternative sources of energy such as coal and uranium are pure demagoguery and a waste of time.

It's perfectly true that industry profits rose sharply last year—the committee says 46 per cent for seven companies. But even the most ardent critic of the oil industry must admit that one year's profit statistics are hardly enough to support a conviction. A multi-billion dollar corporation which barely breaks even one year can have a 10,000 per cent increase in profits the next and still be making too little to attract investment.

What counts is the relationship of profits to invested capital. In this respect the oil industry says that it is earning less than industry as a whole—about 12 per cent. If the senators want to dissect the industry finances, this is the figure they should concentrate on. And if it proves reasonably accurate, then all of their ranting about profiteering will be pointless.

An investor can put his money in government agency or high grade corporate bonds, where there is almost no risk at all, and earn 9 per cent on his money. Twelve per cent is hardly excessive for an industry which obviously entails more risk than most. And some of the greatest risks, not so incidentally, can be found without even drilling a well. They can be found above ground, right on Capitol Hill.

The more Sen. Jackson & Co. rail against the oil industry, and the more they threaten punitive taxation, the more wary investors

will become and the greater the profit margin—and therefore prices—will have to be in order to attract the capital which even Mr. Jackson recognizes is essential for the development of new sources of energy. To that extent, the greatest obstacle in the committee's path is itself.

Given the present political climate, the industry will probably have to make some concessions in order to avoid disaster. Even the administration has proposed a limited sort of "windfall" profits tax. But it must be carefully devised so as not to penalize a company which uses its increased profits to produce more oil. Even Sen. Percy, a member of the committee who ought to know better, seems to have taken up the chorus of "windfall profits." Perhaps some day he will be good enough to define them.

As for the charge that oil companies shouldn't invest in coal and uranium, can you imagine anyone going up to old Clement Studebaker, back in the 1900s, and telling him that because he was in the carriage business, he couldn't make automobiles? As it turned out, the Studebaker company made some of the best cars on the market—until fortune turned against it. One of the great assets of American enterprise has been its foresight and its readiness to move into new fields, even uncertain ones.

If it is true that even with higher prices our supply of petroleum will run out in our lifetime—and we're not at all sure that this is so—then it is more important than ever to see that companies with adequate resources are at work on such things as getting gas and oil out of coal and developing nuclear energy. Anybody who suggests that the government can do better—and we're thinking of Sen. Stevenson's proposal for a federal oil and gas corporation—has been oblivious to events in the Soviet Union and, for that matter, Britain. The government's first responsibility is to see that there is competition within the industry.

We commend these thoughts to the members of the Jackson committee with the fervent prayer that they stop stalling and ask themselves calmly what they can do to be useful.

DR. BUDD E. SMITH

HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, January 31, 1974

Mr. HELMS. Mr. President, one of the great educators of North Carolina and an outstanding Christian gentleman will be retiring soon. Dr. Budd E. Smith, a dear and valued friend, has served as president of Wingate College for over 20 years. I commend him for this service and call attention of my colleagues to his unselfish dedication to the causes of education and the betterment of mankind.

It has been my privilege, as a member of the board of trustees of Wingate College, to observe first hand the accomplishment of near miracles by this man, so devoted to hard work and the principles that have made America so great.

The Wingate campus, in 1953 when Budd Smith arrived on the scene, consisted of a half-dozen buildings on a 33-acre campus. Today Wingate College has a campus of more than 300 acres and more than 40 permanent buildings; and the institution is debt-free.

Budd Smith, man of the year, in his community of Monroe and Union County, N.C., would be honored for these physical accomplishments at Wingate College, if these alone represented the total of his efforts.

But, exceeding these visible accomplishments are feats far more lasting. The impact Budd Smith has had on the lives of thousands of young people traveling the halls of Wingate College are immeasurable except to the individuals who will forever hold a special place in their hearts for Doctor Budd.

I am one of those people whose lives have been touched by his tenderness, his understanding and his love. He does today and he will forever hold a special place in my life.

I wish the very best for this genuine friend, community leader, and inspirational Christian as he enters a new phase of his life. I am convinced that Budd Smith, even in retirement, will continue to serve his God and his fellow man.

STATEMENT OF DENNIS A. TURNER

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. SYMMS. Mr. Speaker, today in the House Committee on Agriculture, Mr. Dennis A. Turner spoke to the committee to reassure us as Members of Congress that the pulse of liberty still beats in the hearts of many Americans.

In his brief remarks prior to the enclosed statement he said that he spoke the thoughts of many of the small traders and brokers in the commodities business.

He further stated that when businessmen come to Washington and testify on behalf of this type of legislation he is reminded of Lenin's statement that "the capitalist will be fighting over who gets the sale order of the rope which will be used to hang them with."

I enclose his refreshing testimony for the readership of my colleagues:

STATEMENT OF DENNIS A. TURNER, DIRECTOR OF RESEARCH, INCOMCO, BEFORE THE HOUSE COMMITTEE ON AGRICULTURE JANUARY 31, 1974

Mr. Chairman and Members of the Committee:

H.R. 11955 is malicious and stupid. The Bill is malicious because it provides stupendous and arbitrary powers to the Government over the livelihood of private citizens, and is stupid because, as with most state programs it will fail to have any of the salubrious effects on futures markets which its proponents claim. The Bill demonstrates ignorance of the free market price system, hostility to private economic activity, and ambiguity of language which would undoubtedly cause widespread corruption, the replacement of market pricing by Government edict, and the hiding from the public the consequences of capricious and incorrect Government interventions into the market.

A small allotment of time permits comment on only a few of H.R. 11955's many specifics.

Let us discuss Section 215. Several conditions are given under which the Government

can force suspension of futures trading. It is important to note that the Government here is empowered to suspend trading or to capriciously alter the contract whenever "it has reason to believe... which threatens orderly trading." In between the two phrases are the conditions under which the Government can suspend trading. Is orderly trading defined, or even described? No. Even lacking a definition of orderly trading, is its provable absence required in order for the Government to suspend trading? No. It—"orderly trading"—need only be "threatened". Who decides if orderly trading is threatened? A Court of Law, where the victims of Government intervention can defend the trading, can cross-examine the Government, can make the Government prove its case? No. The Government merely itself decides that orderly trading, not defined, is threatened, and then intervenes into the market, answerable to nobody, and particularly not to any of the participants in the market who may be victimized by its actions.

Let us speak in plain English. Section 215 in fact gives the Government authority to suspend trading in a market, or to alter the contracts already entered into by private individuals, anytime it feels like it, for whatever reason, as long as it states that reason in such a manner as to conform to the provisions delimited in section 215, which are so broad as to not limit the Government whatsoever.

The power of the Government is complete. There are two words I know to describe economies over which the Government has absolute authority: Communism and Fascism. Why are not the proponents of this Bill sufficiently honest to call it one or the other?

When is Section 215A likely to be invoked? Obviously when prices are high and price variation is substantial. Wide price variation occurs because of sudden or drastic changes in the supply or demand situation for a commodity, causing uncertainty as to the economic price under the new situation. It can also occur when traders have expectations of sudden changes in the market supply and demand, or when there is little way of knowing what the supply or demand situation is really going to be.

These situations are primarily the consequences of government intervention into the market place. When in 1972 400 million bushels of wheat were sold to the USSR for a ridiculously low price, it was Government intervention in the form of export subsidies that was the cause. Without these export subsidies, no private company could commit a price for so large an amount of wheat, as they had no way of knowing at what price they would pay for the wheat to cover their commitment. If wrong, the grain companies would be bankrupt. So it was the promise of subsidies that enabled the companies to commit to the Russians so much wheat at a fixed, low price. Naturally, the price of wheat rose as this became known, and the companies began to cover their commitments by purchasing wheat.

The problem in the grains in late 1972 and throughout 1973 was further compounded by the devaluation of the dollar, which in one step made foreign currencies increase in value against the dollar by from 20 to 25 percent. The consequence of the devaluation was primarily that a German Mark or Japanese Yen or Swiss Franc purchased more U.S. goods than before the devaluation. Twenty or 25 percent more goods. As a consequence, naturally, foreign nations purchased more U.S. agricultural products and decreased the supply even more relative to the demand.

Now the devaluation of the dollar was an act of Government. If there had been a free market in currencies in the past as in the present, no devaluation would have occurred,

as the dollar would have been depreciating in value over the years, and no sudden drop in value would have been necessary. The devaluation was caused by the Government pretending that the dollar did not change in value, and forcing others to pay a certain price for it, until they finally refused. If there had been a free market in currency, the demand for US products would have increased slowly over the years, and American farmers would have been raising more grains. If there had been a free market in currency, no export subsidies would have been necessary for the balance of payments, as the value of currencies would move to equalize the value of imports, exports, and capital transactions.

Thus government interventions caused the sudden increase in demand. Increased prices were only a symptom, an indicator, of the drastically changed supply and demand situation with which agricultural commodities were faced. And it is here that the government would have applied Section 215.

Yet these high and fluctuating commodity prices were only indicating that the grain situation had become unstable, a condition which Government activity had caused. Higher prices told us that we needed more grain, and supplied the capital to buy the equipment and fertilizer to grow more grain. Fluctuating prices told us that there was a great deal of uncertainty as to the demand and inventory of grain. If futures trading had been suspended, the uncertainty would not have disappeared. The only consequence would have been that the public would have not known about it. Futures prices made headlines, thus informing the public of the shortages and the uncertainty. A suspension of trading would have kept the public from knowing the consequences of Government intervention into the free market. Perhaps that is the intent of the section.

There is a myth that speculation caused prices to increase more than would have occurred without speculation. Some Senators and Congressmen claim this. Nonsense. Perhaps certain Congressmen, who are hostile to the free market, would like this to be true. But let them show some hard facts. Although the evidence is not perfect, all the evidence and studies that exist tend to show the opposite.

During the rising grain markets, speculators were net short. That is, most of the hedging was done by exporters covering their commitments. They bought futures contracts. The speculators took the other side. They were net short. If anything, speculators tended to keep the prices of the grains lower. Now perhaps certain Congressmen and others hostile to the free market system in general, and speculation in particular, wish this wasn't so. But the evidence shows it is so. Thus section 215 wouldn't keep prices from rising. It would only hide the fact from the public. It wouldn't mitigate the deleterious effect of government intervention into the free market; it would only keep the fact from the public. After Watergate, I doubt that what America needs is more secrecy in Government and its consequences.

There is also a myth that futures markets cause widespread price variation that would not occur otherwise. Naturally, those who propagate this myth just say it is so, without evidence. The evidence once again is otherwise. And once again perhaps certain people, including some Congressmen, wish that speculation caused price fluctuations, but the evidence indicates that these people are wrong.

Studies of the Onion market, in which futures trading was banned by the infinite wisdom of the Congress, show that price variation was larger before, and has been larger since futures trading was banned, than

during the time futures trading existed. Other studies indicate similar conclusions—that futures trading tends to reduce price fluctuation, and its lack tends to increase it. This is the evidence whether or not Congressmen like it.

Section 215 would accomplish, then, the following:

1. Hiding from the public government-created uncertainty and shortages.
2. Increasing prices and price volatility.
3. Allowing the Government to pretend that it is saving the public from evil speculators and higher prices, when in fact it is the speculators who are keeping the prices down.

There is a section of the Bill allowing the Government to regulate the activities of floor traders. A general feeling exists that floor traders, by trading both for their own account and for customers' accounts, are able to cheat their customers, and that the Government must intervene to prevent it.

The feeling specifically, is this: A customer puts in an order to buy, say, wheat. The floor trader does so. If the price in the next minute or so increases, the floor trader puts the purchase into his own account and buys another, at a higher price, for his customer. However, if the price declines, the floor trader assigns it to his customer. This is called clipping, or the Skids. I believe it has happened to me on more than one occasion, but I do not support the provision to regulate floor trading.

First, the provision would not reduce clipping. Floor traders so inclined would either open up a dummy account in the name of a friend or co-thief, or could operate similarly in conjunction with another broker or brokers. The provision then would not reduce clipping, but rather would only reduce liquidity. Customers are hurt more by lack of liquidity than by clipping. Look at some of the New York markets, such as cocoa, cotton, coffee, or copper. There is very little liquidity in these compared to Chicago markets. The prices between trades are enormous. Even without clipping, the lack of liquidity severely hurts people in these markets. What futures markets need least is a further reduction in liquidity. What should a speculator who feels he or she has been clipped do? Sue the floor trader and the Exchange in small claims court. This would do more to reduce clipping than any government regulation, and would not reduce liquidity as would this provision in the Bill.

Lastly, I would like to comment on the provision permitting the all seeing wise men calling themselves government officials to decide whether or not a proposed futures market is "economically justified", that is, serves users or producers of the commodity. As Congressman Symms has stated in the Congressional Record, an official of the CEA has stated he does not feel Silver Coins futures serve an economic purpose, and therefore supposedly would not be permitted.

Serves an economic purpose to whom? If the CEA official thinks the silver coin market serves no purpose, I suggest he does not trade in the market. That the market in fact serves a purpose is proven by the fact it is actively traded. Many markets, including those in butter, shrimp, turkeys, frozen eggs, and others have failed because they serve no economic interest. If a market does not serve users and producers of the commodity, they won't use it. By what megalomania does the Government presume to tell users and producers of a commodity that it knows better than they whether or not a futures market serves their interest. The claim is astounding. Should not the public decide whether or not a market serves an economic purpose, by using or not using it?

Thank you.

COMMONWEALTH POLAND-
IN-EXILE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. PATTEN. Mr. Speaker, I am inserting into the RECORD a Declaration of Support by the Government of the Commonwealth of Poland-in-Exile, the successor of the wartime London Polish Government-in-Exile. The Declaration of Support is offered to the State of Israel and its people.

The publication of the Commonwealth of Poland-in-Exile Poland-Polska-Polonia also pointed out in a further article the plight of Poland today; and may I take this opportunity to congratulate the Ambassador of the Commonwealth of Poland-in-Exile, Baron Alex Ostoja Starzewski who also edits the paper Poland-Polska-Polonia for the outstanding work he is doing for the people of Poland.

The articles follow:

DECLARATION OF SUPPORT

On behalf of the President of the Commonwealth Poland in Exile, Juliusz Sokolnicki, and on behalf of the Polish American Revival Movement Conference, we are issuing the following statement of support and concern for the State of Israel and the Jewish Nation.

1. As a continuation of the old Polish tradition for support of the nations who fought for their independence, we wholeheartedly support the struggle of the Jewish people in Israel for their independence. We believe that the people of Israel have the right to their land as the Polish Prime Minister Beck once stated in the League of Nations before W.W.II.

2. We believe that the Western Powers, especially the United States of America, should not bow to the Soviet Russian pressure and should not agree to any "provisions" which would endanger the independent State of Israel.

3. We ask all people in the world, especially Polish people, to assist and support the Israeli cause as we did in the past before W.W.II when we trained in Polish Army Camps the armed units of the Polish Jewish Organization "IRGUN" and "HAGANAH", who later took part in their fight for independence in Palestine.

4. We ask Polish people abroad to send money to the Jewish organizations who are collecting money for Israel.

5. We ask the President of the United States, the members of the Congress and Western diplomats to prevent any Yalta-type "agreements" with the Soviets which would bring Israel and their people under foreign slavery as it happened to Poland and other East Central European countries.

Alex. Ostoja Starzewski, Ambassador (in Exile) U.S.A.

Zygmunt Nowicki, Nat. Chairman, First National Polish American Revival Movement Conference.

Zenon Plotrowski, Representative for the Polish Gov. in Exile in Virginia.

POLAND IS NOT A FREE COUNTRY

We deplore and affirmatively reject the constant and perfidious statements that Poland is an independent country which is voiced by foreign politicians, statesmen, representatives of the churches, industry and finance, semi-appointed so-called Polish Freedom Fighters and Polish Renegades who

are paid by the Communists and foreign sources.

The truth is that Poland is not free and never regained its independence since the division of Poland was concluded by Stalin and Hitler in 1939, as officially stated in the Ribbentrop-Molotov Pact.

The Polish nation has lost 6 million people while struggling for their independence against Adolf Hitler from 1939-45. The proof of the Polish uncompromised position against Adolf Hitler are the graves of the Polish soldiers in Poland, France, Belgium, Holland, Italy, Tobruk, and other places where Polish soldiers proved Polish bravery and our loyal position.

At the same time, ironically, foreign powers traded Polish independence to the Soviet Russian Imperialism for their now very questionable definition of "peace."

While we do understand that Polish slavery is a shameful act and a black spot on the "white political vest," of the western free world we cannot accept any attempt to introduce the communist usurpers in Warszawa as Polish Government, as they were "appointed" against Polish will by foreign powers.

We would like to remind our "friends and foes" that as long as Poland is not free from occupation forces, free from usurpers, with freely elected Polish Government, we will fight for Polish independence with all means as our fathers did in the past. Some nations have waited 2,000 years to be free. We will wait and be ready to fight when the hour comes to act.

We ask all our people and friends to support the President in Exile of the Commonwealth Poland in Exile, Juliusz Nowina Sokolnicki.

Some individuals who made a mockery out of the past President, August Zoleski, are now trying to take over his "constitutional continuity" and present the Polish Government in Exile to their "bosses" as proof of the total Polish paralysis in exile. This will not work and you can prove it. Act now—help now.

MORE THAN 5.6 MILLION ILLNESSES
AND INJURIES

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, those who scoff at the necessity of federally regulated safety standards should take a closer look at the Labor Department's illness and injury statistics for 1972. These figures, accounting for more than 5.6 million job-related injuries or illnesses, were gathered during the first full year of surveillance by the Occupational Safety Health Administration. All of the incidents required more than mere first aid treatment and about 30 percent of them involved lost work-days.

Of the major industry groups, contract construction had the poorest record with 19 out of every 100 workers involved in an injury or illness. The rate for the manufacturing industry was 15.5 followed by transportation and public utilities, wholesale and retail trade, finance, insurance, and real estate.

One out of nine persons suffered an injury or illness while on-the-job during 1972 yet there are still those skeptics who see no need for legislation to protect

these workers. The Occupational Safety and Health Act was the congressional response to this serious national concern. Congress declared the purpose of OSHA to be to assure, so far as possible, safe and healthful working conditions for every employee in America. It is my belief that OSHA has gone far toward achieving its stated objective, without overburdening employers.

As chairman of the Select Subcommittee on Labor, I intend to schedule oversight hearings on OSHA which I am sure will illustrate both the problems as well as the successes experienced under the act.

PAYMENT IN LIEU OF TAXES
LEGISLATION

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. BLATNIK. Mr. Speaker, rural America, severely weakened by outmigration and a dwindling natural resource base, faces an uncertain financial future. County government, the mainstay of rural areas, is struggling valiantly to stimulate a resurgence of economic growth and to respond to citizen demands for an expanding variety of services, but with diminishing financial resources.

Historically, property taxes have provided the basic source of income for the vast variety of health, transportation, educational, manpower, law enforcement, and welfare services provided by county governments. But the property tax base has not kept pace with the economy and the gap has further widened during the uncontrolled inflation of the past several years.

In over 700 of the Nation's rural counties, the problem is even more severe due to the presence of the Federal Government which makes minimal payments to the counties for the tax-exempt Federal land located there. Unfortunately, not only are the payments inadequate, but the Federal presence also removes from the tax rolls land that otherwise developed would be an important source of revenue.

It is true the Federal Government returns to the county a percentage of revenue from natural resources in the county. However, in most cases the amount does not equal the revenue which the land would have yielded if it had been on the private tax rolls.

For example, in Itasca County, Minn., in my own congressional district, the Federal payment on 300,000 acres of Federal forest land located there is about \$40,000 or 13 cents per acre; it amounts to an astonishingly low 36 percent of the total annual county budget. Adjacent land in the county which is on the private tax rolls has been assessed at \$2.35 per acre. If Federal land were assessed at the private rate, revenue to the county would be \$705,000 or 6 percent of the budget.

When the Federal land in Itasca County is combined with Indian lands

and land in State or other public ownership, only 37 percent of the county's land remains in private ownership, on the tax rolls.

In general, the northlands counties which are rich in pines, birch, lakes, and streams are poor in financial resources. The present system of Federal Government payments actually penalizes them by denying them their natural source of revenue.

For this reason, I have introduced legislation to modify the system of payments-in-lieu of taxes. This legislation has been developed on a bipartisan basis, with strong support from all geographical areas of the country.

Under the provisions of this bill, each county containing natural resource lands could choose to continue receiving payments under the existing Federal shared-revenue programs related to public lands within their boundaries, or they could choose to accept a payment based on the assessed value of the Federal lands.

At present, 685 counties nationwide have Federal forest land on which they receive payments from the Federal Government. In addition, other counties receive payments for fish and wildlife, grazing and minerals on Federal land. These payments range from as little as 1 cent per acre in some Colorado, Idaho, and Montana counties to as much as \$9.69 in some Oregon counties. Of the counties receiving payments for Federal forest lands, 435 average less than 45 cents per acre and only 6 States—with 163 counties—averaged over \$1 per acre.

Congress first recognized the Govern-

ment's role and responsibility in providing compensation for the Federal presence within the counties in 1908 when the first legislation was passed establishing the rate of revenue payment for Federal forest lands. The law was revised in 1910 and the payment rate set at 25 percent of the revenue from the forest land; it has not been updated since.

The rates for grazing lands and mineral lands were also set over 40 years ago when country doctors still made house calls and the motorized buggies were chugging along dirt roads. Meanwhile, the need for sophisticated health services, universal education, well-maintained public roads, and adequate legal protection have become an accepted and necessary part of daily existence. In short, counties are trying to provide services for the seventies with a turn-of-the-century budget.

This legislation would not penalize those counties which are receiving adequate payments under the current formula, nor would it set up a special system of payments which would overcompensate others, but it does seek to create an equitable system under which the Federal Government would shoulder its fair share of financial responsibility.

It is no coincidence that 146 counties, which are classified as distressed areas under title I of the Public Works and Economic Development Act, also contain large amounts of Federal forest land. These counties cover about 25 percent of the national forest system and account for 44.4 million acres.

The overwhelming situation in county

after county is that the Federal payment does not approach tax equivalency and that the Federal Government's financial contribution is not commensurate with its presence in the county's backyard.

This legislation would allow each county the flexibility of deciding which system of Federal payments—the present percent of revenues or the proposed tax equivalency—would be the most advantageous for that county. It would reinforce decisionmaking at the county level where responsible local officials live with these problems day to day; and would provide a reliable and equitable payment system for county government, which would also bear the substantial responsibility of investing this new income wisely and stretching the new dollars to cover a multitude of growing expenses.

A great deal of credit for this legislation must go to the groundwork laid by the Public Land Law Review Commission, chaired by our former colleague, the Honorable Wayne Aspinall and to our late colleague, the Honorable John Saylor who initiated similar legislation in 1971.

I would like to include for the RECORD statistics on Federal payments by State for forest lands nationwide.

In conclusion, Mr. Speaker, recognizing the vital importance of this legislation, its far-reaching benefits to local governments, and the equity it affirms in Federal-local relationships, I earnestly hope we can look forward to committee action on this measure during this session of Congress.

The table referred to follows:

TABLE 1.—AVERAGE PAYMENTS PER ACRE AND PER CAPITA FOR FISCAL YEAR 1973 TO COUNTIES BY STATES FROM NATIONAL FOREST UNDER 16 U.S.C. 500 (25 PERCENT OF REVENUE FROM NATIONAL FORESTS)

| State | Population in national forest counties | Number of counties paid | National forest acreage | Payments 1973 | Average payment per capita | Average payment per acre |
|----------------------|--|-------------------------|-------------------------|---------------|----------------------------|--------------------------|
| Alabama | 595,310 | 16 | 636,415 | 297,364 | \$0.50 | \$0.47 |
| Alaska | 300,380 | 9 | 20,717,236 | 973,915 | 3.24 | .05 |
| Arizona | 1,710,080 | 13 | 11,383,613 | 1,970,705 | 1.52 | .17 |
| Arkansas | 618,760 | 28 | 2,458,307 | 968,199 | 1.56 | .39 |
| California | 13,770,060 | 40 | 20,050,109 | 27,520,688 | 2.00 | 1.37 |
| Colorado | 1,120,910 | 42 | 13,748,900 | 866,240 | .77 | .06 |
| Connecticut | | | | | | |
| Delaware | | | | | | |
| District of Columbia | | | | | | |
| Florida | 328,920 | 9 | 1,081,605 | 725,161 | 2.20 | .67 |
| Georgia | 436,910 | 25 | 843,582 | 355,627 | .81 | .42 |
| Hawaii | | | | | | |
| Idaho | 531,120 | 34 | 20,300,090 | 6,413,165 | 11.57 | .30 |
| Illinois | 195,660 | 10 | 250,794 | 43,443 | .22 | .17 |
| Indiana | 251,110 | 9 | 172,259 | 20,212 | .08 | .12 |
| Iowa | | | | | | |
| Kansas | | | | | | |
| Kentucky | 446,080 | 24 | 625,957 | 120,844 | .27 | .19 |
| Louisiana | 294,110 | 7 | 595,215 | 1,435,712 | 4.88 | 2.41 |
| Maine | 155,060 | 2 | 49,638 | 9,150 | .06 | .18 |
| Maryland | | | | | | |
| Massachusetts | | | | | | |
| Michigan | 1,231,040 | 34 | 2,698,068 | 308,971 | .25 | .11 |
| Minnesota | 333,820 | 7 | 2,048,038 | 108,598 | .54 | .09 |
| Mississippi | 821,000 | 33 | 1,136,694 | 1,662,454 | 2.02 | 1.46 |
| Missouri | 428,180 | 27 | 1,431,486 | 712,067 | 1.66 | .50 |
| Montana | 478,240 | 34 | 16,706,338 | 4,561,074 | \$9.54 | \$0.27 |
| Nebraska | 20,370 | 5 | 256,474 | 28,219 | 1.39 | .11 |
| Nevada | 474,910 | 14 | 5,110,627 | 133,249 | .28 | .03 |
| New Hampshire | 107,750 | 3 | 683,254 | 136,092 | 1.26 | .20 |
| New Jersey | | | | | | |
| New Mexico | 751,890 | 21 | 9,086,942 | 903,135 | 1.20 | .10 |
| New York | | | | | | |
| North Carolina | 863,230 | 25 | 1,137,097 | 252,693 | .29 | .22 |
| North Dakota | 8,980 | 1 | 756 | 0 | 0 | 0 |
| Ohio | 347,630 | 11 | 159,617 | 19,854 | .06 | .12 |
| Oklahoma | 60,780 | 2 | 244,384 | 143,317 | 2.36 | .57 |
| Oregon | 1,853,840 | 31 | 14,900,511 | 42,471,875 | 22.91 | 2.85 |
| Pennsylvania | 142,290 | 4 | 498,925 | 225,894 | 1.59 | .45 |
| Rhode Island | | | | | | |
| South Carolina | 611,620 | 13 | 598,466 | 792,611 | 1.30 | 1.32 |
| South Dakota | 107,480 | 6 | 1,122,403 | 82,628 | .77 | .07 |
| Tennessee | 414,120 | 10 | 617,652 | 82,786 | .20 | .13 |
| Texas | 266,130 | 12 | 661,780 | 702,754 | 2.64 | 1.06 |
| Utah | 1,056,580 | 29 | 7,995,365 | 284,243 | .27 | .04 |
| Vermont | 231,000 | 6 | 246,080 | 148,313 | .64 | .60 |
| Virginia | 731,980 | 30 | 1,586,723 | 101,835 | .14 | .06 |
| Washington | 2,775,000 | 27 | 10,625,411 | 17,395,765 | 6.27 | 1.64 |
| West Virginia | 178,290 | 12 | 954,308 | 151,902 | .85 | .16 |
| Wisconsin | 172,850 | 11 | 1,490,987 | 146,202 | .85 | .10 |
| Wyoming | 249,280 | 19 | 8,702,578 | 587,059 | 2.36 | .07 |

BAN THE HANDGUN—XVII

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. BINGHAM. Mr. Speaker, in his state of the Union message the President claimed that the Nation's Capital, which a few years ago threatened to become the

crime capital of the world, has, under his administration, experienced a 50-percent reduction in crime. Nevertheless, during the 24-hour period ending at 4 p.m. yesterday, 12 robberies of a serious nature occurred, 10 of them involving pistols. During the same period five serious assaults occurred, three involving guns. The victims of these assaults at gunpoint care little for statistics. Strict gun control laws are needed.

