

EXTENSIONS OF REMARKS

FAITH OF OUR FATHERS

HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, February 4, 1974

Mr. HELMS. Mr. President, this past Thanksgiving, Dr. John M. Lewis, pastor of the First Baptist Church, Raleigh, N.C., delivered a memorable sermon, which I would like to share with my distinguished colleagues.

With humble appreciation and thankfulness for the many blessings of America, Dr. Lewis recognized that our blessings come from God, and that the erosion of our liberties and the decay of our society represent our misunderstanding of freedom. Such a result—"comes when we drift away from the conviction of the religious foundation of the Nation's liberties and laws."

Dr. Lewis suggests the need for a re-birth of faith and a "Sense of divine relationship, divine commitment, and divine responsibility for the heritage that is ours in this great land."

This thought cannot be expressed too often, and the minister's sermon will surely inspire all of us.

Mr. President, I ask unanimous consent that Dr. Lewis' sermon be printed in the Extensions of Remarks.

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

FAITH OF OUR FATHERS

(By Dr. John M. Lewis)

Dr. William Brown, noted church historian, has said that "it is common to all who hold the Christian view of life, to have the conviction that God has a purpose for mankind which he is realizing in history and that in the accomplishment of this divine purpose he uses human institutions like the family, the state, the school, the church as his agents for the training of individuals for membership in his eternal kingdom." Now that is a rather long, stuffy and academic statement of what our founding fathers had burning in their hearts, for this was certainly their belief that the state was based upon divine law and that man-made governments and man-made laws were an out-working of the divine will.

One is still moved when one recalls the heated debates in the constitutional convention when the young nation was struggling to get itself together and to work out its ways of living together in forming this new government. The debate had gone on for weeks trying to balance out the powers of the central government and the rights of the individual states. After five weeks the aged Franklin stood in the midst of the convention and said, addressing himself to the Chairman, "I have lived, Sir, a long time and the longer I live the more convincing proofs I see of this truth—that God moves in the affairs of men and if a sparrow cannot fall to the ground without his notice, is it possible that an empire can rise without his aid? We have been assured, Sir, in the sacred writings that except the Lord build the house, they labor in vain that build it." Whereupon Mr. Franklin moved that henceforth the convention open each day's session with prayer.

I

As one goes back to read the Mayflower Compact, when, that intrepid band of pil-

grims before they formed their colony on shore, drew up a covenant agreement, or if we follow Roger Williams for the sake of individual conscience fleeing the persecutions of the Massachusetts Bay Colony going to live with his Indian friends along Narragansett Bay, buying from them land out of which to form a new colony, Rhode Island, or if we look into the history that brought forth the statute of Virginia for religious liberty, or if we read the Declaration of Independence thoughtfully and carefully, if we see the genius of that constitution which the founding fathers put together and focus special attention upon that most precious portion—the Bill of Rights—one is overwhelmed with the awareness of the great thoughts, the great ideals, the great dreams and the great religious faith out of the Hebrew-Christian tradition that permeated all of these covenants, compacts, laws and documents.

The Supreme Court in a landmark decision in 1952 confirmed this insight into our heritage when they said "we are a religious people, speaking of America in general. We are a religious people whose institutions presuppose a supreme being." The founding fathers had the notion that we were a covenant nation; that somehow even though dimly seen by many, there was some kind of relationship between this new nation aborning and God's coming kingdom. It was clear in their minds that our liberties and our blessings come from God. And their great stroke of genius in government was to set forth the notion that governments are instituted among men not to pass out liberties and freedoms, but to protect those liberties that God has already given to men. Governments do not confer them; nor can governments take them away. This was their insight and their understanding, and behind it was this deep and simple religious faith that somehow our liberties and blessings all come from him.

The early leaders of our republic, while differing from one another in many of their religious notions, yet were men of very strong faith. As one follows the preachers and the plowmen who opened up the west, as one sees America burgeoning into one of the industrial giants of all history, I am not sure we have always had that sense of awe about mastering and releasing the powers in the universe in all of our great development that Samuel Morse had when completing the telegraph, he sent as his first message—"What hath God wrought?" It seems to me in this present season of Thanksgiving, perhaps more than anything else, perhaps more than a need to be grateful for our blessings that we can count, we need to recover something of the deep faith of these founding fathers—that our liberties and our blessing are the gift of God and that these liberties and blessings are not to be squandered, but somehow they are given to us in relationship to God's coming kingdom.

I think we need to capture something of the spirit of the great Lincoln, who as I read his biography I judge to be one of the most honestly and genuinely religious presidents we have ever had—though not a formal church man—yet a man of great faith. Those moving lines of his in the second inaugural when the nation had come through a dark hour which should give us hope in every dark hour, confirming the founding fathers' insight that God's providence somehow watches over us despite our sin and our forgetfulness of him. How we need to recover the spirit and insight of the great Lincoln!

And after all of the turmoil, agony, pain, hatred and incrimination of the war between the states, this man could say, "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we

are in, to bind up the nations' wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and among all nations." You remember the other phrase out of that immortal Gettysburg address when he said that "this nation under God shall have a new birth of freedom."

II

But I think more than a new birth of freedom which we have seen run rampant and riotous in our day, we need a re-birth of faith! We need a re-birth that takes us back to see ourselves as a covenant people. Now I am not unmindful of the danger of our coming to have a Messiah-complex as a nation. I think sometimes in world affairs our nation may have approached that and done more damage than good to think that we are the saviours of the whole world—we have to watch that. But that doesn't lessen the responsibility and the need for us to have a sense of divine relationship and of divine commitment and divine responsibility for the heritage that is ours in this great land for which we are so thankful in these days.

Peter Marshall said in one of his immortal sermons, "that we are the only surviving nation on earth that had its origins in the determination of the founding fathers to establish a settlement to the glory of God." We have not always lived up to that original dream and that original faith, and I think somehow we must recapture that pristine faith if we are to solve some of our other problems in our land and in our culture—whatever kind of problems they are and wherever they may exist in our midst. Oh, how powerful and wringing and strong are those words and when one remembers the Hebrew tradition that stands behind it, they take on even greater force—"all men are created equal and are endowed by their creator with certain unalienable rights and among these are life, liberty and the pursuit of happiness." Government is ordained among men to safeguard these rights. And then comes that Bill of Rights in the first ten amendments to protect our individual liberties and our individual conscience but none of it amounts to a "hill of beans" if we cut the connection between God and ourselves! And I think many, many problems that have arisen in our land have come about because very subtly there has been an erosion of this concept, that our liberties and blessings come from God.

We fall into the trap of which Moses warned the children of Israel—"you are going to settle in a promised land flowing with milk and honey and build your houses and plant your vineyards and raise your family and your flock" and if you don't watch it you are going to begin to say, "Aha, my strength has gotten me all this wealth!"

III

We can see what abundance, affluence and materialism can do to a people, to dull our sensitivity to the need of others, our awareness of being stewards of the good earth. When we forget that it is righteousness that exalts a nation and that sin is a reproach to any people, we become filled more and more with a self-sufficient pride that begins to justify just about anything in order to get ahead. We are a covenant people and we are a covenant nation.

I used to believe Emerson's words a little stronger than I believe them now, and I am fighting hard in my own life to regain even this insight when he said, "This country appears to be the last effort of divine providence we have for the human race." But if we take into account how the founding fathers understood man and God in the place of government and what religious liberty is

all about, the statement may well still be true. It is amazing to me that with all of our difficulties and faults and failures as a nation in recent years—and they go back a number of decades now—there are still vast numbers of mankind who look to this nation for inspiration in terms of what liberty can be and what it can do for a people and what is the best form of government under which men can live and develop their lives. Can we recapture the original dream? Can we have a new birth of faith? Can we change the present drift that has been going on so long in which we are forgetting our relationship to God? This drift that has been going on so rapidly in the last fifty years particularly—we have new values and new ideas and we are not so sure about God caring or our being able to answer to him—the heated debates and difficulties that have gone on in our time over our own liberties almost overwhelm us.

Someone prepared a questionnaire a few years ago that simply put in modern language all of the elements of the Bill of Rights and asked people, What do you think about this? Would you allow a certain person to say a certain thing? Is a person free to assemble here? Should a man be free in the protection of the privacy of his home against unlawful search and seizure, etc. etc. Someone even dared to pass that questionnaire out among a group of Baptist ministers within the last few years and the results were surprising. Seventy per cent of them were ready to scrap the Bill of Rights. Now that to me is alarming. But it confirms me, I think, in my insight that these rights and liberties can be safeguarded and kept alive and fresh only if we keep the connection between them and God, that ultimately our liberty, our very life is grounded in God's goodness and God's will. Adrift away from God, adrift away from a sense of stewardship in which materialism is about to eat our heart out, a misunderstanding of freedom—for freedom is such a difficult thing to handle. And I must share this humorous and somewhat alarming experience out of the Convention in Greensboro last week when we were discussing what to do with the authority of the convention, and one brother who was speaking against the proposed amendment said, "If this amendment passes the effect will be to turn a Baptist convention into a Presbyterian Synod or an Episcopal House of Bishops or into a Roman Vatican Council II. Indicating that we would have a hierarchy and be ruled from the top. And when he said this is what will happen, someone in the balcony shouted, "It's about time!"

Now this sort of rocked me to my heels that in a Baptist assembly any Baptist would shout from a Balcony, "It's about time!"—that Baptists became this rigid, this authoritarian, this hierarchial. For this and other reasons, I voted against the amendment, as you probably know. Freedom is a pretty heady dose to handle, but our freedoms are lost when we forget God.

Everyone likes to quote Edward Gibbon, *Fall of the Roman Empire*, and he had such tremendous insight; we learn by hindsight. We move forward by looking back—a strange paradox. Gibbons says, "The first warning of Rome's ruin was not in the hostile armies mobilizing against her, but in the feasting and boasting, and riotous living in her vicious capital." A moral and spiritual decay within—and this decay always comes when we drift away from the conviction of the religious foundation of the nations—liberties and laws.

CONCLUSION

It is along these lines that my mind has been traveling in this Thanksgiving season in which on the one hand one may find it difficult to find much in which to be thankful; but there is much for which to be thank-

ful. The Lord God Omnipotent reigns. His love for us and for mankind and for this nation are unchanged, and all the possibilities of his salvation in Jesus Christ are still real and available to people. And as in other troublesome and darksome days we can regain a new birth of faith and cut through all of the confusion and maze and drift and forgetfulness of God, corruption in high places and low on every side—we can cut through all of that darkness and find again "freedom's holy light" that can lead us forward. Time and time again in the past God has shown that he can gather his people unto himself and give them new courage, new hope and new strength but only when we turn back to him.

Perhaps this year more than just a grateful heart, we need more of a humble and believing heart in God's purpose and the vision of his kingdom. So might it be for us. So might the witness of our lives be.

MEDIA PROGRAM FOR MINORITIES

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. CORMAN. Mr. Speaker, in 1968 the National Commission on Civil Disorders of which I was a member, recommended "expanded media coverage of the minority community and of race problems through permanent assignments of reporters familiar with urban and racial affairs, and through establishment of more and better links with the black community."

I am extremely pleased that KNBC, a television station close to my own congressional district, took this advice to heart and instituted a program of outstanding service to the minorities of the Los Angeles community. The program is called "What's Going On." It is hosted by Willie Davis, former Green Bay Packers star, who brings to the program a special insight into the lifestyle and the problems confronting minorities.

One program this past fall alerted the community to phony schools, talent agents and model agencies in Southern California. The facts indicated a continued gross exploitation of minority individuals, mainly blacks, in this fraud.

Another segment of "What's Going On" concerned LABEOL, the Los Angeles Basin Equal Opportunity League. This organization serves as a job bank for minorities. A variety of employment problems for minorities was discussed while information aimed at helping them effectively deal with these problems was also presented.

Willie Davis is particularly well suited to hosting "What's Going On" by virtue of his deep involvement in the community groups of Los Angeles. He is director of the Los Angeles Urban League, director of the West Adams Community Hospital, member of the Los Angeles Chamber of Commerce Advisory Board for SCLC. He also plays an active speaking role for high school and civic groups.

This constant communication with the people of minority groups is not wasted when Mr. Davis hosts "What's Going

On." The program continually stays on top of current issues involving minorities while exploring solutions to longstanding problems.

Mr. Davis is assisted by two fine professionals on the program staff, the producer Cal Burton and associate producer, Bonita Jordan. Cal Burton developed "What's Going On" and has seen its popularity steadily rise.

"What's Going On" gives an understanding voice to the problems of Los Angeles minorities. It is the kind of voice that might have prevented riots during the sixties. Hopefully, many more television and radio stations will follow this excellent example being set by KNBC.

CHATTANOOGA MANUFACTURERS ASSOCIATION OBSERVES CHATTANOOGA AREA MANUFACTURERS WEEK, FEBRUARY 3-9

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BAKER. Mr. Speaker, the Chattanooga Manufacturers Association is spearheading an observance of the Chattanooga Area Manufacturers Week through February 9 and celebrating the fact that Chattanooga is "manufacturing city No. 9 in the entire United States."

According to Brunswick A. Bagdon, Regional Director, Bureau of Labor Statistics, U.S. Department of Labor, Atlanta, Ga.:

Chattanooga ranks 78th among Metropolitan Areas in number of non-agricultural wage and salary workers in 1972, but is 9th among these 78 areas in number of manufacturing workers as a percent of non-agricultural employment.

For comparative purposes, the rank listing of major metropolitan areas, as furnished by BLS, U.S. Department of Labor, shows Jacksonville No. 72, New Orleans No. 70, Tampa No. 64, Atlanta No. 62, New York No. 57, Memphis No. 55, Birmingham No. 40, Nashville No. 37, Newark No. 29, Pittsburgh No. 26, Knoxville No. 25, Louisville No. 19, Detroit No. 13, and Akron No. 11. Chattanooga is No. 2 in the South, with only the Greensboro-Winston-Salem-High Point area in North Carolina a scant 1.9 percent ahead.

Late figures released by the Atlanta BLS office show the Chattanooga area having jumped from 54,400 manufacturing employment in October 1972 to 55,200 in October of 1973. The Chattanooga area manufacturing payroll is estimated at a million and a half dollars per day. Using a conservative \$20,000 per industrial employee, multiplied by the 55,200, the investment comes to about a billion, one hundred million.

Chattanooga Manufacturers Association members manufacture everything from the smallest finger rings to the largest nuclear reactor. And, it will be a surprise to many of my colleagues to learn that more western saddles are manufactured in Chattanooga than any-

where else in the world. Also that more than 200 cities in the United States depend on boilers constructed in Chattanooga for most or all of their electrical power.

Another fact to note is that 9 out of every 10 automobile wreckers on U.S. highways from New York to Los Angeles were built in a single East Lake plant. These examples and many more, even more impressive, serve to substantiate the fact that Chattanooga truly is the industrial center of the South.

Mr. Speaker, I join in saluting the members of the Chattanooga Manufacturers Association and I commend them for setting aside this week to tell the world about the role they play in the Nation's economic well-being. All of us are proud of the high ranking Chattanooga has among the manufacturing cities of the United States.

FREDERICK C. ULBRICH, SR.

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. GIAIMO. Mr. Speaker, it is a pleasure indeed to call to the attention of my colleagues in this House the achievements of an old and dear friend on the occasion of the 50th anniversary of his business, Ulbrich Stainless Steels & Special Metals, Inc. Frederick C. Ulbrich, Sr., whom I have the privilege to know and admire for many years, is a model of success and personal growth in the best tradition of American business.

Born in Wallingford, Conn., Fred Ulbrich received his education in the local public school system. His career in metals began in Wallingford working for a local silversmith. Seeking greater opportunity, Mr. Ulbrich traveled to other parts of the country, including Detroit, Chicago, and Pittsburgh. During his travels, he worked for several of the largest steel companies and observed first-hand the importance and potential of this growing industry. On his return to Wallingford in 1924, he started a scrap and alloy steel yards, reclaiming materials to be reprocessed by the steel mills. Almost immediately, he recognized a need for a small quantity source for stainless and alloy steels, and he soon began installing the equipment to answer that need.

The business grew at a rapid rate, and Mr. Ulbrich studied metallurgy at nearby Yale University in order to keep up with the increasing sophistication demanded by his customers. Always interested in civic affairs, Mr. Ulbrich has contributed his time and leadership to numerous community groups; he served with distinction as mayor of the city of Wallingford, Conn., for 6 years.

The small company that Fred Ulbrich founded in 1924 is now known as Ulbrich Stainless Steels & Special Metals, Inc. It is a valued supplier to some of the largest companies in the country, providing them with specialized metals for their most exacting requirements. Metal from the Ulbrich plant is found inside

nuclear reactors, is used in electronic components, and has flown to the Moon.

No matter how big his company became, however, Fred Ulbrich never lost the common touch. He always knew all his employees by their first name, and he was always willing to share their troubles. The enterprise he started has provided employment and security to hundreds of people with all levels of education and skills.

Fred C. Ulbrich, Sr., a man known and loved throughout my district, deserves the congratulations of all Americans who share his belief in the American system of free enterprise and individual initiative. I know that my colleagues in the Congress join me in expressing my heartiest good wishes to him on the 50th anniversary of his company.

BEREA SYSTEM TO BE MODEL FOR THE NATION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. CARTER. Mr. Speaker, Berea College, Berea, Ky., has a long and outstanding history, and its interesting approach to education has received widespread attention from all parts of our Nation.

I am very pleased that Berea College has recently been awarded a grant from the Educational Foundation of America in order to turn the college's work-study program into a model for other educational institutions around the country. I recommend the following article to the attention of my colleagues:

BEREA SYSTEM TO BE MODEL FOR THE NATION

BEREA, KY.—Berea College, where students pay no tuition, has been commissioned to turn its century-old work-study program into a model for colleges and universities across the nation.

The Educational Foundation of America, a private organization, has granted \$72,000 for the first year in a three-year project.

"Our main concern for the first year is to refine what we already have and to record it," William R. Ramsey, dean of the college labor program, said.

"We see the second year . . . as having an education emphasis when we seek to determine how students can most effectively use the experience gained in a work-study program and relate it to other parts of the educational process," he said.

"We hope to bring it all together in the third year and have material for a model program to offer those interested in work-study projects," Ramsey added.

Berea has had a student-labor program since 1859, just four years after the college was founded. All students are required to work at least 10 hours a week.

The students help operate college offices, work in several craft or other college industries, teach adult-education classes, serve as kitchen help, wait on tables in a college-operated restaurant, and so on.

In addition to educational benefits, students are paid 65 cents to \$1.25 an hour, depending on job classification and lengths of service. The college pays about \$750,000 a year for student labor.

Several workshops are scheduled in the next few months to examine various aspects of the program as it now operates.

MANDATORY ALLOCATION ACT OF 1973

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. SARASIN. Mr. Speaker, I had the pleasure this morning of announcing to the public the introduction of my legislation which would amend the Mandatory Allocation Act of 1973. I feel that this legislation provides a much-needed clarification of the intent of Congress to provide adequate protection for the petrochemical industry; protection which was omitted by the Federal Energy Office when they announced their rules for the allocation system. My remarks for my colleagues information, are as follows:

MANDATORY ALLOCATION ACT OF 1973

Today I will be introducing into the House of Representatives a bill calling for the mandatory allocation of petrochemical feedstocks all the way down to the processor level, a measure necessary to prevent the wholesale loss of jobs in a number of industries and the increased control of the plastics business by major producers of petrochemicals at the expense of the small independent processors who make up the backbone of the industry.

Petrochemicals make up a small fraction of the petroleum use in the nation, but they represent the segment of the economy most immediately and most disastrously effected by the present energy crisis. Specifically, this means jobs, and lots of them. Nationally, the Arthur D. Little Company of Cambridge, an independent consulting firm, estimates that a cutback as small as 15 percent in the petrochemical industry would mean the loss of 1.6 to 1.8 million jobs nationally.

The Petrochemical Advisory Council I established in my District back in November when I first became aware of the seriousness of this problem informs me that at least 10,600 jobs in the Fifth District are directly dependent upon an adequate supply of this raw material.

My Advisory Committee recommended three steps to assure at least equitable treatment for the industry and to minimize the effects on employment of the petrochemical shortage. These were export controls to assure the unreasonable quantities of these materials were not shipped overseas at the expense of American jobs, lifting of the price controls to allow domestic consumers to compete with foreign buyers and for the market to stabilize, and the extension of petroleum and natural gas allocation regulations to the processor level in the petrochemical industry.

In this regard, I have previously introduced a bill calling for the control of petrochemical exports so long as they remain under price control, a bill which has attracted over 50 co-sponsors, and a second bill which would remove the economic controls. In addition, Rep. Dan Kuykendall and Rep. James Broyhill have joined me in a series of moves seeking administrative action to remedy the problem.

We applaud the action taken Wednesday by the Cost of Living Council, removing the price controls. Dr. Edwin Hollander of the CLC had indicated in my office on Dec. 5 that the Council would take such action, but it is necessary to note that this is recognition of the need for action such as we propose and does not preclude the need to continue to press for legislative remedy to clear up the imbalance created by the uncertainties of application of these controls.

I was also pleased to note over the weekend that William Walker, General Counsel to the Federal Energy Office, has recognized the rights of purchasers to seek their allo-

cation under the act. With the hoped-for adoption of this bill I am introducing today, I plan to urge Mr. Walker to conduct an investigation into the alleged abuses of the supplier-purchaser relationship which some of the men present here today attest to.

Specifically, this bill is an amendment to Public Law 93-159, The Emergency Petroleum Act of 1973. It would assure the inclusion of an additional rule to the regulations covering the third level allocation of petrochemical feedstocks.

The need for his legislation becomes clear when one looks at the present system of allocations within this segment of the petroleum industry.

In almost every other sector of the industry, petroleum is ready for marketable consumption following processing at the refinery level. It is also marketed as "energy," and therefore remains under the control of the Federal Energy Office right down to the market place.

In contrast, petrochemicals, once they become feedstocks, have deemed to no longer be "energy," and therefore pass out of the allocation system at a level above the plastics, pharmaceutical, textile or other processor level. This is the "wrinkle" in the allocation system which creates many of these problems and which we are trying to remedy.