The attached article appeared in the

January 31 edition of the Washington Post:

CRIME AND JUSTICE

(The following serious crimes, arrests, indictments, sentences and trial results were reported by Washington police and courts in the 24 hours ending at 4 p.m. yesterday. Serious crimes include burglaries of more than \$500 or of public facilities, assaults that result in injuries that require medical treatment and robberies of more than \$100 or those involving personal injury or the use of a weapon:)

ROBBED

High's Dairy Store, 617 Sligo Ave., Silver Spring, was robbed of cash shortly before 11 a.m. Sunday by four men, one armed with a pistol.

Claudia Washington of Washington was robbed of cash at 11:35 p.m. Tuesday by two men, one armed with a pistol, who followed her into a hallway in her apartment building in the 600 block of Bellevue Street S.E.

Miles Long Sandwich Shop, 1302 Rhode Island Ave. NE, was held up about 10:45 p.m. Tuesday by a gunman who fled on foot.

Drug Fair, 2207 N. Pershing Dr., Arlington, was robbed of cash at 4:20 p.m. Tuesday by a man armed with a pistol.

Holiday Inn, 730 Monroe St. NE, was robbed of cash shortly after 1 a.m. yesterday by a gunman who told a clerk to lie on the floor while he fled.

Milton Brown Moore, a Washington taxicab driver, was held up about 12:15 a.m. yesterday by a man who got into his cab at 15th Street and Rhode Island Avenue NE and, when they reached his designation in the 4800 block of New Hampshire Avenue NW, police said he forced the victim to drive around the corner to the 400 block of Emerson Street NW and demanded cash at gunpoint.

Joseph A. Casciano, an employee of the Washington Star-News, was robbed by three youths who jumped onto his truck at 7 p.m. Tuesday and asked if he was going to the Star-News building. He told them he was and drove to the building, where one of them pulled a gun and told him to drive to the 100 block of Virginia Avenue SE. They then took his cash and fled on foot.

Johannie Edward Jones of Washington was robbed about 3 p.m. Tuesday by two men, one of whom hit him on the left cheek as he was leaving his apartment in the 3300 block of Wheeler Road SE and forced him back inside. The pair then made him go into his bathroom while they ransacked his apartment and fled on foot with goods.

Robert Leon Brown of Washington was robbed of cash shortly after 8 p.m. Tuesday by two gunmen, both of whom he knew, at Lawrence Street and South Dakota Avenue NE.

A Northwest Washington woman was robbed of cash at 1:15 p.m. Tuesday by a man who forced his way into her car in the 200 block of Adams Street NW at gunpoint. When she told the man she had no money, he made her drive into an alley and was about to rape her when she told him she had a check for \$208 and that she would cash it for him, police reported. They then drove to a bank near 18th Street and Columbia Road NW, where she cashed the check while he accompanied her and gave him \$125, the amount he demanded. She then drove him back to the 200 block of Adams Street NW, police said, where he fled on foot.

Diane Taylor, Muriel E. Hart and Edith Relneck, all of Washington, were robbed of cash at 8:40 p.m. Tuesday by three men, one of whom tricked the first victim into opening the door to her home in the 4100 block of Arkansas Avenue NW by telling her that her car was being damaged across the street. When she opened the door to investigate, they forced their way in at gunpoint.

Tyrone Gary Cope of Landover was robbed of cash at 7:45 p.m. Tuesday by a man who asked the victim to accompany him from 13th and K Street NW to a nightclub in the 1200 block of 12th Street NW. Once there, the man pulled a knife and ran out of the building with the victim's cash.

STOLEN

Tools valued at \$800 were stolen from the Sleepy Hollow Texaco Station on Arlington Boulevard in Arlington Sunday.

Cash totaling \$486 was stolen from McDonald's Restaurant, 14041 Lee Hwy, Arlington, Sunday.

Stereo equipment valued at \$750 was stolen from a home in the 7100 block of Fairchild Drive in Alexandria Friday.

Goods, including a rifle, savings bonds and stocks, were stolen from a home in the 1900 block of Dana Drive in Adelphi sometime Jan. 23.

A freezer, a refrigerator and a dishwasher, with a total value of \$900, were stolen from an unoccupied house in the 10800 block of Potomac Avenue in Glenn Dale between Jan. 17 and last Thursday.

A color television set and a black-and-white television set, with a total value of \$525, were stolen from an apartment in the 3400 block of Dodge Park Road in Landover last Thursday.

Coins totaling \$270 were stolen from some vending machines in the Pizza Plus Carry Out, 2427 Chillum Rd., Hyattsville, between 11 p.m. last Thursday and midnight Friday.

Goods, including a leather coat, an electric typewriter, a camera and a television set, were stolen from a home in the 1700 block of L Street NE sometime Saturday.

Goods, including a television set, a tape recorder, and jewelry, valued by the police at a total of \$1,200 and by the complainant at a total of \$1,255, were stolen from a home in the 2700 block of Olive Street NW about 6 p.m. Sunday.

A gold cart was stolen from a parking lot at Freedman's Hospital about 2:30 p.m. Tuesday.

ASSAULTED

A 20-year-old Wheaton woman was raped at 3:40 a.m. Saturday by a gunman wearing a ski mask who forced his way into her car in a parking lot, assaulted her and fled with cash.

Neal Lovett, Arthur Buchanan, Marie Mantz and Dinell Cheeks, all of Washington, were treated at Freedman's Hospital after a man ordered them to come out of a house in the 1700 block of Seaton Place NW and he and about five other men cut them with knives when they came out.

James William Jackson of Washington was treated at Freedman's Hospital for injuries he received about 2 p.m. Tuesday when he became involved in a fight with a man in the 1200 block of 9th Street NW and the man cut him on the left side of the face with a knife and fled on foot.

Rudolph Smith of Washington was admitted to Washington Hospital Center after he became involved in an altercation with a man at 4th and M Streets NW and the man shot him three times in the leg.

Andrew Jackson of Washington was treated at Providence Hospital for a wound he received about 5 p.m. Tuesday when two men robbed him of cash at Georgia Avenue and Upshur Street NW and one of the men shot him in the left foot when he attempted to run.

CLASS OF 1936 REUNION

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. BOLAND. Mr. Speaker, recently the class of 1936, Boston College, of which my good friend and colleague, "Tip" O'NEILL, was a graduate, honored him with a luncheon.

On that very special and memorable occasion, the Most Reverend Lawrence J. Riley, Auxiliary Bishop of Boston, and a few fellow classmates of "Tip" O'NEILL, gave a beautiful and inspirational invocation, which I am privileged to have placed in the RECORD, as follows:

INVOCATION BY THE MOST REVEREND LAWRENCE J. RILEY, AUXILIARY BISHOP OF BOSTON

Bless us, O Lord. Upon each of us, Thy love and Thy grace are bestowed abundantly, in accordance with our striving to fulfill Thy designs, in whatever post Thy Providence has assigned to each. To our honored guest, whose lofty position in our national government is freighted with gravest responsibility, grant wisdom and vision and foresight and judgment and patience and impartiality. Bestow upon him a keen sense of justice, a sympathetic understanding of his fellowman, a deep compassion for the needy and the unjust, and a profound respect for the sacredness of human life and the dignity of the human person—for all of us have been created in the image and likeness of God. May his leadership, his decisions, and his legislative activities bring honor to him, to his family, to his country, to his Church, to us who esteem him as a classmate, and most of all to Thee, O God. In these troubled times may the Holy Spirit be his constant companion. And may Thy graces be bestowed upon him in abundance, in order that he may always be Thy faithful servant, Thomas P. O'Neill, Jr.

We pray also for those members of the Class of 1936, whom Thou has called out of the world. Give them peace and rest for all eternity.

Bless all of us, O Lord. And bless these Thy gifts, which we are about to receive, from Thy bounty, through Christ our Lord. Amen.

THE 64TH ANNIVERSARY OF THE BOY SCOUTS

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. NATCHER. Mr. Speaker, on Friday, February 1, the Boy Scouts of America will launch a month-long observance of the 64th anniversary of this noteworthy organization. As you know, the purpose of the Boy Scouts of America, which was incorporated in 1910 and chartered by Congress in 1916, is to provide an educational program, for boys and young adults, designed to train in the responsibilities of participating citizenship, to build desirable qualities of character, and to develop personal fitness, thus to help in the development of American citizens.

Over the years we have seen evidence that these programs have been very successful in preparing our youth to meet the future with courage, and a deep commitment to contribute to the growth of their community and country both morally and spiritually. I am always delighted to have an opportunity to express my appreciation for the great achievements of this outstanding organization.

"Boypower '76," an 8-year, long-range plan, which was launched in 1969, to involve in scouting a representative one-third of all American boys by 1976, is proving to be highly successful inasmuch as at the start of the plan the BSA was reaching 1 out of every 4 boys and now there are increasing numbers of boys in the inner city, poverty pockets in rural areas, and on Indian reservations.

Project SOAR—save our American resources—one of the programs of Boypower '76 has as its focus for 1974 the

SOAR phase of GIFT—get involved for them—which is a concern with the world's environment and will emphasize a three-pronged approach—education, action, and aid—all directed toward improving the global environment, including our own.

Their plans include programs to collect solid waste materials such as paper, metal, and glass for recycling in order to earn money for a troop or pack and from these earnings a contribution will be made to the World Friendship Fund. This fund will in turn allocate funds to scouting associations of other countries for their own educational, environment, and action programs.

Operation Reach, another program which was inaugurated to create a climate and framework in which young people could help each other find their highs in real things instead of drugs is now a nationwide program. This program has been very effective inasmuch as it provides a positive approach to drug abuse prevention by making reliable drug information available to youth and their parents, thereby creating an atmosphere in which there can be frank discussion and better understanding between the two generations.

In 1973, for the first time in history, the National Scout Jamboree was held in two locations in order to make the jamboree experience available to more Scouts and leaders. Jamboree-East was held at Moraine State Park, Pa., and Jamboree-West was held at Farragut State Park, Idaho, during the first part of August. A national or world jamboree is an unequalled opportunity which provides experiences in travel, learning, and human understanding that are seldom available to youth in their formative years and undoubtedly there are many adults who still consider their jamboree experience a high point in their life.

As I have stated on previous occasions, I always enjoy recalling with sincere appreciation the experiences and adventures that were mine as a Boy Scout and I firmly believe that the basic concepts of this fine organization cannot fail to generate a deep realization of one's duty to God and country as well as a keen respect for the fundamental rights of all people.

The Second Congressional District of Kentucky again reflects an increase in the progress of Scouting and I am, of course, delighted to note this expansion.

Mr. Speaker, I am proud to have this opportunity to express my appreciation for this wonderful organization and I sincerely wish them every success in their future endeavors.

CONGRESSMAN JACK KEMP ANSWERS CONSTITUENT INQUIRIES ON ENERGY CRISIS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. KEMP. Mr. Speaker, the American public has been urged to restrict driving,

turn down thermostats, and dim lights to conserve energy. The average American must wait in lines blocks long for a few gallons of gasoline and send his children to school in the dark. There is not an individual, an industry, or function of government that has not been affected by the energy emergency and its attendant pressure on high prices and shortages. There are serious implications for our foreign policy and national security with the shortages putting unbelievable strains on our military commitments. The public is asking for and deserves justification for the inconvenience and sacrifice it has been asked to make.

Judging from the inquiries I have received, these aspects of the energy issue are foremost in the mind of the consuming public:

Are we faced with a real shortage or manipulation by the oil companies to increase their prices?

If there is, in fact, a shortage, what are our short- and long-term prospects?

Are sharp increases in petroleum prices inevitable?

What adjustments should be made in our tax laws relating to the oil industry?

INVENTORY REPORTING REQUIREMENTS

There is understandable and widespread uncertainty regarding the actual scope of the oil shortage. The energy gap expands and contracts from day to day and from report to report. It is not surprising, therefore, that there is a considerable lack of public confidence in available data on reserves of oil, gasoline, natural gas, and other forms of energy, with wide speculation that the oil companies themselves are the culprit for our present difficulties, having deliberately contrived the shortfalls to their own advantage.

Public skepticism over the severity of the energy crisis in itself constitutes a severe crisis in confidence which must be addressed by the Congress. It is vitally important for Congress, executive agencies, and the consuming public to have access to more complete and timely statistical data on oil industry operations.

RECENT SMALL BUSINESS HEARINGS

My Select Small Business Subcommittee recently held hearings in an effort to determine the adequacy of current Government procedures for collection of energy inventory and consumption data. The testimony presented coupled with my own research indicate substantial gaps in vitally important energy data. I have therefore sponsored legislation requiring producers of oil, refined petroleum products, and natural gas to provide the Federal Energy Office with all requested information concerning location and volume of crude oil, natural gas reserves and refined petroleum products and with reports of both existing and potential production rates of oil refineries and gas wells. The Comptroller General will audit these reports and verify their accuracy.

THE EXTENT OF THE SHORTAGE

While more accurate data is needed for both long- and short-term planning, I am convinced that a real energy shortage does exist, caused primarily by misdi-

rected and ineffective action by the Federal Government. Inept regulations and controls on the oil and gas industry for many years have lessened the incentive to explore for and develop additional sources of energy. Between 1956 and 1971, exploratory drilling dropped 57 percent. Why? During the same period, the Consumer Price Index climbed 60 percent, yet artificial Government controls on petroleum products and natural gas allowed a price increase substantially less than the Consumer Price Index. Combine these disincentives to produce with our critical lack of both refining and storage capacity and we have all the necessary ingredients for a severe shortage, with or without the Arab embargo. Economist John Kenneth Galbraith recently stated:

In the United States the scarcity of gasoline and home heating oil is due primarily to a shortage of American refining capacity. . . . So long as capacity is inadequate, the product will be short even if crude oil is available without limit.

While domestic production has leveled off, there has been a simultaneous and natural continuation of the historic trends in demand growth. The United States consumes approximately 17.3 million barrels per day of petroleum. Consumption this year is expected to reach over 19.1 million barrels per day. We depend increasingly, therefore, on imports of crude oil and refined products. The Arab embargo has reduced our imports to 5 million barrels per day. If the embargo were lifted now, we would need 7 million barrels per day for the immediate future just to compensate for the period of reduced imports.

In summary, charges of a contrived shortage are simply not borne out by the facts. Is it contrivance that demand has increased by 5 percent per year, while production started leveling off and even decreasing in the 1950's? Are curtailment of our imports because of decisions by foreign governments contrived? Is it contrived that with 6 percent of the world's population, we consume 35 percent of the world's energy output? Is it contrived that we are not drilling on the Outer Continental Shelf, on the North Slope of Alaska or converting oil shale or coal?

U.S. News & World Report recently cited statistics demonstrating that U.S. resources are by far the greatest energy potential of any Western nation. Our reserves include: 346 billion barrels of oil—a 58-year supply at current rates of consumption; 1,178 trillion cubic feet of natural gas—a 52-year supply; 1.6 trillion tons of coal—a 3,094-year supply; 1.6 trillion tons of nuclear fuel, uranium—a 100-year supply; and 189 billion barrels of shale oil—a 32-year supply. Devising a long-range plan to bring this vast energy potential to market is no easy task, but, given a policy of Government encouragement rather than disincentives, it is certainly not beyond the ability of American technology.

SHORT TERM PROJECTIONS

A recent report from the Federal Energy Office indicates that our situation is not as difficult as was originally projected. There are many reasons for this.

First, the oil embargo has not been completely effective. It is estimated that some 500,000 barrels per day of crude and refined products are still finding their way into the American market. In addition, the conservation measures asked of the American public and industry have been effective. During the 4 weeks ending December 28, 1973, a 6.3 percent savings in a group of selected products was seen. The various factors have resulted in a shortage of 1.4 million barrels per day in the last quarter of 1973, and a projected shortage of 2.7 million barrels per day for the first quarter of 1974. This is down from an original projected deficit of 3.3 million barrels per day. However, the gap between supply and demand is expected to increase in the second quarter of 1974 as we continue to draw on our reserves.

PRICING

The substantial increases in petroleum prices during the last year is due, in large part, to the very sharp rise in the cost of imported foreign crude oil and products. U.S. oil companies are permitted to "pass through" only the added cost to them of foreign crude and products.

The Government requires oil companies to blend domestic and foreign prices on the basis of mix. This requirement makes it difficult to rationalize the benefit of keeping full tankers off shore in expectation of higher prices and higher profits as has been charged in recent weeks.

"New" domestic oil and oil produced from low-volume "stripper" wells are no longer price controlled, and increases of about \$1 a barrel have been allowed for "old" domestic oil in recent months. We must make every effort, however, to insure that this pricing policy will result in increased drilling and greater production, adding to our total domestic supplies.

The price of controlled domestic crude oil is now \$5.15—a 36-percent increase over the past year. By comparison, the cost of imported crude oil has risen, on the average by more than 300 percent in 1 year—and is now in the neighborhood of \$12.80 a barrel. These figures become even more revealing when you consider the cost of producing the oil. It costs \$2.05 to produce one barrel of domestic oil; it costs \$0.08 to produce 1 barrel of oil from the Persian Gulf.

While prices generally should be determined by market forces rather than politicians—witness what happened when the administration tried to freeze the price of beef—the consumer should be protected against violent price aberrations and I will certainly support responsible attempts to protect consumers.

TAX REFORM BADLY NEEDED

Efforts are already underway in Congress to review and overhaul the Federal tax laws relating to the oil industry. I support this review and believe changes in the tax laws are necessary to both encourage investment in domestic exploration, production, and refining facets of the industry as well as to assure the American public that its sacrifices have not been undertaken merely to add to corporate profits.

The American taxpayer now subsidizes oil production worldwide under current tax laws. Now that the Arab nations have realized the effectiveness of the oil weapon, the American public is put in the ridiculous position of having that subsidized production embargoed or made available only at outrageous extortion prices. I do not believe that the American consumer and taxpayer should continue to provide the privilege of tax writeoffs, when these subsidies fail to produce oil for the American market.

The administration has submitted new oil tax provisions to the Congress for consideration. While they are a first step, actually they would have a negligible effect on the oil companies and would not produce the needed incentives to make domestic drilling more attractive than foreign drilling in order to increase this country's self-sufficiency. I therefore plan to sponsor legislation to terminate the overseas use of the percentage depletion allowance and the intangible drilling expense provision, to convert the use of the foreign tax credit by the oil companies to a business deduction and simultaneously to decontrol the petroleum industry from excessive federal regulation. As well as increasing Treasury revenues, these reforms will make investment in domestic production a much more economically feasible alternative than in foreign sources of production.

At the same time, the goal of total self-sufficiency is a very short-sighted objective. Project Independence is good to the extent that we are increasing domestic supplies. However, we cannot lose sight of the fact that our domestic resources are limited and, by replacing our consumption of foreign supplies with total self-sufficiency, we deplete our own resources that much more rapidly and bring on the day when our limited resources run out and we become totally dependent on overseas petroleum. The oil producing countries are clearly not lacking for customers and I believe it would be a serious diplomatic and economic mistake to use up our own oil—at current production cost of \$2.05 a barrel—and drop out of the market for Arabian oil—at 8 cents a barrel.

TRIBUTE TO DR. STEPHEN A. GREDEL

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. DULSKI. Mr. Speaker, many people in this Nation and abroad were deeply saddened by the recent death of Dr. Stephen A. Gredel of Buffalo, N.Y.

Although he had only been in the United States since 1957, he left a great mark on his adopted country, and is credited with revitalizing western New York's ethnic heritage. He was a founder and president of the Niagara Frontier Folk Art Council, and senior research historian for the Buffalo and Erie County Historical Society.

Dr. Gredel was born in Croatia in 1911, attained his master's and doctor's degrees at the University of Zagreb, served as an officer in the Yugoslav Army, then worked for the government in Zagreb, Vienna, and Essen. At the end of World War II, he became a librarian for the U.S. Army, then was an archivist with the Historical Society of Bamberg, Germany, before coming to the United States.

He is perhaps best known for contributions to the advancement of multiculturalism, but his historian's nature spanned the entire range of his new city's background, and work with the historical society led to both scholarly publications and ethnic presentations.

He was actively involved in the Erie County Sesquicentennial Committee; contributed to "History of Erie County 1870-1970"; and was the author of "Eight People of Our City and County" as well as "Pioneers of Buffalo, Its Growth and Development."

He was the recipient of numerous civic, ethnic, and national commendations and awards. Leader and honorary member of many ethnic organizations, his primary interest was in bringing together ethnic efforts and awareness while maintaining individual nationalistic pride and heritage.

I feel privileged to have been a personal friend of Stephen Gredel's. He was a good man, who lived an active life and contributed greatly to present and future generations. My deepest sympathy is extended to his wife Ljerka, his daughters, and grandson in their loss. Stephen Gredel will be greatly missed.

A VERY, VERY GRAY MARKET—
PETROCHEMICALS

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. SARASIN. Mr. Speaker, the energy crisis and its economic hardships, discomfort and inconvenience are all too familiar to all of us now, as are the doubts and unanswered questions many of us share with our constituents. We are all seeking facts, and they are not easy to come by.

We in New England and the Northeast know, and Mr. Simon has confirmed, that we are effected to an exceptional degree. Gasoline, heating oil, natural gas, industrial fuels, all these things are in short supply. The public—and we in Congress—must wonder about the information we have. For this reason, I am already joining in sponsorship of legislation calling for full and verifiable reporting of the things we need to know.

More immediately, however, information has been provided to me, and further documentation dug out, which supports the allegations that a very, very gray market, if not an outright black market, exists in the petrochemical supply system.

Petrochemicals, a term only now becoming generally known to the public,

refers to that portion of the crude oil "barrel" that is processed into the myriad products dependent—but not identified with—petroleum. This came to my attention because of the number of jobs directly dependent upon this industrial feedstock. By best estimates, there are about 10,600 jobs in my Connecticut district, and about 2 million in the country, dependent upon this supply. The name of the game is jobs, and I am committed to keeping people employed, in my district and all of America.

The information about marginal, questionable, probably unethical and possibly illegal activity I have uncovered in this area has already been placed in the hands of the proper investigative and enforcement officials. It certainly does not bode well for the confidence any of us might place in the information we have been provided regarding the overall "energy crisis" situation.

Based on the information I have before me, I will be introducing legislation dealing directly with this aspect on the problem on Monday. I am confident my colleagues will support this initiative. I look forward to a sharing of further information by my colleagues concerned with this situation.

NATIONAL ORGANIZATION FOR
WOMEN'S MARRIAGE AND DIVORCE CONFERENCE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Ms. ABZUG. Mr. Speaker, on Saturday, January 19 in New York City over 1,000 women and men participated in a Conference on Marriage and Divorce sponsored by the National Organization for Women. The conference was initiated and planned by many outstanding women but the main force behind the program was Betty Berry. Ms. Berry for the last 5 years has chaired the NOW Task Force on Marriage and Divorce and opened the conference. I would like to commend the opening remarks of Ms. Berry to the attention of my colleagues. I would also like to insert the full text of the keynote address that I made to the conference because the problems of marriage and divorce goes to the root of so many of our societal problems:

OPENING REMARKS BY BETTY BERRY, NATIONAL ORGANIZATION FOR WOMEN, MARRIAGE AND DIVORCE CONFERENCE, JANUARY 19, 1974

On behalf of the National Organization for Women, I would like to welcome you to the First Conference of the Marriage and Divorce Task Force. I am Betty Berry, Advisor to this Task Force which I headed for five years. It is a very great pleasure for me to open this historic Conference sponsored by the N.Y. State Chapters and the Eastern Regional Directors of N.O.W. The assistance of the N.Y. State Women's Unit of the Governor's Office in planning this event is also gratefully acknowledged. We are very happy to have those of you who are not members of N.O.W. with us today and to point out that membership in N.O.W. is open to men as well as women.

Our President, Wilma Scott Heide, regrets

she cannot be with us today but has sent this message.

"My heartiest congratulations to those of you who initiated, planned and will be participating in this important Conference. To challenge and charge the basic institutions of marriage—of whatever form, if any, and divorce, is to move from a double standard to a single standard for women and men. These are "gut level" societal issues. Only prior commitments prevent my being at the Conference to share in the discussions, plans and actions. I will be thinking of you all. Warmly, Wilma Scott Heide, President."

Since this Conference has been organized essentially by housewives I would like to open by paraphrasing a quotation from Isaiah which seems appropriate, "And they shall beat their pots and pans into printing presses, and weave their cloth into protest banners, nations of women shall lift up their voices with nations of other women, and they shall not accept discrimination anymore."

Before introducing our great keynote speakers, I would like to tell you about the Marriage and Divorce Task Force and the purpose of this Conference. N.O.W. was founded to bring women into fully equal partnership with men. The Marriage and Divorce Task Force has striven to change the concept of marriage to one of real equality—to make marriage a truly equal partnership. This is a philosophical idea, for at present the hard cold fact is that legally under our laws, and particularly in New York State, marriage for the dependent housewife can mean living under a benevolent dictatorship.

Financially, full equality in marriage for the housewife seems impossible until women receive their half of the dollar in the home. While our society pays lip service to the value of the housewife's role, our own government does not recognize the worth of her work in monetary terms. For instance, she cannot even get a social security card for her occupation as housewife.

Other concepts of marriage are changing and the traditional concept of lifetime marriage is being seriously challenged. Since 1968 the national divorce rate has increased 11% a year. In New York the number of divorce cases leaped 1,000% in five years. Divorce has become an oppressive social problem. It is no longer simply a legal matter for the courts, it is a sociological revolution, with many facets, whose magnitude and scope has scarcely been studied or outlined.

We do know that in the five years since 1968, broken homes have cost the American tax payer \$21 billion in welfare. We know that 13 million persons are divorced. We cannot even begin to calculate the human cost—but this weekend you will hear and see some of the tragic consequences.

N.O.W. is an action organization and for seven years we have lobbied in Washington and Albany, spoken at hearings and bar association meetings, appeared on t.v., and even picketed the courts to change the laws. We are now presenting this statewide conference whose purpose is to provide an open forum on marriage and divorce. The Conference was called because there is an urgency about the divorce situation that requires immediate action. This gathering provides an opportunity for the lawyers, judges, lawmakers, clergy, psychiatrists, sociologists and other professionals to hear and deal with the problems of divorced women and men.

We hope to come out of this Conference with a better understanding and knowledge of each other's problems and with creative, pragmatic solutions. For that is what N.O.W. is all about.

In particular we want to accomplish three things this weekend.

1. Proposed specific suggestions to the bar associations and courts for improving certain practices.

2. Issue immediate state and federal legis-

lative demands to correct the inequities in marriage and divorce.

3. Submit an outline to the N.O.W. national board for a national marriage and divorce program.

(Later, Ms. Berry reported the recommendations of the workshop on the Status of Marriage.)

The workshop on marriage was concerned with improving the status of marriage, making it more of an equal partnership and changing things within the structure of marriage.

Legislative action can be taken to implement better preparation for marriage and we have a national first coming from this workshop. That is Assemblyman Anthony Oliveri will introduce a bill in the N.Y. State Legislature providing for legal education for marriage, informing persons of their legal rights in marriage before marriage!

Another bill to be introduced in the State Legislature would make it clearly possible to retain one's maiden name upon marriage without any question, if the person so chooses.

Other recommendations for consideration called for homemaker payments. This would be devising a system whereby half of the income of the person who worked outside the marriage would be given to the person who stayed home. Possibly this could be done through federal legislation. An allotment system was mentioned. Other suggestions were a minimum wage for the housewife. Further exploration of marriage or divorce insurance was recommended.

A bill has been introduced in the legislature calling for tax deduction for the work of the homemaker in the home and for tax deductions for child care. Passage of a bill (introduced by Rep. Bella Abzug) giving homemakers social security coverage was endorsed.

A suggestion was made that the standard work week be more flexible, that is that hours be staggered so that more persons would have an opportunity to work.

SPEECH BY CONGRESSWOMAN BELLA ABZUG TO NOW MARRIAGE AND DIVORCE CONFERENCE, HOTEL COMMODORE, NEW YORK, JANUARY 19, 1974

I am very pleased to be here with you this morning to lead off the conference on marriage, divorce and associated problems. I don't know whether I was invited to speak because as a woman who has been married to the same man for almost 30 years I am considered an increasingly rare specimen or because as a Congresswoman, a member of N.O.W. and one of the activists in our great and growing women's movement I might have some comments to make on the politics of marriage. Perhaps those words are interchangeable because politics, like marriage, has been described as the art of compromise.

In any case, you could not have picked a more universal theme. It affects all women, whether we're engaged, married, divorced, separated, widowed or single, whether we're convinced that wedlock is the most blissful way of life or, on the contrary, that it's a male conspiracy to keep women wedded to and locked into subjugation.

Subjugation in the home, on the job, in education and personal relationships is the condition that has sparked the women's rebellion of the late 1960's and 70's. The rebellion takes many forms, it varies in tactics and emphasis, but our ultimate goals are the same: Women must be treated as individuals rather than as prisoners of sex stereotypes. We must have the same right and opportunity as men to develop our earning and creative capacities. We must be full and equal partners with men in the exercise of power, whether the arena is the family, the work place, or government.

While we are meeting here, on the other side of town at a union headquarters on

West 43rd Street hundreds of women are getting together this morning for the first time to organize a caucus of New York women trade unionists. Similar caucuses of union women have already been organized in other parts of the country. This is a development of enormous significance for working women and for our whole movement, and I know you will join me in welcoming its existence and its potential.

Too often, and for malicious purposes of ridicule, we have been described as a faddist movement of middle and upper class women engaged in nitpicking over how we should be addressed or where we are allowed to drink martinis.

In fact, we are primarily concerned with the most basic bread and butter aspects of living. We are concerned with the kinds of jobs women get, what we are paid, how we are promoted, and our conditions of employment, including employment in the home.

We are concerned with women's right to credit, to paid maternity leave and benefits, child care centers, pensions and social security, our right to such benefits as severance pay. And I think it is time that alimony be regarded as a form of severance pay to which women and, in some cases men, have a contractual right. We are concerned with women's rights to control our own bodies and to decide when and if to have children. And, most of all, we are concerned that 1974 see the final adoption of the equal rights amendment, which will make first class citizens at last of more than half our population.

One of the most unjustified charges leveled against our women's movement is that we do not speak for or represent the interests of housewives. The housewives referred to by our critics exist only in the imaginations of the dimwits who write those incredibly silly TV commercials in which women seem to exist solely in a world of coffee pots, waxed floors, Geritol and toilet bowls.

I wonder, has anyone here ever been able to identify with the so-called model housewives simpering at us from the TV screens? And yet many of us at some time in our lives have been housewives.

In fact, working women are housewives and housewives are working women, but without a weekly paycheck. We live longer than men and we do many different things in our lives, sometimes simultaneously and certainly over the years.

Nine out of ten of all American women work at some time in our lives, and more than half are working at any given time. The average woman worker is now 40 years old and married, and the average number of years she will spend in the workplace is 25.

According to a recent study, wives who are employed 30 hours or more a week spend an average of an additional 34 hours a week, almost five hours each day, on unpaid household work. For many of these women we need more part-time jobs and more flexible hours. I have proposed in a bill I recently introduced that the Federal civil service should provide more part-time flexible hours jobs to meet the special needs of working mothers.

What about the woman who at some period in her life works exclusively in the home, the woman who is described slightly as "just a housewife?"

I am indebted to the Chase Manhattan Bank for its pamphlet, "What's a Wife Worth?" which calculates that the average housewife, with no outside job, puts in a total of 99.6 hours a week at 12 different jobs in the home—all unpaid.

Listing jobs like nursemaid and laundress, cook and dishwasher, seamstress and maintenance worker, and in the suburbs, chauffeur,

Chase estimates that if all those services were paid for, they would cost \$159.34 each week, or \$8,285.68 a year. That happens to be more than the average salary of the woman who works outside the home. All together, Chase puts the worth of America's housewives at more than \$250 billion a year. Still another study, by Ann Crittenden Scott, estimates that the total wage of the average housewife should be more than \$13,000 a year, at present rates of pay.

More precious than gold, silver or even gasoline is the combined energy of millions of American housewives, and yet their unpaid work is taken for granted as something that will just spring forth eternally from compliant domestic slaves who are not regarded as individuals in their own right. If America's housewives ever placed an embargo on dispensing their free labor, the pilot lights on gas ranges would go out all over this land, the washing machines and vacuum cleaners would fall silent, husbands would not be driven to suburban trains, children would not be fetched and carried, and this Nation would discover a whole new definition of crisis.

I am not suggesting that housewives flex—or unflex—their muscles in that way, but I think it is time that their work be given dignity and their personal investment in marriage and family be given legal recognition.

It is a disgrace that under our present social security system, a woman who has spent most of her life working in the home has protection, such as it is, only as her husband's dependent. If her husband is not covered under social security, neither is she. If the marriage is terminated before 20 years she is not eligible for social security nor does she receive any credits for the years she has put in as a housewife.

I have introduced a Householders Benefit Act (HR 3217) which amends the Social Security Act to provide that "an individual who resides with and maintains a household for another person or persons (while such person or any of such persons is employed or self-employed) shall be considered as performing covered services in maintaining such household and shall be credited accordingly for benefit purposes."

The bill also provides that "the amount of wages which an individual is deemed to have been paid for householder service . . . with respect to any month shall be in an amount equal to the national average monthly wage for employment in service occupations in such month."

I believe that is a fair and modest proposal. What happens to it depends on whether women fight for it and get together to demand that the House Ways and Means Committee schedule hearings on the bill and bring the concept of equal rights into the Social Security system.

I have introduced another bill (HR 3218) which will extend Social Security equity to divorced women. The bill reduces from 20 to five years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for a wife's or widow's benefits.

Another piece of relevant legislation I have presented in Congress is HR 9240, which would remove the exemption from Federal employees whose salaries are now protected from garnishment even though the employee in question is refusing to comply with a court order for child support.

Marriage and divorce laws remain under state jurisdiction, although I understand that Betty Berry of N.O.W. suggested recently that we might redefine interstate commerce to include marriage, an interesting and provocative concept. Certainly there is an overwhelming need for a uniform marriage and

divorce law which will be operative in all the states.

The N.O.W. equal rights divorce reform bill, proposed in New York State, can serve as a model for all states. It recognizes the true nature of marriage as an equal economic partnership and the right of the wife to equal division of property at divorce.

You will be hearing the details of this proposed reform later, but I would like to express here my full support for this bill and to commend the sisters who have gathered the data that refute the misconception of divorced women as heartless alimony-seekers and present the truer and much harsher picture of women and children victimized by discriminatory divorce laws and failure of the courts to enforce support orders.

We must also recognize that the 1967 reform of New York's antiquated divorce law went only a small part of the way toward true reform and even created new problems. As a result of the so-called "no fault" amendment, there have been an increasing number of cases in which older women have had their marriages of 15 or 20 years or even longer arbitrarily dissolved through no fault or desire of their own.

One of the most pathetic sights in our culture is the older woman who has spent a lifetime caring for husband and children, submerging her own needs and talents, only to be cast aside for a younger and less work-worn woman. Too late she discovers that the law sees her only as an appendage of her husband. Too often she is denied her marital and constitutional right in the estate of her husband, estates which are often acquired by the contribution of the wife's earnings, inheritance, family gifts and years of unpaid labor in the home.

Divorced women with low incomes, and these are the majority, cannot afford the legal fees required by lawyers for the constant enforcement procedures now necessary. Court delays, inadequate legal representation, discriminatory decisions by male-dominated courts and the scandalous conditions in family courts are especially hard on women who do not have the financial resources to fight for their rights.

The law must be made explicit in its protection of women and children and this must be implemented by procedures that require no costly services of lawyers or lengthy delays.

Like all of you, I look forward to the day when marriage will truly be an equal partnership with both husband and wife sharing equally in their responsibilities toward each other and toward their children. Until that day comes, however, women and children must receive the full protection of the law to guarantee that they will no longer be the main losers and victims in divorce and separation cases.

That guarantee ultimately will come from the organized strength we show as women and our ability to use that strength where it counts. We can use it in public campaigns, in legislative lobbies, at the ballot box and, most important, we can use it to elect more women to political office and to get more women into the courts as judges.

We want equal partnership in marriage. We want equal partnership in political power.

Until recently, as you know, women have been assigned to the housework of politics doing the drudge work of mailings, telephoning, canvassing, and making coffee. They have donated literally hundreds of thousands of woman-hours to help elect men to office, men who then exclude them from any policy-making role.

In the 1972 election campaign, the National Republican Congressional Committee put out a manual instructing women on how

to comport themselves on just about every occasion. Dress, for example. They were told: "Not too short. Be certain hemline is straight. No missing buttons." They were told to wear light cologne instead of perfume, and wives of candidates received special instructions: "When your husband is speaking, watch him proudly, never appear bored, even if you have heard the same speech repeatedly."*

The Democrats, a little more in tune with the times, put out an instruction sheet for both wives and husbands, since several dozen Democratic women were running for Congress. A thoughtful husband, the manual advised, should squelch any rumors that his wife is running for office because their marriage is on the skids. (According to masculine folklore, why else would a woman want to be in Congress?) Husbands were also advised: "You can't become a homemaker. But you can serve TV dinners in a pinch. Help with the small daily tasks that pile up. Take her out to dinner when she's tired, and be understanding about inevitable changes that affect the household routine."

What more could we ask?

Actually, women are asking for a great deal more. We have the notion that since women are 53% of the electorate and 40% of the paid work force, since women are fully as competent, intelligent, educated and committed as men, and since we have had so little opportunity to be corrupted by power, that our time has come to have an equal share of political leadership.

We have a long way to go. Despite some modest gains made in the last election, we still have only 16 women out of 435 Members of the House of Representatives. There are no women at all in the United States Senate, which has 100 members. At a recent political action meeting I attended, which had been called by the National Women's Political caucus, one woman offered the following slogan: "A stag Senate means a stag-Nation."

Women are organizing to change that. We now have a national women's political action caucus, a bipartisan group—which is at work in most of the 50 States. Our objective is to make 1974 the political year of the woman. As a result of our efforts and the growing strength of the national women's rights movement, more and more women are running for office, and more are winning. They're running for local school boards, town councils, judgeships, county executives, State legislatures, statewide offices, and national office.

We did very well in Tuesday's elections. In my own State of New York, women broke through in a number of traditionally conservative areas and won election at the local and county level. I think we're going to see even more of that next year. In the aftermath of Watergate, voters will be looking for clean, honest, compassionate political leadership and they will be looking to women to help provide that.

The full entry of women into political life can mean a significant change in the existing power structure which has made the White House the private preserve of special interest groups and corporations, and made Congress a predominantly male, white, middle and upper class enclave.

We have a great country and a great constitution. That greatness is now being tested. The final returns are not yet in. The most corrupt government we have ever had remains in power, although badly crippled. With the exception of the vote in Congress to override Mr. Nixon's veto of the War Powers Act, this Congress—throughout the unfolding of the Watergate scandal—has failed to override Nixon vetoes of other essen-

tial programs—programs to provide emergency health services, a minimum wage bill, aid to the elderly and the handicapped, programs for basic human needs.

Under Mr. Nixon, our national purpose has been sold to the highest bidders—to the corporations and big business interests—while the needs of millions of ordinary Americans have been pushed aside. Our indignation can change that. Our protests can change that. Our determination to make this a genuinely open and democratic society with full participation of the electorate can change that. I have faith, as I know you do, that we shall prevail.

CONGRESS SHOULD REJECT PAY INCREASE

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. HUDNUT. Mr. Speaker, according to a report filed this week by the Associated Press, the President's fiscal year 1975 budget will propose salary increases for Members of Congress, the Cabinet, and other top Federal officials.

Under present law, the raise is almost automatic once the President proposes it formally. The only way to stop it is a negative vote by Congress within 30 days after the recommendation is submitted.

Once again I wish to state that I strongly oppose both the pay raise and the procedure whereby it would be adopted under present law. I feel that such a raise would be unconscionable. It would set a bad example for the Nation at a time when we are trying to hold the line against inflation and all Americans are being asked to make sacrifices. I think it would be unjustifiable in spite of the fact that Members of this great body have many heavy expenses.

Furthermore, I am very much against the procedures whereby pay raises would be slipped through the back door, so to speak. I believe we should have an opportunity to stand up and be counted on this subject. We should express our will and indicate by recorded vote whether we approve or disapprove of what is proposed.

Finally, if the pay raise is adopted, I will feel conscience bound not to accept the increase. I believe I made a contract with my constituents to serve and represent them in this Congress at a salary rate of \$42,500, and I also believe that having taken a stand for fiscal conservatism, balanced budgets, and restraints on spending elsewhere in this Congress, to be true to and consistent with my own principles, I must take a similar stand on this matter.

I am a cosponsor with the distinguished minority leader, the gentleman from Arizona (Mr. RHODES), of H.R. 9557, which would require a direct vote by Congress on the pay raise issue. It is my hope that immediate action will be taken by the Post Office and Civil Service Committee on this bill.

FIFTEEN WAYS TO BE A GOOD CONGRESSMAN

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. SARASIN. Mr. Speaker, many issues have captured the attention and concern of the American public during the last year, and one that commands a top priority position is the energy crisis.

A nationwide effort to conserve our energy resources was implemented, and the public's response was overwhelmingly enthusiastic. While notifying residents of my district of my intention to hold open forums on national matters, I took the opportunity to help in this effort by including a list of energy saving steps. One of my constituents responded in kind by providing his own check list, "15 Ways To Be a Good Congressman"—in italic. The points he made were certainly interesting and, without a doubt, food for thought.

The list follows:

CHECK LIST

1. Check the heating plant thoroughly. Cleaning and adjustment should take place yearly, preferably before the start of the heating season.

1. *Checks the promises you made your constituents, preferably before the start of the voting season.*

2. Keep thermostat setting at the lowest acceptable temperature. (Just two degrees lower will save approximately 7% of your fuel consumption.)

2. *Keep oil profits at lowest acceptable. Just .05 gallon less will save me approximately \$150.00.*

3. When leaving the house for a day or more, lower the thermostat to 60°.

3. *When leaving Congress for a day or more, take a train or drive a 6-cylinder car.*

4. Draw draperies and window shades and close shutters at night to limit heat loss through glass. Leave open during day to get benefits from solar heat.

4. *Keep your doors and phones closed to high pressure lobbyists. Leave open to your constituents to get benefits of true concerns.*

5. Check weather stripping around doors and windows for leaks. Install or replace when necessary.

5. *Check your attendance record for absences. Be sure to be on hand when necessary.*

6. Insulate your attic floor. This step alone can save up to 20% on fuel. Install storm windows and doors.

6. *Insulate yourself from big business. This step alone can save up to 17% on bread and fuel for your car.*

7. Make sure that heat sources (radiators and hot air registers) are not blocked by furniture, rugs or draperies. Let the heat circulate.

7. *Make sure that true issues are not blocked by Watergate. Let the truth about Exxon and Gulf, etc., circulate.*

8. Since heat rises, there will be an appreciable fuel saving if upper areas, particularly attics, are sealed off. Weather stripping the doors to the attic will be helpful, as well. Closing upstairs bedroom doors will also keep more heat in the living areas.

8. *Since taxes rise, there will be an appreciable reduction if Congress and the Senate and the Administration are sealed off from private profit margins.*

9. If you have a fireplace, make sure the damper is completely closed when the fire is

* Reported in Time magazine, October 30, 1972, page 12.

out. Don't allow heat to escape up the Chimney.

9. If you have a private office, make sure your thermostat is lowered when you're "in session."

10. Repair leaking hot water faucets promptly. A leak which fills a tea cup in ten minutes wastes 3,280 gallons of heated water per year.

10. Repair poor wheat and technological deals promptly. A poor deal wastes at least 100 pounds of steak a year.

11. Turn off the heat in rooms being ventilated and close the doors.

11. Turn off the heat on Watergate and close in on the cost of living.

12. If your garage is heated, keep the doors closed.

12. If your aim is to keep the pressure on big oil profiteers, keep the doors closed to oil deals.

13. Check the radiator enclosures to be sure they are not trapping heat.

13. Check your political contributions to be sure they are not trapping you into commitments.

14. Add a shield of metal or aluminum foil behind radiators to reflect heat into the room.

14. Add a periodical questionnaire to your periodicals to reflect the opinions of your constituents.

15. Be sure humidifier is functioning properly to increase heating comfort.

15. Be sure Congress is functioning properly to insure proper government.

America might be slightly cold, and there are legitimate concerns for the future, but, unfortunately, nothing seems to dampen the ingenuity or spirit of our people.

AGRICULTURAL LAND ASSESSMENT REFORM BILL

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. BYRON. Mr. Speaker, today I introduced the Agricultural Land Assessment Reform bill. Basically this bill would allow an owner of land that has been utilized as agricultural land, woodland, and scenic open space to elect to have this land assessed as farmland, woodland, or open space upon his death for estate tax purposes. At present, this land would be assessed at market value based on its highest use. The purpose of the bill is to help preserve the family farm in America.

When the owner of a family farms dies, under existing law his land is assessed at its highest use value. This type of assessment often requires the heirs to sell some of the inherited land to pay estate taxes. My bill would help keep agricultural land for farm purposes.

To qualify for an agricultural assessment, the owner would have to file an election with the Secretary of the Treasury or his delegate and would have to maintain the land as agricultural land 60 months before his death. His heirs would continue to benefit from the assessment unless the land was: first, sold or transferred or second, converted to a use other than farming, woodland, or scenic open space.

In the last 2 years it has become apparent that agriculture plays an ex-

remely important role in this country. The world food requirements are increasing and our agricultural sector has greatly aided our balance of payments in 1973. It is important to maintain our family farms and their contributions to our economy and our society. This bill would make these ends possible.

CPA AT USDA—III

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. FUQUA. Mr. Speaker, a subcommittee on which I serve is now considering proposals to create a Consumer Protection Agency. They are: H.R. 14 by Congressman ROSENTHAL, H.R. 21 by Congressman HOLFELD and HORTON, and H.R. 564 by Congressman BROWN of Ohio and myself.

I have asked selected agencies for lists of their proceedings which would be affected by a CPA under these bills, and have inserted their replies in the RECORD as received. I have already inserted, in two segments, part of the lengthy reply of the Department of Agriculture listing its 1972 proceedings and activities. Today I wish to call attention to those informal activities of USDA into which CPA agents would be authorized to intrude under the bills to protect consumers.

Mr. Speaker, for these reasons I insert in the RECORD that part of Secretary Earl Butz' letter listing those 1972 USDA informal activities which would have been subject to advocacy by a CPA under these bills if any were enacted at that time.

I include 13 through 20, inclusive:

Question 6: Will you please furnish me with a list of representative public and non-public activities proposed or initiated by your agency during calendar year 1972?

Answer: The following lists representative activities of the Department during 1972. Most of these activities are of a continuing nature and, therefore, would be initiated in any given year. Also, many of the activities of the Department are implicit in the responses to previous questions.

1. Determining eligibility of animals, animal products and other regulated articles for movement in interstate commerce or exportation (e.g., inspections, tests, and review of documents) prior to such movement, and determining eligibility of animals, animal products and other regulated articles for importation (e.g., by inspections, tests and review of documents) prior to shipment from foreign country or at U.S. port, under regulations (9 CFR Chapter I, Subchapters C and D) issued pursuant to various animal quarantine laws (19 U.S.C. 1306, 21 U.S.C. 102-105, 111-135b).

2. Issuance of orders for disposal of animals involved in interstate or foreign commerce and affected with or exposed to communicable disease of livestock or poultry or illegally moved; or orders for disposal of animals, carcasses, products and articles affected with or exposed to dangerous diseases of livestock or poultry on any premises in extraordinary emergency declared by the Secretary of Agriculture (21 U.S.C. 134a).

3. Seizure and disposal of animals, carcasses, products and articles if disposal orders under 2. are not obeyed (21 U.S.C. 134a).

4. Seizure and disposal of hay, straw, forage and similar material, and meats, hides or other animal products coming from infected foreign country or in transit in interstate commerce (21 U.S.C. 111).

5. Conduct of programs for control or eradication of livestock or poultry diseases and pests, including payment of certain claims (21 U.S.C. 114a, 114b-114f, 114g-114h).

6. Issuing notices to carriers and publishing newspaper notices regarding the existence of contagion of livestock or poultry diseases and the establishment of quarantines and regulations to prevent their interstate spread (21 U.S.C. 117, 123, 126).

7. Accreditation of veterinarians under regulations in 9 CFR Part 161.

8. Issuance of warning letters to accredited veterinarians for minor violations of standards for accredited veterinarians and to violators of regulations and statutes administered by the Department.

9. Determination of existence of disease pursuant to agreements with States.

10. Determining eligibility of plants, plant products and other articles for movement in interstate commerce, or importation (e.g., by inspections and certifications) prior to such movement or importation, under various regulations (7 CFR Chapter III, Parts 301-352), issued pursuant to the Plant Quarantine Act (7 U.S.C. 151 et seq.) and the Federal Plant Pest Act (7 U.S.C. 150aa et seq.).

11. Issuance of orders for disposal of products, articles and means of conveyance moved into or through the United States or interstate and moved in violation of the Federal Plant Pest Act (7 U.S.C. 150aa et seq.) or regulations thereunder or reasonably believed to be infested by a plant pest (7 U.S.C. 150dd).

12. Disposal of products, articles and means of conveyance if orders under 11. are not obeyed (7 U.S.C. 150dd).

13. Disposal of plants, plant products and other articles moved in interstate commerce or into the United States in violation of the Plant Quarantine Act (7 U.S.C. 151 et seq.) or regulations thereunder.

14. Certification as to freedom from insect pests and plant diseases of plants and plant products for export (7 U.S.C. 147a(b)).

15. Programs for control or eradication of insect pests, nematodes, and plant diseases, including payment of claims for certain destroyed property (7 U.S.C. 147a, 148-148e, 150-150g).

16. Issuing notices to carriers and publishing newspaper notices concerning establishment of quarantines and regulations to prevent the interstate spread of dangerous plant diseases or insect infestations (7 U.S.C. 161).

17. Issuance of standards for livestock carcasses, parts thereof, meat, meat food products, poultry and poultry products (21 U.S.C. 457, 607).

18. Approval of livestock carcasses, parts thereof, meat food products, poultry and poultry products or condemnation of adulterated articles (21 U.S.C. 455, 604, 606).

19. Approval or disapproval of labeling and containers for meat or poultry products (21 U.S.C. 457, 607).

20. Refusal or withdrawal of meat or poultry inspection under the Federal Meat Inspection Act or the Poultry Products Inspection Act.

21. Refusal or approval of entry of imported meat and poultry products (21 U.S.C. 466, 620).

22. Designation of states and specific establishments for application of Federal Meat or Poultry Products Inspection Act requirements to intrastate activities (21 U.S.C. 454, 661).

23. Detentions of adulterated, misbranded, or otherwise apparently violative meat and poultry products (some 640 in 1972) (21 U.S.C. 467a, 672).

24. Participating with international off-

cial in developing international food product standards of acceptance.

25. Conducting reviews of firms regulated under the Federal Meat Inspection Act or the Poultry Products Inspection Act, or other laws administered by this Department when a bona fide consumer complaint is received.

26. Various activities, including informal rulemaking, meetings and decisions, of the Commodity Credit Corporation concerning programs under which producers of agricultural commodities receive loans, payments, and other benefits, under the Commodity Credit Corporation Charter Act (15 U.S.C. 714 *et seq.*), the Agricultural Act of 1949, as amended (7 U.S.C. 1421 *et seq.*), the Agricultural Act of 1970, and the National Wool Act of 1954, as amended (7 U.S.C. 1781-1787).

27. Inventory and disposal operations of the Commodity Credit Corporation, including utilizing customary channels of trade in carrying on purchasing and selling activities and conducting warehousing, transporting, processing, and handling operations.

28. Commodity export programs of CCC including sales for export, disposition abroad of agricultural commodities under barter contracts, financing commercial credit sales by U.S. exporters of agricultural commodities, and making export payments on certain commodities exported by commercial exporters.

29. CCC program to provide storage adequate to fulfill its program needs, including purchase of storage bins and equipment, loans to producers for purchase, building or expansion of on-farm storage facilities, and sales to producers and others of storage bins.

30. Various activities of CCC relating to procurement and disposition (including donations) of agricultural commodities and products.

31. Advising the President when there is reason to believe imports of any articles interfere with Department of Agriculture programs with respect to agricultural commodities or products, with a view to consideration of import controls, under section 22 of the Agricultural Adjustment Act of 1933, as amended (7 U.S.C. 624).

32. Various activities under the Sugar Act of 1948, as amended (7 U.S.C. 1100 *et seq.*), such as determination of fair and reasonable rates of pay for workers employed in production, cultivation or harvesting sugar beets or sugar cane (7 U.S.C. 1131(c)(1)).

33. Issuance of directives concerning supervision of ASCS State and County offices and program management and issuance of press releases concerning various program announcements.

34. Establishing lists of agricultural commodities eligible for export under the barter program and establishing commodity-country listings of eligible exports.

35. Announcing (during 1972) daily export payment rates applicable to exports of wheat and wheat flour and weekly for rice.

36. Chartering vessels to carry bulk grain to developing countries under the Title II, Public Law 480 export program and enforcing the Cargo Preference Act.

37. Negotiating with representatives of importing countries about contract conditions that apply to P.L. 480 agricultural commodities; developing and issuing P.L. 480 commodity purchase authorizations that contain the terms that apply to export sales by U.S. suppliers; making certain that importing countries comply with all provisions of purchase authorizations; and assuring that U.S. suppliers comply with terms of both purchase authorizations and P.L. 480 financing regulations.

38. Determinations of class, quality, quantity or condition of agricultural products under Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*).