There exists at present an allocation from the refinery level to the producer level of 100 percent (and in some cases 120 percent) of present needs. My investigation indicates, however, that at the processor level, shortages of up to 80 percent are occurring.

Why this should be, or where this material is going, is difficult to answer, but members of this group (The Organization of Plastics Processors), have suggested some possible answers. The related question is where the tremendous amounts of material available on the "grab market" are coming from and the answers to the two questions are also related.

I might note here that I have already cosponsored a bill to require all producers and processors of petroleum and natural gas to provide complete reporting on supplies from crude to refined, on refinery operation, and locations of materials, which would address itself to this problem not only in petrochemicals but all petroleum and natural gas supplies.

It also goes without saying that many of the problems we address here relate to energy supply difficulties across the board and some of the same questions we bring up must be asked of the petroleum and gas industry in general. The appearance of serious ethical or legal problems in one segment of the industry do not augur well for other segments.

I address myself today to this one segment of the problem because of the immediacy of the job threat and the availability of the information and steps to take to head it off. I shall be looking at the entire situation in the energy field with the same critical eye.

AID AND TRADE WITH THE COMMUNISTS—IV

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. LANDGREBE. Mr. Speaker, Lenin has often been quoted as saying that when the time came for the Communists to hang the capitalists, the capitalists would be eagerly competing to sell the Communists the rope. Today, our aid and trade to the Soviet Union and Red

China grows larger and larger. Each month, we are seeing the fulfillment of Lenin's prophecy. The capitalists of the West, encouraged by the governments of the West, are begging the Communists to accept their goods, from computers to jet planes, to trucks. And when the proper time comes, the West—but perhaps not all its capitalists, some of whom have established very warm relationships with the Communists—will be hung by its own technology.

I include chapter 4, "The Itch for Profit," of Eugene Lyons' booklet, "Operation Suicide," to be inserted into the RECORD at this point:

IV.—THE ITCH FOR PROFIT

A special committee was set up in 1965, headed by J. Irwin Miller, board chairman of the Cummins Engine Co., to study trade relations with the U.S.S.R. and Eastern Europe. Its report to President Johnson approved trade in general terms but made concrete reservations. The committee warned in particular that trade with the communists "should not be subsidized, nor should it receive artificial encouragement."

It did not believe, the committee said, "that many U.S. firms would be interested in selling their most advanced technology in European communist countries"—yet this is precisely what those countries "are mainly interested in." Most significant, the Miller Committee flatly asserted that "most U.S. firms would not extend credits to communist countries without government guarantees."

This is understandable. The Red nations have neither acceptable currencies, gold, nor goods that America needs. The U.S.S.R. is the only recipient of U.S. lend-lease in the war which has refused to make even a token payment on its debt of some 11 billion dollars. Virtually all the West European and Japanese trade with the Soviet bloc are guaranteed by the respective governments. It is generally understood that the present fiscal crisis in Germany's Krupp empire is largely due to overextension of credits to the U.S.S.R. and its satellites.

On returning from a visit to Eastern Europe in December, 1966, G. Keith Funston, then head of the New York Stock Exchange, pointed out that we would have to give the communists not only American goods but the dollars to pay for them. The administration does not deny this. Under its proposed legislation, now before Congress, the major risks would be shouldered by the American taxpayer through the Export-Import Bank. The bank's lending authority would be raised by 4.5 billion dollars, and the annual limit on loans and guarantees, now two billion, would be boosted to 3.5 billion. This credit expansion is intended primarily to accommodate communist trade.

Thus we appear prepared not only to "encourage artificially" but to "subsidize" that one-way traffic, in contempt of the advice of the President's committee.

Back in the late 1920's, as Stalin was ascending the throne, Ivy Lee, spokesman for the Rockefeller interests, wrote articles and made speeches urging trade with the Soviet Union. In January, 1967, the Rockefeller brothers and Cyrus S. Eaton, through companies under their control, announced joint plans for promoting trade with the whole Red bloc. The itch to make profit from communism has thus gone full circle.

In explaining its construction prospects, the Rockefeller-Eaton combine cited plants for synthetic rubber and for aluminum—self-evident strategic products. Its statement simply ignored the military implications of the specific projects, or the larger issue of the close relation (so often stressed by Soviet leaders) between economic and military vitality.

Other American business groups plugging

for trade and aid to communist Europe appear similarly indifferent to the effects on free-world and American security. While the U.S. Chamber of Commerce, for instance, is all for doing business with the communists, it has not yet urged its members to risk their own capital on it. The assumption, explicit or implicit, is that the government will take the necessary risks. The stance of businessmen panting for profit is not exactly heroic. Apparently in their thinking, it suffices that the trade will be officially protected—in case of default, the public would be left holding the bag.

Organized labor, it is worth noting, has been a lot more rational on this issue than organized business. George Meany, President of the AFL-CIO, for instance, declared recently:

"When they talk about giving Russia special credits to build nitrogen plants with our money, I say we should get something in return. . . . Let the Russians agree to the unification of Germany. Let them tear down the wall of shame keeping 22 million East Germans from their freedom. . . . Some people feel that you can appease communists—that you can be nice to them and make a profit. We don't buy this."

Symptoms of such "naivete" in other areas of national life suggest that more and more Americans are coming awake to the suicidal absurdity of putting profit above patriotism and security. John Davis Lodge, former governor of Connecticut and former ambassador to Spain, announced the formation of CEASE—the Committee to end Aid to the Soviet Enemy. It has set itself the task of gathering ten million signatures to a protest against the aid-and-trade plans. None of the newspapers pushing the bridge building nonsense bothered to report adequately the launching of this committee.

The communist trade potential, in relation to aggregate U.S. exports and foreign investments, actually is very minor. Congressman Glenard P. Liscomb of California made the point recently in dramatic style: "The cost of replacing U.S. attack aircraft destroyed during the current fiscal year (1966) by weapons built by the Soviet Union and Communist Eastern Europe could be at least five times the dollar value of U.S. exports to the Eastern communist bloc in 1966." One of the activating hopes when President Roosevelt extended diplomatic recognition to the U.S.S.R. was that it would bring a lot of trade to help us in the depression. Actually, Soviet-American trade declined after recognition.

The Soviet bloc has little to offer that this country needs or cannot obtain elsewhere. "The communists seem more interested in buying Western know-how than Western goods," George Champion, chairman of the Chase Manhattan Bank said at Middlebury College on April 24, 1967. "To me, this is a strange concept of trade, and raises a question of what we could expect to get in return. . . . Our own natural resources, together with those of Canada and other free-world nations, have usually been sufficient to accommodate our needs."

Mr. Champion also emphasized the fact that the Soviet bloc is seeking long-term credits. "'Buy now' has become a communist slogan," he declared, "'pay later' a communist habit. In view of the risks involved, little long-term credit would be extended unless Western governments provided companies with firm guarantees—in other words, unless the taxpayers vouched for the credits. Now some may call this 'trade' but it looks to me suspiciously like economic aid, and enables the communists to divert resources to military production and international subversion."

POLITICAL SURRENDERS

It was in the light of such realities that the Miller Committee, as its number one recommendation, stated: "Political, not

commercial or economic considerations, should determine the formulation of trade policies" with the communists. Whatever the presumptive "mellowing" within Russia since Stalin, more pertinent consequently is its conduct in the international arena. But there, the record is clear, his successors have out-Stalined Stalin. By comparison, the old despot was a cautious operator.

The 14 post-Stalin years have witnessed repeated Moscow-made crises in Berlin; the arming of Nasser's Egypt against her neighbors—a source of conflict in the Middle East ever since; collaboration in planting and maintaining communism in Cuba in our back yard; erection of the hideous Berlin Wall in 1961; the Cuban missile crisis of 1962; in 1966, the Soviet-managed Havana Conference which blueprinted communist assaults on Latin American countries and Puerto Rico and set up a Military Directorate to do the job.

At this writing, in the words of Edgar Ansel Mowrer, the veteran analyst of international affairs, "Moscow is arming and supporting Nasser in the Yemen, the Arab rebels in Aden and the Somali plans to seize French Jibuti, thus controlling the southern entrance to the Red Sea and the Suez Canal. Only Soviet support emboldens Syria to engage in continual and murderous provocation of Israel. In Cuba, Soviet military are completing their transformation of that island into one huge underground fortress, able to withstand an American nuclear attack better than almost any other part of the world."¹

None of these things—and the inventory is only partial—is mentioned by the advocates of those strange "bridges". They demand a sort of national amnesia: we must forget all old and recent Soviet aggressions and crimes, even unto Hungary and Cuba and Korea and Vietnam; all the treaties violated, the debts unpaid, the countries seized and held without an iota of legal and moral right. As the late President Kennedy put it in an unfortunate speech on the subject, we must no longer point the "finger of judgment" at the Soviets. Why not?

One of the key facts blanketed by the amnesia in the anxiety for detente is the clear-cut commitment by all Presidents from Truman forward that the United States would never acquiesce to the *status quo* in captive East Europe accomplished by Soviet force and fraud. The absorption of the three Baltic republics by the U.S.S.R. has not been formally recognized by the U.S., Britain, and other democracies to this day. A primary objective of Kremlin policy since 1945, indeed, has been to "legitimize" its expanded empire by obtaining Western acknowledgment of the permanence of its European grabs.

The American bridges to communist government now give Moscow exactly what it has pressed and schemed to obtain: our acceptance of the finality and by implication the legality of communist rule in Eastern Europe. They certify that whatever we may still think of imposed communist regimes in the Dominican Republic or in South Vietnam—we regard their counterparts in Eastern Europe as perfectly acceptable partners in a "world of diversity."

East European exile leaders, understandably, speak of the "betrayal" of their countries by Washington and the free world. They no longer hear a word from American statesmen about the restoration of freedom and independence in their countries. Compassion for the victims of communism is no longer fashionable. "Anti-fascism" was a perfectly

respectable attitude as against Hitlerism, but "anti-communism" is being successfully turned into a dirty word.

As our European allies see it, moreover, Washington today gives precedence to an accommodation with the Soviet bloc over solidarity with the West. Small wonder that they are trampling one another in a race to make deals with Moscow and its puppets first, before the American colossus pre-empts the field. Though that is certainly no part of the American intention, the top priority assigned to a Soviet-American *rapprochement* operates to weaken NATO, uphold the hand of de Gaulle and erode Western solidarity in general.

No less important, politically, is that in the drive for accommodation with communist regimes, U.S. propaganda appears eager to reconcile the peoples with their hated masters. By implication it tells the victims of communist oppression that they had better recognize the finality of their condition and live with it. "With all their faults," it says in effect, "we consider your regimes acceptable to democracies as partners in business and, indeed, as possible allies of the West."

Try to see this through the eyes of opponents of communism, within and outside the communist world, say in Cuba or India or Bolivia. The proof that communism is acknowledged by the United States to be an acceptable way of life is a devastating blow. It leaves these anti-communists morally stranded. Why risk their lives to resist a system certified as acceptable by the world's most powerful democratic society? It all amounts to a surrender of American moral leadership in the worldwide contest with communism.

AMENDMENTS TO THE RULES OF EVIDENCE

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WIGGINS. Mr. Speaker, pursuant to the rule regarding the offering of amendments to H.R. 5463, the proposed Federal Rules of Evidence, I am inserting in the RECORD those amendments which I may offer when the bill comes before the House:

On page 81, line 13, insert the following after the word "testify": "as to any matter or statement occurring during the course of the jury's deliberations or to".

On line 13, then strike the word "concerning".

On line 17, strike the period after the word "therewith" and insert the following: ", except that a juror may testify on the question whether extraneous prejudicial information was improperly brought to the jury's attention or whether any outside influence was improperly brought to bear upon any juror."

On page 83, line 3, insert the following after the words "only if the crime": "(1) was punishable by death or imprisonment in excess of one year, unless the court determines that the danger of unfair prejudice outweighs the probative value of the evidence of the conviction, or (2)".

On page 90, line 23, strike out all that follows "(A)" down through and including "a deposition" on page 91, line 1, and insert in lieu thereof the following: "inconsistent with his testimony and was given under oath, subject to the penalty of perjury at a trial or hearing or in a deposition or before a grand jury."

On page 98, after line 9, and on page 100, 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."

TIME FOR LEGISLATION TO UPGRADE VETERANS' BENEFITS

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HEINZ. Mr. Speaker, today I am introducing legislation to greatly upgrade and extend educational and rehabilitation benefits for veterans, especially for those of the Vietnam era.

While President Nixon's comprehensive veterans' benefit proposal is a step in the right direction, I believe we can and should do more to help our veterans improve themselves through educational or rehabilitation programs. My proposal increases the educational assistance allowances under all veterans' education programs by 13.6 percent. These rates have not been increased since September 1972. Yet since that time the cost of living has jumped by more than 10 percent. By the time this legislation is implemented, it is expected that the cost of living will have increased over 15 percent.

We must not simply stand and watch the constant inflationary erosion of the educational and rehabilitation benefits of those who have served their country so unselfishly. My bill proposes five simple but important steps to improve those benefits and to protect them from rising prices:

First. An increase of 13.6 percent in the educational subsistence allowance;

Second. An extension to 10 years from 8 for eligibility;

Third. A built-in cost-of-living adjustment mechanism for benefits;

Fourth. An extension of the entitlement period to 45 months from 36; and

Fifth. Expansion of the vocational rehabilitation program to include veterans with 10-percent disability.

This last item is extremely important to Vietnam veterans. Service-connected disabled veterans of Vietnam must now show 30-percent disability to qualify. My bill, reducing this requirement to 10 percent, will encourage and permit our Vietnam veterans to pursue and learn professions and trades that are now simply beyond their financial means.

Another provision to carefully note is the inclusion of an automatic cost-of-living adjustment mechanism. This is long overdue and only by adopting such a mechanism can we assure American veterans that their hard-earned benefits will not be constantly eroded by inflation.

¹ The Middle East crisis in May-June, 1967, prompted the noblest bridge-builder of them all among newspapers. The *New York Times*, to second thoughts. In an editorial on June 6, it denounced "the adventurism of the Soviet Union" as "most reprehensible" and suggested the need to revise "all the illusions about the possibility of East-West *detente*."

The time has come for us to make wise investments in expanded benefits for veterans education and rehabilitation. Enactment of this benefit package will allow many more Americans to become

self-supporting, tax-paying members of their communities. To my way of thinking, this is among the soundest investments this Congress could ever make. I

urge quick congressional action assuring America's veterans the assistance they deserve.

Specific rates of proposed increases are outlined in the tables which follow:

CHAPTER 31—SEC. 1504(B)—VOCATIONAL REHABILITATION

	Present law				Proposal			
	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2
Type of training:								
Institutional:								
Full-time.....	\$170	\$211	\$248	\$18	\$193	\$240	\$282	\$20
Three-quarter-time.....	128	159	187	14	145	180	212	15
Half-time.....	85	106	124	9	97	120	141	10
Institutional on-farm, apprentice or other on-job training: Full-time.....	148	179	207	14	168	203	235	16

CHAPTER 34—SEC. 1682(A)—INSTITUTIONAL AND COOPERATIVE TRAINING (COLLEGE TRAINING)

	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2
Type of program:								
Institutional:								
Full-time.....	\$220	\$261	\$298	\$18	\$250	\$297	\$339	\$20
Three-quarter-time.....	165	196	224	14	188	223	254	15
Half-time.....	110	131	149	9	125	149	170	10
Cooperative.....	177	208	236	14	201	236	268	16

CHAPTER 34—SEC. 1682(c)—FARM COOPERATIVE TRAINING

	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2
Full-time.....	\$177	\$208	\$236	\$14	\$201	\$236	\$268	\$16
3/4-time.....	133	156	177	11	151	177	201	12
1/2-time.....	89	104	118	7	101	118	134	8

CHAPTER 36—SEC. 1877—APPRENTICESHIP OR OTHER ON-JOB TRAINING

	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2	No dependents	1 dependent	2 or more dependents	Additional for each dependent in excess of 2
Periods of training:								
1st 6 mo.....	\$160	\$179	\$196	\$8	\$182	\$203	\$223	\$9
2nd 6 mo.....	120	139	156	8	136	158	177	9
3rd 6 mo.....	80	99	116	8	91	112	132	9
4th and any succeeding 6-month periods.....	40	59	76	8	45	67	86	9

CHAPTER 34—OTHER PROVISIONS

	Present Law	Proposal
Flight training.....	\$220	\$250
Active duty and less than 1/2-time training.....	220	250
Correspondence courses.....	220	250

¹ 90 percent of established charges, with 1-month's charge to entitlement for each \$250 cost.
² Established charge for tuition and fees, but not to exceed full-time rate of \$250 per month.

CHAPTER 35—OTHER PROVISIONS—WAR ORPHANS, WIDOWS AND WIVES EDUCATIONAL ASSISTANCE

	Present Law	Proposal
Full-time.....	\$220	\$250
3/4-time.....	165	188
1/2-time.....	110	125
Institutional-business courses.....	177	201
Special restorative training.....	220	250

BAN THE HANDGUN—XVIII

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BINGHAM. Mr. Speaker, according to FBI statistics two-thirds of all killing last year were with handguns, 75 percent of the time the victims knew their killers. Often the killing occurs simply because a handgun was available. It is time to accept the idea that handguns in the possession of private individuals are unnecessary and dangerous to public safety.

The following article appeared in the Washington Post on December 18, 1973:

TWO MEN HURT BY GUNSHOTS

Two men suffered serious gunshot wounds last night in a gun battle inside a Northwest

house the men were visiting, metropolitan police reported.

Police said that Clifton Robinson, of Hillside, Md., was shot three times in the incident, which occurred about 5 p.m. at 450 I St. NW. Robinson was listed in critical condition last night with wounds in the chest, stomach and left leg.

Edward Shuler, who was charged with assault with intent to kill Robinson, was shot once in the genitals in the incident, and was listed in serious condition last night at Georgetown University Hospital. Shuler lives in the 500 block of Valley Avenue SE.

Police said the shooting was apparently touched off by an argument and that Robinson, after he was wounded three times, grabbed his attacker's weapon, a .45-caliber automatic, and fired one shot, striking Shuler. Police did not know the subject of the argument.

HUNGATE AMENDMENT TO H.R. 5463

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HUNGATE. Mr. Speaker, I ask that there be printed at this point in the RECORD, the following proposed amendment to H.R. 5463, a bill to establish rules of evidence for Federal court proceedings:

HUNGATE AMENDMENT TO H.R. 5463

At page 83, delete lines 1-4 and insert in lieu thereof the following: "(a) General rule. For the purpose of attacking the credibility of a witness, evidence that he has been convicted of a crime is admissible but only if the crime (1) was punishable by death or

imprisonment in excess of one year, unless the court determines that the danger of unfair prejudice outweighs the probative value of the evidence of the conviction, or (2) involved dishonesty or false statement."

Mr. Speaker the foregoing was the subcommittee's version of this section. It was amended by the full Committee on the Judiciary. If—but only if—the full committee's version is amended I shall offer this amendment.

MINUTE CONCERNING THE MORAL CRISIS OF OUR COUNTRY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. ROSENTHAL. Mr. Speaker, on January 13, 1974, the Flushing Monthly Meeting of the Religious Society of Friends unanimously recorded a "Minute Concerning the Moral Crisis of our Country."

This minute is noteworthy for its many relevant thoughts regarding the President, the Constitution, and the country in these turbulent times. Therefore, I am inserting it in the RECORD at this point in the hopes that we can all take time out to reflect on the ideas that it presents:

MINUTE CONCERNING THE MORAL CRISIS OF OUR COUNTRY—FLUSHING MONTHLY MEETING

The Book of Discipline of our Yearly Meeting asks Friends: "Do we participate actively and intelligently in the political life of our country?" As a religious body we are deeply troubled by the disclosures of Watergate and subsequent events and the effect they are having on this nation. The President, on taking office, has sworn to uphold the Constitution. His high office lays upon him the obligation of conduct above all suspicion of possible wrong-doing, and of making sure that those whom he has appointed to represent him maintain similar standards of integrity. Yet his administration has pursued a ruthless course of materialistic expediency. As his aides have testified under oath, they have assumed that their ends justify any means, no matter how dubious both might be.

Several times during the past year Richard Nixon has pledged full disclosure of and satisfactory explanation for the events which at present divide and demoralize our country, only to demur when concrete evidence instead of rhetoric was demanded of him.

Watergate and its ramifications are by no means the only aspect of the Nixon Administration raising serious doubts as to their constitutionality. It is true that trends towards assuming greater power by the executive branch have been present in previous administrations. But never before has the move towards unsettling the balance of power between the three branches of government been so far reaching.

We do not assume the right to sit in judgment over Richard Nixon, to whom we attribute the same potential for good, and that Divine Light with which every human being is endowed. However, in order not to permit the further undermining of the moral and ethical basis on which this nation was founded, nor to continue the prevailing confusion as to what is right and wrong, we feel that the only course to follow is the impeachment of the President. This leads to the procedure provided by the Founding Fathers to determine whether the Constitution of the

United States has been subverted by the acts of the President and or his subordinates. In the words of James Madison, who was chiefly responsible for the constitutional definition of impeachable offenses, impeachment is called for when the President "neglects to superintend his subordinates' conduct, in order to check their excesses."

We realize that impeachment will be upsetting for our country, but we are convinced that in this moral crisis of the first magnitude nothing but a full accounting can restore the faith in the justness of law, without which no democracy can survive.

UNETHICAL CRUSADE AGAINST PRESIDENT

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1974

Mr. HANRAHAN. Mr. Speaker, we have all been inundated recently by mail from constituents expressing their concern over the President's possible involvement in Watergate activities. Much of their anxiety has been fed by a press that has a no-holds-barred sensationalism attitude about the entire affair. To read an article with the logic of Bob Wiedrich's column is refreshing, and I would like to submit that column for inclusion in the Record for the benefit of my colleagues:

UNETHICAL CRUSADE AGAINST PRESIDENT

(By Bob Wiedrich)

Some of the intellectual adolescents engaged in the crusade to bring Richard M. Nixon to his knees are as guilty of unethical conduct as the boobs who created the Watergate scandal.

The most recent outstanding example, of course, is William A. Dobrovir, the 40-year-old activist lawyer for Ralph Nader, who played a subpoenaed Presidential tape recording for the entertainment of salami munching pals at a Washington cocktail party.

But there are other examples of impropriety on the part of Nixon probers and detractors that come to mind—the repeated leaks of confidential information from the Senate Watergate committee and similar events involving the staff of the special Watergate prosecutor under both Archibald Cox and his successor, Leon Jaworski.

Even Cox, who achieved some measure of martyrdom after being fired by Nixon, had to display contriteness after it was revealed he shared secrets about the I.T.T. case with Democratic Senators Edward Kennedy and Philip Hart, both Nixon antagonists.

However, no one really seems to get upset at the double standard of ethical conduct prevailing in some quarters along the Potomac in these days of inquisition and the rack for the Presidency.

If anyone in the Nixon administration did anything comparable to the Dobrovir stunt, the hue and cry for his scalp would be something fierce.

But let Dobrovir attempt to make an ass of the President by playing for his friends a confidential tape placed in his hands as an officer of the court and the court rewards his betrayal of a trust with a benign pat on the behind.

It is almost as the open season had been declared on the President with no holds barred for the compulsive Nixon haters. With some of these clowns it is now a matter of fun and games, an attitude suggesting the childish personalities involved.

No doubt about it, certain of these people are out to kill the President of the United States politically at any cost and with absolutely no moral consideration of the methods involved.

They have no respect for the man or his rights as an American and a human being, even tho he has not been personally touched with Watergate guilt. They probably never had any. And worse yet, they demonstrate no respect for the office of the Presidency itself, seeking instead to demean it with infantile pranks.

Sure, it must have been heady stuff to be an attorney with the hottest item in town in your pocket, as Dobrovir admitted describing the tape to his martini swacking pals. It must have made him feel like the big man on campus, standing there as the center of attraction, playing four or five minutes of a privileged conversation from the inner sanctums of the White House for his Nixon despising peers.

But in the end, all his frivolous conduct did was demean Dobrovir himself in the eyes of those who regard the ethics of an attorney's oath as sacred as that taken by the President himself. He was as big a goof as the guys who went to work for Nixon in Washington and violated the rules of ethical conduct in the highest circles of government.

And in behaving like an undisciplined fool, Dobrovir did harm to his own cause. For his conduct opened the door for the Nixon administration to hint it may have to change its mind about turning over further White House tapes and documents.

Dobrovir demonstrated an incredible lack of good judgment and discretion. But like so many of those anxious to impeach Nixon without the slightest shred of evidence of personal complicity in Watergate, they have cast aside the code of ethical conduct which is, after all, what Watergate has been all about.

Oddly enough, as smart Alec Dobrovir basks in the glory of his fellow activists, a more discerning group of much younger people demonstrate a degree of fairness apparently foreign to the 40-year-old lawyer.

In a recent poll of 80 young caddies seeking Chick Evans Scholarships thru the Western Golf Association, 78 of them queried said they did not believe President Nixon should be impeached. The young men represented every facet of the social and political spectrum. But their judgment had not been clouded by a paranoiac hatred. Dobrovir could benefit from their restraint.

URUGUAY OUTLAWS COMMUNIST PARTY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HUBER. Mr. Speaker, after years of being considered one of the most tolerant countries in the world toward communism, Uruguay has finally decided to outlaw the Communist Party of Uruguay and a dozen other Marxist political groups. Years of turmoil, guerrilla warfare, mass strikes, and other activities that came close to paralyzing the nation finally brought about this decision. So while we are not engaged in a shooting war with any Communist nation around the world at the moment, we should continue to note the actions of the Communist movement as it carries

out "class struggle" around the world by other means short of war and learn from these events. An article follows as it appeared in the *Time of the Americas* on January 9, 1974:

URUGUAY OUTLAW COMMUNIST PARTY

MONTEVIDEO.—Uruguay, probably the most ideologically tolerant of the Latin American republics, has dissolved the Communist Party and more than a dozen other Marxist political groups.

The action by President Juan Maria Bordaberry and the military men who make up his government came as something of a surprise.

The Communist Party of Uruguay, which traces its history back to 1920, has enjoyed legality for some 53 years now.

True, in 1932, President Gabriel Terra closed party headquarters and the party newspaper and jailed many Communists, but the Communist Party was not made illegal.

Except for that period, however, Communists in Uruguay have been allowed to work with impunity.

The result was that Uruguay became the nerve center of the international Marxist conspiracy in South America.

Through Uruguay moved Communist agents of all nationalities. Through Uruguay was shipped subversive literature, in Spanish and other languages, from Moscow and other Communist propaganda centers. For years, hundreds of tons of Communist reading matter were redispensed monthly from Montevideo to other South American countries that restricted incoming mail from points behind the Iron Curtain.

In the late 1960s the Communists found their leftist hegemony challenged by the violence-prone Tupamaro terrorist organization. The Tupamaros scorned the Uruguayan Communists' rather circumspect ways of challenging the government. Strikes and protest demonstrations were too tame for the youthful terrorists.

When the terrorism escalated to the point where, in April, 1972, presumed Tupamaros began attacking and killing members of the Uruguayan armed forces, authorities abandoned their policy of treating extremists with kid gloves and unleashed a full-fledged anti-subversive drive.

While that crackdown did stem the spread of terrorism, it also seemed to offend the sensibilities of a goodly number of Uruguayans, including Marxist and non-Marxist senators and deputies, and increasing criticism of President Bordaberry and the armed forces came to be heard in Congress.

Finally, last June 27, President Bordaberry, with support of the armed forces, dissolved parliament and assumed full powers. The Communist-dominated National Workers Confederation was closed down. Then, authorities moved in on the University of the Republic, a Marxist hotbed.

Incriminating documents and other evidence turned up in the intervention in the university reportedly implicated Communist Party leadership in such unconstitutional activities as insurgency and terrorism and provided the justification the Bordaberry government employed for action against the Marxists.

WIKTOR LABUNSKI, MUSICIAN

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BOLLING. Mr. Speaker, there follows the Kansas City Times lead editorial on Wiktor Labunski, a fine musician,

a great teacher, and a dear personal friend:

WIKTOR LABUNSKI, MUSICIAN

Over the years the home of Wiktor and Wanda Labunski was a warm place of music and musical talk—a gathering spot for distinguished visiting artists and the musicians and music-lovers of this region. As a teacher, concert pianist, composer and director of the Conservatory of Music, Wiktor was at the center of events.

Old-timers will remember his lecture-recitals with particular affection. His background and store of anecdotes made a lecture on Chopin or Schumann, with piano interpolations, a delight.

Mr. Labunski was a proud Pole, although born in St. Petersburg. He was educated at the Conservatory of Krakow and was a lieutenant in the Russian Army in World War I. After the revolution he returned to Poland and came to the United States in 1928.

To outsiders he sometimes seemed rather stiff and unbending. But his personality was quite the opposite among his intimates. His students were devoted to him, and his sense of humor was constant. He loved little piano tricks. One was to pretend that a certain key on the piano was missing. The note would be rendered by the thump of a knuckle against the piano front when it appeared in the score. This could be quite a feat in the midst of a rapid arpeggio, and the effect was startling, to say the least.

Wanda Labunski died in 1968, six years before the death of Wiktor this past weekend. Friends usually thought of them as a couple, for she was a skilled pianist in her own right. Her sister was married to Arthur Rubinstein, and when he visited Kansas City, the great pianist always stayed with the Labunskis, much to the appreciation of friends who would come to pay homage.

Wiktor Labunski was a kind man and influential teacher. He was one of that band of foreign-born musicians who, over the decades, contributed much to the musicianship of this region and undoubtedly advanced standards beyond the times.

THE UNITED NATIONS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WHALEN. Mr. Speaker, as the new year began, Frank Getlein wrote a very informative commentary on the United Nations. In his column, which appeared in the January 2 issue of the *Washington Star-News*, Mr. Getlein discussed the value of the U.N. in the latest Middle East crisis and in the future as seen by a friend of his who was deputy representative to the U.N. from a small, nonaligned country. This diplomat suggests that the United Nations can "serve as a safety net when the highwire performances of Kissinger and his Kremlin colleagues collapse." It also is his view that the United Nations provides the one place where nonaligned countries "can deal with the great powers as equals."

I believe my colleagues will find of interest the entire column and, therefore, I insert it at this point in the RECORD:

A KIND WORD FOR THE U.N.

(By Frank Getlein)

Two days ago an old friend of mine, a foreign diplomat, ended two years of serv-

ice at the United Nations, where he was deputy representative of his small, non-aligned country as a non-permanent member of the Security Council.

Over the years he has served in numerous world capitals, including both London and Washington, and, as is to be expected, has absorbed from this experience a certain cynicism about the hopes of humanity and the affairs of nations.

In spite of this sound attitude, in conversation about winding up his affairs at the Council, he manifested a curious idealism about the U.N., even a dedication to the organization that comes as a surprise to an American who largely shares his own country's long disillusionment with the world body as a force for order and justice among nations.

As the New Year begins with this country's position in the world profoundly altered for better and for worse by the Chinese and Russian overtures, by the loosening of the threads of the Atlantic alliance and most dramatically by the Arabian oil states' discovery that they do have one way to make themselves heard by more powerful nations, it is very much worthwhile sharing his thoughts.

The basic reason for his support of the U.N. is not any Tennysonian notion of the desirability of a Parliament of Man—or of Man and Woman, as we would doubtless say today. It is rather the principle, evoked more for practical purposes than for abstract justice, that the management of the world can only be conducted with the participation of the world and the U.N. is unparalleled as the apparatus and the place for that participation.

He also cites the intervention of the U.N. in the latest Middle East crisis as evidence of what the organization can do when given a chance. The Russian and American efforts had failed and two superpowers, according to the account of the American President, were on the verge of direct, military confrontation, when the non-aligned temporary members of the Security Council saved the situation with Resolution 340, which dispatched U.N. troops from nearby Cyprus and bolstered the tottering truce.

From this sequence of events, my friend, whose mission was active in formulating and obtaining passage of Res. 340, concludes that one minimal value of the U.N. is to serve as a safety net when the high-wire performances of Kissinger and his Kremlin colleagues collapse and the acrobats are in danger of a bad fall.

My friend's notion of the place of the new nations in the U.N. is also quite different from that of most Americans these days.

We tend to regard these proliferating nations as having drastically changed the nature of the U.N. for the worse. At San Francisco in 1945, the future of the U.N. certainly seemed to be predominantly European, using that term in the broadest sense, a more successful League of Nations.

Over the years, however, the U.N. has become dominantly African, Asiatic and Arab as nation after nation in those areas has severed its colonial bondage and free at last, has obtained equal membership.

To many Americans, the activities of these newer member states in the U.N. often seem short-sighted, fanatical, single-mindedly obnoxious, even frivolous, making rational discussion or orderly action impossible by constantly harping on the theme of surviving colonialism in a wide range of variations.

To these non-aligned countries, however, my friend asserts, the U.N. provides the one place where they can deal with the great powers as equals and it is precisely in what seems to us pure obstructionism that their equality is most evident.

On a less theoretical basis, my friend, like many U.N. diplomats, regards a major war in Africa as all but inevitable by the end of the

century. Carried on at least three fronts, comprising both conventional and guerrilla attacks and ranging the black nations against the three surviving white ones, that war will be neither prevented nor stopped by major-power agreements, but it might be put off or avoided entirely by full participatory negotiations in the U.N.

It is a convincing case, and an urgent one.

IMPEACHMENT OPINIONNAIRE

HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. POWELL of Ohio. Mr. Speaker, as I have done many times in the past, I recently distributed a questionnaire regarding matters of public interest to every home in Ohio's Eighth Congressional District. This particular opinionnaire dealt exclusively with the subject of impeachment and was intended to gauge the support in the eighth congressional district for the President's removal from office.

I solicited the viewpoints of two of my colleagues in the House of Representatives to present opposing arguments on this question. Congressman JEROME J. WALDIE of California, who has introduced an impeachment resolution in the House, presented the argument in favor of the President's impeachment. Congressman JOHN J. RHODES of Arizona presented the viewpoint of those opposed to impeachment. I am grateful to both Congressman WALDIE and Congressman RHODES for their cooperation and interest in offering their respective positions so that eighth district residents could compare and analyze the opposing considerations of this vital public question.

Although a few of these opinionnaires still trickle into my office every day, my staff has tabulated the results of 10,330 responses. Of this number, 6,519, or 63.2 percent opposed impeachment by expressing support for the position taken by Congressman RHODES. The viewpoint of Congressman WALDIE, urging the President's removal, was supported by 3,724 individuals, or 36.1 percent. Only 87 responses were returned marked "undecided." I think that these results will prove of interest to other Members of the House of Representatives.

The entire Watergate controversy has certainly been an unfortunate and tragic event that has damaged the credibility of public officials everywhere, many of whom serve selflessly and at great personal sacrifice. While the confidence that citizens place in their elected officials has been damaged, no elected public official, to my knowledge, has been implicated in the Watergate matter.

It is my hope that the individuals responsible for the wrongdoing in the Watergate affair can and will be brought to justice for their misdeeds, and that the country can put this sordid matter behind it, and begin to focus its attention on the very grave and pressing problems that confront us as a nation.

With respect to the President's alleged involvement in illegal acts, the proper

forum for inquiry into these allegations is the House Judiciary Committee. I am hopeful that the current investigation being conducted by the committee will be concluded early this year and that the full Judiciary Committee can make its recommendation to the House of Representatives at the earliest possible opportunity. The citizens of this Nation have every right to expect this to be done in a prompt and nonpartisan fashion. If the Judiciary Committee extends its inquiry beyond April, legitimate questions will surely arise as to whether the motivations of the committee's members are to continue the public harassment of the President and effect the greatest possible advantage as the 1974 congressional elections appear on the horizon.

I would hope that the committee members will insist on an early resolution of this impeachment inquiry, so that the Nation can begin to direct its considerable energies toward the solution of some of its crucial problems.

A COMPREHENSIVE APPROACH TO THE ENERGY CRISIS: THE CONSUMER ENERGY ACT OF 1974

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. ROSENTHAL. Mr. Speaker, the energy crisis which is deeply affecting the lives of all Americans today is proof positive that a total revamping of this country's energy producing system is desperately needed. A piecemeal legislative approach is no longer adequate.

Energy prices were 47 percent higher in 1973 than in 1972. For gasoline alone, the price rose more than 10 cents per gallon last year, and the industry proposes to raise it 10 to 15 cents more in 1974. The Consumer Price Index for December of 1973 revealed that home heating oil prices rose 11 percent that month alone. The price of other petroleum prices is increasing even more steeply.

It is obvious that comprehensive steps must be taken to resolve the current crisis. I am convinced that the Consumer Energy Act of 1974—which I am introducing along with a number of my House and Senate colleagues—will provide the fundamental changes necessary to insure a just resolution of the present crisis and prevent its repetition in the future.

In addition, I have introduced several amendments of my own to pending legislation. The first two have already been incorporated into H.R. 11793, the bill which would create a Federal Energy Administration. I believe all are essential to the successful restructuring of this country's energy system. The first directs the Federal Trade Commission to make a complete and independent analysis of actual oil and gas reserves and resources in the United States and its Outer Continental Shelf. The second prevents conflicts of interest within the proposed Federal Energy Administration by requiring congressional approval of the hiring of energy industry personnel. The third

would roll back domestic petroleum and petroleum product prices to November 1, 1973, levels. The fourth would give the Comptroller General direct access to energy company data, while the fifth amendment would require consumer representation on all industry advisory groups to the Federal Energy Administration.

Mr. Speaker, I would like to insert into the RECORD the rationale behind the Consumer Energy Act of 1974, along with an explanation of its eight proposals:

THE CONSUMER OIL PROGRAM: AN ALTERNATIVE TO THE ADMINISTRATION'S APPROACH

We should not be surprised that the major oil companies are more concerned about their self-interest than the public interest; their motive and purpose is profit. But we are shocked by their unwillingness to level with the public.

Despite the concealment or plain non-existence of information, a pattern is emerging:

Energy stocks are not as low as the public had been led to believe.

But prices are higher—far higher—than we were led to expect.

The cartel of oil producing nations and international corporations raises the price of foreign crude oil; the corporations then force up the price of domestic oil. Having shifted about \$25 billion in 1973 from United States consumers to the producers of oil, they now seek to do the same: with natural gas, another principal source of energy.

The American people are, to put it bluntly, being ripped off.

The White House—which should be the guardian of the public interest and the consumer interest—leaves the American people to the whim of the giant oil companies. In fact, it proposes still more of the same—more tax breaks (an investment credit); more public lands to plunder; and, with deregulation of natural gas, more inflation. This Administration is threatening, Samson-like, to bring down the American economic temple upon our heads.

On Wednesday the President sent his legislative package on energy to the Congress.

Once again, the President has asked almost nothing from the giant oil companies—and almost everything from the American consumer.

He trumpets the cause of "tax reform"—including elimination of the foreign depletion allowance. But the major oil companies enjoy such large foreign tax credits that to eliminate the depletion allowance on foreign production is virtually meaningless.

The President proposes a so-called "excess profits tax" which is nothing more than an excise tax to be levied on the price of crude oil and passed on to the consumer.

When all is said and done, the President's message comes down to this: higher prices for the American consumer.

For every penny of increase in the price of a gallon of gasoline, one billion extra dollars flow into the coffers of the oil industry. The price of gasoline rose more than 10 cents per gallon in the past year; the industry proposes to raise it 10 to 15 cents in 1974. The price of other petroleum products is increasing even more sharply.

At this rate revenues reaped by the major oil companies would increase on an annual basis by far more than their \$25 billion increase for 1973.

Why does the Administration tolerate such steeply rising energy prices?

One claim is that domestic oil prices must go up because world oil prices have gone up.

We are told that the price of Middle Eastern oil has tripled in the last three months to nearly twelve dollars a barrel—and that is true.

But that fact alone does not justify ever-increasing domestic prices. The foreign prices are set artificially; they bear no relation to production costs abroad—or in the United States. Actually, the price increases imposed by foreign government result in higher revenues and profits for the major oil companies which produce in those countries. And the Internal Revenue Code then permits them to receive a credit against United States taxes for the taxes and royalties they pay the government of the foreign producing nations. That credit works so well for them that few of them have any significant tax liability in the United States. The price increases they are passing through to the consumer are far in excess of their actual costs. And the American taxpayer winds up subsidizing the governments of Libya, Saudi Arabia and the other nations of the oil producers' cartel.

Another claim is that prices must go up because the oil companies need more money to spend on exploration.

Let us ask, however: How much is enough? Certainly we should be spending more on exploration—by the best available estimates, about \$2 billion more each year than the \$5 billion annual average over the past five years.

But the current squeezing of the consumer has already funneled additional revenues at a \$25 billion annual rate into the treasuries of these companies.

There is no way such huge amounts can be spent on new exploration and development. Perhaps this explains why Gulf announced last week that it will invest some of its profits in an important new source of energy—the Ringling Brothers Barnum and Bailey Circus.

In fact, about \$13 billion of the oil giants' \$25 billion in additional annual revenues will be windfall dollars for the oil giants.

To offer the people no better hope than high prices and more high prices—while the major oil companies grow fat—offends our sense of justice. It cannot be justified as the price for free enterprise because there is little free enterprise in this largest and most basic industry.

Most seriously, a policy of consumer-gouging is a prescription for economic disaster.

The year 1973 saw the consumer price index advance nearly nine percent—the worst inflation since the end of World War II.

For 1974, the median prediction of twenty different economic forecasting groups, including the Council of Economic Advisors, is for inflation of 5.9 percent. Estimates of unemployment range from six to nine percent.

And these gloomy forecasts, for the most part, do not allow for recent massive petroleum price increases—or those that will come if the Administration has its way.

The outlook is bleak indeed. For energy is not some isolated commodity like coffee or chocolate. It is as basic to our economic life as air and water are to our physical life. Its influence on our economy—on supplies, on prices, on our whole standard of living—is pervasive.

The price of steel, for example, includes a 17 percent energy component—and the price of fuels to the steel industry has nearly doubled.

The Agriculture Department tells us that fertilizer makers, farmers, food processors, transporters and others account for 30 percent of annual fuel consumption in the United States. If energy prices rise fast—food prices will rise by at least the amount needed to pay the extra cost.

Rising energy prices hit our economy at every stage of the manufacturing and marketing process. And so they have a reverberating impact—a multiplier effect—that could buffet our national economy unmercifully.

Our purpose in saying all this is not to play the dismal role of Cassandra; we have always been optimistic about America—and we are trying, notwithstanding Mr. Nixon, to remain optimistic.

Our purpose, rather, is to underscore the danger of imposing ever-higher prices as a device to regulate consumption.

Above all, our purpose is to suggest an immediate alternative to that disastrous policy: a consumer energy action program that is comprehensive, practical, fair to both the public and the oil industry—and urgently needed now.

The Administration has shown its unwillingness or inability to represent the consumer interest.

That leaves us—the Congress and the people.

Next week, we will introduce the Consumer Energy Act of 1974.

It will distribute more fairly the burdens of the energy crisis; infuse new vitality and competition into the oil industry; develop, for the future, increasing energy supplies at reasonable prices.

It offers a plan for action in the Congress and a focus for consumer action across the country.

First, we propose an immediate rollback of petroleum prices.

On December 19, the Cost of Living Council permitted the price of old flowing oil to rise from \$4.25 to \$5.25 a barrel—a three-billion-dollar-per-year Christmas present to the oil industry. Even before that, the Administration had removed all price controls on so-called new oil—allowing an increase in new oil prices from \$3.40 to more than \$10 per barrel in less than a year. Neither the Administration nor the petroleum industry have produced any cost figures to justify these increases. Surely the December wholesale price increase—reflecting an annual rate of 26 percent—is proof enough of what flagrant price increases for oil and gas will do to the consumer.

The massive transfers of dollars from consumers to oil companies has already gone too far—far beyond the oil companies' ability to invest these funds in expanded exploration. We propose, therefore, a rollback for all domestically produced crude oil prices to December 1 price levels. All price increases in petroleum products would also be rolled back except for actual non-petroleum cost increases, such as gasoline station overhead, that have occurred since then. Such a rollback would cancel approximately one-fourth of the petroleum price increases of the last year. It would be taken from the major oil companies' windfall profits—and it would slow down the runaway inflation brought on by skyrocketing energy prices.