39. Compiling statistics on cotton from reports from the industry (7 U.S.C. 473).

40. Contacts by field representatives and

other field personnel with cotton growers, ginners, warehousemen, merchants, and others to discuss day-to-day program matters.

41. Determining whether a cooperative is a "cooperative association" under the Federal milk order program.

42. Issuance of interpretive samples to illustrate various grading factors under the U.S. standards for grain and rice under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*), and Part 68 of the regulations under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*).

43. Designation of persons to operate as official inspection agencies under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*).

44. Investigation of alleged violations under the Federal Seed Act (7 U.S.C. 1551 *et seq.*).

45. Issuance of certificates of plant variety protection and interpretations of the Plant Variety Protection Act and the regulations thereunder (7 U.S.C. 2321 *et seq.*).

46. Meeting with the Plant Variety Protection Board to review the regulations and rules of practice under the Plant Variety Protection Act (7 U.S.C. 2321 *et seq.*).

47. Various activities relating to procurement of agricultural commodities under Section 32 of the Act of August 24, 1935 (7 U.S.C. 612(c)).

48. Approve or reject proposed research under the Wheat Research and Promotion Act (7 U.S.C. 1292).

49. Informal discussion-type meetings with Federal agencies, cooperating non-Federal agencies, and trade groups to discuss standards and inspection of grain, rice, and seed.

50. Informal discussion-type meetings with trade groups to discuss marketing agreements and orders to stabilize prices under the Agricultural Marketing Act of 1937, as amended (7 U.S.C. 601 *et seq.*).

51. Intervening in proceedings before the Interstate Commerce Commission to assist in improving transportation services and facilities and in obtaining equitable and reasonable transportation rates and services and adequate transportation facilities for agricultural products and farm supplies (7 U.S.C. 1291, 1622(j)).

52. Designating boards of trade as contract markets (7 U.S.C. 8), and disapproving violative bylaws, rules, regulations, or resolutions made or proposed by contract markets that relate to terms and conditions in sales contracts (7 U.S.C. 12a).

53. Designating the form and manner of keeping of books and records by registrants under the Commodity Exchange Act (7 U.S.C. 6g).

54. Investigating the operations of contract markets and other persons subject to the Commodity Exchange Act and publishing the results of such investigations and such statistical information gathered therefrom as the Secretary may deem of interest to the public (7 U.S.C. 12, 12-1).

55. Meeting with commodity exchange liaison groups.

56. Posting and deposing of stockyards under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202).

57. Registering and approving bonds of livestock market agencies and dealers (7 U.S.C. 203, 204).

58. Authorizing the charging and collection of fees for brand inspection services and registering as market agencies the parties so authorized (7 U.S.C. 217a).

59. Attendance at industry conferences and meetings of technical and manufacturing groups.

60. Working with State and local welfare agencies to put significant changes in the Food Stamp Act into effect.

61. Making compliance visits to retailers participating in the Food Stamp program, investigating alleged violations, and disqualifying

retailers for violations (some 353 retailers were disqualified in 1972).

62. Inaugurating a food stamp quality control system to validate the eligibility and basis of coupon issuance determinations of non-assistance households and to determine if households denied participation were correctly denied.

63. Outlined State agency responsibilities in operating an outreach program required by the Food Stamp Act, established guidelines to organize and operate the program, and provided over five million copies of 30 different publications (some in Spanish) to help bring more eligible families into the program.

64. Conducted training courses for field supervisors and realigned field offices of the Food and Nutrition Service.

65. Various activities of the Forest Service relating to the management and sale of forest products, use of national forest land for grazing, commercial recreation facilities, and other commercial enterprises where authorized, and recreation services or other land uses, such as timber sales, issuance or denial of grazing permits, granting of special use permits, application of pesticides and herbicides, road construction, and fire prevention and suppression.

66. Conducting studies of wilderness areas, wild and scenic rivers, and areas and rivers for potential addition to these systems and making recommendations to the President and Congress.

67. Developing land use plans for the National Forests and accompanying environmental impact statements.

68. Cooperating with State forestry departments (providing funds and expertise) in land use planning, fire control, forest pest control, and management of State and private forest lands.

69. Making loans and carrying out related activities pursuant to the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*), for rural electrification and rural telephone service.

70. Initiated activities of Rural Telephone Bank created by P.L. 92-12.

71. Making, insuring, servicing, and collecting loans for rural housing, community development, farm ownership and operation, water and waste disposal, land conservation and utilization and emergencies caused by disasters.

72. Various activities relating to crop insurance programs under the Federal Crop Insurance Act (7 U.S.C. 1501 *et seq.*), including issuance of regulations containing terms and conditions of insurance, issuing interpretations of regulations, handling claims, computing coverages and premium rates, and processing reports of acreage and interests insured.

73. Initiating and entering into Market Development Agreements, for example, with the Brown-Swiss Cattle Breeders' Association and the Idaho, Oregon and Washington State Potato Commissions to assist in development of export markets for U.S. agricultural commodities and products.

74. Various activities in connection with programs administered by the Soil Conservation Service relating to conservation, flood prevention, watershed protection, and resource conservation and development, including determining land rights, planning and engineering requirements for projects, prescribing methods of and providing financial assistance for installing works of improvement, providing technical assistance to landusers, and making snow surveys to determine water availability.

75. Entering into research agreements relating to various aspects of cooperatives, such as (in 1972), cooperative sugar beet processing, market concentration and business strategies, marketing practices and factors affecting Southeastern broiler demand and supply, and economic potentials for cooper-

atives through integrated grain marketing systems.

76. Conducting educational meetings, seminars and conferences with cooperative organizations.

77. Various activities relating to funding of agricultural research carried out by State agricultural experiment stations, approved forestry schools, land-grant institutions and other institutions, including approval in advance of each research project submitted, disbursement of funds, and continuous review and evaluation of research programs.

78. Conducting national program of economic research relating to agriculture and rural America.

79. Carrying out statistical research and service, including review, clearance, coordination and improvement of statistics in the Department, research on and development of improved statistical techniques used in gathering and evaluating statistical data, data processing activities, with related systems analysis, and research, programming and processing of data.

80. Preparation and issuance of estimates of production, supply, price, and other aspects of the agricultural economy.

81. Developing regulations governing administrative processes for award and administration of grants and agreements by the Department of Agriculture.

SUPPORT FOR AUTO-TRAIN

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. O'NEILL. Mr. Speaker, modern and innovative intercity rail passenger service is making a vital contribution to America's public and private efforts to combat the present energy crisis. Citizens in the New England area as well as people all over this Nation are realizing that rail transportation makes good sense. It is safe, economical, and perhaps most importantly, it conserves our scarce gasoline supplies.

But a tremendous increase in rail ridership, due in part from the present gasoline shortages, has severely taxed the limited existing capacity that is currently available. While Amtrak has made dramatic improvements to satisfy the increase in demand, it suffers from inadequate equipment, often outmoded in quality.

Although I applaud Amtrak's attempts to up-grade its service, I think it is self-evident that Amtrak alone cannot do the job. For this reason, I have enthusiastically supported the creative and impressive efforts of Auto-Train to institute high-quality auto-ferry service in the East and in other parts of the country. In the 2 years in which it has been in operation between Washington and Florida, Auto-Train, a completely privately financed enterprise, has demonstrated that it can carry more than a quarter of a million passengers with comfort, speed, and convenience.

Now, Auto-Train is planning to inaugurate a similar service between Louisville and Florida which would bring to the people of the Midwest and upper South the same efficient service presently available to those along the Atlantic

seaboard. This additional service of Auto-Train promises to offer substantial benefits to even a larger share of the traveling public.

Like other Members of the House and Senate, I am deeply shocked to learn that Amtrak is seeking to frustrate Auto-Train's planned Louisville service. Last year, Amtrak led us to believe that it would take no such delaying action; Amtrak shared our conviction that Auto-Train could play a positive role in providing additional intercity transportation service. It was on the basis of this understanding that I supported the Amtrak Improvements Act, for I felt that it signified a mature recognition by Amtrak that Auto-Train has something of great value to offer.

Since then, Amtrak has reversed its position and is using Federal appropriations to deter Auto-Train, a relatively small and completely privately financed company, from trying to serve the public with badly needed transportation. In my opinion, this is absolutely contrary to the public interests. Rather than use its resources for the refurbishing of equipment and for other laudable objectives, Amtrak is mounting a senseless war against a small company that has already proven its value.

Today, I want to urge Amtrak to cease and desist from its blockading tactics against Auto-Train. This ridiculous legal bickering, which can only harm the public, should stop. Auto-Train should be authorized to begin its Louisville service at the earliest conceivable moment. If Amtrak also wants to provide auto-ferry service, I have no objection. At a time when this country so sorely requires better means of intercity travel, there is no justification for Amtrak, which was set up to service the public, to be devoting its energies to tactical maneuvers designed to keep a company which is not using taxpayers' dollars from trying to do its share.

THE 56TH ANNIVERSARY OF DECLARATION OF INDEPENDENCE OF ESTONIA

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. GOLDWATER. Mr. Speaker, tomorrow marks the beginning of the month which commemorates the 56th anniversary of the Declaration of Independence of the Republic of Estonia, now under Soviet control.

Even though the Estonian people have been occupied by Soviet Russia for several decades, they have tenaciously preserved, against all odds, their national identity and Western orientation. Their desire for freedom and national self-government remains strong. Realizing this, the United States has not recognized the forcible incorporation of Estonia into the Soviet Union.

These people, along with their fellow Baltic States Lithuania and Latvia

which also suffer under Soviet oppression, maintain their strong desire for freedom, but their will is stifled and dwarfed by the sheer size of their oppressor.

Their hopes, then, naturally turn to the greatest free democracy in the world, the United States. The question of liberation of Estonia and her fellow Baltic States must be pursued until withdrawal of all Soviet troops, and the return to their homes of all Baltic exiles is a proud accomplishment.

GILMAN SEEKS MORATORIUM ON GAS STATION CONSTRUCTION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. GILMAN. Mr. Speaker, I am today introducing legislation placing a 1-year moratorium on the construction of new retail gasoline stations in the United States. I do this regretting the circumstances that make this legislation necessary.

Two months ago, when public awareness of our energy crisis was first being generated, I wrote to the presidents of 30 major oil companies requesting information on the number of proposed new gas stations for 1974 and inquiring what parameters they were utilizing in planning new construction.

With the gasoline supply dwindling to critically low levels, it was my belief then, as it is now, that construction of new stations is not only imprudent but unfair to both the public and to gas station owners.

The costs of new stations—including land acquisition—must be considered since these costs are passed on to the consumer in the form of higher prices. Moreover, new station construction is unfair to gasoline retailers since demand far exceeds all available supplies. With limited amounts of gasoline available, more stations can only dilute the supply available to each retailer. Because all available gasoline can be readily sold, increasing the number of stations will only benefit the oil companies.

I would like to bring to the attention of my colleagues some of the replies I received from oil company representatives in response to my queries about new construction:

J. Carter Perkins, Vice President, Shell Oil Company: "We have stopped development in most instances where our contractual commitments allowed us to do so. . . . During the coming year we expect to complete approximately 40 to 45 stations nationwide."

Alton Whitehouse, Jr., President, Standard Oil of Ohio: "Our 1974 Sohio/Boron building program has been reduced 70% from normal levels. . . ."

Maurice Granville, Chairman of the Board, Texaco Oil Company: "Therefore it is necessary that some new construction continue. . . ."

J. E. Hamilton, General Manager, Amoco Oil Company: "There will be some service station relocation activity. . . ."

O. N. Miller, Chairman of the Board, Standard Oil Company of California: "Last spring we revised our retail construction budget policies. These new guidelines severely limit new service station construction."

R. M. Lilly, General Manager, Exxon Company, U.S.A.: "We have reexamined our investment policy earlier this year in light of the current supply situation. As a result of this reexamination, no new stations are being put under construction except in rare instances where a prior commitment exists."

While most of these responses indicate that gasoline station construction is being slowed down in some instances, it is by no means being brought to a halt. In my own district, I have received reports of stations under construction, which probably is the case in other districts across the country.

Accordingly, in light of the current energy crisis, it is appropriate to suspend such new construction in the best interests of our consumers.

Mr. Speaker, I invite my colleagues to join me in support of this measure and respectfully request that the full text be included in the Record as follows:

H.R. 12463

A bill to place a temporary moratorium on the construction of all retail gasoline outlets

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. That during the one-year period after the date of the enactment of this Act, no person, corporation, association, cooperative, or similar group shall construct a retail gasoline outlet or station in the United States. This Act shall in no way impair the performance of current outstanding contractual obligations of retail gasoline outlets now underway.

Sec. 2. Any person, corporation, association, cooperative, or similar group who violates the first section of this Act shall be fined not more than \$100,000.

Sec. 3. This Act shall take effect immediately.

AMERICANS CONCERNED ABOUT BIG GOVERNMENT

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ARCHER. Mr. Speaker, one problem which has been a major concern of mine is the growing power of the Federal Government. This power of the Central Government has been steadily increasing its hold over the lives of our citizens for the past four decades. Mr. Louis Harris conducted a poll recently for the Senate Subcommittee on Intergovernmental Relations, and the results reveal a serious concern by Americans over the role of big government. I share that concern. As big government continues to increase its powers, the rights of the individual citizen become less and less. Mr. Allan C. Brownfeld wrote an interesting column recently on the significance of this survey. I enter this informative column into the Record.

[From the Anaheim Bulletin, Dec. 18, 1973]

POLLS REVEAL AMERICANS LEERY OF BIG GOVERNMENT

A recent survey of public opinion conducted by Louis Harris and Associates for the Senate Subcommittee on Intergovernmental Relations has come up with a number of revealing discoveries. One is that the American people are not only disillusioned with the current Administration and its machinations over Watergate and related matters—but that most Americans distrust government itself. If the poll is correct, the majority of Americans believe that government programs have made their lives worse, and not better.

The survey sought to measure public attitudes and those of state and local government leaders on a wide range of issues facing the country. Its authors concluded that, in the wake of disclosures of government scandals this year, the public had become pessimistic and alienated. A clear majority, the survey showed, believe that "there is something deeply wrong" in the country.

Among the things that were wrong in the public's belief, according to the study, were that politicians were greedy and corrupt, that there was too much secrecy in Government and that "wiretapping and spying under the excuse of national security" were a threat to personal privacy.

The percentage of Americans who showed "a great deal of confidence" in the executive branch of government dropped from 41 per cent in 1966 to 27 per cent in 1972 to 19 per cent last September. The disenchantment cut across a number of statistical lines, with high proportions of persons in every income level and in every section of the country evidencing the feeling.

Asked what they thought were the two or three biggest problems facing the country, 72 per cent listed what the survey called "the traditional worry over economic problems." In second place, with 43 per cent calling it a problem was "integrity in government." Only 5 per cent had cited government integrity in answer to the same question in 1972. Asked whether life had improved or deteriorated during the previous ten years—the decade with the most government involvement in the economy and other aspects of American life—45 per cent expressed the view that the quality of life had deteriorated.

The American people believe that big government is no longer responsive to them and to their wishes. Louis Harris noted that, "... the main thrust of the people's disaffection can be traced to a growing sense of powerlessness, to a deep feeling that those with power seek to abridge, deny, and even strip away the ultimate power of the governed. This felt tyranny of erosion of the people's power and freedom has not been viewed as a sudden development, is not limited to one act or one leader or one period in recent history. It has been taking place for several years, and its very duration escalates a serious condition into a full-blown crisis of confidence."

Pollster Harris found that only 24 per cent of those polled believe that government officials place "the good of the country above special interests," only 34 per cent believe that "public officials are dedicated to helping the country," and only 13 per cent believe that "corruption and payoffs never take place."

It is no wonder that Americans have no faith in government. Government programs have on almost every level, created problems rather than solved them. Inflation, for example, is caused by an artificial increase in the money supply required by increased deficit spending. Still, political leaders who say they want to cure the problem of inflation only make things worse with coercive wage and price controls. No one in public life any longer speaks of balanced budgets. The same government coercion has made things far worse for all Americans in such

fields as housing, agriculture, welfare, and education.

To most Americans, government means coercion. It means paying ever higher taxes, having children bused to school far from home, being forced to wear automobile seat belts, being denied necessary vitamins and drugs by the F.D.A., being told what categories of people to hire, and what conditions to provide for them in business, being told what to plant and how much you may be paid for it in agriculture. If government has any real function to perform all would agree that it is protecting the honest citizen from crime and violence. Yet here, government is weighted on the side of the criminal, and our streets are increasingly unsafe.

Government's mounting involvement in all aspects of our social and economic life is reminiscent of the increased power of the bureaucracy at the beginning of the decline of Rome. Discussing Rome's twilight years, Trevor notes that, "The relentless system of taxation, requisition and compulsory labor was administered by an army of military bureaucrats . . . Everywhere . . . were the ubiquitous personal agents of the emperors to spy out any remotest case of attempted strikes for evasion of taxes . . ."

Trevor writes that, "... the endless round of government, bureaucracy, taxation, arbitrary governmental decision, interference in private lives, and destruction of the small operator, produced the situation in which the Roman Empire no longer enjoyed economic health . . . Rome was then headed for decline."

The Harris poll indicates that most Americans are coming to the conclusion Murray Rothbard expressed in his book, "For a New Liberty": "We have the police to protect us from the criminals, but who do we have to protect us from the government?" If conservatives believe that the path to electoral success is to provide voters with a carbon copy of liberal, big-government programs, Louis Harris indicates that they are mistaken. In this case, good politics, good government, and what is best for a free society seem to go hand in hand.

NAPOLEON GARCIA AND HIS ENDANGERED DREAM

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. KEMP. Mr. Speaker, as I observed in the Record last November when I commented on the now famous remarks of Gordon Sinclair, the Canadian radio and television commentator, it is not too often that we get a chance to see ourselves as our neighbors see us.

Today, I wish to bring your attention to one of our neighbors from south of the border, Mr. Napoleon Garcia, 26 years old and a native of Chicalyo, Peru.

This young man's views of the United States, his beliefs in the opportunities afforded in our country and his related concern for the people of his homeland, I believe, are akin in several respects to those held by both the immigrants who came here in generations past and millions of others, still living in other lands who maintain their faith in the American dream.

I have recently been privileged to become acquainted with Napoleon, a close acquaintance of one of my congressional staff assistants.

When I heard his story, Mr. Speaker, I decided I would share it with my colleagues.

This young man is from a family of nine, including seven children. With ancient Inca roots, he grew up in a family of limited means. Every scrap of food was precious, eyes of fish were prized for protein and clothing was handed down from one child to the next.

He grew up with strong beliefs in man's Creator, family ties, and self-sufficiency based on a day's pay for a day's hard work.

From the time he was 12 years old, Napoleon dreamed of studying medicine and becoming a doctor.

A voracious reader, he discovered early in his boyhood that medical training in the United States was more readily available, and in many respects, superior to that available in his native Peru.

Besides, this one-time candidate for the priesthood became convinced that one of the best ways he could contribute to the many needs of those in his community, where there are less than 50 doctors for a population of more than 50,000, was to be able to help heal the sick and minister to the infirm.

He has, he told me, witnessed the dying of friends and relatives because they could not readily obtain medical attention.

So early in his life he became determined to find a way to travel to the United States to fulfill his dream.

He and other members of his family worked, saved, and scraped to accumulate the necessary funds. Finally, on July 1, 1967, at the age of 20 and with a student visa, he arrived in the United States, the first member of his family to journey to the land of promise and opportunity, far to the north.

Napoleon traveled directly to Washington where he had the commitment of a job in exchange for half of his tuition and with a pledge from his family to pay remaining fees and provide him with \$150 a month for expenses.

He could not speak, read, nor write English. Although he had the opportunity to reside with other Peruvians, he decided to room with Americans to develop his English skills.

Napoleon worked at the university as a laborer, cleaning laboratories, cutting grass, raking leaves, and shoveling snow as he concentrated on his goal of learning the language of his new American acquaintances and to be able to pursue additional studies.

Tuition, just to study English, was \$520 a semester. During his first two semesters, he paid half of this amount because of the work agreement. But in his third semester, he had to relinquish his role as a university part-time employee to another worthy student, a change in circumstances that required him to pay the full \$520.

Feeling he needed additional training in English, he enrolled at Temple where he paid \$300.

He recalls:
I quickly found that it is nearly impossible to enroll in an American university for the pursuit of varied subjects unless you possess the skill to pass the English entrance test

which even some native U. S. students find difficult.

Napoleon mastered English. He speaks it with more precision than many U.S. high school graduates. He has never failed any academic course. He has proved to be an exceptional student in many fields of learning.

From Temple, he went on to Montgomery Junior College where he completed seven semesters. The first three cost him \$550 each because he was not a county resident, compared to a resident's cost of \$198 a semester. The remaining four semesters each cost him \$620, some \$400 above a resident's cost.

These expenses did not include books, which he estimates cost him about \$60 a semester, and such expenses as a place to live, transportation, and food.

He mastered such subjects as biology, mathematics, including trigonometry, chemistry, physics, comparative anatomy, sociology, psychology, and advanced English composition.

On last December 7, Napoleon suffered what was to become his own, personal Pearl Harbor of sorts.

As he was driving his old Volkswagen beetle to school in Montgomery County, a policeman signaled him to halt his car to allow a funeral procession to pass his line of traffic.

A large, loaded dump truck, two vehicles behind him, failed to halt. It rammed a station wagon behind him which, in turn, collided with his car and hurled him nearly half a block onto a median strip.

Napoleon's car was totally demolished. He suffered a whiplash and was fitted with a neck brace, at a time when he was preparing for final semester examinations.

Despite his injury, he took his examinations before Christmas and passed them, going as far as he could go in his premed studies at a junior college.

But he was without transportation he needed to apply for entrance at the University of Maryland. He incurred medical bills, piled on top of already inflated expenses, for housing, for food, and other daily cost-of-living requirements. He is still under a doctor's care.

His family's guarantee of \$150 a month barely met his expenses for food. At \$5 a day, that amount would eat up all of the monthly stipend, leaving nothing for lodging, nor other expenses.

During the second week of December, after the accident, he applied for a working permit from the Immigration Department.

But it was not forthcoming. Confronted with bills, expenses he could not meet without supplementary income, he took a job as a restaurant waiter.

Early last week, he reported to work early. As he waited to go on duty for the evening dinner rush, Immigration inspectors entered his place of employment.

Napoleon was cited for violating a requirement not to work while on a student visa.

Two days later, he was officially notified by the Immigration Service that

he must leave the United States by February 12.

As the result of an accident beyond his control, as the result of an inflation he cannot cope with and as a result of his compulsion to gain knowledge to help others, he had violated the rules of the Immigration Code.

Mr. Speaker, Napoleon Garcia has never asked for something for nothing in his 26 years on this Earth. He has never been a recipient of a single American tax dollar, nor has he ever sought public assistance.

He and his family in Peru have contributed to the economy of the United States. His tuition, alone, has totaled \$5,470 since he came to Washington. What he has paid in terms of books, shelter, and other living expenses—in an effort to acquire the knowledge and skills to serve his countrymen—is in addition to that paid U.S. educational institutions.

I, for one, have an abiding belief in the sanctity of our laws, including those designed for the protection of American workers. But I know of tens of thousands of immigrants who are recipients of food stamps and other public assistance.

As Gordon Sinclair has so eloquently stated, America has not been wanting for those in want.

But, I for one, believe America has a heart. I believe that the people of the United States, a land where opportunity is the greatest of the human freedoms, would not consciously end the dream of such a dedicated young man.

I will urge the Immigration Service to reconsider their decision in the case of Napoleon Garcia. In the spirit of the Alliance of Progress and the other programs designed to help those who help themselves, I will urge that the decision for his deportation be delayed until he is given the fullest, fairest hearing commensurate with our traditional spirit of international neighborliness.

Mr. Speaker, I have the honor of being a Member of Congress from the State of New York. To me, the Statue of Liberty still represents the opportunity envisioned by those who came before us.

Mankind is one. Freedom is universal. True opportunity should not be confined to national borders. The world is too small. Spirits like that of Napoleon Garcia should not be suffocated.

STATEMENT OF NASS ON POST-CARD REGISTRATION BILL

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. FRENZEL. Mr. Speaker, the executive committee of the National Association of Secretaries of State—NASS—and their Federal elections subcommittee met this week in Washington, D.C. The chairman of NASS, the Honorable James C. Kirkpatrick from Missouri, forwarded to me a copy of their statement

on H.R. 8053, the postcard voter registration bill. It is as follows:

This resolution was considered by the Executive Committee of the National Association of Secretaries of State. It was not adopted, due to the absence of a quorum.

It is the consensus of the Executive Committee, however, that it accurately represents the NASS position, and should be used as such in negotiation sessions with other groups regarding the proposed bill.

Whereas, the smooth functioning of America's election systems is of vital importance to all citizens, both to guarantee unimpeded access to the right to vote as well as to encourage full participation by the nation's voters, and,

Whereas, the National Association of Secretaries of State has supported and developed new programs and methods of election administration, for the purpose of increasing voter registration and participation, and,

Whereas, the various states and their local election officials have been most successful in the past two years in adding voters to the registration rolls and simplifying voting procedures, and,

Whereas, the House of Representatives is presently considering H.R. 8053, a bill allegedly designed to further increase registration, and,

Whereas, as presently drafted, H.R. 8053, in the opinion of the Executive Committee of the National Association of Secretaries of State, will not achieve its desired effect, but will, in fact, have the contrary effect, by confusing voters, eliminating existing safeguards against fraud, complicating election procedures, disenfranchising voters, and tremendously increasing administrative costs, now, therefore,

Be it resolved, that the Executive Committee of the National Association of Secretaries of State hereby express its total and complete opposition to the present draft of H.R. 8053, for the reasons stated above, and, further,

Be it resolved, that the officers of this association are directed to communicate to the members of the House of Representatives our position regarding the present draft of H.R. 8053, and to urge them to support our position.

The following resolution was passed in August at their national conference in Williamsburg. The resolution also appears in the minority views in the committee report on the postcard bill.

Whereas, elections for local, state and federal officers are conducted by, and under the election laws of, the respective states and;

Whereas, the proper administration and effectiveness of the elections process depends upon the maintenance of a single and coordinated system for the election of all public officials and;

Whereas, the Congress of the United States has evidenced ever-increasing involvement and interest in the elections process, now, therefore,

Be it resolved by the National Association of Secretaries of State that the Congress, and all federal officials who prepare rules and regulations affecting elections, are hereby memorialized and requested to confer with representatives of the National Association of Secretaries of State, and the chief elections officials of the respective states, to the end that every effort be made to continue to provide unified and single laws, rules and procedures for all elections, rather than a dual system—one for federal officials, and another for state and local officials, and that the states be permitted to continue to adopt uniform laws applicable to all types of elections.

Be it further resolved that the Congress is hereby memorialized and requested that any funds it appropriates for elections or registra-

tion should be appropriated in the form of "bloc" rather than categorical grants.

Be it further resolved that no federal election legislation should attempt to place federal work assignments and responsibilities on state and local officials or employees except in audit procedures instituted on federal grants made to the states or other local governments or local governmental subdivisions.

Be it further resolved that copies of this resolution be transmitted to the members of the Congress of the United States.

This resolution initially proposed by Wade O. Martin, Jr.

Approved by:

WADE O. MARTIN, Jr.,
Secretary of State, Louisiana, Chairman.