The Administration already has the authority to impose such temporary controls immediately. If it does not act, it is essential that Congress act.

Second, we propose a Federal Oil and Gas Corporation—a TVA for energy—a supplier that could hold down prices and increase competition.

The multinational corporations of the oil industry have told us, in effect, that they are willing to abandon the American consumer; they would rather take their business abroad, where their profits are greater, than try to supply our national energy needs at reasonable prices. They have done so. Even with oil import quotas and all their tax incentives, they developed production and built refineries abroad at the expense of both here.

It is time to create a national enterprise whose first concern is not runaway profits, but the national interest. The Federal Oil and Gas Corporation would develop oil and gas resources on publicly-owned lands. Those lands contain 50 to 75 percent of all the nation's future oil and gas resources. The people own these resources.

This corporation would stimulate competition in the oil industry. It would offer the public a reliable yardstick on production costs. It would give us a way of checking, through actual experience, the efficiency and pricing performance of the private oil com-

panies. It would help "keep the big boys honest."

Most importantly, it would provide additional fuel supplies at reasonable prices to independent refiners and independent marketers who, once again, could compete vigorously with the major oil companies. It would enable us to make a long overdue inventory of the nation's vast publicly-owned oil and gas resources—before they are all exploited by the major oil companies.

Third, we propose reforms which will revive competition in the energy marketplace—and, while reviving competition, will protect the consumer from price-gouging.

This means giving incentives to the smaller, independent sector of the oil and gas industry—incentives large enough to make them effective competitors of the major oil companies. We propose to create competition by helping the smaller operators enlarge their share of the market, from their current negligible share to one-third of the market.

Consider natural gas. Only one and one-half percent of the nation's 4,700 producers account for 85 percent of the nation's natural gas supply. We propose to remove FPC wellhead price controls from the small producers who compete and deserve a price incentive because they conduct most of the nation's exploratory drilling.

Meanwhile, we propose to retain price controls on the major oil company producers and to streamline the Federal Power Commission's regulatory procedures.

We also believe that wellhead price controls are needed to protect the consumer from these same giants in the oil sector of the industry. The FPC is therefore given authority, in our proposals, to establish wellhead oil prices which will assure the major oil companies their costs and a reasonable return. These controls would give the small exempt companies a chance to compete—and an incentive to explore. The controls would be confined to those large corporations which have used their economic power to drive competition from every link in the industry chain—from producing to marketing.

To avoid diversions of oil and gas from the interstate to the intrastate markets, the controls would apply in both—but only to the largest oil companies.

When established, these price controls would replace the rollback mentioned earlier. This approach guarantees the major corporations a reasonable rate of return; it protects the consumer against price extortion—and endeavors to create a free enterprise system in the oil and gas industry.

Any increased exports of U.S. oil and gas to higher priced world markets could be subject to export controls. Such controls are already in effect.

Fourth, we propose legislation guaranteeing fair access to petroleum pipelines by all members of the petroleum industry.

At present, petroleum pipelines are the private preserve of the major oil companies. They are, for the most part, owned by a few of the largest majors. Yet they are the lifeline upon which independent producers, refiners and marketers depend.

The independent oil company is at the mercy of the majors for storage facilities near major pipelines—and for access to their pipelines.

All too often, the independents have been excluded from the pipeline network; the major oil companies' control over oil pipelines has permitted them to divide markets and to raise prices—in short, to engage in anti-competitive practices.

We propose, for the short run, FPC rules that make the oil companies common carriers in fact as well as in name. Over the long run, we propose that the pipelines be divested from the giant companies—in an orderly fashion—and transferred to independent ownership. Only thus can all ship-

pers obtain fair access to the pipeline network.

This is an essential step toward restoring true competition. As it is now, the major integrated oil companies transfer oil and gas to pipelines they control; next they move the product to their refiners—and then to their own company marketers, who in turn sell to a helpless consumer. There is no real competition in this train of transactions. Pipeline divestiture would establish competition in an essential link of the chain.

Fifth, we propose that Federal lands be leased to oil companies under a new system of royalty bidding.

In the past, valuable Federal oil, and now oil shale, leases have been won by a system called "bonus bidding." This system requires an enormous capital outlay by the bidder—so large that even the major oil companies band together in joint ventures. This old bidding system raises a price barrier that only the major oil companies have been able to cross successfully.

Under the royalty system bidders would offer to the Government a share of the oil recovered—or a combination of cash and oil. The royalty to the Government would be paid—in part at least—out of future production.

By moving toward such a system of royalty bidding, combined with a prohibition of joint ventures among the largest producers, we can open up the rich Federal domain to the independent oil man and over time increase the income of the Federal Government too.

Sixth, we propose, on behalf of the small gasoline dealer who must deal with the major oil companies, a major reform of the franchise system.

The nation's independent gasoline dealers have invested their time and money in efficient gasoline stations which sell products at a discount and give the major companies competition. Today, because major oil companies have cut off or curtailed their supplies of gasoline and other petroleum products, the independent dealers are an endangered species. About 3,000 independent dealers were forced to close their doors last year.

In time of scarcity, the major distributors should be required by law to allocate their products fairly to the smaller independent dealers. And all gasoline dealers should be protected by an explicit law forbidding arbitrary termination of their leases or franchises.

Seventh, we propose reform of the current energy-wasting rate structure for natural gas and other forms of energy.

In the past, when we imagined our supplies of energy to be limitless, the Federal Power Commission and other agencies adopted rate structures that encouraged waste. As consumption went up, utilities charged less for each unit of energy used.

We are paying a high price for that policy today. Residential consumers are paying far more for each unit of fuel they use than the larger industrial customers. Despite growing shortages and an urgent need for conservation, the incentive for natural gas users is to use more.

The time has come to reverse priorities. We propose graduated rate increases for increased consumption to encourage conservation rather than waste. This rate structure should also feature lower rates for residential consumers than for industrial consumers. The industrial consumers are far better equipped to convert to alternative sources of energy than the individual householder with a gas stove or water heater.

Eighth—and finally—we propose a full and honest accounting from the nation's petroleum companies.

If we are to restore the nation's faith in a workably competitive energy industry and make policy wisely, then we must have all the facts—facts about supplies and reserves; facts

about oil finances; facts about the major oil companies' tax returns; facts about exports and imports. All these facts should be gathered in a timely fashion and made public. Our bill will call for complete public disclosure; it gives the Federal Trade Commission ample investigative duty and authority to obtain all such information and make it public.

The energy crisis is not a crisis of nature; there is abundant petroleum in the earth and under the sea. It is a crisis of our economic and political machinery. The crisis began with failures and misuses of that machinery—and we can find solutions only by changing and improving that machinery.

The legislation we have outlined is a start toward making those necessary changes.

If we fail, the entire cost of the energy crisis will fall upon the American people; and that cost could be written in lurid letters of economic collapse.

The energy crisis, and the public frustration and outrage it has produced, are a kind of handwriting on the wall. The message is this: If this country continues to suffer at the hands of one large, concentrated, interconnected and unaccountable industry, public patience will run out—and that industry will some day be totally regulated, broken up, even nationalized. We do not want to see the free enterprise system abandoned. We want to see it work. We believe the American people feel the same way.

Let us in the Congress take up the cause of the American people—the cause of two hundred million beleaguered consumers. The Administration by its indifference, and the oil industry by its greed, has proven that unless we advance the consumers' cause, no one else will.

DAYLIGHT SAVINGS: A PROBLEM TO BE SOLVED

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BAUMAN. Mr. Speaker, earlier this week I introduced a bill, H.R. 12390, which would repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973. I do so because I have become convinced that this legislation does not achieve its major objectives.

We were told during the time the House was considering the bill that it might produce considerable savings in energy. Statistics now available raise doubts on this point. What has happened, however, is the lives of a great many schoolchildren across the Nation have been endangered with actual deaths occurring in some States.

I hope that the bill I have introduced will receive speedy action by the House. I insert at this point in the RECORD an editorial from the Sunday Times of Salisbury, Md., concerning this matter.

The editorial follows:

A PROBLEM TO BE SOLVED

A petition movement requesting the Wicomico County Board of Education to consider school opening at a later hour in view of the early morning darkness due to daylight saving time has been presented to school officials.

The petition drew more than 1,700 names, some of them parents, some not. Their reason for signing it is that they feel that children's lives are endangered as they wait in the roadside darkness for a school bus. Their concern is genuine. Children by the side of the road in the darkness are difficult to see

unless attired in light clothing. One may dart in front of your car.

On the other hand, the board of education in switching over to daylight saving time after Congress ordered that it be done had a number of complex problems to consider. These include the scheduling of bus runs to accommodate drivers and the various schools, consideration for working parents who leave home the same time school children do, and employed students who, if school hours are set ahead, would have trouble with their schedules.

There are 14,000 school pupils in this county. More than ten thousand of them go to school on a bus. Some of them have to change from one bus to another. There are 150 buses. Some operators have other forms of livelihood. Some parents have two jobs. Their work day and evening are built around the bus schedule. If they have more than one child it could be two or more bus schedules.

The list of major and minor problems involved in short-notice changes in schedules could go on. Daylight saving time became the law in the closing days of the last session of Congress. For school purposes, it became operative when school was resumed after the Christmas holidays. This is also the dead of winter—the days of least daylight.

The days are now lengthening. In a few weeks the problem will have vanished for this term, at least. Any changes the school system might make now (or might have made when school reopened) would require some further change as the days get longer. One way or another, some people are inconvenienced.

Other counties have made school hour changes to accommodate daylight saving time. But then, still other counties have not. Different circumstances could account for that. The long range solution is in further reasoned study of the various problems and announcing some months in advance those school hours which can accommodate daylight saving time without exposing children to the hazard of roadside darkness. Many people with that advance notice could adjust their personal schedules to that end.

Meanwhile, it will be wise for all of us—parents and drivers of all vehicles to do their best to help get children to school safely. It's a responsibility we must share; an inconvenience of the energy crisis. That's the reason for the problem in the first place.

FOOD SHORTAGES IN ASIA AND AFRICA

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WHALEN. Mr. Speaker, in view of the current fuel shortage and its effect on the food production capacities of Asian and African nations, I would like to bring to the attention of my colleagues an article from the February 2, 1973, issue of the New Republic.

The author discusses the need for worldwide efforts to help curtail tremendous food shortages in Asia and Africa, resulting from drastic decreases in fuel supplies needed to operate extensive irrigation facilities in these countries.

I feel that remarks made by the author merit consideration by my colleagues, and I submit this article for their information.

The article follows:

OIL AND STARVATION

Fulani is a little girl who lives in India, with small bones and lackluster eyes, who is only eight but looks 12, and she is probably one of the millions who will die this summer from the food shortage growing out of the oil shortage. About mid-August, America is likely to discover that there is a crisis, not merely in India but possibly in Africa, much of the Mideast and parts of Latin America, and it will send emergency food supplies, by which time it will be too late. If a world food bank is begun it will have to be done now. There seems no sign of movement, however, by the government here. It is the greatest human drama in the world today.

We are so bemused by our gasoline shortage, that we can't see what's happening on Spaceship Earth. It's not hard to trace, however. Oil is a big component of nitrogen fertilizer; if oil leaps in prices so does fertilizer. Japan imports oil, uses it to produce fertilizer, exports it to India. Less fertilizer, less food. Lester Brown of the Overseas Development Council tells me that Japan has cut fertilizer production 25 percent and its exports will be reduced probably one-third. China will grab what it can. It means that the Indian subcontinent of 740 million (including India, Bangladesh and Pakistan) will suffer.

That's only part of it. Food also depends on irrigation. In Asia two million irrigation wells are often pumped by small motors, chugging along, burning oil. The price of oil rises, irrigation costs more; food costs more; people who can't pay die.

In few places are food and population more delicately balanced than in India. Bernard Weinraub cabled in *The New York Times* last week from New Delhi of a striking election upset by the Communist Party in the heart of Bombay that jolted Prime Minister Indira Gandhi's New Congress Party. Three years ago the Congress Party polled 218,000 votes; now it's 70,185. Among the reasons: the "unprecedented 20 percent rise in the price of food in the last 12 months." Of course democracy in India is a thousand times more worth saving for the US than the old government in South Vietnam for which we spent billions and 50,000 lives. But what will we do about it?

The sudden Arab oil boycott is something that has never, repeat never, occurred before in economics. It recalls Jay Gould's attempted "gold corner" in 1869. It affects the world and the United States in grotesque ways that we have yet to realize. The pedicab fare has doubled in Djakarta. And little Fulani may die of hunger in Bangalore.

"I want all African and Asian brothers here to know," Hubert Humphrey grimly told representatives of 45 nations in mid-November at an international food conference in Munich, West Germany, "that when the Arab nations boycott oil to the United States, all they are doing is signalling you that you will starve."

This is too strong; a lot of other factors are involved. But the fact remains that in any crunch the poor and helpless fare worse, and in the crisis now developing the earth may be pushed over into a famine forecast for years.

About a third of the world's 3.9 billion people go to bed hungry at night. World population increases two percent a year, about 80 million people. It will double at the present rate by the end of the century. That means double the food to feed them. And there are these ominous circumstances:

For the first time America's arable land, the world's greatest bread basket reserve, is all in use.

World grain reserves expressed in days' consumption stood at 95 days in 1961 and now is down to 37, smallest in history.

Fertilizer supply is very short and the price is zooming.

Something strange is happening to the world fish catch; some feel the very oceans are overfished; for the past 21 years the total world catch increased every year to 70 million metric tons in 1970; it has dropped in the past three years to 62 million.

Lester Brown comments, "With less fertilizer and two percent regular increase in population, this is the first year in which one can say positively, 'There will be a reduction of food production in Asia, regardless of the weather. Never before in my memory has it been possible to say that.'"

Countries are divided into two tiers, the northern tier with relatively low birth rate and adequate food supply: North America, Western and Eastern Europe, the Soviet Union and Japan, recently joined by Korea, Taiwan and Mainland China. The other tier are the hungry lands with relatively high birth rate—most of Africa, much of the Mideast, the Indian subcontinent and parts of Latin America. This is the crisis of the four Fs: food, fuel, fertilizer and fertility.

"This year there is no cushion any longer," Mr. Brown says, "things are very thin with a shortfall of fertilizer. With a drought somewhere, or unfavorable weather, there would be a scramble for food unlike anything we've ever seen. And in Washington a feeling that no one's in charge."

Most people can't believe that food supplies won't expand, just as they were sure cheap gas would continue. This may prove ultimately correct but in the meantime there could also be the greatest calamity in the history of mankind. The weather cycle is important. The US and Canada now control a larger share of the world's exportable grains than the Middle East does of oil, and the US provides 90 percent of the world soybean exports. Bad weather could reduce this. A cycle of droughts has hit North America roughly every 20 years since the Civil War when records were first made; the 1930s created the dust bowl and in the 1950s it appeared again. Even a mild return would be dangerous today.

"The issue that may well arise before this year is over," Lester Brown says, "is whether the more affluent nations will tighten their belts to fill what will be by far the largest food deficit in Asia that we've ever seen."

Tony Dechant, president of the Farmers Union, recently denounced the lassitude in Washington: "A world grain crop like that of 1972," he said, "would doom millions to starvation." Fortunately prospects are for a bumper crop, but with high fertilizer prices it is not certain that the hungry lands can buy it.

STATISTICS CONFIRM BLEAK ECONOMIC SITUATION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BIAGGI. Mr. Speaker, for many Americans the passing of 1973 was more welcomed than regretted, and for good reason. As if Watergate and its related scandals were not enough to contend with, we had inflation to unite all Americans in misery. The effects of the worst inflation since the end of World War II were felt by each and every citizen.

Recent end-of-year statistics confirm the true extent of our present bleak economic situation. Many Americans, especially our senior citizens living on fixed incomes, found themselves at the end of 1973, hovering at the brink of poverty, after only eking out the most

basic existence. The unquestioned culprit in this situation has been the drastic increases registered in the prices of food, clothing, and shelter, the items most working Americans spend the greatest portion of their income on.

The price of food for example in the United States rose by a whopping 22.1 percent in 1973, the sharpest 1-year increase in over 20 years. This increase was due primarily to higher farm prices, as wholesale food prices rose by an even greater 22.5 percent. Such essential food items as meat, cereal and baking products rose at an even higher rate than the overall increase.

In my home city of New York alone, the cost of feeding a family of four has risen from \$50.68 recorded in May, to a present figure of \$58.84 recorded 2 weeks ago, an increase of 16 percent in only 8 months. A pound of hamburger which cost \$1.09 a pound 1 year ago now costs \$1.79. A half gallon of milk has gone from 64 cents to its present figure of 80 cents.

These statistics take on even more tragic overtones when measured against the fact that real hourly earnings for working Americans declined by an average of 1.3 percent in 1973. The average senior citizen's income rose at a rate not even equal to the overall cost-of-living increase of 9 percent, registered in 1973.

Our economy during the 1960's went through a period of unparalleled growth, and with it came inflation, but when measured in a time of prosperity, most Americans were able to endure it. However, today we are in a period of great economic transition, characterized by an overall economic slowdown. Yet the problem of inflation continues to linger, and now when measured against present conditions, it becomes more conspicuous and troublesome for the average American to cope with.

This present administration's economic policies have contributed greatly to the present inflationary conditions. Its efforts to control inflation, remembered as the now infamous phase I through IV programs were anemic and feeble attempts at best, weakened further by a series of misguided and ill-conceived decisions, the most famous one being the Russian wheat deal.

This effort to subsidize the Russian people was done at the expense of the American taxpayer, who faced with an anticipated wheat shortage and continued higher prices for bread, is struggling to avoid becoming the ultimate sucker of this economic folly. A further indication of the failure of this decision is the administration's recent negotiations with Canada for possible purchases of wheat in the event that our wheat shortage becomes too acute.

Economic disasters like the Russian wheat deal must be avoided in the future. In the last session of Congress I introduced legislation which would limit any future exporting of wheat or other commodities until there were firm assurances that there was an adequate domestic supply available for each and every American. We in the Congress must begin to shift this administration's economic priorities away from exports and back to meeting all necessary domestic

needs. Continuation of present policies can only result in continued higher prices and drastic shortages of vital food commodities.

Moreover, Government spending must be directed at helping people here at home survive this inflation. Therefore, I was recently compelled to vote against H.R. 11354, a bill to provide \$1.5 billion more of the taxpayer's money for World Bank operations without any assurances that this money would be wisely spent.

We in the Congress must seize the opportunity and work to find solutions to the inflation which has put such a strain on the budgets of the American consumers. The economic projections for 1974 are not especially bright. More acute shortages in vital food commodities are expected, as well as continued increases in the costs of food, shelter and clothing. In addition, the unemployment rate has already jumped to 5.2 percent, and it may reach 6 percent. The time to act is now, we cannot allow Americans to linger in economic misery. Inflation hurts everyone.

ENVIRONMENTAL STANDARDS AND THE ENERGY CRISIS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WALDIE. Mr. Speaker, there are many in this country who would have us believe that the energy crisis has forced upon us an almost insoluble dilemma—on one hand we apparently face a critical shortage of energy, while on the other hand we supposedly confront environmental standards which are extreme in their intent and extravagant in their waste of fuel. While I do not believe that such a situation does, in fact, exist, I do fear that the hard-won and desperately needed environmental standards which were firmly established in the Clean Air Act of 1970 may be the first victims of what is a politically expedient solution to the energy crisis. Automobile manufacturers and oil company executives have seized upon the shortage of energy as a basis for demanding the loosening of environmental strictures. They claim that we will survive this crisis only if we roll back legislative guarantees of environmental quality. It seems to me that the facts in no way dictate the necessity of befouling our skies, rivers, and landscapes with industrial offal in order to mitigate the impact of diminishing energy supplies. We clearly have more reasonable alternatives.

The Environmental Protection Agency delineates two types of energy users and pollution producers: mobile sources and stationary sources. The primary mobile source is, of course, the automobile. Under existing standards the environmentally devastating effects of the internal combustion engine would be negligible by 1976. Automobile industry spokesmen have tried to make these laudable standards the whipping boys for the poor mileage of their cars. Yet as Environmental Protection Agency officials indicate:

The two-three miles per gallon loss attributed to pollution control devices stems from the unperfected technology which the auto companies put in their early control devices. The 1975 models are expected to have control equipment which increases mileage from 7-13%.

Given such considerations it would seem more appropriate to limit the production of low mileage cars than to roll back environmental standards for auto pollution.

Stationary pollution sources include our power generating facilities. The President has recommended rapid conversion of oil consuming plants to coal—one of our most abundant resources. Concomitant with this proposed conversion would be a drastic reduction of environmental standards for coal burning facilities. Likewise he has proposed a rapid expansion of nuclear facilities whose safety factors are dubious and whose disposal problems reach catastrophic dimensions. Further, it has been suggested that we reopen the geologically fragile Santa Barbara Channel, and strip mine subsurface layers of coal.

I think these proposals are both ill-considered and rash. Considering the dearth of information we presently have about the energy crisis and its causes, it would seem inappropriate to implement remedies whose effects are known to be deleterious.

What I am asking for is a careful consideration of all the alternatives before us. We must not make our decisions in an atmosphere of desperation. The Chinese write the word crisis with two strokes of a brush pen. One stroke means "danger" and the other "opportunity." Once we understand the danger which has manifested itself, we must seize the opportunity for renewal and redirection along lines more harmonious with our total environment. To react in any other manner is to deny the potential for improvement which now confronts us.

THE ARAB OIL WEAPON

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WOLFF. Mr. Speaker, it is my honor today to insert for my colleagues and for the edification of the American people, an article on the serious legal issues arising out of the use of the "oil weapon" by the oil producing nations. The authors, Albert P. Blaustein a professor of law at Rutgers University, and Jordan J. Paust, a J.S.D. candidate at Yale who holds a law degree from UCLA, have succinctly focused on the violations of international law that the perpetrators of the embargo have committed. This article is an abridgment excerpted from a much more detailed treatise which will be published later this year.

The article follows:

THE ARAB OIL WEAPON—A THREAT TO INTERNATIONAL PEACE

(By Jordan J. Paust and Albert P. Blaustein)

THE ARAB COERCION: BACKGROUND

The month of October, 1973, brought with it Arab aggression in two forms: the first

was the military attack against Israel, begun on October 6th; the other was the use of economic coercion against countries which, in Arab eyes, either supported Israel or did not support the Arabs in their present quests. (These include the return of claimed Arab lands, favorable settlement of the Palestinian peoples' claim for self-determination, and other political and military objectives.)

This Arab strategy constitutes the deliberate employment of an economic instrument of coercion (the oil "weapon") against other states and peoples in order to place intense pressures upon their free choice. Although this strategy is primarily dependent upon the use of an economic instrument, the full dimension of the coercive process has involved the interrelated use of diplomatic and ideological instruments as well as the coordinate use of military forces against the State of Israel. As such, the Arab oil embargo is a violation of international law, as formulated in the United Nations Charter and its key supporting documents.

AN APPROACH TO DECISION

At times we will merely refer to this overall process of coercion as the oil "weapon" or as the Arab economic coercion, but the full range of Arab effort should be kept in mind.

It is too simplistic to seek to categorize events as acts of "war" or "peace," since coercion between states and peoples is continuous through time and space in differing types and levels of intensity, and far more is proscribed under international law than coercive acts which amount to acts of "war." International law takes cognizance of the greater need for the regulation of varied types and intensities of coercion in this increasingly interdependent world, and the main concern is for a rational, policy-serving distinction between forms of permissible and impermissible coercion.

Does the conduct serve or impair legal policy? Where some international community goals are served and others impaired, what is the overall impact upon policy? It is clear that rigid categories such as "embargo" or economic "war" are insufficient references to the full range of legal policy which is relevant or the myriad of contextual factors which are useful in making a rational choice concerning the legality of the Arab coercive process.

Depending upon degrees of intent, intensities of impact and a number of other factors, the use of the Arab coercive strategy can be found to constitute such a substantial impairment of United Nations Charter goals as to result in authoritative denunciation of the oil "weapon" as a violation of the United Nations Charter. This would be a violation of those provisions dealing with the use of coercion, the promotion of friendly relations, the promotion of self-determination, the peaceful settlement of disputes, and the maintenance of international peace and security. In certain situations, the use of economic coercion constitutes a form of "economic aggression." And where the impact upon the target group results in intense fear or anxiety, the use of economic coercion can constitute a form of impermissible terrorist strategy.

Particularly relevant factors include: (a) the objectives of the Arab initiators of the coercive strategy; (b) the number of participants affected; (c) the number and types of Charter goals affected, and (d) the extent to which Charter goals are affected. It is our hope that appropriate United Nations decisional entities will initiate an inquiry into the legality of the oil "weapon", and that this work will aid in that effort by providing a guide to rational and policy-serving decision.

TRADITIONAL RULES AND THE POLICIES AT STAKE

A. The U.N. Charter

Almost every state and peoples have pledged to each other and to all mankind their continued effort: to practice tolerance;

to develop friendly relations among nations based on respect for equal rights and self-determination; to cooperate in an effort to solve international economic and other problems; to live together in peace; and to settle disputes by peaceful means in such a manner that international peace, security and justice are not endangered. Most important is Article 2(4) of the Charter. This contains the pledge of all members to refrain from certain forms of impermissible coercion. It states:

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

Thus, if the threat or use of force is against the "territorial integrity" or "political independence" of other states, Article 2(4) of the Charter has been violated. Additionally, Article 2(4) is impaired if the threat or use of force is "in any other manner inconsistent with the Purposes of the United Nations"—many of which are outlined above and are expressed in Article 1 and the preamble of the Charter. Thus, the substantial impairment of goals of the international community (articulated in the Charter) through the deliberate use of coercion against other states (not counterbalanced by policies relating to legitimate self-defense of U.N. enforcement of decisions) constitutes a violation of Article 2(4) as well as other forms of pledge. This constitutes a violation of the Charter itself.

What is the meaning of the word "force" in Article 2(4)—does the Charter prohibit economic forms of coercion? True, it has been stated in the past that the type of "force" contemplated in Article 2(4) was "armed force." Some text-writers have indeed read into Article 2(4) the restrictive word "armed"—which does not appear and did not arise as a restriction during the formation of pre-Charter norms or the drafting debate. Some had rather loosely assumed that since the preamble of the Charter spoke (among other things) of restricting armed force to situations of common interest, that other forms of coercion (economic, diplomatic, ideological) were to go unregulated. This despite other articulated Charter objectives concerning world public order and human dignity.

It is also by no means clear that the Arab coercive process does not involve an "armed" attack—for it must be recognized that the oil "weapon" arose in the context of an armed attack upon the State of Israel.

In any event, it is clear today that Article 2(4) prohibits more than the threat or use of "armed" forces. This is borne out in a series of United Nations documents supplementary to the Charter—documents which spell out the goals of the international community.

The General Assembly, for example, has authoritatively declared that it is "the duty of states to refrain in their international relations from military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any state . . ." Moreover, the General Assembly has declared, in connection with the principle of Article 2(4), that every state has a duty to refrain from "any forcible action" which deprives certain people of self-determination, equal rights, and freedom and independence. It has further stated, in connection with the principle of Article 2(7), that "armed intervention and all other forms of interference or attempted threats against the personality of the state or against its political, economic, and cultural elements, are in violation of international law." Additionally it has been declared:

No state may use or encourage the use of economic, political or any other type of measures to coerce another state in order to obtain from it the subordination of the

exercise of its sovereign rights and to secure from it advantages of any kind.

By integrating the preamble, plus Article 1 and 2 of the Charter, with this recent authoritative expression of the General Assembly, we see the community expectation that a broad range of coercive conduct is impermissible.

Moreover, United Nations trends in decision—addressed to questions of threats to the peace, breaches of the peace or acts of aggression—are relevant as indicia of community expectations, likewise useful for the interpretation of the dynamic content of Article 2(4) of the Charter.

The 1965 Declaration on Inadmissibility of Intervention has articulated similar goals, including: (a) the free development of political status; (b) the free pursuit of economic, social and cultural development; (c) the principle of "non-intervention" of states in the internal and external affairs of other states (declared to be "essential to the fulfillment of the purposes and principles of the United Nations"); and (d) the interrelated ban on "economic, political or any other type of measures to coerce another State" for impermissible objectives of dominance or the extraction of "advantages." The latter goal or prohibition had also found approval in the 1954 Draft Code of Offenses Against the Peace and Security of Mankind where economic coercion was utilized by a state or group in order to force its will and thereby obtain advantages of any kind.

Although other U.N. documents do affirm the community goal of allowing all states the permanent control of their natural resources, a 1972 General Assembly resolution has reiterated the priority of other goals.

The 1972 resolution declared "that actions, measures or legislative regulations by States aimed at coercing, directly or indirectly, other States engaged in . . . the exercise of their sovereign rights over their natural resources . . . are in violation of the Charter and of the Declaration contained in resolution 2625 (XXV) and contradict the targets, objectives and policy measures of the International Strategy for Development for the Second United Nations Development Decade." That strategy had arisen with a U.N. proclamation that "(e)conomic and social progress is the common and shared responsibility of the entire international community," and that "(e)very country has the right and duty to develop its human and natural resources, but the full benefit of its efforts can be realized only with concomitant and effective international action."

Implicit here is the recognition that, by the "free" use or control of one's own resources, an impermissible interference with the "free" use or control of resources of others can result, and that a balance must be struck which best serves all relevant community goals in view of the actual context and policies at stake. In no other way can an individual or group maximize the enjoyment of freedom from fear and want, or "the full benefit of its efforts."

This explains the enunciated expectation in Article 2 of the 1966 International Covenant on Economic, Social and Cultural Rights that the "free" disposal of natural wealth and resources must not prejudice "any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law," and "(1)n no case may a people be deprived of its own means of subsistence." Undoubtedly, this is the thinking behind the U.N. Charter goal of achieving "international co-operation in solving problems of an economic, social, cultural, or humanitarian character." This is likewise the philosophy behind the statement in the preamble of the 1966 Covenant which recognizes that the Charter goal of equal rights for "all members of the human family is the foundation of freedom, justice and peace in the world."

B. International Trade Law.

One of the most important documents declaring international community goals is the General Agreement on Tariffs and Trade (GATT). Today there are more than 76 parties to this Treaty, including Egypt, Israel, Kuwait, Lebanon and Syria.

Article 1 of GATT provides for "most-favored-nation" treatment to assure the elimination of discriminatory measures (any "advantage, favour, privilege, or immunity granted") among signatories. Article 11 denies export prohibitions or restrictions; Article 13 prohibits discriminatory quantitative restrictions; and Article 20 lists certain general exceptions, but reiterates the basic denial of "arbitrary or unjustifiable discrimination" in the trade process.

Another source of relevant international trade law is the set of bilateral trade agreements between, for example, the United States and Saudi Arabia, Oman, and Iraq. Each of these bilateral agreements with the U.S. contains a most-favored nation treatment clause with respect to import, export and other duties and charges, affecting trade and similar goals with respect to any concession, regulation, advantage, prohibition or restriction on imports or exports, etc.

The agreement with Iraq, would seem to allow a claim relating to "the adoption or enforcement of measures relating to neutrality or to rights and obligations arising under the Covenant of the League of Nations." Nevertheless, it would seem that joint-Arab coercion to impose a pro-Arab stance is not properly meant to fit into the phrase "measures relating to neutrality." Certainly, the use of force to coerce other states into a non-neutral stance or conduct relates to neutrality; but since it plays havoc with the policy by tending to destroy neutrality and also impair fundamental goals involving the regulation of the use of force, such a use of force should not go unnoticed by an interpreter of the trade agreement. Moreover, an opposite conclusion would permit a party to create the very condition (a "necessity" or "security interest") which is held to allow a derogation from the agreement. This would be in conflict with the import of the concomitant language relating to the effort to fulfill League of Nations (now U.N. Charter) obligations.

There is substantial authority to support our interpretative approach. The main question of legal policy remains the final decision as to whether the Arab oil "weapon" is permissible or impermissible under the United Nations Charter. These oil cuts are most assuredly discriminatory and contrary to the "most-favored-nation treatment" goals of GATT and the bilateral trade agreements. In addition, the primary exceptions to GATT and relevant bilateral trade agreements which deal with national "security interests" should be applied with reference to the full range of community policy developed to balance permissible national security interests with U.N. Charter goals found in the preamble and Articles 1 and 2. Moreover, Article 108 of the U.N. Charter clearly makes the Charter a peremptory set of norms which will prevail in case of any conflict between the obligations under the Charter and obligations under any other international agreement.

A CONSIDERATION OF THE ARAB STRATEGY

Again, we cannot consider Arab strategy in depth. For our purposes, it seems most useful merely to indicate some of the most important and disturbing aspects under category headings which are useful for systematic description of the coercive process: participants, objectives, situation, base values, strategies, outcomes, effects.

A. *Participants.* Nearly all of the Arab states are joint-initiators of this form of coercion, and nearly every state in the global arena is affected by the coercive process as instrumental target, primary target, or spill-over victim. Moreover, specific target states

include Japan, Western Europe and the United States.

B. *Objectives.* The use of this oil strategy has been deliberate. Stated objectives of the initiators have been couched for the most part in terms of an overall effort to regain "occupied territory." But there have been other stated objectives:

(1) to force an overall settlement upon Israel "on terms satisfactory to the Arabs"—through coercion by other states against Israel or the use of force to make others pay more attention to Arab claims and demands;

(2) to seek a continued embargo on any country "supporting Israel"—with each country classified as either friendly to the Arabs, neutral or "supporting Israel";

(3) to force other states to sever diplomatic and trade relations with Israel;

(4) to compel other states to extend economic aid to the Arab nations;

(5) to compel other states to extend military aid to the Arab nations.

These are attempts to control the foreign policies and conduct (international and domestic) of other states and peoples. These are attempts to affect the free choice of such states and peoples. They constitute an interference (as some Arab spokesmen have stated) in order to "shape events."

Further, these objectives were (and are) being sought unilaterally, with no attempts to forewarn the international community of impending action. Likewise, there were no Arab efforts to use any other peaceful and cooperative means or machinery to settle the underlying disputes. There seems to have been no attempt to offer any formal argument in favor of the necessity or the legality of such action under the U.N. Charter or other international instruments (including trade agreements).

We conclude that the combination of the five types of Arab objectives outlined above (despite claims concerning the recapture of territory or desires to aid Palestinian peoples) indicates a substantial affront to Charter goals. More specifically, we find an impairment of both the "political independence" goal and the "Purposes" goal contained in Article 2(4) of the Charter, and we find no exculpatory claims which balance against that impairment. The objectives outlined above (1 through 5) certainly affront the general goals of tolerance, friendly relations, cooperative effort to solve international economic problems, the peaceful settlement of disputes, etc. Certainly, the Arab economic coercion and those objectives affront the prohibition contained in the 1970 Declaration On Friendly Relations and Cooperation which denies coercive strategy in order to obtain the subordination of the exercise of the sovereign rights of other states (such as the right to determine foreign policy and actions) or "to secure from" them "advantages of any kind." Even in the case of stated objectives to regain territory, the other objectives do not seem related to the principles of necessity and proportionality. Moreover, the stated objectives pose a curious and conflicting Arab deference to other Charter goals of "self-determination," "equal rights," "freedom," and "independence."

C. *Situation.* The geographic area within which the Arab initiators have utilized this strategy is global. There has been no effort to minimize the destruction of values through a limitation of coercion to arenas of armed conflict between Arab and Israeli participants, or even to arenas of active military involvement. Nor have the Arabs made the traditional criteria distinctions between military and civilian institutions and activities in their delineations of targets. And, finally, the duration of coercion has already been substantial and seems likely to continue for an extended period.

D. *Bases of Power.* The Arab states obviously possess ample resources of power and

wealth to instill intense coercion through time and space. Saudi Arabia alone is thought to possess one quarter of the world's known oil resources. Specific targets such as Japan, the Philippines, the Netherlands and numerous western European countries are extremely dependent upon the sharing of oil and the maintenance of stable trade relations not only for wealth and well-being but for overall power (including the power to maintain national defense and security).

E. *Strategies.* The primary strategy employed is economic, but there is also a manipulation of the diplomatic and ideological instruments of coercion. Diplomatic efforts have included use of the economic instrument to communicate a threat against "supporting Israel" and "joining the Americans" in any kind of counter-measures, "because your whole economy will definitely collapse all of a sudden." The choice of this particular strategy, the oil "weapon," seems a choice of the sort of weapon which is far less capable of discriminate application than, for example, the embargo of military arms to another country. It is the type of strategy which will necessarily involve great impact upon the civilian economy and civilian participants; thus, its use would seem to require an even greater showing of necessity in context if the claim of necessity is to be considered.

F. *Outcomes.* It is clear that present and probable outcomes involve intense coercion on target governments and peoples. The coercion has met with success. Many states have changed their official diplomatic posture toward Israel, and states have also begun to change their domestic and international policies with respect to trade, emigration of foreign nationals, the supply of arms to Arab states, economic programs for Arab development, and other matters.

G. *Effects.* A particularly important effect has been the sudden disruption of normal trade patterns which threatens the stability of economic and other expectations and patterns. The overall impact upon Charter and trade law goals has been substantial and many important goals are likely to be impaired if the oil "weapon" is allowed to continue. There is also a threatened destruction of all resource values throughout the globe which would be disproportionate to the claimed necessity for realizing stated Arab objectives.

CONCLUSION

Not only at stake here are the Charter goals of tolerance, friendly relations, the peaceful settlement of disputes, cooperative effort to solve international economic and other problems, and peace in general, but also the relative independence of states and their own political, economic and ideological self-determination (the full and free shaping and sharing of all values). It must be understood that the impact of the use of this form of economic coercion has been substantial in terms of persons affected and goals impaired. It is a coercion which threatens not only the general wealth, well-being and power of numerous nation-states (including efforts at regional integration), but also (more specifically) their national defense and security. Thus, the coercion is of such mounting intensity and efficacy that it can be authoritatively proscribed as a violation of those Charter goals, and also denounced as a violation of Article 2(4).

What we have outlined here are the violations of United Nations Charter provisions and trade agreement provisions. We see a substantial threat to community goals in the continued use of the oil "weapon," and call for a cooperative effort to obtain a more inclusive regulation of the economic instrument of coercion, plus a more inclusive and policy-serving use of the earth's resources—not for war and unilateral dominance, but for peace and for mankind.

WHO CAN AFFORD CAKE?

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BRASCO. Mr. Speaker, every American has some memory of the now infamous wheat sale to the Soviet Union engineered by the administration. We sold some 400 million bushels of American wheat to the Russians at prices overwhelmingly favorable to them, depriving hundreds of thousands of American grain growers of what would have amounted to excellent profits.

As the facts of the grain sale unfolded, it became obvious that the Department of Agriculture had acted more in the interests of the Russians and the major international grain companies than on behalf of U.S. farmers and consumers. A great outcry was raised across the Nation, including here in the Congress. The administration, on the defensive, denigrated all such criticism, claiming that all was totally above board, and that no one had been cheated, and no one had benefited illegally.

Among the accusations leveled at the Government as a result of the grain sale was one stating that we were shipping so much of our crops abroad that our own domestic reserves would be significantly depleted—to a point where we might not have enough for our own uses.

Here again administration spokesmen, led by the Secretary of Agriculture, dismissed such fears airily, indicating that critics, including and especially Congressmen from urban areas, knew little about agriculture and even less about grain markets.

Since all this transpired, we have had had much of the true story come out. The farmers were not told the truth by the Agriculture Department, most of them selling prematurely and cheap a grain crop that could have commanded far larger prices. The Government made a gift out of the grain deal with the Russians, allowing the Soviets to get off a sharp domestic hook with U.S. grain. With such domestic dislocations averted, the Kremlin was secure enough to devote its main energies and resources to weaponry and military adventurism in the Middle East.

Several Agriculture Department officials have gone on to bigger and better things, including cushy jobs with the grain companies with whom they had worked intimately on the Soviet grain exchange. Only one bird had not yet come back home to roost, and now he, too, is settling back on the limb of the tree in our backyard.

Remember when America had the cheapest food and the most plentiful supplies? Remember those wonderful days? I do. Most of you do, too. They are gone now, and the millers and bakers tell us we may have bread at \$1 per loaf. Why? Because we sold too much to the Soviet Union. How do we know? Because now the Government is making arrangements for possible major purchases of Canadian wheat if we run short. Are we

going to run short? There is that possibility, we are told, with the danger of much higher bread prices and imports from abroad.

We are told that if all the wheat we have sold through the Agriculture Department to foreign buyers gets shipped, we could virtually run out of wheat for as much as a month before the July harvest.

The Government is making arrangements for Canadian wheat buys, to lift a quota limiting imports and to have Russians postpone deliveries and further shipments. Meanwhile, it assures us that we will have no shortages even though the head of the Chicago Board of Trade, the world's largest commodities market, takes a diametrically opposed position. He predicts that we shall in fact run short of wheat. On the basis of track records, anyone who believes the Department of Agriculture deserves an award of optimism.

As if to underscore this state of affairs, the President has recently signed a proclamation making it legal to import as much wheat into the Nation as anyone wants to ship. In the face of this action, the boys at Agriculture chirp away, claiming that none of this will have any effect on the cost of bread.

Articles on the subject indicate that we are going to need large quantities of Canadian wheat, and that it is going to cost us a pretty price in the bargain. Further, the Canadians have told us in so many words that if we want the grain and will pay for it, we are going to have to come and take it away. This means sending the transportation, even though there is a shortage of rail freight vehicles. Then how is the Russian wheat going to be shipped? Does anyone want to speculate on who is going to come first? The American consumer seems always to rate last with the crowd running this administration.

I am not a farmer. My district is 100 percent urban. But all my people eat, and almost all of them eat bread and other products derived from wheat and other grains. Beef Wellington a la White House is a bit out of their reach these days.

Now they may not grow grain or do business in it. But they pay for it, and have already helped to underwrite the subsidy that sweetheart grain deal gave the Russians and the six large grain companies. And they do not like the way bread prices have been rising. Nor are they going to be too happy if those bread prices go even higher, reaching anywhere near the bakers' predicted \$1 per loaf. If the Agriculture Department and the President's press secretary would care to visit my district and tell these people bread prices are not going to go skywards, they are more than welcome to do so. Regrettably, they might have a difficult time being believed.

But then, that's life in the big city. Perhaps Mr. Butz might have a happier effect upon the ladies at the markets and their husbands. Who knows? If his past performance is any indication, it might be worth seeing.

What it all comes down to is that we have sold too much to too many people on favorable terms. We have a waiting

list of countries for our wheat harvest this year, including Egypt and several other countries which may be considered our enemies. The American consumer is going to have to pay very close to that \$1 per loaf price if I do not miss my guess, and our people should be made to know well ahead of time who engineered this disgusting fiasco. As for myself, I am making sure that my non-farming constituency is aware of who has brought this appalling situation into being.

The President of course, could do something. Perhaps he can come up with some novel suggestion. A new pep talk. Maybe he will ask us to eat cake instead. But, then, that's made with flour, too.

A NEEDED AMENDMENT TO THE PROPOSED FEDERAL RULES OF EVIDENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. RANGEL. Mr. Speaker, I will be offering an amendment to the proposed Federal Rules of Evidence, H.R. 5463, which would strike from article VIII, hearsay, the provision contained in rule 801(d)(2)(E).

The stricken provision embodies an extremely mischievous concept of law, one that continues to threaten every person's right to a fair trial. One example should suffice.

Suppose Jones conspires with Smith to destroy the Capitol Building. Smith rents an office from White. White is unaware of the criminal objectives of Smith and Jones. Smith solicits Roberts to join the conspiracy and to provide detonation caps. Roberts thereafter recruits Ames, whose job it is to steal needed electrical parts.

Some weeks later Smith is arrested after he is overheard while using a Washington pay telephone and talking too loudly, talking about planting a bomb in the basement of the Capitol Building. Thereafter, Jones, Roberts, Ames, and White are also arrested, and all five men are indicted, charged with a single count of conspiracy to blow up the Capitol Building.

A pretrial motion by White seeking a severance is denied, a result which is not at all unusual in conspiracy cases.