TRIBUTE TO A DISTINGUISHED FRIEND, THE LATE HONORABLE HAROLD D. COOLEY OF NORTH CAROLINA

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ROONEY of New York. Mr. Speaker, I was deeply shocked and saddened, as I am sure a great many of the Members of this House were, at the recent passing of our distinguished former colleague and my good and long-time friend, the Honorable Harold D. Cooley of North Carolina.

Harold Dunbar Cooley was a man of extraordinary ability and insight both as a legislator and as a human being. He represented his congressional district well and honorably for over 30 years. For 16 of those years he was the chairman of the House Committee on Agriculture where he oversaw and greatly aided the continued growth and progress of all phases of American agriculture.

As you know, Mr. Speaker, Harold was considered a fighting, tart-tongued debater who was normally right in the center of most farm debates here on the House floor. I always enjoyed the opportunity to watch and hear him work on the floor in handling his difficult bills. His reputation for aggressively working for the betterment of the tobacco and cotton farmers, particularly those in his native North Carolina, was never legendary.

Harold Cooley was a southerner who was internationally minded and served his country in a number of important and difficult assignments abroad. In 1947 he was a delegate to the Interparliamentary Conference held in Cairo. He was a delegate to the 1948 conference held in Rome to which I was also a delegate. Harold acted as a consultant and congressional adviser to the United Nations Educational, Scientific, and Cultural Organization and was a member of the Select Committee on Economic Aid to European Countries in the 80th Congress. He was also a strong supporter of foreign reciprocal trade agreements.

Mr. Speaker, many of us here will miss Harold Cooley very much. I well remember his kindness and hospitality in April 1953 when he insisted that Mrs. Rooney and I stay at his fine home in Nashville.

To his gracious and lovely wife, Madeline, and to his son and daughter, the ROONEYS extend their deepest sympathy and prayers in their great loss.

INTERDEPENDENCE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

INTERDEPENDENCE

Even though many Americans are finding inconvenience and hardship in the energy shortage, I have come to the conclusion that the shortage may not be all bad because it signals to us an important warning.

Many of our troubles today stem from our extravagant consumption, and perhaps it is better to learn now that we live in a finite world with limited resources, when it won't hurt too badly, than to learn the lesson later, when it could ruin us.

No country is endowed with all the resources needed by a modern industrial society. Although Americans usually think of poor countries being dependent upon rich countries, the U.S. and the other industrial giants are increasingly dependent upon the resources of the poor countries.

The U.S., which consumes each year from 1/4 to 1/2 of most minerals, is now almost completely dependent on foreign sources for 22 of the 74 non-energy mineral commodities considered essential to a modern industrial country, and depends on imports for more than 1/2 of its supply of 6 of 13 basic raw materials (aluminum, chromium, manganese, nickel, tin and zinc). The natural reserves of these critical items are in underdeveloped countries, and in many instances a handful of nations have the bulk of the supply.

A chief worry of many government officials is that a few nations that have most of the supply of a given material may follow the example of the Arab oil countries and try to blackmail the rest of the world. Four countries control more than 80% of the world copper supply, two countries account for 70% of all tin exports and four countries control half of the natural rubber. Bauxite is another example. It is the basic ingredient for the manufacture of aluminum, and only five countries are the chief suppliers. Last week the principal bauxite producers were called to a February meeting, which has U.S. officials concerned.

Another worry is that at present rates of consumption the materials will be used up. Coal and iron will not be exhausted for centuries, but others, like oil, have a potential exhaustion date early in the next century. To be sure, there is doubt about these dates, and many actions and events could alter them, but whatever the exhaustion dates turn out to be, they will come sometime because resources are finite. Competition among nations for these scarce materials is already getting fierce.

Still another concern is that the cost of these raw materials, projected to run about \$18 billion for the U.S. in 1985, will place enormous pressure on the U.S. balance of payments. U.S. dependence on other countries will be reflected in the rising prices of these materials, as well as actual and threatened cut-off of supplies.

The situation isn't entirely bleak. The U.S. is not helpless because it is rich in natural resources, but, even so, it must take

several steps to assure an adequate supply of raw materials for the future. We must develop more fully the resources we have, even if the material, like our low grade iron ore, has some disadvantages. Emergency supplies should be stockpiled, and conservation programs developed. In foreign policy, which in recent years has focused on the big powers, more attention will have to be paid to the underdeveloped countries, as we realize how vital to us the countries are that furnish us raw materials.

We will have to redouble our efforts toward international cooperation in the exploitation and distribution of the world's resources, even though reconciling conflicting interests around the world will be difficult until many more people see the necessity of it.

In an era of resource scarcity, international economic policy must provide for access, in equal terms, to the raw materials of the world, and a major thrust of U.S. foreign policy must be to develop new international rules and procedures to assure this equal access. Import and export controls will need to be regulated and limited; interested parties must be heard before action is taken; and other more advanced steps, like long-term contracts and sharing arrangements, may be required.

International cooperation is the only conceivable basis for structuring a world economic order capable of meeting the challenge of scarce resources.

STATEMENT OF MR. SMITH ON THE PROPOSED AMENDMENT TO RULES 803 AND 804 OF THE FEDERAL RULES OF EVIDENCE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. SMITH of New York. Mr. Speaker, I have today caused to be inserted in the CONGRESSIONAL RECORD the text of an amendment which I shall offer to H.R. 5463, the Federal Rules of Evidence, dealing with exceptions to the hearsay rule. So that other Members may consider this important matter prior to the floor debate, I would like briefly to explain the background of and reasons for this proposed amendment.

The Federal Rules of Evidence, as submitted by the Supreme Court to Congress, contained identical provisions situated at the end of rules 803 and 804—which set forth the various hearsay exceptions—to the effect that the Federal courts were empowered to admit any hearsay statement not specifically covered by any of the foregoing exceptions, if the hearsay statement were found to have “comparable circumstantial guarantees of trustworthiness.” The argument for these rules was that, notwithstanding that the Federal Rules of Evidence are a code of evidence designed to be as precise and complete a statement of the law as is possible, some judicial flexibility was still needed to take account of situations which might arise that were unforeseen by the draftsmen of the code, yet where hearsay evidence was so clearly reliable that it would be unjust not to admit it.

After considering these rules, however, the Criminal Justice Subcommittee of

the Judiciary Committee, with my concurrence, voted to delete them on the ground that they allowed too much judicial discretion in the hearsay area and prevented parties from preparing adequately for trial since they could not know with sufficient certainty what evidence would be admissible.

Thereafter, when the subcommittee's draft containing the omission of these proposed rules was circulated to the bar and the public, much comment was received on this issue, most of it adverse to the elimination of these provisions. Among the constructive comments which the subcommittee received were those of a special committee of the American Bar Association and a District of Columbia Bar Committee recommending reinsertion of the provisions but in a modified form designed to cure the objections that had motivated the subcommittee to delete them. It is the specific recommendation of the ABA special committee that I intend to offer as an amendment.

Under the amendment, the principal change from the court's version of these rules is that the party seeking to introduce a hearsay statement not specifically covered by an enumerated exception must give adequate notice to the adverse party of his intention to do so; thus the adverse party is enabled to prepare to meet the evidence at trial. In addition, the amendment substitutes the phrase “equivalent circumstantial probability of trustworthiness” for the court's phrase “comparable circumstantial guarantees of trustworthiness,” with the word “equivalent” intended to narrow the degree of discretion exercisable by the trial judge to admit the evidence.

In my view, the proposed amendment's benefits far exceed any possible disadvantages. For example, it would permit the courts to take account of changes in technology which may render some forms of hearsay evidence, such as a lie detector test, hitherto deemed unreliable, sufficiently accurate so that their admission into evidence is proper. It is, of course, true, as opponents of the amendment may argue, that the rules of evidence can be amended to deal with presently unforeseen fact situations and technological developments, but that is of small consolation to the individual litigants whose cases first bring the problem to light. Moreover, the amendment process is cumbersome and involves the valuable time of both the judicial branch and the Congress. Particular situations will arise which are not so frequently recurring as to warrant an amendment to the rules, yet where, if the court cannot act under these general provisions to admit a hearsay statement, a party will be deprived of reliable evidence and justice may not be done. Accordingly, I urge the House to adopt this amendment.

The amendment text follows:

AMENDMENT OF MR. SMITH OF NEW YORK TO H.R. 5463: RULES 803 AND 804

In rule 803 on page 98 of the bill after line 9 and in rule 804, on page 100 of the bill after line 25, insert the following identical subdivisions numbered respectively (24) and (5): “Other exceptions. A statement not specifically covered by any of the

foregoing exceptions but having equivalent circumstantial probability of trustworthiness; provided that the proponent's intention to offer the statement was made known to the adverse party sufficiently in advance of the trial or hearing to provide him with a fair opportunity to prepare to meet it.”

AID AND TRADE WITH THE COMMUNISTS—II

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. LANDGREBE. Mr. Speaker, yesterday I included in the RECORD the first chapter of Eugene Lyons' booklet “Operation Suicide: Those Strange Bridges to Communism.” Today I would like to insert chapter 2, “The Bridge That Failed.” It is a brief historical overview of our policy of aid and trade with Communist Poland. This case history is most important in view of the position we now occupy in foreign affairs: In our eagerness to reach détente with the Communists, we are only propping up governments that are staggering under the criticism of only one man, Alexander Solzhenitsyn, who now appears to be the only anti-Communist in the world. I include chapter 2 in the RECORD at this point for the information of my colleagues:

II. THE BRIDGE THAT FAILED

With respect to the first question, it happens that we have an instructive case history at hand: the bridge we built to Red Poland more than ten years ago, long before the slogan was invented. It was exactly like those now being urged for all other communist regimes and erected, following the Posnan uprising in 1956, under far more favorable conditions than exist anywhere in the Soviet bloc today.

The sad truth is that Warsaw since then has become not less but more subservient to Moscow. In dancing to the Kremlin's tune, Poland's Gomulka is second only to East Germany's Ulbricht. He has not even dared suggest that the Soviets remove the large Red Army forces quartered on his country. At the same time the impulses to wholesome political and economic change released by Posnan and its aftermath have gone sharply into reverse. In the last two years especially the regime has stepped up repressions against freethinking in literature, the arts and education and has intensified its harassments of the Church.

U.S. Ambassador Jacob Beam, on leaving Warsaw in 1964, said bluntly: “The American policy of helping the Gomulka regime surmount its economic difficulties has not led to the more liberalizing evolution in Poland which could have been expected.”

Congressman Paul Findley of Illinois, after an intense personal study, informed the President that “Poland is more dependent upon the Soviet Union and the people have less individual freedom than was true a decade ago.” Speaking in the House on January 31, 1967, he posed an all-important rhetorical question: “In Poland, freedom is in retreat . . . Could it be that American aid worked in reverse, financing regression instead of advance?”

Professor Richard F. Staar of Emory University, an authority on Eastern Europe, writing in *Current History* (April, 1967); concluded that “most of the gains” of the Polish revolution in 1956 “have been lost.”

Wladyslaw Tokocinski, former head of the Polish Mission in Berlin, is one of the most highly placed Communists to defect to the West. Testifying before a Congressional committee in April, 1966, he declared that "in the Party the hard-liners are taking the upper hand, clearly . . . As to the general position of the Polish people, I would say that it is a general feeling of grim despair."

In short, the bridge, built at the cost of at least half a billion taxpayer dollars, has accomplished none of the things Washington now promises to achieve by the same methods in the U.S.S.R. and its satellites. It has not even bought us relief from hate-America propaganda, in which Warsaw matches Moscow. This despite the fact that our open-handed credits to Gomulka, extending beyond the year 2000, are in truth more aid than trade: the first dollar payment, due in 1967, found Poland strapped and our State Department working out face-saving devices for taking it in nearly worthless zlotys.

In a recent book on American foreign policy, *Power and Impotence*, by Edmund Stillman and William Paff, the authors remark of Poland: "Indeed, one might argue that American economic aid had the effect of stabilizing an unpopular regime's power and slowing up the process of domestic change."

They put their fingers on the central falacy of the bridge-building doctrine. The Kremlin and its imposed regimes want access to American technology and finance. But they want it so that they can slow down the processes of reform and relaxation being forced upon them by economic crises and popular discontents.

U.S. policy-makers have convinced themselves that the Red tyrannies are eager to liberalize their societies. Actually, the communist oligarchs are determined to maintain the status quo as far and as long as they can. The limited concessions to their citizenry and some very skimpy economic revisions have been made most reluctantly and only under pressure of conditions. To the extent that we help relieve those pressures, the regimes will be able to postpone and evade genuine reforms. In the bitter struggle between Party "dogmatists" and political "liberals," Western aid therefore helps the dogmatists. It enables them to consolidate their dictatorial power and beat down the elements hoping to loosen their bonds.

The communist rulers can dilute their economic monopoly, thereby endangering their total political authority, or they can obstruct change and thereby deepen the internal opposition moods. Referring to this awkward plight, one of the most knowledgeable East European exiles, Brutus Coste, a former Romanian diplomat, wrote recently:

"Only substantial credits and aid from the West could free the communists from this dilemma. Such aid would enable the regimes to avoid reforms that would lend greater freedom to the technological and managerial elites and better living conditions to the workers at the expense of their own safety."

Under the impact of the popular uprising of 1956, an Economic Council was set up to diagnose Poland's ills. It proposed sweeping economic changes along Yugoslav lines. In March, 1958, Gomulka, rightly fearful that far-reaching economic reform would weaken his political grip, rejected the proposals. This he could do because assurances of massive American aid took off the heat and thus hard-liners were better able to cope with the liberalizing dangers.

Romania, on which American bridge-builders pin their most optimistic hopes, is the one communist nation today where even discussion of economic reform is outlawed. In terms of political easements, too, it remains among the most Stalinist of the satellites. Its rulers can afford to stick to a hard

line, in part at least, because since 1964 they have been receiving most-favored-nation treatment and credits from the United States.

The concrete evidence is thus that American help, far from encouraging the changes we favor, operates to retard them. It strengthens the regimes against the "reformers" and, moreover, allows them to divert production from domestic needs to world-revolutionary commitments such as liberation wars. Congressman Melvin Laird was entirely right when he said that "the ability of the Soviet bloc to pursue its policy of fomenting and sustaining so-called 'wars' of liberation" will be greatly strengthened by long-term credits.

Secretary of State Dean Rusk himself, in telling a Senate committee in April, 1964, that the Soviet Union "should be forced to face up to internal readjustments," wisely warned that "long-term credits would make it easier for the U.S.S.R. to avoid those decisions." His point applied no less to the satellites and, if anything, is more valid today because the current trend in the entire bloc is toward tighter ideological orthodoxy and police repression.

Some "liberalizing" progress may yet be made in Communist Europe in response to internal economic troubles and popular pressures, but it would come despite our intrusive help to the dogmatists. American economic generosity is their best insurance against the "decisions" mentioned by Mr. Rusk.

A sober comment on the bridge-building enterprise was made recently by Brutus Coste, in collaboration with Hal Lehrman, in an article prepared for *Barron's*. "Essentially," they wrote, "the administration is proposing a kind of Marshall Plan for East Europe. The original Marshall Plan, in West Europe, used similar devices—credits, guarantees to American traders, export of U.S. technology, machinery and material resources—in order to save the economies of our allies. But in France, Italy and the others we were defending democratic regimes against an internal communist threat which was feeding and fattening on postwar misery. Behind the Iron Curtain we will be reducing the internal democratic 'threat' now feeding on communist-induced misery."

We should "make the most of the forces of moderation which have emerged in the Soviet Union and Eastern Europe since 1953," Dr. Rostow urged in a speech in Leeds, England, on February 23, 1967. But how do we "make the most" of the opportunity? Is it by fattening up the despots who seek to restrain those "forces of moderation," as Rostow and his associated bridge-builders advocate? Common sense seems to demand, on the contrary, that we encourage the liberalizing forces in economy, culture, and political life—that we build bridges to the long-suffering peoples, not over their heads to their masters. We may not be able to give them direct help at this time (other than understanding and moral support), but at least we might remain neutral, refraining from policies and actions that fortify the power of their opponents and masters.

"We need to make unmistakably clear to the communist nations in Eastern Europe," Secretary Rusk said recently, "that their best interests lie in economic development and peaceful trade, not in support of futile attempts to gain advantage through the use of force." That, alas, is putting the cart before the horse—offering them the economic help before they have shown the slightest sign of abandoning the use of force, either at home or abroad.

Auberon Waugh, writing in the *National Review* (December 27, 1966) put the matter rudely but logically: "Only an idiot would suppose that by bolstering a communist regime he could make it less communist and

less of a danger to world peace." Alluding to the argument that trade and aid would spread "goodwill," he added:

"It is surely the very reverse of goodwill, indeed evidence of an almost insane malice, to underwrite a process which keeps half the world enslaved. In this matter we are in effect trying to protect our own skins, in the doubtful belief that a fat communist is less dangerous than a thin one, while simultaneously indulging our distorted appetite for the consumer product which is sold under the label of goodwill."

HOLLYWOOD HILLS HIGH SCHOOL

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. BURKE of Florida. Mr. Speaker, last Saturday, January 26, the parent-teacher council, and the student council of Hollywood Hills High School, which is located in my home town of Hollywood, Fla., which is located in my congressional district, gave a huge party at the school to honor its "Spartans." Although the name "Spartans" applies to all students, nevertheless, this occasion had another significance because the students and parents honored their athletes, band, Spartanettes, cheerleaders, students, parent organizations, and faculty.

The mayor of Hollywood, Dave Keating, proclaimed January 30, as Hollywood Hills Day.

You may wonder why this commotion. Particularly for an area that, not too many years ago, in fact, a dozen or less, was undeveloped, and covered over with scrub pine and weeds. However, as south Florida grew and developed, so did Hollywood Hills and it is now one of the very fine areas in the city of Hollywood, and for that matter, in all Broward County.

There is a reason. They did so because the Hollywood Hills High School football team proved beyond any question or doubt that they are the No. 1 football team in the State of Florida, and, in doing so, became the first Hollywood team to ever receive a State crown.

They proved themselves beyond any question or doubt as No. 1 in the AAAA Football Conference by defeating, first, all of their opponents in regular competition, and finally, by defeating Jacksonville Raines football team 22-9. There was no question in the minds of the Hollywood Hills players that they were No. 1, but when they played Jacksonville Raines, they faced a bigger line than any team they defeated during the season. The Hollywood Hills team faced tough competition before, however, since they defeated what was rated at the time, the No. 1 team in Florida, Orlando Edgewater High School 28-8, in the regional finals.

Hollywood Hills High School had a perfect record with a 13-0 win-loss record for the season. In fact, in the past two seasons Hollywood Hills football team has won 26 out of 27 games.

It is not surprising, in some respects, that Hollywood Hills would become a football power because Bill Brennan,

their present principal, was at one time a coach at South Broward High School. I feel extremely close to Hollywood Hills School since I have had the pleasure of meeting a number of the students, and because Bill Brennan, and some of the other members of the faculty, have been friends for a number of years.

In addition, their outstanding coach, Dick Saltrick, taught my daughter history in junior high school.

I want my colleagues in the House of Representatives to know of the activities of this outstanding high school, and since I could not be present in person last Saturday to pay my respects to all those Spartans—athletes, band, Spartanettes, cheerleaders, students, and faculty—I am proud to do so in this fashion.

SOLAR ENERGY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. TEAGUE. Mr. Speaker, as a nation conscious of the need to conserve our precious resources, it is interesting to note that the National Aeronautics and Space Administration, which is in the forefront of new technology, is undertaking the construction of a new engineering building at the Langley Research Center which will utilize solar heating and cooling.

A recent article in the Wednesday, January 2, 1974, edition of the Newport News, Va., Daily Press discusses the plan for the new NASA building and its potential. This activity is particularly important since NASA has the technological expertise to develop, measure, and utilize such a building generating the data needed to provide similar efficient facilities for the use of the general public.

I commend this significant article to the reading of my colleagues:

[From the Newport News (Va.) Daily Press, Jan. 2, 1974]

SOLAR ENERGY TO HEAT, COOL NEW NASA ENGINEERING PLANT

The use of solar energy to heat and cool a new engineering building is planned for NASA's Langley Research Center in a practical demonstration of how alternate sources of power may help alleviate America's energy problems.

Planned for completion in mid-1975, the 53,000-square-foot Systems Engineering Building is expected to have all of its heat and some of its cooling provided by a "solar garden." Studies made at NASA's Lewis Research Center in Cleveland show solar collectors, devices that trap and absorb up to 50 per cent of the sun's energy, are feasible for heating and cooling.

Plans for the solar powered building at Langley were announced by Dr. James C. Fletcher, NASA administrator. He calls the project a non-space related dividend that shows how technology can be developed in a commercial use.

"This building, as far as we know, will be the first of its size in the world for which solar energy will provide a significant part of the building's heating and cooling load," Fletcher said.

The announcement was made during recent testimony by Fletcher before the subcommittee on energy of the House Committee on Science and Astronautics.

"A 15,000-square-foot collector is planned, since this size collector will provide most of the heating requirements, some of the cooling requirements, and test the energy storage capacity in order to obtain feasibility data on all aspects of the system.

"As these data are analyzed and the state-of-the-art advances, we will be able to expand the collector system to supply all the energy requirements for the building," Fletcher told the subcommittee.

Water-filled tubes inside about 5,000 solar collectors would absorb the sun's heat, using it for direct baseboard heating in cold weather, and to operate an absorption refrigeration unit for cooling in hot weather. The solar units will be located beside the building.

The solar-heated building is the result of two separate NASA projects. The Systems Engineering Building has long been needed to provide a central location for 300 to 350 Langley employees who now work at several sites. The one-story building will house the plant engineering, systems engineering and research facilities engineering divisions.

The second project involved a study funded by NASA's Lewis Center. Honeywell of Minneapolis, under contract to Lewis, studied several types of solar collectors to evaluate their feasibility and effectiveness. When the collectors proved to be practical, NASA management decided to demonstrate the new technology in an energy-saving application.

An additional 20,000 to 30,000 square feet of collector area would be required to provide total heating and cooling for the building. About one square foot of collector is required to heat and cool one square foot of building space.

A typical solar collector consists of a metal plate covered by glass plates or enclosed in a vacuum tube. Radiation passes through the glass and is absorbed by the metal plate. The collectors must absorb a large amount of incoming radiation and produce energy at a useful temperature.

NASA researchers hope to develop solar collectors that cost from one to three dollars a square foot and last for as long as 15 years.

Several kinds of collectors are planned at the Langley building as an experiment to develop the best type.

One type is a flat plate collector, measuring about four-by-eight feet. The surface is coated to enhance solar absorption and covered with two plates of glass. The glass acts as insulation to reduce heat loss.

Another candidate collector is an absorber inside a vacuum tube. It is about eight to 10 feet long and four inches in diameter. Sunlight passes through the glass tube and reflects off a coating on the backside. The reflected radiation is then absorbed by the surface. Much of the solar energy stays in the collector because the vacuum transfers no heat. About half the radiation entering the collector is lost, however, through re-radiation.

Both kinds of collectors contain hollow tubes filled with water. Energy retained in the collectors is enough to heat the water to more than 200 degrees Fahrenheit for use in the heating and cooling system.

The solar system will be equipped with water tanks to store excess energy for several days, ready for use during periods when sunlight is not available. Langley's central steam system will be a backup system during long sunless periods. Because of the relatively mild climate at the Langley Center, however, the steam system should be needed only a small percentage of the time.

While not a complete answer to the problem of power shortages the NASA experiment should offer a valuable demonstration of how commercial and industrial buildings can be climate-controlled through different sources of power.

Solar heating systems like the one planned for Langley may also become practical for private residences in the future. NASA and other government agencies are investigating the possibilities.

According to Fletcher, the Langley solar-powered building will test two assumptions that underlie current interest in solar energy:

First, "the use of solar energy for heating and cooling has great potential in an era of fuel shortages and environmental concern" and, second, "this potential will be realized only after practical solar energy heating and cooling systems have been demonstrated to be economically competitive with conventional systems."

THE PRESENT CRISIS

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. SARASIN. Mr. Speaker, 1973 was a year of tremendous difficulties, both domestically and internationally. Many constituents have shared their concerns, offered suggestions, agreed or disagreed with courses of action.

One of my constituents, Mr. William H. Baldwin, has sent me a poem which was written almost a century ago but is timeless in its meaning. "The Present Crisis" offers us the eternal choice between that which is noble and that which is ignoble:

THE PRESENT CRISIS

When a deed is done for Freedom, through
the broad earth's aching breast
Runs a thrill of joy prophetic, trembling on
from east to west,
And the slave, where'er he cowers, feels the
soul within him climb
To the awful verge of manhood, as the energy
sublime
Of a century bursts full-blossomed on the
thorny stem of Time.
Through the walls of hut and palace shoots
the instantaneous throe,
When the travail of the Ages wrings earth's
systems to and fro;
At the birth of each new Era, with a recog-
nizing start,
Nation wildly looks at nation, standing with
mute lips apart,
And glad Truth's yet mightier man-child
leaps beneath the Future's heart.
So the Evil's triumph sendeth, with a terror
and a chill,
Under continent to continent, the sense of
coming ill,
And the slave, where'er he cowers, feels his
sympathies with God
In hot tear-drops ebbing earthward, to be
drunk up by the sod,
Till a corpse crawls round unburied, delving
in the nobler clod.
For mankind are one in spirit, and an in-
stinct bears along,
Round the earth's electric circle, the swift
flash of right or wrong;
Whether conscious or unconscious, yet Hu-
manity's vast frame

Through its ocean-sundered fibres feels the
gush of joy or shame;—
In the gain or loss of one race all the rest
have equal claim.
Once to every man and nation comes the
moment to decide;
In the strife of Truth with Falsehood, for
the good or evil side;
Some great cause, God's new Messiah, offer-
ing each the bloom or blight,
Parts the goats upon the left hand and the
sheep upon the right,
And the choice goes by forever 'twixt that
darkness and that light.
Hast thou chosen, O my people, on whose
party thou shalt stand,
Ere the Doom from its worn sandals shakes
the dust against our land?
Though the cause of Evil prosper, yet 'tis
Truth alone is strong,
And, albeit she wander outcast now, I see
around her throng
Troops of beautiful, tall angels, to enshield
her from all wrong.
Backward look across the ages and the bea-
con-moments see,
That, like peaks of some sunk continent, jut
through Oblivion's sea;
Not an ear in court or market for the low
foreboding cry
Of those Crises, God's stern winnowers, from
whose feet earth's chaff must fly;
Never shows the choice momentous till the
judgment hath passed by.
Careless seems the great Avenger; history's
pages but record
One death-grapple in the darkness 'twixt old
systems and the Word;
Truth forever on the scaffold, Wrong forever
on the throne,—
Yet that scaffold sways the future, and, be-
hind the dim unknown,
Standeth God within the shadow, keeping
watch above his own.
We see dimly in the Present what is small
and what is great,
Slow of faith how weak an army may turn
the iron helm of fate,
But the soul is still oracular; amid the mark-
et's din,
List the ominous stern whisper from the
Delphic cave within,—
"They enslave their children's children who
make compromise with sin."
Slavery, the earth-born Cyclops, fellest of the
giant brood,
Sons of brutish Force and Darkness, who have
drenched the earth with blood,
Famished in his self-made desert, blinded
by our purer day,
Gropes in yet unblasted regions for his mis-
erable prey;—
Shall we guide his gory fingers where our
helpless children play?
Then to side with Truth is noble when we
share her wretched crust,
Ere her cause bring fame and profit, and 'tis
prosperous to be just;
Then it is the brave man chooses, while the
coward stands aside,
Doubting in his abject spirit, till his Lord
is crucified,
And the multitude make virtue of the faith
they had denied.
Count me o'er earth's chosen heroes,—they
were souls that stood alone,
While the men they agonized for hurled the
contumelious stone,
Stood serene, and down the future saw the
golden beam incline
To the side of perfect justice, mastered by
their faith divine,
By one man's plain truth to manhood and
to God's supreme design.