At the trial, Ames, who has turned Government witness, over White's objections, is allowed to testify that Roberts told him that, in turn, Smith told him that White was a member of their group and that White told Smith that he, White, wanted not only to destroy the Capitol, but in the process to kill as many officials as possible.

Under the bill as it now reads, such testimony would be admissible against White even though he had not been present when Roberts allegedly told Ames of White's supposed remarks, claimed to have been reported by Roberts, who had heard about them from Smith. The same multiple third generation hearsay would,

under the bill as it now reads, be admissible through the lips of Ames against White, even if Smith, the person who allegedly heard the remarks, was dead, and therefore unavailable, at the time of trial.

See, for example, *United States v. Borelli*, 336 F. 2d 376 (2 Cir. 1964).

This pernicious rule of law, perpetuated in the bill as it now reads, makes a mockery of any meaningful right of cross-examination and confrontation by one's accusers, while it opens the courtroom to every conceivable scrap and morsel of rumor, gossip, surmise, and innuendo. The present rule, in short, is an engine for the conviction of the innocent.

The crime of conspiracy itself is an attenuated crime. It falls far short of an attempt to commit a crime, and it goes just a scintilla beyond making mere thoughts and words criminal. The conspiracy charge has long been abused and has been the subject of much thoughtful criticism. It was once used to stifle and prevent the growth of the labor movement, and later, in the 1950's, the conspiracy charge was used as part of the "red scare" hysteria which encompassed the Smith Act prosecutions.

But to continue to permit rank hearsay to establish the commission of this attenuated crime of conspiracy would be utterly unthinkable. Particularly is this so, when so frightful a provision as the one in question is preserved in an otherwise excellent body of proposed law reform in the field of evidence.

See "The Conspiracy Dilemma: Protection of Group Crime or Protection of Individual Defendants," 62 *Harv. Law Rev.* 276 (1948).

The text of the amendment follows:

In rule 801(d)(2)(E), on page 91, in line 14, delete the comma following the word "relationship" and insert in lieu thereof a period and delete lines 15 and 16.

DEFENSE SPENDING

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mrs. SCHROEDER. Mr. Speaker, in 1966 when the Johnson administration's total budget edged over \$100 billion—an artificially low figure because trust funds were not included—there was a great deal of public clamor over excessive Government spending. The \$100 billion mark was described as "politically sensitive," the administration emphasized "drastic economies," and President Johnson instructed the Budget Bureau to be "even tougher than usual" in pruning spending plans. Even though Federal outlays had actually gone over \$100 billion in 1962, still, within 12 years the budget has grown to the extent that this year the Pentagon will be asking for about \$99 billion in terms of total obligational authority plus supplemental requests for defense spending alone. Even at the height of the Vietnam war in 1969, the defense budget request was at least \$20 billion less than it is today. The Penta-

gon has a voracious appetite for the taxpayer's money.

There are those who would like to blame the big boost in defense spending on politically safe scapegoats. For example, some administration officials would say that part of the enormous rise can be attributed to the high manpower costs brought on by the switch to all-volunteer forces. But as George Will points out in his January 25 column in the Washington Post, it is demonstrably untrue that the size of U.S. personnel costs can be blamed on the decision to achieve an all-volunteer force. In the interest of setting this whipping boy's record straight, Mr. Will's column follows:

TAKING AIM AT THE ALL-VOLUNTEER ARMY
(By George F. Will)

Some government officials are spreading misinformation designed to destroy support for the all-volunteer armed force.

A recent article in an important newspaper was headlined "Nixon Seeks Big Arms Boost" and said: "Of the \$6 billion to \$7 billion in new money that the President would have the military actually spend next year, nearly \$5 billion is needed to cover inflation and the higher cost of military pay needed to maintain an all-volunteer Army, according to administration and Pentagon officials."

By lumping personnel costs in with inflation and implying that today's personnel costs are primarily the result of the decision to achieve an all-volunteer force, these officials are being mendacious.

Such government mendacity probably led columnists Rowland Evans and Robert Novak to declare: "Thanks to the crushing burden of the all-volunteer armed services, military pay makes up an ever larger percentage of the budget."

The columnists also have declared: "Inexorable salary demands of the all-volunteer U.S. armed services mean that manpower alone costs the United States an outlandish 57 per cent of the defense budget, compared with 25 per cent for the Soviets."

But it is demonstrably untrue that the size of U.S. personnel costs can be blamed on the decision to achieve an all-volunteer force.

The crucial decision regarding military pay, the decision primarily responsible for today's pay costs, was made in 1967. Then Congress declared that henceforth pay—for everyone but first-term military men and women—would be comparable to civilian pay. Each military pay grade was equated to a civil service grade, and civil service raises were tied to the cost-of-living.

This was three years before the President recommended an all-volunteer force, four years before Congress passed the only pay raise that can be "blamed," even in part, on that idea, and six years before the draft ended.

In 1971 Congress reacted against the inequity of first termers earning just 60 per cent of what their civilian counterparts were earning. Congress passed a pay raise bringing them closer to comparability.

This was done not simply just, or even primarily, in order to achieve an all-volunteer force. The primary motive and achievement was simple equity.

But even if you blame the 1971 comparability raise on the desire to achieve an all-volunteer force, you are not blaming it for much. Of the total pay increase between 1968 and 1974, the portion blameable on the all-volunteer force is just 18 per cent of the total.

It is true that personnel costs today are \$22 billion more than they would be for today's force at 1964 pay rates. But the 1971 raise, the one partially blameable on the decision to achieve an all-volunteer force,

accounts for just \$2.1 billion of the \$22 billion. And of this \$2.1 billion, only \$1.6 billion is for the group that is crucial for the all-volunteer force—the first-termers.

True, personnel costs are 96 per cent higher today than they would be at 1964 rates. But they would be 89 per cent higher even without the 1971 raise. They would be 89 per cent higher because of the 1967 comparability decision, and because retirement and travel costs—which are included along with pay in "personnel costs"—have risen.

Moreover, the most that would be saved by returning now to conscription is a paltry \$325 million from reduced recruiting, advertising, enlistment bonuses and the like.

We could save more by resorting to coercion (conscription) and slashing the pay of those who are coerced (the first-termers). But it is absurd to think Congress would cut pay back to where it was in 1971, when first-termers were earning less than the federal minimum wage, and some military families were living on welfare.

That might please Henry Kissinger. Columnist Joseph Alsop reports that at a recent meeting with Leonid Brezhnev, Kissinger complained about "the monstrous share of the U.S. defense budget consumed by swollen personnel costs."

There's a picture: the U.S. Secretary of State sitting around with one of the worst slave labor masters of all time, grouching because a U.S. Army private is paid \$5,826 a year.

By the way, Kissinger is paid \$60,000 a year. Evidently that is the market price of Secretaries of State.

THE FIRST ANNUAL INTERDISCIPLINARY CONFERENCE ON BIOMEDICAL RESEARCH PROBLEMS IN A CHANGING WORLD

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WIDNALL. Mr. Speaker, I am pleased to bring to the attention of my colleagues a pioneering concept in modern science—the first annual national conference on "Biomedical Research Problems in a Changing World." This will be held here in Washington February 5-7 at the Sheraton-Park Hotel.

This is an interdisciplinary approach, including engineering, marketing, business administration, government, and research and development, as well as allied medical fields. The latest work on heart, vascular and kidney diseases, cancer, prosthetics, and medical instrumentation will be discussed in the 3-day conference.

I commend the University of Maryland's Institute for Molecular Physics and Medi-Science, Inc. for jointly sponsoring this conference, and include at this point a copy of background information supplied me on this meeting:

BIOMEDICAL RESEARCH PROBLEMS IN A CHANGING WORLD

This Conference, in many respects, is quite different from most other conferences. Although the accompanying brochure summarizes the purpose and guidelines of the Conference and presents abstracts of the talks and resumés of the speakers, the following short review of the highlights of the Conference should bring out the uniqueness and significance of this special event.

Definitive studies involving breakthroughs

in concept or technology are often slow in coming to fruition. In order to facilitate the transition of new developments into practical usage, Medi-Science, Inc. has put together a program that presents the latest findings of a group of renowned medical scientists carefully selected from diverse disciplines. These researchers are either on the brink of a major breakthrough or have already accomplished that feat.

Dr. Ruth Hegyell, Chief of Program Development & Evaluation at NE&LI (NIH), will present the initial overview of the Conference. During subsequent discussions of problems of the heart, Dr. John C. Norman of the Texas Heart Inst. will give conclusive evidence for the feasibility of new artificial heart-assist devices. In the allied fields of hypertension and arteriosclerosis, Dr. Harriet P. Dustan of the Cleveland Clinic Fdn. and Dr. Henry W. Blackburn of the U. of Minn. will show, through the results of their multiple risk-factor studies and direct clinical work, that cardiovascular diseases can generally be treated best by means of already-recognized preventive measures. Dr. Frederick H. Kasten, at the La. State U. Medical Ctr., has been able to grow heart cells *in vitro*—thus opening the way for heart-cell transplants which may grow and revitalize the organ. The associated fundamental studies of the biorhythms of muscle cells by Dr. Andrew DeRocco, of the Inst. for Molecular Studies at the U. of Md., appears to be developing into an important medical contribution.

Dr. David L. Gardner (Battelle Mem. Inst.) and Dr. Robert E. Sparks (Washington U.) have been pioneering in independent, non-dialytic approaches to artificial kidney functions; these approaches open entirely new areas for research. Recent progress in the interdisciplinary "molecular control program" of the National Cancer Institute will be reviewed by the program's coordinator, Dr. Timothy E. O'Connor. Dr. Arnold M. Seligman of The Johns Hopkins U. will describe his and others' techniques for developing and utilizing new chemotherapeutic agents for cancer patients. Dr. Roger E. Salisbury, a Marine Corps Major, Brooke Army Hosp., will discuss his outstanding work with artificial tendons—a milestone in prosthesis. The director of the Nat. Inst. for Rehabilitation Engineering, Mr. Donald Selwyn, will describe and demonstrate an imposing number of ingenious prosthetic devices that he has developed but which are not yet commercially available. With respect to other instrumentation areas, Dr. Frank M. Hardy, V-P of Enviresearch Corp., will talk about a true "breakthrough" device employing saliva for diabetes testing. Mr. Robert D. Rosenthal, Pres., Neotec Corp., will show some non-destructive testing techniques (originally developed for agricultural product nutrition standards) which have intriguing potential for the non-intrusive *in vivo* analysis of biochemical constituents in man. Dr. Cesar A. Caceres, Head of Clinical Systems Assoc., Inc., will interpret the significance of some important advances in computerized electrocardiography.

The last day of the Conference will be devoted to hearing eminent medical scientists, administrators and legislators present their ideas on health-care delivery and medical ethics. Some of their points of view may be presently considered unconventional or speculative, but they may turn out to be the most realistic solutions to several of the current problems of this society. Such prestigious names as Dr. L. Edgar Lee, of Case Western Reserve U. Dr. Andre E. Hellegers, of Georgetown U.; Dr. John Gillespie, Pres. of Georgetown Consultants; Dr. Leonard E. Gottesman, of the Phila. Geriatric Ctr., and Dr. Martin Kaplan, from the World Health Org'n in Switzerland, are included in the list of speakers. An important figure in the U.S. Congress will discuss the Federal health pol-

icles and health-insurance legislation as well.

The final analysis and summary of the proceedings during the Conference will be made in terms of possible implementations by business and industry by Mr. Charles W. Williams, Pres. of Charles W. Williams, Inc. The program may be thought of as conforming to the logical sequence of concerns:

Preventive medicine first, utilizing revised ideas of why and how things may go wrong with vital organs and body systems.

New measures for treating particular diseased states, and even for replacing certain unhealthy tissues.

Recent developments in cancer diagnosis and therapy.

Significant work involving prosthetic aids. Important testing tools for the doctoring of modern afflictions.

Health insurance and the ethical delivery of health care to the sick, the aged, and the dying.

HUNTING THE OIL WITCHES

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HANRAHAN. Mr. Speaker, I think it is imperative that during this trying energy crisis, we all take advantage of whatever input is available to us from across the country. Accordingly, my colleagues may find the following three articles from Chicago newspapers of interest:

[From the Chicago Tribune, Jan. 6, 1974]

HUNTING THE OIL WITCHES

Almost every day brings new discrepancies in the petroleum picture and new evidence of public resentment against the oil industry, which is beginning to find itself—along with President Nixon—on the wrong side of the Credibility Gap.

How serious, really, is the oil shortage? How necessary are the sacrifices which we are being asked to make? What about reports that the supply of heating oil is actually better than it was last year, and that tankers are hovering off the east coast unable to unload because dock storage tanks are full? Is Arab oil leaking to us thru the embargo, or isn't it? What about the capped oil wells? What about the rising profits of the oil companies? These are some of the questions that are puzzling and disturbing many Americans.

This skepticism makes fertile soil for almost any charge against the oil industry. For Democratic Rep. Les Aspin's charge, for example, that the oil industry has bought the Nixon administration with \$5 million in campaign funds, and Sen. Adlai Stevenson's glib statement that the energy crisis is the fault of President Nixon and the oil industry. It's easy to heap new charges on those who have already incurred the skepticism of the public, especially when the alternative, for many of the critics, is to blame themselves.

But given the receptiveness of the public to such charges as these, they could easily lead to actions far more damaging to the country than the errors and inadequacies that have prompted them. Whatever its mistakes—and we certainly don't consider it wholly innocent—the American oil industry is the only one we have. It would be disastrous to stifle it with punitive taxes or over-regulation, or try to take it apart and reconstruct it as a government agency—yet these are precisely the sort of "remedies" that we now find being suggested.

If ill-informed public opinion enables political opportunists to put over schemes like these, our energy problems are going to make today's seem trivial.

What can be done? Certainly it is up to the oil industry to take the lead by being candid with the people and, perhaps more important, by persuading them that it is being candid. Traditionally, the industry has always played its card close to its vest. As long as there was a plentiful supply of fuel at acceptable prices, nobody including the government, worried too much about the adequacy and reliability of statistics on the industry as a whole.

For several years, there have been warnings—from Mr. Nixon, from several leading Democrats such as Sen. Jackson, and from the oil industry itself of an impending shortage.

Vermont Royster of the Wall Street Journal observed quite accurately the other day that if anybody had had the nerve a year or so ago to propose the steps we are now having to take, he would have been clobbered by an irate and unbelieving populace.

Editorial writers and economists are not going to be able to awaken the people to the present threat without the help of the oil industry. Despite its mistakes, it has a good case to make for itself. But like Mr. Nixon, it is going to have to give up some of its traditional privacy and give the people a more candid picture of its workings, warts and all. Mr. Nixon's "operation candor," fleeting as it seems to have been, showed that it can work. If the oil industry can regain enough public confidence to stop the witch-hunters—even if it means some confessions and concessions—it will serve its own interests and will help to spare the country from later and greater crises.

[From the Chicago Daily News]

HOLES IN THE ENERGY PLAN

The more one looks at the rash of pronouncements coming out of the Federal Energy Office, the more it becomes plain that a fair division of fuel by government edict is likely to fall short of normal definitions of fairness.

To some degree, the FEO is flying blind. Figures on the supply of oil seem to change daily, and since the only figures come from the oil companies themselves, there is some suspicion about their accuracy. Congress has not yet given the FEO either the authority or the guidance it needs to do its job, but it is plunging ahead anyway on the assumption that Congress will catch up.

Planning ahead is particularly hard for industry when fuel allocations may change without warning. A price example is the airline industry, whose fuel allocation was increased after the carriers had already planned schedules and layoffs for the smaller amount of fuel.

FEO Chief William E. Simon leaves no doubt that his prime concern is to keep industry and businesses going and avoid layoffs. To that end also, public transportation will get all the fuel it needs. Farther down the list comes home heating (with lowered thermostats) and at the end of the line is the individual motorist.

There can be no real quarrel with this general priority list. It will do the motorist no good to have a full tank and no job. But the management of an intricate supply system handled up to now by free-market forces will inevitably leave loopholes, not all of which can be foreseen. And they will likely show up most strongly at the end of the line where the motorist stands.

The stand-by gasoline rationing plan provides no distinction, for example, between the motorist who drives only for pleasure and the one who needs his car in his daily work or lives miles away from the nearest bus or train. A salesman totally dependent

on his car for his livelihood could be rationed right out of his job, or forced to bid for extra coupons at exorbitant cost.

Perhaps there hasn't yet been time to think through all the details of the rationing plan. Clarification will come later, if or when the plan is put into effect. But the massive confusion evident so far, and the inequities already visible on the horizon, should strengthen the resolve to do all that is possible by way of voluntary conservation of gasoline, in the hope that rationing may be avoided.

ARABIAN FANTASY CONJURES A CRISIS

(By Christopher T. Rand)

The present calamity of the oil or energy crisis has become widely accepted as an article of the popular faith. Everybody talks about the crisis as if it were the implacable nemesis from which no man can escape, and if everybody says so [not only the major oil companies, but also the environmentalists, the U.S. government, and the citizen unable to heat his house], then it must be true.

What other misfortune could possibly explain the higher prices for gasoline and the sudden shortage of winter fuel?

Does not the United States possess vast natural resources and an incomparable genius for capital formation and technological invention? If so, how else could it have been ensnared in the present crisis unless thru the machinations of sly and resentful Arabs?

For the past few years, the major oil companies have spent considerable sums of money advertising a vision of the apocalypse. The October war between some Arabs and all Israelis seemed to testify to the truth of this vision.

The embargoes placed on Arab oil shipments to the United States and the Netherlands, together with unilateral price raises and threats of reduced production, provoked a further outpouring of oil industry bulletins announcing the approach of an energy crisis akin to the millennial scourge of Huns from the Asiatic steppes.

The bulletins have been confirmed by the proper authorities in Washington, and they have been amplified in the hollow echo chamber of the national press.

The official broadcasts resolve into variations of what might be called the Arabian fantasy. The editorial writers—unchallenged but not encouraged by company spokesmen—explain that the Arab states [principally Saudi Arabia, Kuwait, Libya, Iraq, and Iran], control the bulk of the world's proven oil reserves, and that they have become rich beyond all reason or understanding.

The demagogues among them entertain radical and dangerous political ideas about the sanctity of Western economic interests, and they refuse to recover their oil in ways convenient to the major international oil companies. In their more ominous moments they threaten to shut down the flow of oil unless the Western nations accede to their demands against Israel.

The Western nations must prepare for the worst, and the worst undoubtedly will be expensive.

Thus, the need for rationing and higher costs to the consumer.

Altho sufficient to its melodramatic purpose, the prevailing rhetoric fails to answer a number of awkward questions, especially now that the October war has come and gone.

Few people point out that in the past year the major oil companies have reported enormous profits, or that they have enjoyed a policy of generous forbearance on the part of the Nixon administration, or that they appear to get along quite successfully with even the most radical of Arab governments.

Worse, virtually nobody explains that the energy crisis is a crisis taking place in time future rather than time present.

Even October's war was not the vengeful uprising against the West that the American information media represented it to be. When the war broke out, the Arabs stopped virtually all criticism of American action or policy.

Arab officials did not claim that American troops or pilots participated in the war; Beirut newspapers, even while publishing photographs of bombed-out buildings in Damascus, quoted the Lebanese premier to the effect that America had informed him that it would make the necessary efforts to ensure Lebanese security against Israel.

King Faisal of Saudi Arabia had already upped Aramco's production by a million barrels a day during the hot months of July and August, thus allowing him to reduce production when the war began and still retain normal supply levels for the year.

The war has created a few problems with the logistics of oil supply, but these have aggravated the American public more than they have inconvenienced American oil companies.

For the time being, the world's supply of oil far exceeds the world's demand, and so the crisis must be discerned in a network of theoretical lines converging at imaginary points in time future. The oil companies therefore project a rate of increasing demand for oil, and then they project a rate of declining supply.

When these two lines intersect, presumably in the early 1980s, the actual crisis [as opposed to the abstract or hypothetical crisis] will be unloosed upon an innocent and law-abiding world.

This is what the oil companies tell the public, not what they themselves know to be the case. In the Middle East they play the part of middlemen rather than principals, and in their various dealings, both with the Arabs and with each other, they display the devious cunning that characterizes the dealings of middlemen in any trade.

The instability of Arab politics once frightened them [so much money invested in such unsafe places, etc.] but after the Arab-Israeli war of 1967 and the closing of the Suez Canal they began to understand this instability as a chronic condition much less harmful than it seemed.

They found that they could bear the cost of shipping oil around Africa instead of thru the Suez Canal; and the construction of supertankers, as well as the hurried discovery of new reserves in the North Sea and Prudhoe Bay, Alaska, obliged them to become more independent of the Arabs.

As a result of their efforts, the inventory of the world's available fuel has been increasing rather than diminishing, even when measured against the annual rise in the rate of the world's consumption. The inventory has become so extensive that it has become a luxury, or at best a waste of time, for most people to worry about it.

The oil companies obviously worry about it, but their worries have to do not so much with the supply of oil as with the cost at which they can trade it. It is the disparity between these two concerns that gives rise to the convenient misperception of the oil crisis.

Anybody who hopes to make sense of the present confusion must bear in mind three primary facts:

There is a tremendous volume of oil in the world. [The oil companies publish deceptively conservative figures on this subject; as an example, British Petroleum in 1971 estimated the proven world reserves at about 641 billion barrels; figuring on an annual consumption rate of 18 billion barrels, this leaves enough for at least 30 years.]

There is a tremendous difference between the cost of producing oil and the price at which it sells.

The inhibitions against vengeful political acts on the part of the suppliers depend not

so much on fear of military reprisals as they do on the implications of facts 1 and 2.

The fact of volume is the easiest to establish. The largest reservoirs of oil in the world are those in Saudi Arabia [at least 160 billion barrels] and those in Iran [at least 100 billion barrels].

Between them these two nations possess the bulk of the oil in the Middle East, and dominate the entire subject of Middle Eastern oil. They lie opposite one another across about half the length of the Persian Gulf, but they have little in common except a mutual distrust.

The oil reserves in both countries have been developed and exploited by two combinations of Western oil companies, the combination in Iran being known as "the Consortium," and the one in Saudi Arabia as "Aramco."

The seven major oil companies [British Petroleum, Royal Dutch Shell, Texaco, Mobil, Exxon, Standard Oil of California, and Gulf] take part in both combinations, and it's because of these partnerships that they dominate the international oil trade.

Altho both Saudi Arabia and Iran contribute a huge volume of oil to the market, the oil companies choose to give much more publicity to the reserves in Saudi Arabia. They imply that if only they could be assured of access to the Saudi Arabian fields, then they would feel far more secure about the reserves elsewhere in the world.

As a measure of the quantity of Saudi Arabian oil, consider, for example, the Ghawar field; roughly 155 miles long and in some places 22 miles wide, this field still contains as much oil as has ever been consumed in the United States.

The Iranian fields contain comparable amounts of oil, but the oil companies prefer to underestimate their volume. The various spokesmen usually explain that Iranian production has been declining, that it has passed its maturity, that it never will exceed 8 million barrels a day.

This may be true of the smaller fields that have been onstream since the 1930s, but there are other fields yet to achieve full production and a number of enormous fields, discovered in the past decade or so, that have yet to be tapped.

The waters of the Persian Gulf conceal at least one immense accumulation of oil, in what is known as the Fereydoon-Marjan field. The Iranians and the Saudis share the field, but potential production in only the Iranian half of it, at Fereydoon, has been estimated at 1 million barrels a day. A number of people in the oil business assess the reserves of the entire field at about 30 billion barrels.

The oil companies do not like talk about increasing production in Iran because it is more expensive than increasing production in Saudi Arabia.

Before the Tehran and Tripoli price agreements in late 1970 and early 1971, the companies figured the per barrel profit on Saudi Arabian oil at between 50 and 53 cents a barrel; in Iran the comparable figure was between 43 and 45 cents a barrel for crude oil of the same specific gravity.

The oil pumped out of the ground in Saudi Arabia is the cheapest in the world for its volume. It costs 4.5 cents a barrel, or one-tenth of a cent a gallon, to load into a tanker. Altho Iranian wells individually produce twice as much oil a day, it costs roughly 12 cents a barrel to load into a tanker.

The Iranian wells are more distant from water than those in Saudi Arabia; the pipelines cross mountain ranges rather than flat sand, and the "drive" provided by the water latent under the oil reservoirs is generally not as great in Iran as it is in Saudi Arabia.

Which probably explains why the oil companies prefer to turn the conversation to the wonders of Saudi Arabia. They say that only in Saudi Arabia can production be raised to 20 million barrels a day, and then they go on

to develop the terrible fantasy about King Faisal suddenly deciding to quit the business if he doesn't find his customers congenial.

But Faisal continues to raise production whenever he can do so, and the fantasy omits a simple calculation in arithmetic. If, for instance, the oil companies hold their offtake in Iran to 8 million barrels a day and at the same time increase their offtake in Saudi Arabia to 20 million barrels a day, they will save about 8 cents a barrel on every barrel produced in Saudi Arabia instead of in Iran.

Divided by two for tax purposes and multiplied by 12 million barrels a day by 365 days in the year, the oil companies achieve an annual saving of \$165 million. This is precisely what they are in business to do.

It is this kind of calculation that illuminates the difference between the oil-company definition of a crisis and the connotations ordinarily attributed to the same word by people who buy gas or heating fuel.

The companies define crisis not in terms of available resources but, rather, in terms of when those resources can be delivered, in what quantities, and at what cost.

The illusion of crisis helps them to exact further concessions from alarmed politicians in Washington. If the crisis can be presented as a national emergency, then how can the patriotic senator refuse to grant hurried permits for drilling off the Atlantic coast, for alleviating pollution controls, for whatever might hasten the delivery of energy to a suffering electorate?

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 68

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HARRINGTON. Mr. Speaker, most of my colleagues may remember with some nostalgia the high school dances that were a part of every student's social life.

But for George Evans, the annual fall dance of his senior year was a tragic one. After leaving the event, Mr. Evans was shot in the head with a handgun by another young person with whom he quarreled. He died 4 hours later.

Included below is the New York Times article describing George Evans' death, which might well have been avoided if handguns were not so easily available to young people in the United States.

The article follows:

STUDENT, 17, IS SHOT TO DEATH HERE BY UNKNOWN YOUTH AFTER DANCE

(By Wolfgang Saxon)

A high school senior on his way home from a school dance was fatally shot on an East Side street early yesterday morning, reportedly after another youth accosted him and pulled a gun in a quarrel.

The victim was identified as George Evans, 17 years old, of 114-22 146th Street, Jamaica, Queens. Detectives said other students told him that he had moved there recently from East 97th Street, but had continued to attend Julia Richmond High School in Manhattan in order to graduate at the end of the school year with his class.

Young Evans had gone to the annual fall dance Friday night at the school, which is at 317 East 67th Street, between First and Second Avenues. The dance ended at 1:30 A.M. yesterday and the shooting took place about half an hour later on 68th Street, be-

tween Second and Third Avenues, the police reported.

Detective Sgt. James F. Stewart said that students at the dance who observed the incident had told detectives that young Evans was walking by himself, presumably to the subway, when he was accosted and got into an argument with the other youth.

Sergeant Stewart said that other students in the street told of witnessing the altercation without coming close enough to hear what the quarrel was about. Nor, he added, did they recognize the other youth as one who had attended the dance.

The witnesses said the second youth drew a pistol, shot young Evans in the head and fled. They then called the police who took the victim to Lenox Hill Hospital, where he died four hours later.

The suspect was described as black, as was his victim, and was about 18 years old and 6 feet, 1 inch tall, weighing about 165 to 170 pounds. He was wearing a black hat, black shirt, a three-quarter length burgundy jacket and white sneakers.

School officials said there had been no trouble at Julia Richman High School to account for the incident. The police were still looking for more students who attended the dance and may have seen the shooting.

THE ENERGY CRISIS—WHY CAREFUL PLANNING IS URGENTLY NEEDED

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. DULSKI. Mr. Speaker, as we become more deeply involved in the energy crisis and our immediate need for remedial legislation, we must not lose sight of the long-range planning that is necessary.

I have just received a report from Dr. Robert Paaswell, associate professor of the Department of Civil Engineering at the State University of New York at Buffalo, pointing out very clearly some of the problems inherent in energy planning for the future.

As part of my remarks, I am inserting the text of this paper, and commend its contents to my colleagues:

THE ENERGY CRISIS—WHY CAREFUL PLANNING IS URGENTLY NEEDED

The immediate impact of the energy crisis, as we know, are the shortages of petroleum based products that we need to sustain the growth of our Gross National Product. In any industrialized country energy is symbolic of production and production is an indicator of economic health. The crisis is due to a shortage of petroleum, and there are some hidden aspects to this shortage that we should be aware of:

1. The U.S. cannot produce adequate petroleum to meet current demand for its product mix. The principal uses are for (1) transportation (48%), (2) household and commercial (19%), (3) industrial (16%), (4) electrical generation (7%). Note that these uses are for the energy base of petroleum. The remaining 8% goes into the production of necessary petro-chemical feedstocks and other vital goods.

2. The U.S. will not be able to produce all the petroleum it needs based upon the above mix in the next five to ten years, even with the Alaska pipeline and offshore drilling. The deficits must be made up from imports.

3. In striving towards energy self-sufficiency, other sources of energy supply currently available are: (1) natural gas, a small percentage of which can be used for petrochemicals; coal, nuclear power, hydropower (for electrical generation), and geothermal (for electrical generation and some small amount of heating). The latter two, by their very nature are tied to specific geographical locations. However, in terms of total energy supply, (i.e. British Thermal Units, BTU, a standard measurement of energy), petroleum again supplies the greatest demand (46%), with natural gas (32%), coal (17%), and hydro nuclear and the rest 5%. The importance of petroleum in our energy "budget" is clearly shown.

4. To meet energy self-sufficiency, we must examine (a) the ability to substitute one resource for another, and (b) the ability to upgrade little used resources or bring on line new resources.

In the following table (Table 1), we can see how current sources of supply are used (petroleum was noted above).

Table 1—Energy supplies

Coal:	Percent
Electric generation	61
Industrial	36
Household, commercial	3
Natural gas:	
Industrial	46
Household, commercial	32
Electrical generation	18
Transportation	3
Nuclear:	
Electrical generation	100
Hydro:	
Electrical generation	100

There are other international factors we should be aware of simultaneously:

(a) The other industrialized countries, i.e., European Common Market, Japan, Israel, Australia, etc. are increasing their demand for energy, and have, themselves, no native oil supplies.

(b) The developing nations must increase their energy consumption to reduce the gap between the standard of living of their countries and the rest of the world.

(c) The communist world possesses a large supply of petroleum, but still lacks adequate technology for efficient production, refining, and distribution.

Thus, as long as we sustain our high demand for petroleum outside of this country, we will be in ever increasing competition with the rest of the world. The economic repercussions of this competition have been seen already. Political repercussions are yet to be seen.

For the above reasons it is essential to have careful planning of the production and use of our existing resources. Planning must insure:

1. Adequate total supply
2. Adequate match of product to need
3. Develop capability of resource substitution

4. Develop research and development policies, based upon programs of resource use tied to economic development. That is, long-range national needs must be put ahead of short-range corporate needs, or the latter must be made to coincide with the former.

5. Research and development policies must lead into new production policies, carefully managed, to bring new technological developments (i.e., nuclear, shale etc.) into line on the total supply side picture.

By examining the following factors influencing supply, a schedule or plan towards realizing self sufficiency can be developed.

Full production lags discovery of applicability of a resource by about 10-12 years. This has been true in recent years or petroleum, natural gas, and nuclear fuels. As production of the resource builds up faster than use, reserves of that resource increase. The history of petroleum supply-demand in this

country was such that reserves grew at a faster rate than domestic demand. This created the long-term potential through exports of raw materials and import barriers for long-run imbalances in ability to supply domestic demand. A study of the production-supply relations shows that in a depletable resource, reserves must decay after reaching a peak if the resource is produced at increasing rates of demand. Hence a study of problems of the production-reserve relation would enable predictions of—

1. Depletion rates of reserves.
2. Critical time factors for depletion, and
3. Time periods during which substitutes should be brought on line.

In the U.S. the time scale for the mid 80% of production of crude oil from known resources goes from 1935-2000. For natural gas a similar time scale goes from 1950-2015. Coal, our most abundant fossil fuel can have peak use until 2440. Uranium, if used only in conversion reactors will be depleted in the early 21st century.

To predict any energy supplies ability to meet demands that occur in a growing economy (a future demand based on current use is shown in Table 2), the resource supply mix must be optimized. This optimization includes the following steps:

1. Existing, utilizable resources have known production-time distributions, and reserve utilization distribution. Associated with each is a production cost per usable unit of energy that can be fairly well predicted at both current and future rates.

2. New technologies have a start-up time before they can be brought on line. Each has an estimated ultimate probability of production of a fixed equivalent to BTU's per year. These can replace existing depleted resources only at a certain rate. This is predicated on the basis that one source is interchangeable with the other. Each of the new sources requires a certain capital research and development investment which must be amortized over production costs.

3. The problem of substitution of one for the other is limited by

- Supply life of the resource
- Production Costs
- Demand restrictions
- Research and Development costs

The question of capital investment is: "What should the investment be, and where should it go to insure continuity of energy supply?"

TABLE 2.—Supply-demand ties

Current uses:	Current fuels
Household/commercial (HH/C)	Coal
Industrial (I)	nat gas
Transportation (T)	petroleum
Electrical gen. (elec)	hydro
	nuclear
	exotic

PROJECTED CONSUMPTION BY SOURCE

[These numbers are ratios of use based upon current HH/C use]

	Now	1980	2000
HH/C	1	1.22	1.53
I	1.42	1.73	2.75
T	1.18	1.60	2.98
Elec	1.22	2.10	5.62
Total consumption	1	1.39	2.78

Note: Current total = 68,900 trillion Btu.

Thus it is necessary to study the potentials of available resources and look at factors that may help or hinder production. Such resources include: coal, shale oil, nuclear fuel, solar energy, hydrogen fuel, geothermal, etc. Factors influencing continued use of petroleum, and future use of shale oil nuclear

fields (among the most promising), and coal are discussed below.

PETROLEUM

Large capital investment is needed to extend the lifetime of the production side of petroleum. An estimated \$150 billion in the next decade must be put into:

1. Refinery expansion: 8 million barrels/day additional are needed with the major problems of growth related to environmental restrictions. Current refinery capacity is approximately 14,000,000 barrels/day.

2. Pipeline expansion: pipelines needed from Gulf to East Coasts and from Gulf to Midwest. There are now approximately 225,000 miles of pipelines run by 99 companies.

3. Shipping and port facilities: 1980 tanker capability must include 325 supertankers capable of carrying 1.5 million barrels/day. There must be 25 new berths for docking on the continent or off-loading in Bahamas, Nova Scotia. The latter leads to double handling at increased cost and increased risk of environmental damage.

4. Because there is little substitute for petro-chemical feedstocks, and other product-related uses, the future mix use of petroleum must insure adequate supply for products, and, hence must shift petroleum used for energy to other sources of supply. This factor is *extremely critical* to insure adequate economic growth.

NUCLEAR

Problems related to use of nuclear energy supply are problems related to (1) the availability of fuel and whether it is used in fission converter, fission breeder or fusion processes; (2) technology of energy transfer (heat to mechanical to electrical).

Fuel Supply—U-235 is fissionable material as found but represents only .71% of natural mined material. U-238 is fertile material which becomes plutonium 239 when put in a reactor. This indicates that a costly problem exists in the creation of nuclear fuel. There are finite reserves of uranium minerals which if not sustained by reaction will be depleted in the early 2000's.

In the fission process the fuel is used on converted or breeder reactors. In converter reactors, even at peak efficiency, more fuel is consumed than created (conservation ratio of 0.6 is now common) leading to the eventual depletion of resources. In addition the steam and hot water developed in this type nuclear plant are fed into turbines at temperatures too low for peak efficiency in conversion.

The hopes for nuclear fuel lie in breeder reactors. There is an estimated additional 10 years research and development and 10 years operational trial period for these reactors whose conversion ratio is greater than 1 (doubling time, however, the time to replace fuel used is 15-20 years). These plants can operate at much higher temperatures than conversion reactors, thus supply steam to turbines at greater energy efficiencies.

The ultimate hope of nuclear fuels is in the fusion process. However, extensive research and development must be done to develop *controlled* fusion reactions in which energy can be transferred from the enormous heats of fusion to electrical power. It is unlikely to be on line before the 21st century. The attractiveness of fusion is in the use of hydrogen isotopes readily available in the oceans. The total deuterons in the ocean can supply 3×10^{20} kw-yrs or at the current rate of consumption last 6×10^{11} years.

It can be seen then that an efficient nuclear production schedule must phase:

Fission (converter) → Fission (breeder) → Fusion.

While the U.S. supply of uranium is large, it represents only 29% of the available low cost world resources. We will need through 1986 47% of the world's demand. As in petroleum, we will require an ever increasing

amount of nuclear fuel, from a dwindling, competitive stockpile. Based on capability, the lowest cost reserves could be depleted by 1990.

The nature of nuclear fuel makes its environmental considerations somewhat different from the nuclear fuels. Radiation problems exist during production, upgrading and use. Waste disposal is a major problem. While radioactive waste is now relatively small, future disposal can create major environmental problems against development of nuclear fuels.

OIL SHALES

Processes for extracting oil from oil shales are already underway. Large deposits exist in Colorado, Utah, and Wyoming (80 billion recoverable bbl, + 110 billion highly likely bbl, + 880 billion speculative bbl). With a projected inventory of .04 billion bbl/yr in 1980 growing to 1.10 billion bbl/yr in 2000, the supplies should last through the first third of the 21st century.

Production costs had previously been prohibitive, but with high prices for crude oil, production costs of \$3 per barrel are now considered competitive. Recently, one oil company has indicated that it can produce shale oil for well under \$3 per barrel.

Most of the shale oil can yield 10-25 gallons of oil per ton of shale. It is produced by fracturing the shale and then retorting.

The major production problems are the mining and handling of the rock. If in situ retorts can be developed, the costs of production, and impacts on the environment will be minimized. Shale oil produces the usual petroleum products plus by-products of ammonia, sulfur and aromatics. The drawback to shale oil production is the amount of water used. Production of one million bbl/day requires 60,000-95,000 acre-ft. of water per year, and large-scale production would mean creating vast new reservoirs and dams in the west.

COAL

As noted, bituminous coal is the most plentiful of our fossil fuels. Coal's greatest use now is in the power and steel industries. Problems with more widespread use of the coal relate to mining techniques and mine safety, environmental problems at the mine and at the place of use, and transportation. Transportation costs add about 60% or more to the current mine price, and have currently affected its role in the competitive market, especially with regard to oil and natural gas. To have better use of coal, the following problems must be addressed in the *short run*:

- (1) Health and Safety standards;
- (2) Sulfur emissions in air pollution standards;
- (3) Strip mining practice;
- (4) Acid mine water drainage;
- (5) Solid waste disposal.

Coal can supply the demand mix noted above almost without exception, except to power internal combustion engines. (It can supply electric power to run railways, trams and the old-fashioned trolley car.)

An important future use is in development of synthetic gas and liquid fuels. By the year 2000 it is estimated these products can supplant 23% of the demand for natural gas and 20% of the demand for petroleum.

Because of mining, transportation and environmental restrictions careful planning is needed to phase production to meet the potential demand mix.

The complexities of our energy supply-demand mix make it essential to utilize all available information to achieve optimum planning for self-sufficiency.

¹ Bituminous Coal and Lignite, U.S. Bur. of Mines Bull. 360, 1970.

AMENDMENT TO H.R. 10275

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. STEIGER of Arizona. Mr. Speaker, I understand that the House is scheduled to take up later this week H.R. 5463, Federal rules of evidence. At that time, I propose to offer as an amendment the provisions contained in H.R. 10275 which would amend title 18 of the United States Code to provide an alternative to the exclusionary rule in Federal criminal proceedings.

The text of this proposal follows:

H.R. 10275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 223 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 3505. Elimination of and alternative to exclusionary rule

"(a) Evidence, otherwise admissible in a Federal criminal proceeding shall not be excluded on the grounds such evidence was obtained in violation of the fourth article of amendment to the Constitution of the United States, if there is an adequate legal remedy for any person aggrieved by reason of such violation.

"(b) For the purposes of subsection (a), the legal remedy provided under subsection (c) shall be considered an adequate legal remedy.

"(c) (1) The United States shall be liable for any damages caused by a violation of the fourth article of amendment to the Constitution of the United States, (A) if such violation was by any officer or employee of the United States while in the course of the official duty of such officer or employee to investigate any alleged offense against the United States, or to apprehend or hold in custody any alleged offender against the United States, or (B) if such violation was by any person acting under or at the request of such officer or employee in the course of such duty.

"(2) The liability under subsection (c) (1) shall be to any person aggrieved by such violation of the fourth article of amendment to the Constitution of the United States and such person may recover such actual damages as the jury shall determine, if there is a jury, or as the court may determine, if there is not a jury, and such punitive damages as may be awarded under subsection (c) (3).

"(3) Punitive damages may be awarded by the jury, or if there is no jury, by the court, upon consideration of all of the circumstances of the case, including—

"(A) the extent of deviation from permissible conduct;

"(B) the extent to which the violation was willful;

"(C) the extent to which privacy was invaded;

"(D) the extent of personal injury, both physical and mental;

"(E) the extent of property damage; and

"(F) the extent to which the award of such damages will tend to prevent violations of the fourth article of amendment of the United States.

"(4) The remedy against the United States provided under this section shall be the exclusive civil remedy against any person for such violation of the fourth article of amendment to the Constitution of the United States."

SEC. 2. The table of sections for chapter 223 of title 18 of the United States Code is amended by adding at the end thereof the following new item:

"3505. Elimination of and alternative to exclusionary rule."

BUSINESS AND PROFESSIONAL WOMEN

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. DON H. CLAUSEN. Mr. Speaker, during the past few years I have had several opportunities to meet and converse with members of the Business and Professional Women's—BPW—groups in my congressional district on the north coast of California.

As a result of their keen interest and growing involvement in local, State, and National legislative matters, I recently asked Mrs. Hazel Brubaker, of Healdsburg, Calif., president-elect of the Healdsburg BPW and legislative chairman for the Redwood Empire BPW, to furnish me information regarding BPW's activities in the legislative field.

With the thought in mind that other Members of Congress may be interested in knowing what the Business and Professional Women's groups are doing, I am taking the liberty of inserting in the RECORD at this point, Mrs. Brubaker's report to me:

BUSINESS AND PROFESSIONAL WOMEN REDWOOD EMPIRE CHAPTER

A legislative committee was one of the first committees established when Business and Professional Women founded their National Federation in 1919. A continuing interest in legislative matters has been a most important part of the BPW program.

The Redwood Empire District has been very active in all facets of legislation. Many of our members have given of their time and talents to work with, and for, legislators for the betterment of all people.

Redwood Empire Business and Professional Women have developed and are continuing to develop a knowledge of, and support for, State laws and legislative matters through close coordination with the State Federation. Many of our members converge on the State Capitol when voting time nears to support or oppose legislative measures.

The following are ways and means by which the Redwood Empire BPWC assures results through positive action:

1. We work with and through joint legislative councils. Where none exist, we consider organizing them.
2. In addition, we urge every member of BPW to become involved and active in the political party of her choice.
3. We encourage qualified business and professional women to undertake elective or appointive policy making posts and responsibilities.
4. We open up and maintain active channels of communication with elected representatives at the local, State and National levels by way of personal contact and visits, telephone calls, telegrams, and letters.
5. In addition to being full-time working women, we hold three week-end conferences each year, attend one State convention, have a Government-In-Action program in March in Sacramento, and three section meetings.

We have always had good representation at our Annual National Convention and, this year, the Redwood Empire BPWC will be represented at the "Legislative Ladder Conference" to be held in Washington, D.C.

Mr. Speaker, the Redwood Empire BPWC can be and is justly proud of their 40-year history of service to the public and I am proud of them.

SECRECY IN GOVERNMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HAMILTON. Mr. Speaker, secrecy in the operation of Government is one of the principal reasons people have lost confidence in Government. People simply do not like a government that practices secrecy, and a government that prefers to do its business in secret will not have the confidence of the people.