By the light of burning heretics Christ's
bleeding feet I track,
Tolling up new Calvaries ever with the cross
that turns not back,
And these mounts of anguish number how
each generation learned
One new word of that grand *Credo* which in
prophet-hearts hath burned
Since the first man stood God-conquered
with his face to heaven upturned.
For humanity sweeps onward; where to-day
the martyr stands,
On the morrow crouches Judas with the sil-
ver in his hands
Far in front the cross stands ready and the
crackling fagots burn,
While the hooting mob of yesterday in silent
awe return
To glean up the scattered ashes into History's
golden urn.
'Tis as easy to be heroes as to sit the idle
slaves
Of a legendary virtue carved upon our fa-
thers' graves,
Worshippers of light ancestral make the
present light a crime;—
Was the Mayflower launched by cowards,
steered by man behind their time?
Turn those tracks toward Past or Future,
that make Plymouth Rock sublime?
They were men of present valor, stalwart
old iconoclasts,
Unconvinced by axe or gibbet that all virtue
was the 'Past's
But we make their truth our falsehood
thinking that hath made us free,
Hoarding it in mouldy parchments, while our
tender spirits flee
The rude grasp of that great Impulse which
drove them across the sea.
They have rights who dare maintain them;
we are traitors to our sires,
Smothering in their holy ashes Freedom's
new-lit altar-fires;
Shall we make their creed our jailer? Shall
we, in our haste to slay,
From the tombs of the old prophets steal the
funeral lamps away
To light up the martyr-fagots round the
prophets of to-day?
New occasions teach new duties; Time makes
ancient good uncouth;
They must upward still, and onward, who
would keep abreast of Truth:
Lo, before us gleam her camp-fires! we our-
selves must Pilgrims be,
Launch our Mayflower, and steer boldly
through the desperate winter sea,
Nor attempt the Future's portal with the
Past's blood-rusted key.
JAMES RUSSELL LOWELL, 1819-1891.

has become not just a law category but a pillar of the State. In breaking with the lie, we perform a moral act, not a political one and not one that can be punished by criminal law—but an act that would immediately have an effect on our way of life.

With these words Solzhenitsyn has laid bare the basis of the Soviet state. He has also shown the way for many in the West to become aware of the designs of the Soviet Union upon other nations and upon the freedom of all.

Though at the present time we can give little more than verbal support to the efforts of Solzhenitsyn, there is something more concrete that can be done to show support for those who have presently or have in the past spoken out for freedom in the Soviet Union. This is to support legislation that would strike down some of the time barriers to Valery Chalidze in obtaining his American citizenship.

Mr. Chalidze, now a resident of the United States, while in the Soviet Union was in the forefront of the efforts to bring justice to Soviet citizens and to the Soviet system. He was a founder of the Committee for Human Rights. While in Moscow, Chalidze defended other well-known Soviet dissidents such as Grigorenko, Medvedev, and Piminov. In his one-room Moscow apartment he gave an interview to a Western newsmen in which he stated his goal was "to implement the rights of man in this country [Soviet Union]." The secret police met his efforts with attempts at intimidation. His phone calls and mail were interrupted and the Soviet secret police made a number of visits to his residence. As Chalidze has said, "The Soviet Union does not persecute for thoughts or convictions—only for expression of them."

While Soviet officials could not stop Chalidze from speaking out while he was in the Soviet Union, they did find a way to make sure that he did not return. After receiving governmental permission to leave the Soviet Union to lecture in the United States, the Soviet Government turned around and removed his citizenship leaving him a person without a country. It is this event that I am attempting to change with the introduction of a private bill for the relief of Valery Chalidze. This private bill, if passed, will result in the legally required periods of physical presence within the United States being considered satisfied thus allowing Mr. Chalidze to become a naturalized citizen as he has expressed an interest in doing.

Mr. Chalidze has written of the dangers of friendship with the Soviet Union at any price. He has expressed the danger of a "vogue for friendship at any price, a vogue which is not dictated by real striving for peace and mutual understanding but instead is simply useful to mask indifference." My bill will show that the United States extends a welcome hand to those who have fought for freedom in other lands and who have repaired to our land. It will also show the citizens of the Soviet Union and of the world that we in the United States continue to advocate freedom and justice.

Valery Chalidze has asked to become

CITIZENSHIP FOR CHALIDZE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ASHBROOK. Mr. Speaker, Alexander Solzhenitsyn is both a man of great courage and a symbol of those thousands and even millions of Soviet citizens who refuse to accept the deception that is communism. In the words of Solzhenitsyn:

Everyone must decisively stop cooperating with the lie everywhere he sees it himself: where they try to force him to speak, write, quote or sign or simply to vote or even to read. In our country [Soviet Union] the lie

a U.S. citizen. Let us not turn our backs on him as the American Government turned its back 3 years ago on that Lithuanian seaman Simas Kudirka, who sought asylum on an American ship off New England but was brutally returned to the Soviet ship where he was bound and beaten. Let us not make the same mistake today. Let us not callously turn our backs on the plight of the Soviet dissidents. Let us give them our encouragement. As the Soviet dissidents have earned our respect, Chalidze has earned our citizenship.

The following is the text of the bill (H.R. 12445) that I have introduced:

H.R. 12445

A bill for the relief of Valery Chalidze

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Valery Chalidze shall be held and considered to have satisfied the requirements of section 316 of the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States and, notwithstanding the provisions of section 310(d) of that Act, he may be naturalized at any time after the date of enactment of this Act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

IMPEACHMENT AND GOVERNMENT FUNCTIONING

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. McCLOSKEY. Mr. Speaker, as the debate on impeachment continues, one argument against impeachment has been that it will hamper the proper functioning of Government.

The President's determined refusal to allow the public to learn the truth, however, has had perhaps an even more deleterious impact on governmental efficiency.

In yesterday's Wall Street Journal, reporter Norman C. Miller described this impact in concise terms, I commend his article to those who fear the dangers of impeachment:

[From the Wall Street Journal, Jan. 30, 1974]
GOVERNMENT AGENCIES STRUGGLE TO KEEP GOING IN FACE OF WATERGATE

(By Norman C. Miller)

WASHINGTON.—At the Department of Transportation there is a public-relations man who used to make sure President Nixon's name was featured in press releases. He has stopped that. "I wouldn't want to give our programs a bad name," he explains.

At the Securities and Exchange Commission, a high official reacts scornfully when asked if the White House influences important staff appointments as it once did. "Right now, the worse thing the White House can do is recommend anyone for a job—it would be the instant kiss of death," he declares.

At the White House itself, occasional criticism of the President breaks into the open, William Eberle, the President's top trade adviser, recently signed a statement by a group of businessmen deploring Mr. Nixon's handling of the Watergate scandal.

"The public has witnessed a dizzying revelation of scandal, corruption and wrongdoing

in very high places," declared a unit of the Committee for Economic Development, of which Mr. Eberle is a member. "The doubt and suspicion in the public mind as a result must be erased" by the "fullest possible disclosure" by Mr. Nixon, the group said. "The President of the United States must be above reproach," it added.

What if Mr. Nixon objects to a Cabinet-level appointee's participation in this public rebuke? "I don't think anyone should take offense at an effort to begin a dialogue" on ways to remedy Watergate misdeeds, Mr. Eberle says coolly.

HOW TO COPE

Thus, an independent, often contemptuous attitude toward President Nixon now pervades his own administration at levels high and low. It is a consequence, of course, of the Watergate scandals that refuse to go away despite Mr. Nixon's efforts. In a shell-shocked officialdom that is long past surprise or outrage about White House horror stories, aiming barbs at the President is a common way of coping.

Moreover, the sour mood is having a tangible and deepening effect on the workings of government, although Wall Street Journal reporters find a strikingly uneven pattern in making the rounds of Washington power centers. Some agencies have almost ceased to function purposefully, at least partly because there isn't any direction from a Watergate-obsessed White House. Others are seizing on that very lack of direction to strike out on their own, sometimes in direct conflict with Nixon desires. Still others, including the entire foreign-policy and defense apparatus, continue to accomplish Nixon-designed objectives despite Watergate brushfires within their perimeters.

The Labor Department is one agency suffering Watergate-related paralysis. "Everybody is just turning the engine over once a week to make sure the block doesn't freeze," one official says. Vast provinces of the Health, Education and Welfare Department, including key medical and education agencies, are drifting aimlessly. John Sherman, the No. 2 man at the National Institutes of Health, reflects a prevailing mood as he quits. "The atmosphere is one of gloom, if not despair," he says.

THE MAJOR ISSUE: "SURVIVAL"

At the Housing and Urban Development Department, a veteran community-development specialist complains: "You knock yourself out on a policy paper, pointing out and clarifying the options, and then it doesn't make any difference because you don't get any direction from the White House and nothing is settled." An official of the White House Office of Telecommunications Policy has the same problem. "The leadership void is tremendous," he says. The President and his top aides "are just struggling with the broad issue—survival," he believes.

While some bureaucracies stagnate, more active agencies treat the White House as a hostile power—and get away with it. The Consumer Product Safety Commission tells the White House to keep hands off its budget and staff appointments, maintaining that it is responsible only to Congress. "Something like this wouldn't have happened or at least it wouldn't have come out in public—if it hadn't been for Watergate," a frustrated Nixon loyalist complains.

At the Environmental Protection Agency, officials openly fight to persuade Congress to reject White House recommendations for relaxation of clean-air laws. "The Office of Management and Budget sent the message to the Hill without bothering to clear it with us, so we said, 'Forget it, we'll ignore it,'" an EPA official says.

Amid such infighting, it is often hard to get much accomplished. Robert Sansom, a top EPA official, quit this Monday partly be-

cause of White House failure to resolve numerous conflicts EPA has had with other agencies. He cites "the frustration of trying to participate in the formulation of national policy while the country is burdened with Watergate."

SAXBE'S INDEPENDENCE

At the badly battered Justice Department, new Attorney General William Saxbe takes pains to emphasize his independence. Asked if it is significant that his swearing-in was held without the President in attendance, Mr. Saxbe replies, "Yes." He says his top goal is to dispel Watergate-created cynicism that "the fix is on"—a cynicism that reaches into the Justice Department itself. Such cynicism is indicated by a favorite joke among staffers: "If the Attorney General calls, get his name."

In some agencies, there is more or less open sabotage of a once-powerful White House campaign to spread Nixon loyalists throughout the bureaucracy. Thus an effort to load up the Census Bureau with people picked by the White House is dead. "There's a large stack of applications being held up—they're on a career man's desk—and he just isn't going through with placing them anymore," a high bureaucrat says.

Yet several of the most important governmental branches carry on effectively. Certainly, the long-dormant State Department shows new life since the arrival of Henry Kissinger as the boss. And, of course, Mr. Kissinger brought home a glowing achievement for Nixon policy when he helped still the guns in the Mideast and disengage warring troops, perhaps setting the stage for a real relaxation of Arab-Israeli tensions.

At the Pentagon, tough-minded James Schlesinger is confidently adding billions to the military budget in keeping with Nixon doctrine that détente with the Soviet Union is practical only if the Russians are impressed by U.S. military might. Indeed, preoccupation with Watergate may give Defense Secretary Schlesinger an ironic advantage in steering weapons increases through Congress. "The Pentagon is no longer the fashionable liberal target" now that the focus is on the impeachment issue, a high official says.

At the Treasury and other economic agencies, officials argue convincingly that Watergate hasn't hampered their policy actions on wage-price controls and the like. And at the supercharged Federal Energy Office, William Simon's crew cranks out regulation after regulation in an effort to manage fuel shortages.

WATERGATE AND ENERGY

Still, even the fast-charging Mr. Simon finds himself running into Watergate-related problems that stump him. Widespread public suspicion of a "phony" oil shortage is "absolutely a major effect of Watergate," he says. And the Watergate climate makes it hard to convince people that the administration is competent to handle the energy crisis. For instance, after the Interior Department's Under Secretary John Whitaker spoke to a group of state officials recently, the department got this letter from Pat Moran, an Arkansas fuel-allocation official:

"Secretary Whitaker delivered an absolutely ridiculous speech (although it was mercifully short) in which he sought to convince the audience that President Nixon had seen the present fuel shortage coming for years and that it was the Congress who was at fault for failing to act. Please spare us any more under secretary's speeches about how the present administration is on top of our energy problem. I don't believe we can stand it (literally)."

At the Pentagon, some officials worry that a Watergate-weakened President, eager to show arms-reduction progress, could be tempted to make unnecessary concessions to the Russians in coming negotiations. Similarly, Treasury officials worry that Mr.

Nixon may be too weak to fend off economic-policy initiatives by congressional Democrats. "If we were in better shape, we'd have much more influence on Congress," one economic official says.

Even Secretary Kissinger finds Watergate marring his announcements of Nixon diplomatic triumphs. Over and over, he has to tell skeptics that the President still is running foreign policy and hasn't forfeited control to the Secretary himself. And Mr. Kissinger has to keep denying what he calls "outrageous" rumors—like a report last week that he had told two Israeli diplomats that the President will leave office within six months.

CHECKING THE RUMORS

Indeed, Washington is continually awash in bizarre rumors, and after months of bizarre but accurate Watergate revelations, nothing is automatically discounted. Thus, the special Watergate prosecutor's office recently sent an investigator halfway around the world to check one farfetched tale. The story was that a clandestine Army group had been established at Fort Devens, Mass., to doctor White House Watergate tapes. One of the soldiers supposedly involved had been transferred to Thailand by the time the prosecutors picked up the rumor. So they sent a sleuth to Thailand to interview him; the soldier convinced the investigator that the story was false.

Nowhere are rumors more rife than on Capitol Hill, where some House members and aides already have laid their bets in pools guessing the exact date of President Nixon's resignation. The resignation speculation is rampant despite Mr. Nixon's insistence that he will never do it. "I'm saying that resignation for health sometime in the future could be an honest one," says Rep. Edwin Eshleman, a conservative Pennsylvania Republican. On what basis? "Just a feeling," the Congressman replies.

The resignation talk reflects a fervent congressional wish for an easy way out of the looming impeachment crisis. Republicans fearing that they will be wiped out in the fall elections, are unhappiest of all, although not yet ready to take the traumatic impeachment step. In their desperate search to somehow escape the Nixon burden short of impeachment some Republicans make rather far-out proposals.

Freshman GOP Rep. Samuel Young of Illinois, for instance, suggests a way for the President to sort of disappear from the raging domestic scene. His idea: Mr. Nixon should confine himself to foreign affairs and delegate "day-to-day affairs of domestic government to Vice President Gerald Ford."

THE HOAX OF THE VINLAND MAP

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ANNUNZIO. Mr. Speaker, last week Yale University announced that the Vinland map is a hoax and a forgery.

This revelation comes a little more than 8 years after the same respected university had announced, on the basis of the map's discovery in 1965, that Leif Ericson allegedly had beaten Christopher Columbus to North America by at least half a century.

When existence of the Vinland map and its purchase by Yale University first became known, I discussed it here on the House floor and declared at that time the map was a fraud because no evidence could be found to prove its authenticity.

In 1966, the distinguished Justice Michael A. Musmanno of the Supreme Court of Pennsylvania, a graduate of five universities and a jurist of note who is now deceased, published a slim but powerful and highly enlightening volume, "Columbus Was First." In this book, Justice Musmanno gave a devastating analysis of so-called documentary proof offered by Yale in support of the Vinland map and concluded it was a complete hoax and only the renowned Genoese Adm. Christopher Columbus is entitled to be called Discoverer of America.

Prophetically, Justice Musmanno ends one of the chapters in his book:

And might not the Yale Library, someday, be very cross when it finds out what it bought?

Indeed, might not the entire world be very cross over this hoax that was perpetrated upon all of us? It is a sad commentary on our educational system when a respected institution of higher learning, Yale University, allows its name to be used in connection with a forgery. Of course, this isn't the first time that a forgery has been uncovered and brought to light—for instance, Piltdown man in 1953 was proven to be a brazen forgery—but what is of tremendous concern to me is that as time goes on it becomes increasingly more commonplace to find fraud in every facet of life involving not only America and Americans, but people all over the world.

It is no wonder that our young people who are graduating from institutions of higher learning are disassociating themselves from "the establishment" and no longer know what to believe, for the values imparted to us in school days are being challenged and discredited on every side.

The highly respected historian, Samuel Eliot Morison, said that the Vinland map "has been used as a stick to beat down the reputation of Columbus." He also termed Columbus' discovery of America as "the most spectacular and far-reaching geographical discovery in recorded human history."

Mr. Speaker, the hoax of the Vinland map should not be forgotten, for attempts are constantly being made to discredit the time-proven and fact-proven contents of our history books, and especially to discredit the notable contributions that have been made by all peoples to the growth and development of our culture.

Let us remain ever vigilant against these unwarranted attacks and let us reserve a rightful place in history to recognize the creative achievements and enduring contributions of all nations and all ethnic groups to the advancement of civilization in our world.

Mr. Speaker, at this point in the CONGRESSIONAL RECORD I include an article from the January 27 edition of the Washington Post entitled: "Yale Says Vinland Map May Be a Fake." The article follows:

YALE SAYS VINLAND MAP MAY BE A FAKE

(By Tom Zito)

The Vinland Map, whose announced discovery in 1965 seemed to indicate that Viking explorer Leif Ericson had beaten Christopher Columbus to North America by at

least a half-century, appears to be a hoax, Yale University announced yesterday.

The revelation came yesterday in a release from the Yale University Library where the 11-by-16-inch parchment rendition in brown ink including northeastern North America, Greenland and Iceland has reposed since 1965 when an anonymous donor, believed to be Paul D. Mellon, bought the map from a Connecticut antique book dealer for a price reported as high as \$260,000.

In making public the accession three days before Columbus Day, the university called the Vinland Map "the most exciting cartographic discovery of the century."

Now, almost 8½ years later, Yale reported "that the famous Vinland map may be a forgery."

Yale said that after two years of tests made possible by new methods of "chemical analysis only recently developed," the ink used in drawing the map appears to be "indistinguishable from commercial pigment . . . first made during the 1920s."

Test director Walter McCrone, president of McCrone Associates, the Chicago firm that examined the ink with various electron microscope techniques, told Reuter news service, "It's a titanium dioxide pigment not developed until 1920."

"This pigment was used to make the map. The answer to the forgery was as simple as that," McCrone said.

McCrone's methodology and results were reviewed by Dr. Kurt Heinrich of the National Bureau of Standards, known for his work in small particle analysis, the method used to date the map's ink.

Announcement of the map's acquisition by Yale in 1965 immediately caused cultural and scientific history shock. A Pennsylvania judge accused the university of flinging "metamorphical mud" at the Columbus image that would make school children doubt what they had been taught about Caesar, Socrates and Copernicus. The Norse considered it evidence to bolster Ericson's fading image. And the Smithsonian Institution in 1966 brought together scholars from around the world, whose opinions were published five years later in a volume, "Proceedings of the Vinland Map Conference."

The British in 1966 criticized the map on several counts. G. R. Crone of the Royal Geographic Society said the book's writing style simply didn't match that of the period (1431-1449) from which it was claimed to date. Prof. Eva Taylor said the map's rendition of Greenland was too exact to pre-date the 19th century.

Studies also indicated that the two books in which the map had been sandwiched—"The Tartar Relation" and "The Speculum Historiale"—were of a different script and done in different ink than that of the Vinland Map.

Tests conducted by McCrone showed that inks from the two were similar and, when compared with other 15th century manuscripts, were determined to be "almost certainly authentic. But the ink on the Vinland Map was discovered to be different from the inks used on the two documents with which it was bound."

Lawrence Witten, the American bookdealer who sold the map, said he acquired it in 1957 from a Spanish book dealer, Enzo Ferrajoli de Ry, now deceased, for many years a resident of Barcelona. The person who sold it to Ferrajoli is alleged, according to Yale's release, to have claimed that the map had been in his family for two or more generations.

"There's always the possibility that someone will challenge these findings and we don't mind," Library Director Rutherford Rogers told the Associated Press. "The evidence, however, seems to be pretty strong that this ink is 20th century."

Next Monday, Yale said its Beinecke Rare Book Library will put the Vinland Map on display.

"Scholars don't think in these terms, but the thing is going to be a fantastic curiosity now," said Steven Kezerian, director of the university's news bureau. "Several of us decided that the best way to protect the library from the hundreds of requests it'll obviously get about the map was to put it on display."

CONGRESSMAN WILLIAM LEHMAN AND THE BLACK COMMUNITY

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. YOUNG of Georgia. Mr. Speaker, it is most encouraging to see Congressmen like BILL LEHMAN take an assertive role on so many matters of interest to the black community—both by his voting record on the floor of the House of Representatives and with the bills he has sponsored.

During his first year in Congress, BILL LEHMAN has worked closely with my colleagues on the Congressional Black Caucus regarding legislation which affects black Americans all across this country.

On more than 50 major rollcall votes of the House in 1973, BILL LEHMAN has clearly demonstrated his concern for black America.

Along with cosponsoring numerous bills with members of the Black Caucus, BILL LEHMAN has worked with national and local civil rights organizations such as the Urban League; the Southern Christian Leadership Conference, SCLC; and the National Welfare Rights Organization, NWRO.

On almost every issue that counts to black Americans, BILL LEHMAN has respected and met the legitimate needs and expectations of his black constituents.

During the 1st session of the 93d Congress, BILL LEHMAN sponsored a number of bills with members of the Congressional Black Caucus. These include:

CIVIL RIGHTS

H.R. 4846.—Establishment of voter registration administration with Congressman CHARLES RANGEL of New York.

FOREIGN AFFAIRS

House Joint Resolution 268.—Forbids any government contracts to U.S. firms whose subsidiaries engage in unfair employment practices in South Africa with Congressman CHARLES DIGGS of Michigan.

H.R. 8573 and H.R. 7574.—Prohibition on exporting herbicides to South Africa and Portugal with Congressman CHARLES RANGEL of New York.

ECONOMIC OPPORTUNITY

H.R. 6566.—Requires Congress to approve the Office of Economic Opportunity cuts before they are made by the Nixon administration with Congressman AUGUSTUS HAWKINS of California.

House Concurrent Resolution 175.—Approves the continuation of Office of Economic Opportunity programs with Congressman AUGUSTUS HAWKINS of California.

SOCIAL SERVICES

H.R. 4564.—Eases disability insurance eligibility requirements with Congressman LOUIS STOKES of Ohio.

H.R. 6222.—Expands and increases money for the Family Planning and Population Research Act with Congressman RONALD DELLUMS of California.

KEY VOTES

On the following key votes affecting the black community, BILL LEHMAN voted with the Congressional Black Caucus each time:

Rollcall 32.—H.R. 4278 amends the National School Lunch Act to assure that Federal assistance to each child is maintained for child nutrition programs for the coming fiscal year. March 5, 1973, "yes."

Rollcall 45.—H.R. 71 strengthens and improves the Older Americans Act. March 13, 1973, "yes."

Rollcall 105.—House Resolution 360 provides for consideration of a bill continuing the funding for the Emergency Employment Act for only 2 years. April 18, 1973, "no."

Rollcall 108.—S. 50 strengthens and improves the Older Americans Act. Vote to concur in the Senate amendment to the less liberal House amendment. April 18, 1973, "yes."

Rollcall 169.—H.R. 7806 extends through June 30, 1974, appropriations in the Public Health Service Act, Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act. May 31, 1973, "yes."

Rollcall 190.—H.R. 7935 increases the minimum wage rates. Expands the coverage to include thousands of domestic workers as well as youths. June 6, 1973, "yes."

Rollcall 197.—H.R. 2246 amends the Public Works and Economic Development Act to extend authorizations for a year. Agreement to the conference report. June 8, 1973, "yes."

Rollcall 255.—Amendment that would permit individuals to bring suit against the Legal Services Corporation and recover costs in case of favorable rulings. This was clearly aimed at reducing the number of suits filed by legal services attorneys for fear of costs being levied against them if they lost the suit. June 21, 1973, "no."

Rollcall 257.—Amendment to the legal services bill that restricts from partisan or nonpartisan activities all lawyers who earn 1.3 percent of their income from the program. This would prevent even part-time attorneys from participating in political activities. June 21, 1973, "no."

Rollcall 260.—Amendment to legal services bill to send it back to committee, effectively killing the bill. June 21, 1973, "no."

Rollcall 262.—H.R. 7824. Final passage of the Legal Services Corporation bill. June 21, 1973, "yes."

Rollcall 271.—H.R. 8825, providing for appropriations for the Department of Housing and Urban Development. June 22, 1973, "yes."

Rollcall 287.—House Resolution 455, provides appropriations for the Departments of Labor and Health, Education, and Welfare and related agencies including the Office of Economic Opportunity and Headstart programs. June 26, 1973, "yes."

Rollcall 290.—H.R. 8877. Amendment to the HEW and Labor appropriations bill which seeks to reduce funds for OEO. June 26, 1973, "no."

Rollcall 291.—H.R. 8877. Amendment to the HEW and Labor appropriations bill seeking to reduce funds in 26 sections of the bill. June 26, 1973, "no."

Rollcall 292.—H.R. 8877. Amendment to HEW and Labor appropriations bill seeking to increase funds for bilingual education programs. June 26, 1973, "yes."

Rollcall 294.—H.R. 8877. Amendment to HEW and Labor appropriations bill which seeks to reduce funds in 26 sections of the bill by \$600 million. June 26, 1973, "no."

Rollcall 295.—H.R. 8877. On final passage of the bill making appropriations for the Departments of Labor and Health, Education, and Welfare and other agencies including the Office of Economic Opportunity and Headstart program. June 26, 1973, "yes."

Rollcall 365.—H.R. 8538 would extend authorization for the Corporation for Public Broadcasting for television and radio broadcasting facilities. CLAY of Missouri amendment to insure compliance with civil rights regulations and forcing increased participation of minorities on boards and in station personnel. July 20, 1973, "yes."

Rollcall 395.—H.R. 9360. Passage of the Foreign Assistance Act which includes \$30 million for famine and disaster relief to the African Sahel. July 25, 1973, "yes."

Rollcall 398.—H.R. 960. Amendment by Young of Georgia providing for a quarterly analysis of funds going to Portugal. This is to make sure that the President does not permit the money to be used for military purposes, especially against Portugal's African colonies. July 26, 1973, "yes."

Rollcall 408.—H.R. 9286. Military procurement. Amendment by DELLUMS of California to reduce U.S. troop levels overseas. July 31, 1973, "yes."

Rollcall 428.—Conference report in bill to increase the minimum wage. August 3, 1973, "yes."

Rollcall 430.—S. 1888 to amend the Agriculture Act to assure consumers of plentiful supplies of food and fiber at reasonable prices. August 3, 1973, "yes."

Rollcall 441.—H.R. 8547. To amend the Export Administration Act to protect domestic economy from drain of scarce materials and commodities and to reduce the serious inflationary impact of abnormal foreign demand. September 6, 1973, "yes."

Rollcall 449.—A vote to override the President's veto of the emergency medical services bill providing assistance in planning, research and training projects for systems for the effective provision of emergency health care services. September 2, 1973, "yes."

Rollcall 450.—H.R. 7974. To amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations. September 12, 1973, "yes."

Rollcall 455.—H.R. 9639. Amendment to the National School Lunch and Child Nutrition Act to delete the section of the

bill which raises reimbursement by the Federal Government for school lunches from 8 cents per lunch to 10 cents. September 13, 1973, "no."

Rollcall 456.—H.R. 9639. Amendment to the School Lunch Act to provide additional Federal financial assistance to the school lunch and school breakfast programs. September 13, 1973, "yes."

Rollcall 459.—H.R. 8070. Conference report to authorize grants for vocational rehabilitation services. September 18, 1973, "yes."

Rollcall 465.—A vote to override the Presidential veto of the minimum wage bill. October 3, 1973, "yes."

Rollcall 483.—H.R. 981. Revision of the Immigration Act which would allow the entrance of political refugees from all countries including Haiti. September 26, 1973, "yes."

Rollcall 495.—Amendment to the Urban Mass Transportation Act to delete provisions for Federal funding of operating expenditures of mass transportation systems. October 3, 1973, "no."

Rollcall 496.—Amendment to the Urban Mass Transportation Act to increase the total amount authorized for assistance. October 3, 1973, "yes."

Rollcall 512.—H.R. 9682. To provide self-government for the District of Columbia. October 10, 1973, "yes."

Rollcall 544.—H.R. 10586. To authorize use of health maintenance organizations in providing health care. October 23, 1973, "yes."

Rollcall 552.—H.R. 10956, the Emergency Medical Services Systems Act of 1973. October 25, 1973, "yes."

Rollcall 560.—H.R. 8219. Authorizes the President to extend special privileges and immunities to the Organization of African Unity. November 6, 1973, "yes."

Rollcall 561.—H.R. 10937. Extends the life of the Watergate grand jury. November 6, 1973, "yes."

Rollcall 563.—House Joint Resolution 542. Override of President Nixon's veto of the War Powers Act limiting the capacity of the President to introduce, employ, or commit U.S. Armed Forces into hostile areas. November 7, 1973, "yes."

Rollcall 564.—H.R. 11104. Adoption of an increased temporary limit on the public debt without consideration of an immediate 7 percent social security increase for the elderly. November 7, 1973, "no."

Rollcall 577.—H.R. 8916 appropriates funds for certain Federal agencies including the Commission on Civil Rights, Equal Employment Opportunity Commission and Small Business Administration. November 13, 1973, "yes."

Rollcall 592.—H.R. 11333 provides for a 7-percent increase in social security benefits beginning in March 1974, payable in April, and an additional 4-percent raise beginning in June 1974, payable in the July 1974 check. November 15, 1973, "yes."

Rollcall 601.—H.R. 11010. Amendment by the gentleman from California, Mr. HAWKINS, to increase funds for manpower training. November 28, 1973, "yes."

Rollcall 602.—H.R. 11010. Passage of the Comprehensive Manpower Act. Programs under this act include public employment services, opportunities indus-

trialization centers, and Office of Economic Opportunity job training programs. November 28, 1973, "yes."

Rollcall 605.—H.R. 11575. Amendment by the gentleman from California, Mr. DELLUMS, to restore funds cut from the race relations and equal opportunity programs of the Department of Defense. November 29, 1973, "yes."

Rollcall 622.—H.R. 8877, approves funding for Headstart, Office of Economic Opportunity programs and Departments of Labor and Health, Education and Welfare. December 5, 1973, "yes."

Rollcall 628.—H.R. 7130. Amendment would eliminate the anti-impoundment provisions from the budget control bill. December 5, 1973, "no."

Rollcall 629.—H.R. 7130. Amendment declares that both Houses of Congress must disapprove an impoundment action by the President. December 5, 1973, "no."

Rollcall 631.—H.R. 7130 provides for a budgetary control system in the Congress with strong anti-impoundment provisions. December 5, 1973, "yes."

Rollcall 662.—H.R. 11450. Amendment to the Energy Emergency Act to prohibit the allocation of fuel for busing. December 13, 1973, "no."

Rollcall 669.—H.R. 11450. Amendment to the Energy Emergency Act to permit the allocation of fuel for school-board-ordered busing. December 14, 1973, "yes."

SPONSORED LEGISLATION

Although still a freshman Congressman, BILL LEHMAN already has a distinguished record in offering and supporting legislation that directly affects the lifestyle of black Americans. In his first year, he has sponsored more than 50 measures of direct concern to blacks.

Among them:

ARTS AND HUMANITIES

H.R. 3926.—To extend the National Foundation on the Arts and the Humanities.

BUSINESS AND INDUSTRY

H.R. 6752.—To aid cities and businesses in urban industrial development.

H.R. 8288.—To allow nonprofit organizations to get small business loans.

CIVIL RIGHTS

House Joint Resolution 268.—To require fair employment in South Africa for U.S. firms seeking Federal contracts.

H.R. 4846.—Establish postcard voter registration system.

H.R. 7956.—Tighten the age discrimination law and apply it to all Government employees.

H.R. 9563.—Protect citizens' financial privacy.

H.R. 10613.—Restrict inspection of tax returns.

COMMUNITY DEVELOPMENT

H.R. 424.—Make cities eligible for technical services aid.

H.R. 3220.—Establish community planning programs for small communities.

H.R. 4822.—Extend the Economic Development Act.

H.R. 6317.—Create a Federal Disaster Insurance Corporation.

CONSUMER

H.R. 3705.—Require date labeling on perishable food.

DRUG ABUSE

H.R. 10295.—Control international drug traffic through the use of trade policy.

EDUCATION

H.R. 2559.—Provide home tutors for handicapped children.

H.R. 3212.—Establish a comprehensive child development program.

H.R. 3826.—Extend vocational rehabilitation grants.

H.R. 4055.—Expand the Headstart program.

H.R. 4228.—Improve child care personnel training.

H.R. 7186.—Allow a tax credit for higher education.

House Joint Resolution 670.—Establish a national education policy.

H.R. 10049.—Promote community education.

FOREIGN AFFAIRS

House Joint Resolution 486.—End involvement in Cambodia.

H.R. 8005.—Halt import of Rhodesian chrome.

H.R. 8574.—Ban sale of herbicides to Portugal and South Africa.

HEALTH

H.R. 2712.—Include drug costs under Medicare.

H.R. 10754.—Establish National Health Insurance.

HOUSING

H.R. 1998.—Provide tax deduction for home improvements.

H.R. 3526.—Provide tax deduction for tenants.

INFLATION

H.R. 3709.—Stabilize meat prices.

H.R. 4792.—Establish Rent Control Board.

House Resolution 341.—Establish Committee on Food Costs.

H.R. 11074.—Regulate food exports.

JUSTICE AND CRIME

H.R. 4962.—Create a Legal Services Corporation.

H.R. 6212.—Guarantee the continuation of legal services programs.

House Resolution 665.—Investigate grounds for impeachment of President Nixon.

H.R. 11700.—Provide compensation for victims of crime.

LABOR

H.R. 1416.—Provide public service jobs for the unemployed.

H.R. 7597.—Require migrant labor contractor registration.

H.R. 11070.—Establish a migrant labor office within HEW.

SENIOR CITIZENS

H.R. 4534.—Strengthen the Older Americans Act.

H.R. 6245.—Provide property tax credit for the elderly.

H.R. 7085.—Ease limits on social service grant aid to the aged, blind and disabled.

H.R. 7957.—Provide care for the elderly in their own homes.

H.R. 11105.—Improve nutrition of elderly.

H.R. 10238.—Provide for social security cost of living increase.

SOCIAL SERVICES

H.R. 3216.—Provide a tax deduction for home child care expenses.

H.R. 4242.—Extend maternal and infant care grants.

H.R. 5515.—Tax deduction for dependent care services.

H.R. 5627.—Stop implementation of new HEW regulations which would limit social service programs.

H.R. 5704.—Allow government grantees the use of excess Federal property.

H.R. 6332.—Extend public health programs.

H.R. 6566.—Require congressional approval of cuts in the Office of Economic Opportunity.

House Concurrent Resolution 175.—Approve the continuation of the Office of Economic Opportunity.

TAXES

H.R. 968.—Tax reform—close tax loopholes.

TRANSPORTATION

H.R. 3344.—Open the highway trust fund for mass transit.

H.R. 11917.—Tax credit for public transit fares.

BIG PROBLEMS WITH MANDATORY ALLOCATION PROGRAM

HON. STEWART B. MCKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. MCKINNEY. Mr. Speaker, there is no question that certain areas of the Nation are suffering severe hardships under the petroleum allocation program which went into effect on the 15th of this month. I would like to alert my colleagues to the problems I have encountered in Connecticut and the actions I have taken to meet these problems.

According to the mandatory allocation regulations for gasoline, every gasoline retailer is limited to purchasing gas from his supplier at an adjusted level based on his 1972 allocations. In Connecticut at least, 1973 was a big growth year for many gas stations and, thus, turning back the calendar to 1972 has aggravated an already bad situation.

What can a gas station owner do? Under section 211.13, page 1934, of the regulations, he may apply for an upward adjustment of his allocation if his station had unusual growth in 1973. Unusual growth is defined as more than 10 percent from 1972 to 1973. If the station does qualify, the owner should obtain a form—FEO-17—from the Federal Energy Office. Since most gas station owners are not aware of this regulation or the necessary procedure to apply for an adjustment, I have sent a letter to each gasoline station owner in the Fourth Congressional District of Connecticut informing him of this exception to the rule.

At the same time, I have called on the major oil companies that supply Con-

necticut to advise their customers of their eligibility under section 211.13. At this writing, I have received only one response to my telegram. Amoco has promised that they "will assist our dealers in applying for an adjustment to their base period volume" and that they "welcome our help in avoiding unnecessary hardships." I applaud Amoco's message of assistance and I look forward to their cooperation.

On another front, the mandatory allocation regulations for heating oil, published on January 15, require home owners to maintain their homes at 6 degrees colder than last year. Strict compliance to this rule would require homes that set their thermostats at 68 degrees last year to sustain a potentially unhealthy 62 degrees this year. Again, responsible citizens are asked to bear an extraordinary burden in fighting the shortage while those who might have been wasting fuel last year are not. In a letter to William Simon, Federal Energy Administrator, I have asked that this section of the regulations be amended to establish a 68-degree minimum standard.

Mr. Speaker, I feel that my colleagues in the House will agree that prompt and responsible action in the areas I have outlined, today, are necessary if this body is to sustain its credibility with the American people.

For your information, I am enclosing pertinent documents to this article:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 29, 1974.

DEAR GASOLINE RETAILER: In the past two weeks, you and the driving public in Fairfield County have faced intolerable problems with no immediate sign of relief. The facts are simple. According to the mandatory petroleum allocation regulations issued on January 15th, you are limited to purchasing gas from your supplier at an adjusted level based on 1972. Since 1973 was a big year for many of you, this arbitrary rule seems highly unfair. *But there is a way to get more gas.*

If you had unusual growth in 1973 (anything more than 10% over 1972), you should obtain an FEO-17 form from either the Energy Office in Boston, at 617-223-5215 or from one of my district offices at 325-1428 (Stamford) or 384-2286 (Bridgeport).

After you have completed the form, you have two courses at your disposal. If your growth was more than 10% and less than 20%, you should send the form to your supplier. If your growth was more than 20%, you should send the form directly to Mr. Lawrence Rogers, Regional Administrator, Federal Energy Office, 150 Causeway Street, Boston, Massachusetts 02114.

I cannot over emphasize the importance of acting on this matter immediately. If you have any further questions please do not hesitate to call one of my district offices.

Sincerely,

STEWART B. MCKINNEY,
Member of Congress.

[Telegram]

The residents of Connecticut are suffering severe hardships due to a shortage of gasoline.

Under Section 211.13 of the Petroleum allocation regulations wholesale purchasers who have had unusual growth between the base period, in this case, 1972, and the effective date of the regulations, may apply to their supplier for an adjustment to their base period volume. I am sure that you are aware of this section and I am sure that most dealers in Connecticut are not.

I respectfully request that you inform your customers in Connecticut of this regulation and immediately release additional allocations where they are warranted. I personally have found many instances of unusual growth in my Congressional District.

Your consideration will not only alleviate great hardship to the many people of our state but also prove to the whole nation that your concern is genuine.

STEWART B. MCKINNEY,
Member of Congress.

SENT TO

Mr. Frank Osmet, Amoco, Chicago, Ill.
Mr. T. F. Bradshaw, Atlantic Richfield, Los Angeles, Calif.

Mr. H. J. Haynes, Chevron, San Francisco, Calif.

Mr. Charles Waldelich, Citgo, New York, N.Y.

B. P. Corp., Atlanta, Ga.
Mr. Randall Meyer, Exxon, Houston, Tex.

Mr. J. P. Getty, Getty, Los Angeles, Calif.
Mr. B. E. Dorsey, Gulf, Pittsburgh, Pa.

Mr. William Tavoulaareas, Mobil, New York, N.Y.

Mr. Harry Briges, Shell, Houston, Tex.
Mr. Robt. Sharbaugh, Sun, St. Daniels, Pa.

Mr. N. W. Freeman, Tenneco, Houston, Tex.
Mr. John McKinley, Texaco, New York, N.Y.

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 15, 1974.

HON. WILLIAM SIMON,
Administrator, Federal Energy Office,
Washington, D.C.

DEAR BILL: I have long supported the implementation of a mandatory allocation system of all petroleum products and was, therefore, heartened by your action today. However, I have one major reservation regarding the implementation of the six degree drop of thermostats in households across the nation. According to officials in your office, households which set their thermostats at sixty-eight degrees last year will now be asked to set their thermostats at sixty-two degrees this year.

This rule is unfair, especially in Connecticut, where most homes are heated by oil. Responsible citizens are being asked to bear an extraordinary burden in fighting this shortage while those who might have been wasting fuel last year are not. I would be most interested in your planned execution of this rule and how you plan to alleviate, what seems to me, a gross injustice.

Your prompt reply to this letter would be greatly appreciated and please do not interpret this letter as a rebuke of the fine work you have done up to this time.

Sincerely,

STEWART B. MCKINNEY,
Member of Congress.

VIETNAM PEACE—50,000 DEATHS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. DRINAN. Mr. Speaker, I would like to bring to the attention of my colleagues an article from the January 28 Boston Globe entitled "Vietnam Peace—50,000 Dead" by Frances Fitzgerald.

Ms. Fitzgerald, author of the Pulitzer Prize-winning book, "Fire in the Lake: The Vietnamese and the Americans in Vietnam," describes the history of American involvement in this tragic war and thoughtfully concludes that—

Over the past six years about a million Indochinese have died for the prestige of two men.

Ms. Fitzgerald cautions us that many more will die if the American public continues to pay the war no more attention than it did in 1964.

The article follows:

VIETNAM PEACE—50,000 DEATHS
(By Frances Fitzgerald)

A year ago yesterday the United States signed the Paris Agreement on Ending the War and Restoring the Peace in Vietnam. Since then the number of combat deaths in Vietnam has reached far above 50,000, or to about the level it reached in 1966, an "average" year in the war. Only the cause of these deaths has changed.

Whereas a year ago Vietnamese were dying in military operations, they are dying today in cease-fire violations. According to Richard Nixon they are dying not to win the war but to win the peace in South Vietnam. From these facts many might draw the conclusion that the peace agreement accomplished nothing, that it changed nothing in the history of the Vietnam war. They would be wrong.

This Christmas was the first Christmas in 12 years that the United States was not bombing Indochina or maintaining American ground troops in Vietnam. Furthermore, the other events in Vietnam this past year did not duplicate those of the year before. They were repetitions of events much further back in history. Take any recent news dispatch—"Thieu declares he will not hold a national election as the peace accord specifies," "Tracts given to South Vietnamese peasants revert to former landlords," "Military intelligence analysts fear foe will cut country in half"—and you won't find a similar report since 1956 or 1964. It is just that there is a certain symmetry to the war—a symmetry that extends beyond the period of American troop engagement to the beginning of the American intervention in Vietnam.

The United States has been actively engaged in a war against communism in Indochina since 1950. As the history books for American children unborn at the time now show, the policy has been perfectly consistent: only the means have changed. In 1950-54 the Eisenhower Administration paid up to 80 percent of the French colonial war. After the French defeat, the Administration created and financed a regime in South Vietnam that would contravene the Geneva Accords by refusing to hold national elections and by building an army to compete with that in the North. When the southern guerrillas came near to defeating this regime on their own, the US introduced counterinsurgency teams and helicopter squadrons; in 1964, just after the passage of the Tonkin Gulf resolution, it began to bomb North Vietnam and a few months later to send regular American forces into the South. Four years later, in the wake of the Tet offensive President Johnson ended the troop buildup; he did not however change the policy of pursuing the war in Vietnam. For Mr. Johnson, and later Mr. Nixon, the means became known as "Vietnamization"—the slow withdrawal of American troops combined with a further buildup of the Saigon government army and the increased use of American firepower.

The period of American withdrawal ended with the peace agreement; it took 4½ years to accomplish, or slightly longer than the buildup, and in the first three years of the Nixon Administration it cost the lives of 20,000 Americans and some half a million Vietnamese. Since then the Nixon Administration has been carrying on the war in the traditional way, by proxy. Last year, it spent \$3 billion in support of a military regime

that resists any form of political settlement as specified in the peace accords.

The history books for children recount most of this story, but they do not answer the question of why the United States pursued this policy for so long. As the intelligence documents in the Pentagon Papers show, neither Mr. Eisenhower, Mr. Kennedy nor Mr. Johnson could have had any confidence of winning the war with the measures they were using. In 1961, for example, Defense Secretary Robert McNamara queried the value of sending a token American force to Vietnam, warning, "We would be almost certain to get increasingly mired down in an inconclusive struggle."

A few months later the Kennedy administration sent just such a token force and publicly predicted success for it, suggesting that no further measures would be necessary. In his analysis of the Pentagon Papers, an essay called "The Quagmire Myth and the Stalemate Machine," Daniel Ellsberg addresses the question of why three administrations concealed their most realistic estimates and continued to step up the war on that basis. His answer, in short form, is that even though all three Presidents strongly suspected the war could not be won, they also strongly suspected they could not politically survive the "loss" of Saigon or a land war in Asia. Their solution, therefore, was to maintain the stalemate as cheaply as possible while hoping for a miracle. And if the miracle did not happen, they could pass the problem on to their successors. Mr. Johnson's misfortune was that he occupied the White House at a time when the guerrilla war had reached such a peak that he could not maintain the Saigon government without committing American troops. Nixon, by contrast, came to the presidency after the crisis had passed.

The Ellsberg theory is, I think, sound. But it is not necessary to accept it in order to predict the future course of the war under a Nixon presidency. Mr. Nixon himself has already made that perfectly clear by his actions in Indochina over the past six years. Elected at the height of the peace movement and over a vice president whose administration had been discredited by the war, Mr. Nixon had the option of disavowing the Johnson war policy and making peace in Vietnam. He did not do so.

Instead, he chose to maintain the stalemate at a price far higher than any other president had paid.

Militarily the cost included the invasion of Cambodia and the beginning of a destructive, long-term war in another country, the invasion of Laos, the secret bombing of North Vietnam and Cambodia, the mining of North Vietnamese harbors and inland waterways and the terror bombing of Hanoi last Christmas. But these actions were only the most spectacular of his military measures. Equally important was the sustained bombing of three countries, the destruction of two or three national economies, the uprooting of several million Indochinese and the building of an army that, statistically-speaking, drafts all able-bodied South Vietnamese men for the duration of the war.

These measures, taken before the cease-fire, have had an important impact on the military situation in Vietnam, but they have not meant victory for the United States. In the Paris agreement the United States had to accept what it refused to acknowledge in the Geneva Accords of 1954: the principle of unity and territorial integrity of all of Vietnam and the presence of North Vietnamese troops in the South.

Mr. Nixon's measures have not insured a stable situation—as it were, a permanent stalemate—because the Saigon government, while larger, remains what it always was: a parasite that lives on what one Frenchman called "la densité de la pourriture," the density of corruption. President Thieu's control

over South Vietnam (never mind the Northern troops) rests on his ability to maintain American aid at a level where he can keep the majority of the population in the army, the jails, the cities and the refugee camps. While American military and CIA analysts predict a North Vietnamese offensive and propose more military aid for Saigon, Thieu is actively trying to realize that prediction and that aid by calling for an invasion of North Vietnamese and Provisional Revolutionary Government base areas in the South.

What Mr. Nixon has done is to create a stalemate that may last until the end of his term and whose preservation may well require the renewal of American bombing in the United States full circle to the same moment of decision in which the Tonkin Gulf resolution was passed.

One difference is that now the war is a decade older—three countries have been partially destroyed. The other difference is that because the American public will not permit the reintroduction of American ground troops, Nixon and his advisers know precisely what the final outcome will be. They support the war in perfect cynicism. After the visit to Peking they have no ideological pretext, much less a justification. Over the past six years about a million Indochinese have died for the prestige of two men. A lot more will die if the American public continues to pay the war no more attention than it did in 1964.

A BILL TO REPEAL WINTER DAY-LIGHT SAVING TIME

HON. WILEY MAYNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. MAYNE. Mr. Speaker, on January 29, I introduced H.R. 12354, a bill to repeal one of the worst mistakes ever made by the Congress when it enacted winter daylight saving time last month. I urge the House Interstate and Foreign Commerce Committee to take immediate action favorably reporting my repeal bill so that it can be passed by the full House without a delay. As far as I am concerned, we cannot act soon enough to start undoing the damage which has already been done by the hurried enactment of the Emergency Daylight Saving Time Energy Conservation Act of 1973, which put year-round daylight saving time into effect on Sunday, January 6. I am one of the Members who strongly opposed the passage of this legislation in floor debate when it was before the House. We challenged Chairman STAGGERS and other sponsors of this unwise legislation to show us how it would save energy and they were completely unable to do so. It was nevertheless enacted in the rush "to do something about the energy crisis" before adjourning for Christmas.

We have now been operating under winter daylight saving time for 25 days and the results have been even worse than we predicted. Surely the experience of these nearly 4 weeks should have convinced most Members of the House by now that a mistake was, indeed, made which must be corrected. Congress should own up to this error and immediately repeal this legislation.

I talked with hundreds of northwest Iowans about this issue from December 24 through January 20 during the congressional recess, hearing their objections to winter daylight saving time in face-to-face interviews and telephone calls.

The first concern of farmers and others who live in rural communities is, of course, for their children, and fears that winter daylight saving would increase hazards of walking to and waiting at bus stops an hour darker and colder have proved well justified. Several schoolchildren have already been killed in Florida walking or waiting in the darkness. A Sioux County farmer told me children have difficulty distinguishing schoolbuses from milk trucks in the dark. This can be fatal if the milk truck swings into the farmhouse lane where children wait expecting it to stop like a bus on the highway. Schoolteachers and administrators and school board members have also expressed their deep concern for children's safety under such conditions since January 6.

I will not recite the entire range of legitimate complaints of farmers arising from the loss of this morning hour, but here are a few:

It makes a mighty short forenoon and a long afternoon for most Iowa farmers. Livestock will not move around much until a half hour after daylight which means you cannot get them out to eat before 8:30 on a cold winter morning. Its almost dinner time by the time feeding is over.

It's inconvenient and down right dangerous working with machinery in the dark, especially for farm boys who have morning chores before leaving for school.

Getting repairs for machinery is made more difficult. The repair shop in town usually closes at 5:30 and if mechanical feeding equipment breaks down during evening chores there is no chance to get repairs till next morning.

It effectively bars farm families from evening church and other community activities which commence at 7:30 p.m.

It is not just on the farms that winter daylight saving is hurting agriculture. I happened to be at the Sioux City stockyards in the bitter cold, early morning hours of Monday, January 7, the first business day that the new law was in effect. It was obvious that the additional hour of darkness was creating great difficulties. Yards personnel had been unable to get cattle sorted and ready to show by the time the market opened. I heard experienced handlers protest that they could not tell a heifer from a steer in the pitch dark, especially with Angus cattle. The orderly marketing of livestock has been seriously impaired at terminal markets, auction sales, and wherever livestock are sold in the mid-west.

Mr. Speaker, I have also received many complaints from workmen on construction projects and their employers. They too are worried about the increased hazards of working in the early morning darkness. Dangers have been decreased on some projects by floodlighting, but this obviously increases energy consumption drastically at direct cross purposes

to the professed purpose of the Emergency Daylight Saving Time Energy Conservation Act.

Mr. Speaker, we are now into the 4th week of this fiasco, and no responsible official can claim that winter daylight saving time has saved one smallest unit of energy. Certainly Mr. William Simon, the head of the Federal Energy Office, readily admits he has no proof of any such savings. He concedes that the claims for energy savings made by proponents of the act last fall were based on sheer speculation then and are still based on sheer speculation today.

I want to emphasize that I have no objection to summer daylight saving time, which has proved its worth through many long years and is effective during periods of much longer daylight. But I do urge my colleagues to join me in pushing for the speedy enactment of H.R. 12354, my bill to end winter daylight saving by repealing the so-called Emergency Daylight Saving Time Energy Conservation Act of 1973.

MURDER BY HANDGUN: THE CASE FOR GUN CONTROL—NO. 67

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. HARRINGTON. Mr. Speaker, I find myself in partial agreement with the National Rifle Association's adage that "Guns don't kill people; people do."

It is true that handguns do not fire of their own accord; but on the other hand, there is no other commonly used weapon that has the convenient effectiveness of a firearm—especially the handgun. Handguns were responsible for 65 percent of the homicides in 1972, a figure that increases annually.

Included below is a report of two murders from the Washington Post, and an analysis of the U.S. current gun laws by the Boston Globe:

[From the Washington Post]

POLICE REPORT TWO NW MEN FATALLY SHOT

Two Washington men were fatally shot last night in separate incidents in the Northwest, metropolitan police reported.

In the first incident, two unidentified men knocked on the front door of Mitchell L. Williams' apartment at 6501 14th St. NW at about 8:30 p.m. When Williams opened the door, police said, he was shot once in the chest. The two men then fled after the shooting.

Williams, 24, was taken to the Washington Hospital Center, where he was pronounced dead.

Police said they have established no motive for the killing and have made no arrest.

About 1½ hours later, Ernest R. Edwards, 24, of 1436 Fairmont St. NW, was shot once with a pistol during an altercation inside the apartment of his neighbor, Harvey Thomas, of the same address, police reported.

Edwards was taken to the Washington Hospital Center, where he died at 11:20 p.m.

Thomas, 54, was arrested at the scene and charged with homicide. He was being held last night pending arraignment in D.C. Superior Court today.

[From The Boston Globe]

U.S. GUN LAWS: 20,000 WEAK, CONFUSING CONTROLS

Gun laws in the United States are a maze of 20,000 overlapping Federal and state regulations.

There is no such thing as Federal handgun licensing, although mid-1972 Gallup and Harris polls revealed that 70 percent of the nation's citizens favor gun registration or permits.

Instead, handgun purchase is governed by the Federal Gun Control Act of 1968 and the 1968 Gun Control Amendment to the Omnibus Crime Control and Safe Streets Act.

The laws are not difficult to skirt.

They prohibit, for example, handgun purchase in a state where the buyer is not a resident, but "residency" is so loosely defined that a person owning a Summer home in another state may purchase handguns in that state.

Further, when a handgun is purchased the buyer must only "identify himself in any manner customarily used in commercial transactions, e.g., a driver's license." No secondary proof of residency is required, and in many states drivers' licenses do not carry a photograph of the bearer.

As a result, the law has not stopped the flow of illegal guns into states with relatively tough state gun laws, such as Massachusetts, from states with weak gun laws, such as Vermont.

Federal laws also ban importation of guns into the United States unless they are "particularly suitable or adaptable for sporting purposes," a measure designed to stop the flow of inexpensive so-called "Saturday night specials" into the country.

The laws do not, however, prohibit the importation of parts for such guns (except frames), and a whole new domestic industry has sprung up which manufactures inexpensive and easy-to-conceal "Saturday night specials" principally from these imported parts.

Federal laws also prohibit sale of handguns to certain persons such as minors, fugitives from justice and unlawful drug users.

But the laws provide no method checking the background of a buyer. He must only sign a statement when he purchases a gun stating that he is not a person prohibited from purchasing one.

Finally, gun dealers must keep a record of each transaction on Federal form 4473, giving the name, address and physical details of the buyer, as well as a description of the gun purchased.

But this is not gun registration. The records are not forwarded in any record-keeping or law enforcement agency. Instead, they are kept on the premises of the dealer.

ARAB WAR CRIMES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ROSENTHAL. Mr. Speaker, I have seen personally the evidence of Egyptian and Syrian war crimes committed during the Yom Kippur war last October.

Israeli prisoners captured by the Arabs had been bound, blindfolded, mutilated, and shot or stabbed to death.

An exchange of prisoners has been completed between Israel and Egypt, but the Syrian Government refuses to permit the International Committee of the Red Cross access to Israeli prisoners, it will not release the names of those held cap-

tive and it refuses all requests for an immediate exchange of the wounded.

Syria's action is in direct violation of the 1949 Geneva Convention relative to treatment of prisoners of war.

Mr. Speaker, I am inserting in the RECORD a monograph "On PW's and War Crimes" written by Albert P. Blaustein and Jordan J. Paust plus a copy of the Geneva Convention of 1949 relative to the treatment of prisoners of war. On December 13, 1973, I submitted for the RECORD the text of formal complaints submitted by the Government of Israel to the International Committee of the Red Cross in Geneva and to the Secretary General of the United Nations regarding the killing of Israeli prisoners of war by Egypt and Syria. I direct colleagues to page E8033 of the RECORD of that date.

Albert Blaustein is professor of law at Rutgers University School of Law—Camden, in New Jersey, where he teaches a seminar in law and the military establishment. He is also a member of the Committee for Protection of Human Life in Armed Conflicts; the committee is an arm of the International Society on Military Law and Laws of War.

Jordan Paust is completing work on his J.S.D. at Yale Law School. He taught on the subject of war crimes—and human rights—at the Judge Advocate General's School, U.S. Army, in Charlottesville, Va., from 1969 to 1973.

Professor Blaustein and Mr. Paust have recently completed a book on human rights and war crimes which will be published in April by Prager.

The material follows:

ON POW'S AND WAR CRIMES

(By Albert P. Blaustein and Jordan J. Paust)

Commission of Egyptian-Syrian war crimes began within minutes after the opening of the Yom Kippur War on October 6. And these war crimes—ever continuing and ever more serious—were still being committed as Arab and Israeli leaders met in Geneva on December 21 to begin "negotiations."

What has been violated is the Third Geneva Convention of August 12, 1949—the *Geneva Convention Relative to the Treatment of Prisoners of War*.

Government responsibility for prisoners of war is declared in general terms in Article 12: "Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them." Supplementing this responsibility is Article 1, common to all four of the 1949 Geneva Conventions, which declares that all parties must undertake "to respect and to insure respect" for the Conventions "in all circumstances."

What each warring party must do "immediately," "at the outbreak of a conflict," is set forth in Article 122. This involves the establishment of an Information Bureau whose primary task is to notify all concerned of those who have been captured. Other mandates which have been violated are set forth in Articles 71, 109, 126, in Article 118 and, finally, in Articles 13, 17 and 130.

Israel's acceptance of the October 24th cease fire was contingent upon the early identification and release of the more than 400 prisoners captured by Egypt and Syria. But where are the lists of all of the Israeli soldiers who were indeed captured? Where are the men yet to be repatriated? And what kind of treatment did (and do) Israeli PW's undergo in captivity?

As of the opening of the Geneva talks, the list of Israelis missing in action totaled 406 on the Egyptian front and 102 on the Syrian

front. Egypt did repatriate 232 prisoners of the Yom Kippur War and nine who had been taken previously in exchange for 8,301 Egyptians released by Israel. And many of the others missing on that front are known to have been killed. But Syria has even refused to supply the names and numbers of the prisoners they have taken.

In addition to the "information" requirement of Article 122, PW's are given the right (under Article 71) to communicate with their families. They also have (under Article 126) the right to meet with representatives of the International Committee of the Red Cross (ICRC) and delegates of the "Protecting Powers" who must be free to visit all confinement facilities. And Article 109 requires the automatic repatriation of the seriously sick and the seriously wounded.

Further, the Convention requires under Article 118 that prisoners of war be released and repatriated immediately after the cessation of hostilities.

Articles 13, 17 and 130 provide that prisoners must be "humanely treated" and outlaw willful killing, torture, serious bodily injury, etc. [All of these key articles are reproduced here in Appendix A.]

Less than a week after the cease fire, Israel took steps to advise the world of these Geneva Convention violations. One medium was the Standing Committee for the Protection of Human Life in Armed Conflict of the International Society for Military Law and the Law of War. [Attached here is a copy of a telegram (Appendix B) sent to co-author Blaustein, a member of that Committee. It is signed by Meir Shamgar, Israeli Attorney-General, who is likewise a member of that Committee, and Dr. Zvi Hadar, the Israeli Army Colonel who served as chief legal adviser to the armed forces.]

Then, on November 10, a complaint was lodged with the International Committee of the Red Cross on the "murder and mutilation" of Israeli PW's by Syria. This has since been supplemented by a further complaint to the Red Cross on December 8. Charges have been made that at least 42 Israeli soldiers were murdered by Syrian, Moroccan and Iraqi soldiers serving in Syria.

What of Arab charges that the Israelis have also violated the Geneva Convention on PW's? The following is taken from ICRC communiqué No. 180, dated October 28:

"The International Committee of the Red Cross confirms that since the beginning of hostilities it has been insistent in requiring all parties within the shortest possible time to furnish it with the lists of prisoners of war and to allow it to visit them.

"On these two points it has obtained satisfaction from the Israeli authorities. On the other hand, to this day, its representations have not led to any result in Syria, while in Egypt the 46 names furnished some ten days ago and the visit of a few of the wounded are only a first step which has not been followed by any other since."

APPENDIX A

GENEVA CONVENTION, RELATIVE TO THE TREATMENT OF PRISONERS OF WAR, AUGUST 12, 1949

(Treaties and Other International Acts Series 3364)

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Convention concluded at Geneva on July 27, 1929, relative to the Treatment of Prisoners of War, have agreed as follows:

ARTICLE 12*

Prisoners of war are in the hands of the enemy Power, but not of the individuals or

* In ratifying the present Convention, the Union of Soviet Socialist Republics and certain other governments made specific reservations with respect to this Article.

military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

ARTICLE 13

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

ARTICLE 17

Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information.

If he wilfully infringes this rule, he may render himself liable to a restriction of the privileges accorded to his rank or status.

Each Party to a conflict is required to furnish the persons under its jurisdiction who are liable to become prisoners of war, with an identity card showing the owner's surname, first names, rank, army, regimental, personal or serial number or equivalent information, and date of birth. The identity card may, furthermore, bear the signature or the fingerprints, or both, of the owner, and may bear, as well, any other information the Party to the conflict may wish to add concerning persons belonging to its armed forces. As far as possible the card shall measure 6.5x10 cm. and shall be issued in duplicate. The identity card shall be shown by the prisoner of war upon demand, but may in no case be taken away from him.

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Prisoners of war who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph.

The questioning of prisoners of war shall be carried out in a language which they understand.

ARTICLE 71

Prisoners of war shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each prisoner of war, the said number shall not be less than two letters and four cards monthly, exclusive of the capture cards provided for in Article 70, and conforming as closely as possible to the models annexed to the present Convention. Further limitations may be imposed only if the Protecting Power is satisfied that it would be in the interests of the prisoners of war concerned to do so owing to difficulties of translation caused by the Detaining Power's inability to find sufficient qualified linguists to carry out the necessary censorship. If limitations must be placed on the correspondence addressed to prisoners of war, they may be ordered only by the Power on which the prisoners depend, possibly at the request of the Detaining Power. Such letters and cards must be conveyed by the most rapid method at the disposal of the Detaining Power; they may not be delayed or retained for disciplinary reasons.

Prisoners of war who have been without news for a long period, or who are unable to receive news from their next of kin or to give them news by the ordinary postal route, as well as those who are at a great distance from their homes, shall be permitted to send telegrams, the fees being charged against the prisoners' of war accounts with the Detaining Power or paid in the currency at their disposal. They shall likewise benefit by this measure in cases of urgency.

As a general rule, the correspondence of prisoners of war shall be written in their native language. The Parties to the conflict may allow correspondence in other languages.

Sacks containing prisoner of war mail must be securely sealed and labeled so as clearly to indicate their contents, and must be addressed to offices of destination.

ARTICLE 109

Subject to the provisions of the third paragraph of this Article, Parties to the conflict are bound to send back to their own country, regardless of number or rank, seriously wounded and seriously sick prisoners of war, after having cared for them until they are fit to travel, in accordance with the first paragraph of the following Article.

Throughout the duration of hostilities, Parties to the conflict shall endeavor, with the cooperation of the neutral Powers concerned, to make arrangements for the accommodation in neutral countries of the sick and wounded prisoners of war referred to in the second paragraph of the following Article. They may, in addition, conclude agreements with a view to the direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity.

No sick or injured prisoner of war who is eligible for repatriation under the first paragraph of this Article may be repatriated against his will during hostilities.

ARTICLE 118

Prisoners of war shall be released and repatriated without delay after the cessation of active hostilities.

In the absence of stipulations to the above effect in any agreement concluded between the Parties to the conflict with a view to the cessation of hostilities, or failing any such agreement, each of the Detaining Powers shall itself establish and execute without delay a plan of repatriation in conformity with the principle laid down in the foregoing paragraph.

In either case, the measures adopted shall be brought to the knowledge of the prisoners of war.

The costs of repatriation of prisoners of war shall in all cases be equitably apportioned between the Detaining Power and the Power on which the prisoners depend. This apportionment shall be carried out on the following basis:

(a) If the two Powers are contiguous, the Power on which the prisoners of war depend shall bear the costs of repatriation from the frontiers of the Detaining Power.

(b) If the two Powers are not contiguous, the Detaining Power shall bear the costs of transport of prisoners of war over its own territory as far as its frontier or its port of embarkation nearest to the territory of the Power on which the prisoners of war depend. The Parties concerned shall agree between themselves as to the equitable apportionment of the remaining costs of the repatriation. The conclusion of this agreement shall in no circumstances justify any delay in the repatriation of the prisoners of war.

ARTICLE 122

Upon the outbreak of a conflict and in all cases of occupation, each of the Parties to the conflict shall institute an official Information Bureau for prisoners of war who are in its power. Neutral or non-belligerent Powers who may have received within their territory persons belonging to one of the categories referred to in Article 4, shall take the same action with respect to such persons. The Power concerned shall ensure that the Prisoners of War Information Bureau is provided with the necessary accommodation, equipment and staff to ensure its efficient working. It shall be at liberty to employ prisoners of war in such a Bureau under the conditions laid down in the Section of the present Convention dealing with work by prisoners of war.

Within the shortest possible period, each of the Parties to the conflict shall give its Bureau the information referred to in the fourth, fifth and sixth paragraphs of this Article regarding any enemy person belonging to one of the categories referred to in Article 4, who has fallen into its power. Neutral or non-belligerent Powers shall take the same action with regard to persons belonging to such categories whom they have received within their territory.

The Bureau shall immediately forward such information by the most rapid means to the Powers concerned, through the intermediary of the Protecting Powers and likewise of the Central Agency provided for in Article 123.

This information shall make it possible quickly to advise the next of kin concerned. Subject to the provisions of Article 17, the information shall include, in so far as available to the Information Bureau, in respect of each prisoner of war, his surname, first names, rank, army, regimental, personal or serial number, place and full date of birth, indication of the Power on which he depends, first name of the father and maiden name of the mother, name and address of the person to be informed and the address to which correspondence for the prisoner may be sent.

The Information Bureau shall receive from the various departments concerned information regarding transfers, releases, repatriations, escapes, admissions to hospital, and deaths, and shall transmit such information in the manner described in the third paragraph above.

Likewise, information regarding the state of health of prisoners of war who are seriously ill or seriously wounded shall be supplied regularly, every week if possible.

The Information Bureau shall also be responsible for replying to all enquiries sent to it concerning prisoners of war, including those who have died in captivity; it will make any enquiries necessary to obtain the information which is asked for if this is not in its possession.

All written communications made by the Bureau shall be authenticated by a signature or a seal.

The Information Bureau shall furthermore be charged with collecting all personal valuables, including sums in currencies other than that of the Detaining Power and documents of importance to the next of kin, left by prisoners of war who have been repatriated or released, or who have escaped or died, and shall forward the said valuables to the Powers concerned. Such articles shall be sent by the Bureau in sealed packets which shall be accompanied by statements giving clear and full particulars of the identity of the person to whom the articles belonged, and by a complete list of the contents of the parcel. Other personal effects of such prisoners of war shall be transmitted under arrangements agreed upon between the Parties to the conflict concerned.

ARTICLE 126

Representatives or delegates of the Protecting Powers shall have permission to go to all places where prisoners of war may be, particularly to places of internment, imprisonment and labour, and shall have access to all premises occupied by prisoners of war; they shall also be allowed to go to the places of departure, passage and arrival of prisoners who are being transferred. They shall be able to interview the prisoners, and in particular the prisoners' representatives, without witnesses, either personally or through an interpreter.

Representatives and delegates of the Protecting Powers shall have full liberty to select the places they wish to visit. The duration and frequency of these visits shall not be restricted. Visits may not be prohibited except for reasons of imperative military necessity, and then only as an exceptional and temporary measure.

The Detaining Power and the Power on which the said prisoners of war depend may agree, if necessary, that compatriots of these prisoners of war be permitted to participate in the visits.

The delegates of the International Committee of the Red Cross shall enjoy the same prerogatives. The appointment of such delegates shall be submitted to the approval of the Power detaining the prisoners of war to be visited.

ARTICLE 130

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or properly protected by the Convention: willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or willfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.

CAMDEN, N.J., October 29, 1973.

Prof. ALBERT P. BLAUSTEIN,
University Rutgers School of Law,
Camden, N.J.:

Call the attention of members of Committee for Protection of Human Life in Armed Conflicts to the persistent and unjustified refusal of Egypt and Syria to implement articles 71, 109, 122, 126 of Third Geneva Convention: The names of POW's (with the exception of names of 40 POW's taken prisoners by Egypt in presence of ICRC representatives) have not been transmitted either to the ICRC or to Israel, no notification from them has been received, the ICRC is not permitted to meet the POW's to visit places of detention or to visit the seriously wounded and sick who have to be repatriated.

MEIR SHAMGAR,
Dr. ZVI HADAR.

SPIRO AGNEW

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ROUSH. Mr. Speaker, it has now been 3½ months since former Vice President Agnew on October 10 resigned his official position and took that of a private citizen. We have had a new Vice President since the December 6 swearing-in of our former colleague in the House, Mr. GERALD FORD. Thus it is difficult for me to explain to my constituents, and to figure out myself, why the U.S. Government maintains an office, a special staff, Secret Service protection, and transportation for Mr. Agnew.

The chief investigative arm of the U.S. Congress, the Office of the Comptroller General of the United States, has been asked to look into this matter and has issued a preliminary report on staff and services provided the former Vice President by the Government. Their figures carry through only mid-December, but they are revealing.

It seems that the American taxpayer has been footing the bill for office space at the monthly expense of \$2,075 for a transitional office for the former Vice President who had the services of a staff from October 10 through December 4 which cost a total of \$89,132.75 and \$287.12 was spent on the franking privilege, \$887.61 for office supplies. During that period of time Secret Service protection, including limousines and drivers, cost a total of \$89,222.

Figures on the additional expenses since December are not available, but a transitional office is still functioning, with a reduced staff, I understand, and the Secret Service protection continues.

Let me say that I have no personal feeling of vindictiveness toward Mr. Agnew. I deeply regret the circumstances that surrounded his departure from the high office that he held. And I would certainly not want this Government to be remiss in protecting public officials. But Mr. Agnew is no longer among these. He pleaded no contest to charges of tax evasion and departed the Government.

The GAO in their report could reasonably account for the staff that had served Mr. Agnew in his Office as Vice President and those in the Office of President of the Senate in the October-December period before the inauguration of Mr. Ford. But what the GAO questioned, and continues to question, is the 7 or 8 persons who have worked and continue to work in a transitional office for Mr. Agnew. These persons accounted for \$15,225.24 of that \$89,132.75 staff figure mentioned previously, and that was for only a 2-month period. The GAO could find no legal authority for the Secret Service protection.

We now have a fully functioning Vice-Presidential Office. It would seem to me that the present Vice-Presidential Office could assume the responsibility for official papers and the like that have carried over. The Government should pay for carrying out the duties, responsibility,

obligations, and answering correspondence relative to the official position Mr. Agnew held, only. Nor can I easily justify to my constituents this prolonged Secret Service protection including chauffeur service, to a man who left public service in disgrace 3½ months ago. Where does it all end?

AMERICAN FLAGSHIPS AND FOREIGN OIL: A QUESTION TO BE RESOLVED**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Ms. ABZUG. Mr. Speaker, a recent change in Liberian Government policy again calls our attention to our country's vulnerability in the transportation of imports. As reported in an excellent article from the January issue of the *NMU Pilot*, Liberia is challenging the right of foreign-owned ships under Liberian flag transport the goods they choose. This is an obvious threat to the United States as many of our ships are under Liberian registry. More disquieting, however, is the precedent. Economic coercion imposed upon the United States by foreign countries through manipulation of their flagships is a very real possibility. The stark truth is we are more than 95 percent dependent on foreign flagships for our oil imports. Liberia's recent actions constitute a clear signal to us that we must remedy our dependence on foreign flagships to carry goods vital to this country.

A clear remedy to this situation would be the legislation requiring that a percentage of oil imports be carried on U.S.-flag tankers. Oil is certainly one of the most critical import commodities. The Arab oil boycott indicates the political purposes for which petroleum can be used. We cannot allow ourselves to remain open to attack from another aspect of oil procurement; namely, its transport.

I, therefore, call for the expediting of H.R. 8193, which is similar to a measure that I have cosponsored (H.R. 9918), through hearings to a vote on the House floor. This legislation will require that immediate steps be taken to insure that 20 percent of our oil imports be carried in U.S.-registered tankers. After a period of time, this percentage will be raised to 25 percent and later to 30 percent. In this way we can be secured in the ability to deliver available foreign oil supplies.

To emphasize the need for this legislation, I insert the recent article from the *NMU Pilot* and commend it to the attention of my colleagues:

[From the *NMU Pilot*, Jan. 1974]

LIBERIAN EXECUTIVE ORDER EXPOSES DEFECTS IN "EFFECTIVE CONTROL" POLICY

One useful purpose served by the Arab embargo on oil for the U.S. may be that it opened some eyes here to the dangers of reliance on foreign sources for a number of materials and services essential to our national life. One of these is overseas vessel transportation. We've been relying on foreigners for no less than 94% of that vital element * * *

The question about our reliance on foreign flag tankers was further heightened by a series of announcements by the Liberian government last month. The great majority of tankers bringing oil into the U.S. have been of Liberian registry. Last month the Liberian government broke relations with Israel and took a strong stand on the side of Egypt in the dispute there. At the same time, Liberia issued an executive order restricting operations of Liberian flag vessels in relation to the mid-East situation. The order restricts carrying of arms or "other implements of war" to countries in the "Middle East" and applies to all ships of Liberian registry, regardless of ownership.

The strong Liberian position on one side of the conflict coupled with its order to ships flying its flag was seen as a serious challenge to the so-called "effective control" theory.

The theory is one concocted by U.S. oil companies and adopted by the Defense Department and Maritime Administration many years ago. It has been opposed consistently by maritime labor. Essentially the theory is that American-owned runaway-flag ships can be regarded as under "effective control" of the U.S. for defense purposes. In the face of contrary evidence in a number of national emergency situations, the theory has formed one of the main legal and strategic defenses for the oil companies' use of runaway tankers.

The theory, such as it is, depends entirely on the concept that the Liberian flag is nothing more than a "flag of convenience", not subject to the kind of "executive order" issued last month by the Liberian government. The kind of understandings that "effective control" was allegedly based on would have to give way in the court of world opinion to the executive orders of sovereign governments, such as the Liberian order.

Observers see the recent events as creating a different climate for the hearings in Congress on HR 8193 to require a substantial share of U.S. oil imports be carried on U.S. flag ships. In testimony before the House Merchant Marine and Fisheries Committee several weeks ago, oil company spokesmen and several government officials tried to dismiss the bill as, at best, "unnecessary".

The demonstration by the Arab nations of how economic blackmail can be used against us and the Liberian demonstration of the defectiveness of "effective control" may have put another light on the matter. HR 8193 would require that 20% of oil imports be carried on U.S. ships with the quota rising to 25% and then to 30% at each five-year interval.

TRIBUTE TO AN OLD FRIEND, THE LATE DR. ANTONIO FERNÓ-ISERN, FORMER RESIDENT COMMISSIONER OF THE COMMONWEALTH OF PUERTO RICO**HON. JOHN J. ROONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. ROONEY of New York. Mr. Speaker, the passing last week of my good and longtime friend and former colleague, Dr. Antonio Fernós-Isern, former Resident Commissioner of the Commonwealth of Puerto Rico, came as a shock and was a great loss not only to myself but to all the people of Puerto Rico.

Dr. Antonio was a giant of a man intellectually whose contributions to his beloved island and his people in a myriad of fields and endeavors are his greatest

memorial. Like many of his contemporaries he excelled in many disciplines. He was a scientist, a physician by profession, but he was also irresistibly attracted by literature, the social sciences, the art of conversation, and of course, politics. He was truly outstanding in all those areas by the depth of his convictions, and his natural ability to express himself. He was truly a gentleman not only with his friends but also with those who held opposite views from his, whether they were political adversaries or dissenting medical professionals.

Dr. Antonio's career of public service was a brilliant and diverse one. In 1920 at the age of 25 he had already been graduated from medical school and was Puerto Rico's Assistant Commissioner of Health. He continued to champion the cause of public health through the next decade and a half.

Mr. Speaker, in the 1930's Antonio heeded the call of the future and together with Jesús Piñero, Andrés Grillaska, Father Rivera, and others formed the new Popular Democratic Party headed by Luis Muñoz Marín. In 1946, he was appointed Resident Commissioner of Puerto Rico here in Washington and served brilliantly until 1964 when he voluntarily stepped down. He returned to Puerto Rico where he was elected to its Senate until he retired from public life in 1968.

Mr. Speaker, my fondest and most deeply cherished memory of Dr. Antonio was of the many long and arduous months of work required to finally pass the necessary legislation to establish Puerto Rico as a Commonwealth. It was my great privilege and honor under appointment of the late Speaker Rayburn to have chaired the proceedings in this chamber in July 1952, that resulted in the passage of the bill providing commonwealth status for Puerto Rico.

Finally, Mr. Speaker, Dr. Fernós was an aristocrat of both verbal and written expression and the clarity of his reasoning had many an opponent scurrying for cover during debate. He was a respected gentleman and a diplomat in the

true sense of these concepts. His achievements made him one of the true authentic leaders during the last half century of Puerto Rico's history.

INDIANA LEGISLATURE OPPOSES COURT'S ABORTION DECISION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. LANDGREBE. Mr. Speaker, it is clear that, a full year after the Supreme Court's decision on abortion, the House Committee on the Judiciary has no intentions of even holding hearings on the proposed constitutional amendments which I and other Members of this House have introduced.

The public outcry against the Court's abortion decision has been overwhelming; and I must question exactly how "representative" this body is when an issue of such overriding importance is totally ignored by the majority for this intolerable length of time.

The people of my own State of Indiana, through their elected representatives, have clearly stated their strong disapproval to the Supreme Court decision in the form of Indiana Senate Joint Resolution No. 8 which was passed by both the house and senate in the first regular session of the 98th General Assembly. With this resolution, the State of Indiana goes on record as favoring a constitutional amendment to reverse the disastrous abortion policy promulgated by the Court last year.

The full text of the Indiana Senate joint resolution is printed below:

A joint resolution directing the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States relative to the protection of the right to live

Whereas, the Declaration of Independence of the United States of America affirms that

the right to life is an inalienable right given to all people by their Creator; and

Whereas, the Federal Constitution and those of the several states, as well as the laws and courts of both the Federal and State Governments have traditionally affirmed and reaffirmed this basic right up to the present time; and

Whereas, this basic tradition has been broken and was called into question by the unprecedented decision of the United States Supreme Court on January 22, 1973, in *Roe v. Wade* and *Doe v. Bolton* which sanctioned the abortion of an unborn child during the first three (3) months of pregnancy upon the decision of the mother and her physician alone, and up to the moment of birth under certain circumstances; and

Whereas, this erosion of the most basic principle, the right to life, on which this country was founded, portends untold conflicts in our society and endangers the very existence of our nation and the Judeo-Christian culture which supports it; and

Whereas, the Legislature of this state believes it to be for the best interest of the people of the United States that an amendment to the Constitution of the United States be adopted to protect the right to live; Therefore,

Be it resolved by the General Assembly of the State of Indiana:

Section 1. That the Congress of the United States be, and hereby is requested to call a constitutional convention for the purpose of proposing the following amendment to the Constitution of the United States:

Sec. 1. That each state shall have the right to determine whether to eliminate or regulate abortion.

Sec. 2. Neither the United States nor any State shall deprive any human being of life on account of age, illness or incapacity.

Sec. 3. Congress and the several States shall have power to enforce this article by appropriate legislation.

Section 2. If the Congress shall have proposed an amendment to the Constitution of the United States identical with that contained within this resolution prior to June 1, 1975, this application for a convention shall no longer be of any force or effect.

Section 3. The Secretary of the Senate is directed to transmit immediately copies of this resolution to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each member of Congress from this state.

SENATE—Friday, February 1, 1974

The Senate met at 11 a.m. and was called to order by Hon. QUENTIN N. BURDICK, a Senator from the State of North Dakota.

PRAYER

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

Almighty God, our Creator, Preserver, Redeemer, and Judge, deliver us this moment from the pressure of daily duties, the tension of our times and the confusion of many voices that we may hear again the "still small voice" of Thy spirit—deep, clear, and unmistakable—speaking of that which is eternal, summoning us to profounder thoughts and higher endeavors.

Assure us of Thy presence, above us, beneath us, around us, and within us, granting us some fresh insight, some new grasp of the truth, some clear direction

which will help us serve the Nation better and advance Thy kingdom on Earth. Keep the flame of devotion burning brightly on the altar of our hearts as day by day we show our love for Thee by service to our fellow man.

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., February 1, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. QUENTIN N. BURDICK, a Senator from the State of North

Dakota, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 31, 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.