Any reasonable person recognizes the necessity of secrecy in Government in certain situations, like sensitive diplomatic negotiations or development of some military weapons. But secrecy has become an accepted way of doing business in Washington in far too many instances.

In foreign affairs we have had secret agreements at Yalta, secret U-2 flights, a secret invasion of Cuba, secret moves in the Gulf of Tonkin and Vietnam, and secret bombing of Cambodia. In domestic affairs all kinds of important information have been denied to the American people: the safety of nursing homes, meat inspection reports, civil rights complaints, an IRS agent's manual, safety data on birth control pills, reports on aircraft and automotive equipment failures, the amount of fat in hot dogs, and the mass drowning of dolphins in tuna nets, to name a few. The Congress has had a long history of doing the public's business in secret, and though the Congress is beginning to open up the legislative process, many of its most important decisions, like action by conference committees, are still made behind closed doors.

Former Attorney General Nicholas Katzenbach has noted that secrecy has increasingly become a way "to avoid the difficulties inherent in our political systems and hopefully to present the public with triumphant faits accomplis."

The distinctive marks of a democracy are its commitment to an open society and the assumption that policy can be improved by steady public examination and debate. Secrecy diminishes democracy, and it is time to move the affairs of the Nation into the open.

Legislation should be enacted to require all meetings of Federal Government agencies at which official action is taken, considered, or discussed to be open to the public, with few exceptions, and to require all meetings of congressional committees, including conference committees, to be open to the public. Many other steps are needed, but the common theme of all of them is greater openness

to discussion and criticism and more candor in the conduct of the public business.

In the executive branch of the Government a comprehensive classification system for public documents keeps information from the people—one estimate is that the Defense Department alone has the equivalent of 18 stacks of classified documents 555 feet tall—each as high as the Washington Monument. This perverse system lessens the flow of information and inhibits the people's understanding of current events. It allows our policymakers to operate with blinders on. Basic alterations should be made in the system to require that secret papers should be made public more quickly, with only rare exceptions, and that classification itself be used with utmost restraint.

Our essential commitment to freedom of inquiry and publication, and the value of a free press as a disseminator of information on the public, need to be reaffirmed. With the growth of Government, the increasing complexity of public policy and the wider scope of American concerns, neither Government nor any Government official has a monopoly on information or wisdom. The news media must be allowed to inquire and to publish so that the people may know what they need to know to make the choices a democracy demands. Except in rare instances, Government should not be afforded the right to decide what and when the people are to know. Obviously, this approach places an enormous responsibility for objectivity on the news media, but the first amendment presupposes that right policy is more likely to emerge from a variety of sources, than from a single, authoritarian source.

The surest safeguard of the people's confidence in Government policy is to let them know what is happening. Although complete disclosure cannot be employed in every instance, disclosure should be the rule, not the exception, and a heavy burden of proof should rest on those who insist that secrecy in a given case will serve the national interest.

MEMORIES OF A FIERY MODERATE

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. ROBISON of New York. Mr. Speaker, the January 1974 issue of the Ripon Forum contains an article written by our former colleague from Iowa, Fred Schwengel.

As most of us know, Fred Schwengel is an expert on the life and record of Abraham Lincoln, so it is not surprising to find that he authored a perceptive piece reminding us of the quality of moderation that Lincoln exemplified. Fred Schwengel's comments on the philosophy which guided Mr. Lincoln are particularly appropriate in the context of the issues we face today. It is for that

reason that I commend his work to the House. It is useful and instructive.

The article follows:

MEMORIES OF A FIERY MODERATE

(By Fred Schwengel)

It is doubtful that Abraham Lincoln ever read Pascal's quote, "To go beyond the bounds of moderation is to abandon humanity," but he did read the passage in the Bible which states (I Cor. 9:25) "Every man that strives for mastery is temperate in all things." In May 29, 1856 at Bloomington, Illinois he said, "In grave emergencies moderation is generally safer than radicalism."

There were emergencies evident in 1856 that never ceased in number or intensity during his life. Lincoln saw and understood more clearly than most that the moral question of slavery must be resolved without sacrificing the Union.

From his knowledge of history and literature—as well as his experience in law and politics—he learned early that "there are right and wrong ways, places, and times to do and say what is right." He concluded that forcing slavery's abolition on the South would ensure the secession of some states. It would grievously strain the nation and, more important, it would not solve the moral question of slavery. Taking his cue from St. Paul ("Let your moderation be known to all men" [Phil. 4:5]), Lincoln used his most effective weapon—the written and spoken word.

In his public speeches, especially his debates with Stephen Douglas, Lincoln spoke from a knowledge of history and law. In these addresses he expressed the fundamental principles that became the bedrock of his support in his quest for the presidency.

"The essential inequity of the Kansas-Nebraska Act was its betrayal of the spirit of free institutions. . . I object to it because it assumes that there can be moral right in the enslaving of one man by another . . . nearly 80 years ago we began by declaring that all men are created equal: but now from that beginning we have run down to that other declaration that for some men to enslave others is a sacred right of self-government."

Throughout his life Lincoln retained his moderation and echoed an eternal truth, "Let us have faith that right makes might." What he said came from deep moral convictions, but he believed that in both the abolitionist and secessionist camps there were extremists who were not pragmatic and who would lead the country to division and ruin. This moderate, pragmatic approach led to his nomination and election as President.

In the Civil War period Lincoln and the government had many enemies, who were critical not because they did not believe their leaders but because they disagreed with them. They disagreed on ways of saving the Union, freeing the slaves, and conducting the war. In that entire period, however, the people never accused Lincoln of dishonesty or unfairness.

Long before the war Lincoln had established his honesty, made clear his convictions, set priorities and goals that could be attained and, in the spirit of moderation, he never pressed his advantages too far. He said, "I shall do less whenever I shall believe what I am doing hurts the cause, and shall do more whenever I shall believe doing more will help the cause." It was the combination of his moderation with virtues of honesty and fairness that gave him his unique character and glowing stature. He knew how to set priorities and spoke of them with a rare kind of simplicity, sincerity, and eloquence. As Carl Sandburg said, "he could get to the nub of the thing." He spoke often not only for his time, but for all time:

"I wish at all times in no way to practice any fraud upon the house. . . I do not propose to question the patriotism or assail the

motives of any man or class of men. . . I wish to avoid violations of law and bad faith. With malice toward none and charity for all let us finish the work we are in. . . The dogmas of the quiet past are inadequate for the stormy present; we must think anew, act anew, we must disenthral ourselves."

Lincoln's life was filled with many tragedies. But he had his successes as well. He was a good surveyor and country lawyer; he was elected to the legislature, then to Congress, and finally to the presidency. Because he understood the ordeal as well as the triumph of the human spirit of his age, he had the strength with which to overcome despair. This gives us reason for hope. Finding the roots of his strength, cultivating them and fortifying them with the wisdom gained from our own failures and successes, we too shall prevail.

It behooves us in our time, especially if we serve in public office, to reflect on the patience and candor of Lincoln, the moderate statesman. In this time of turmoil, as he advised, "let us harmonize . . . and appeal to the moderation and the patriotism of the people."

ENERGY SITUATION

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WOLFF. Mr. Speaker, I have received preliminary response to a General Accounting Office investigation I ordered on the domestic production and demand and on the imports and exports of petroleum products. While the results of this preliminary study are only a part of the investigation I have asked for, they are illustrative of the fact that the oil companies have not presented us with a complete picture of the energy situation.

What I am especially concerned about is the cutback in domestic production of crude oil and the increase in exports of a number of petroleum products. While the domestic production of crude increased between 1971 and 1972, domestic production—based on a production from January to October 1973, figures—declined in 1973 by some 100 million barrels. Some oil industry spokesmen have been quick to complain about what they feel are low prices for oil products, but these figures on domestic production certainly raise the question about whether or not some oil companies have played a role in creating shortages of petroleum products.

The exports of crude petroleum, gasoline, and motor fuel, and distillate fuel oil have increased in 1973. At a time of domestic shortage and decreased domestic production, increasing the exports of these vital fuels is clearly not the proper response. I am especially concerned about the exports of distillate fuel oils, some of which are used for home heating oil, have increased four times over the 1972 level and are significantly higher than the level of exports since 1969. The export of crude petroleum has increased three times in 1973 over 1972, and the export of gasoline and motor fuel has gone up 2½ times in the same period. Clearly, the Government must take stronger steps to insure that exports do not continue to increase as dramatically in 1974. I have introduced legislation to stop all

exports of these vital fuels until a domestic shortage no longer exists, and I will continue to press for passage of this legislation here in Congress.

While total exports are small in comparison with the full consumption of fuel the United States uses, the 100 million barrels lost in production cutbacks is a significant figure when it is referred to the fact this loss is almost five times the No. 2 fuel oil used to heat all the homes of Nassau and Suffolk Counties for a period of 1 year. Certainly this belies the information circulated by the oil producers that they have increased production. What does this loss of production mean for Long Island drivers, who now must cue up at long lines for their gas? This production loss is almost 5 times the number of barrels of gasoline that Nassau and Suffolk Counties use in a year. It is inconceivable to me that, in times of shortages of gasoline and fuel oil, we are cutting our production of crude and that we are exporting any petroleum products at all.

The figures I have obtained seem to represent just a portion of the energy problems we now face, and I have asked that the General Accounting Office provide me with the following information:

Imports and exports of selected petroleum products by country.

Achievable refinery capacity and utilization by month for calendar year 1972 and January through October 1973.

Domestic production and demand as well as imports and exports for petroleum products used in making plastics.

Domestic stocks as of the end of calendar years 1969 through 1972 and the end of October 1973.

Domestic crude oil and natural gas resources as determined to be recoverable by the oil and gas industries.

NATIONAL SMALL BUSINESS ASSOCIATION URGES CONTINUANCE OF HOUSE SMALL BUSINESS COMMITTEE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. EVINS of Tennessee. Mr. Speaker, Mr. J. R. "Jimmie" Tubb III, president of the Sparta Spoke Factory of Sparta, Tenn., a small manufacturing concern in the Fourth Congressional District, which I am honored to represent in the Congress, has sent me a copy of a statement by Mr. John Lewis, executive vice president of the National Small Business Association, protesting the proposal that the House Permanent Select Committee on Small Business be abolished or merged with another committee.

The statement by Mr. Lewis points out that 98 percent of all U.S. business is classified as small business, and that this vital and important segment of our economy is represented by our Small Business Committee. The National Small Business Association and many other organizations are vigorously opposing the proposal by the Committee on Committees to abolish the Small Business Com-

mittee and are urging that the committee be retained and continued and not be merged or submerged into an inferior position with some other committee.

Because of the interest of my Colleagues and the American people in small business, I am placing in the RECORD herewith a copy of the statement by Mr. Lewis.

The statement follows:

IT'S YOUR BUSINESS

(By John Lewis)

This nobody can deny—at least 98% of all U.S. business is classified as small. The big puzzler in view of this is, "Why?" "Why" at a time like this—a time of shortages, crises, and a question of small business survival—when this country's small business community needs a strong federal spokesman, are efforts being made in Congress to subordinate small business needs to a committee whose primary interest is not centered upon small business?

Labor is represented in Congress by its own Committee. Agriculture has its own Committee. So has the Merchant Marine and Fisheries groups, and so on and so on. "Why?" "Why" then should the House Permanent Select Committee on Small Business be abolished? "Why should attention to the largest single economic force in America—small business—be relegated to a Committee—in fact, a Subcommittee of the House Committee on Banking and Currency—whose responsibility is to oversee, banking, currency, the Federal Reserve System, gold and silver, and valuation and revaluation of the dollar?"

Again and again the lawmakers pay lip service to small business but when the chips are down, give it the last seat at the table—or, if you prefer, the fifth place on a four place cow. This must not happen again. The House Small Business Committee must not be scrapped.

Here are some facts on the House Small Business Committee—

It has seven sub-committees with well defined responsibilities on subjects affecting small business.

It is the only forum in the House responsive to the concerns of the small business community.

It has proven expertise, independence of action, and jurisdiction to initiate investigations and call hearings on matters having a major impact on any segment of the small business community.

A letter or wire to your U.S. Representative—not your Senator—at the House of Representatives, Washington, D.C. 20515, is the type of strong action that you—a voting constituent—must take if the House Permanent Select Committee on Small Business is to be kept and the interests of small business are to be protected.

AFTER THE PARACELS?

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HUBER. Mr. Speaker, recently Communist China forces overwhelmed the small South Vietnamese contingents on the Paracel Islands in brief, but bloody engagements. It demonstrated the power of its growing navy and perhaps the beginning of another aggressive period in its history. During the 25 years of its existence, the People's Republic of China has compiled quite a record in that regard. In 1949, the People's Libera-

tion Army marched in to seize Tibet. Huge "volunteer" armies fought our men during the Korean war in the early 1950's. In 1958, the Red Chinese attempted to seize the islands of Quemoy and Matsu but relented in the face of strong U.S. support of Taiwan. In 1962, Red China provoked a border war with India. In 1969, the Red Chinese fought bitter border clashes with the Soviet Union. Therefore, I find the editorial on this subject from the Richmond Times-Dispatch of January 26, 1974, both timely and thought provoking. It asks the question: "What next?" I commend this editorial to the attention of my colleagues:

AFTER THE PARACELS

Communist China has enforced its claim to the Paracel Islands in the South China Sea, and the outmanned, outgunned South Vietnamese never had a chance. Several Asian nations lay claim to the archipelago, which may hold oil treasures, but the South Vietnamese had possession. It is instructive that the Chinese made their case not before international tribunals but by practical application of the doctrine of "might makes right." So much for the peace-loving agrarian philosophies of kindly old Chairman Mao.

It is also quite instructive to compare the United States' reaction in the face of Peking's actual aggressive behavior in 1974 to American reaction in the late 1950s to the suggestion that mainland China might try to seize the islands of Quemoy and Matsu from Taiwan, another American ally. In 1960, presidential candidate Richard M. Nixon said that the two islands in the Formosa Strait are "in the area of freedom" and should not be surrendered to the Communists, for that would set off a "chain reaction" of annexation that ultimately would consume Formosa itself. But in response to the Chinese grab of the Paracels, a Washington spokesman unnamed in news dispatches said tamely that the U.S. "is keeping a strictly hands-off policy."

Quite probably the U.S. wouldn't have drawn the line at the Paracels even during the "containment" days of John Foster Dulles, because the historical claims to the islands are so tangled and the stakes for the U.S. do not appear to be notably high. Furthermore, the 12 or more years between the Quemoy-Matsu spat and the Paracels flareup saw America bogged down in a no-win war in Vietnam that disillusioned many Americans about fighting holding actions on the far side of the world. So the Nixon administration's ho-hum attitude toward the Chinese-Vietnamese clash will be marked down by most persons as "realistic."

But the question the Paracels episode raises is this: What next? After probing the anti-Communist defense in one area and encountering mush, what's to stop the Chinese from taking by force other disputed islands in the South China Sea? How about those islands in the Formosa Strait? And what about the big prize, the thriving island of capitalist Taiwan, for which the Chinese have a historic claim and an ideological lust?

VANIK ASKS GAO PROBE OF WHEAT SITUATION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. VANIK. Mr. Speaker, in view of recent reports of possible wheat shortages, excessive exports, and rapidly rising prices of bread, I have asked the General

Accounting Office for a complete report of the wheat supply and export situation.

Because of the wide spread interest in this subject, I would like to enter in the RECORD at this point a copy of my letter to the GAO:

JANUARY 29, 1974.

HON. ELMER STAATS,
Comptroller General,
General Accounting Office,
Washington, D.C.

DEAR MR. STAATS: The American people are deeply concerned about recent reports of a pending wheat shortage and the possibility of a dollar a loaf bread. The public's concern is increased by the various contradictory statements about the wheat supply situation and the reality of possible shortages. In addition, my mail reflects a great deal of anger that the Federal government has once again permitted this type of food shortages to develop. My constituents feel that this is a repeat of the "Soviet wheat deal" in which the interests of domestic consumers were ignored.

Therefore, I would like to request your assistance in obtaining true information on the present situation. In addition, I would appreciate your suggestion on ways and means to prevent periodic grain shortages from occurring in the future.

I am requesting the General Accounting Office's help in this matter, since I do not believe that the American public places any more trust in the reports of the United States Department of Agriculture. The Department appears to "mouthpiece" certain specialized agriculture and export interests.

The USDA appears to have no interest whatsoever in helping the vast majority of consumer Americans. The spectacle of the Department claiming that there is no serious problem while preparing the way to buy high-priced Canadian wheat has destroyed the last grain of creditability.

1. What is the reported wheat supply-demand situation as of February 15, 1974?

2. What is your estimate of the true export demand situation. That is, how much wheat will realistically be exported?

3. Is the supply prediction realistic? On what weather predictions is it based? Are those weather predictions realistic? What would flooding on the Mississippi similar to last year do to wheat supply predictions.

4. Has any foreign wheat been booked for import? Are any import purchases under negotiation? What is the per bushel price of such purchases and how does that price compare with current domestic price.

According to the Department, the 1973 wheat harvest totaled 1.711 billion bushels. The carryover from the previous year was 430 million bushels, for a total of 2.141 billion bushels for the crop year beginning last July 1st. Domestic consumption is estimated at 755 million bushels. As of January 13th at least 1.314 billion bushels had been exported or were booked for export, leaving an insignificant carryover of about 72 million bushels.

5. What steps is the Department taking now to build up wheat production in the crop year which begins July 1st? How will our carryovers and reserves be rebuilt? What action is being taken under Sec. 815(d) of Public Law 93-86, the Agriculture Act of 1973, to "encourage American farmers to produce to their full capabilities during periods of short supply to assure American consumers with an adequate supply of food and fiber at fair and reasonable prices."

6. Has any action been taken to implement Sec. 813 of Public Law 93-86, the Agriculture Act of 1973, to build up "Disaster Reserves" of 75 million bushels of wheat, feed grains, and soybeans? Your assistance in answering these questions at the earliest possible date—hopefully by mid-February—would be deeply appreciated. If the situation is as bad as a number of non-Department experts report, then immediate Congressional action will be required.

With respect to solutions of this supply export-demand problem, I would appreciate your comments during the next several months on the following questions:

1. Section 812 of Public Law 93-86, the Agriculture Act of 1973, provides for export sales reporting:

"All exporters of wheat and wheat flour, feed grains, oil seeds, cotton and products thereof . . . shall report to the Secretary of Agriculture, on a weekly basis, the following information regarding any contract for export sales entered into or subsequently modified in any manner during the reporting period: (a) type, class, and quantity of the commodity sought to be exported, (b) the marketing year of shipment, (c) destination, if known. Individual reports shall remain confidential but shall be compiled by the Secretary and published in compilation form each week following the week of reporting. . . Any person (or corporation) who knowingly fails to report export sales pursuant to the requirements of this section shall be fined not more than \$25,000 or imprisoned not more than one year or both."

Are there any cases where export sales have not been reported and where investigations are underway?

It would seem to me that the false listing of an export sale should be subject to the same punishment as failure to list an export sale. Are there any obstacles to extending the concept of "truthful reporting" to what is now only a reporting requirement?

Why should individual reports remain confidential?

2. Congressman Lester Wolff and others (including myself) have introduced legislation (H.R. 10844) to provide for the regulation of the export of agricultural commodities. In essence, the legislation would require that a "reasonable carryover" not be exported from the United States. Could the General Accounting Office provide an analysis of this legislation as to whether, if it were in force, the present questions of shortages could have been avoided.

3. Since 1935, the Canadians have controlled the production, distribution, and export of their wheat through the Canadian Wheat Board:

"The Board is incorporated with the object of marketing in an orderly manner, in interprovincial and export trade, grain grown in Canada.

"Subject to regulations, the Board shall sell and dispose of grain acquired by it pursuant to its operations under this Act for such prices as it considers reasonable with the object of promoting the sale of grain produced in Canada in world markets."

In addition to reporting requirements, investigative powers and the power to ensure necessary allocations of railroad grain cars and other transportation, the law provides:

"No person other than the Board shall—
"(a) export from or import into Canada wheat or wheat products owned by a person other than the Board."

I understand that in reality the prime function of the Canadian Wheat Board is to provide certain price supports, market stability, and guarantees to the wheat farmers of Canada. While I understand that the difference in farm programs between our two countries are significant, it appears to me that the export regulation features of the Canadian system could help us avoid some of the pitfalls of recent years. It may be time for the United States to consider a National Export Licensing and Control Board, similar to the Canadian Wheat Board, which will prevent private interests from exporting our Nation into high food prices and scarcity.

Can the General Accounting Office please provide me with information, including

bibliographies, on the relative merits and demerits of the Canadian Wheat Board as it relates to the control of exports. What has been the price of wheat products to the Canadian consumer over the life of the Board? Is there a stable supply at stable price provided to Canadian consumers under the system? To what extent does the Canadian system constitute a subsidy and cost to the farmers, to the consumers, and to foreign purchasers—and are any subsidy comparisons possible between the Canadian system and the American system?

4. Finally, the Domestic International Sales Corporation Act of 1971 permits special and enormous tax benefits for the export of American products, including agricultural goods. The size of this tax subsidy can be seen by the fact that the tax loss from this provision is estimated to be \$240 million in fiscal year 1975. Can the GAO provide me with any information on the proportion of DISC's which deal in agricultural products, and, if possible, those that are wheat exporters, the volume and dollar value of wheat they exported during 1973, and the increased wheat exports which are attributable to DISC's?

Thank you for your assistance in answering these questions of immediate and long-range importance to all Americans.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

THE INDOCHINA PEACE PLEDGE LEGISLATION: AN ANALYSIS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. DELLUMS. Mr. Speaker, a year after the Paris Agreements, it is hypocrisy to talk of peace in Southeast Asia. Over the past year, over 60,000 persons have died in the continuing conflicts in Indochina; families still are uprooted, torn apart; hundreds of thousands are held and tortured as political prisoners; while an increasing flow of weapons and high-technology arms pours into the area.

Much of the responsibility for this ongoing horror rests upon our Nation—and ultimately upon the Congress. American arms and paramilitary personnel are evident throughout Indochina; U.S. funds prop up authoritarian regimes in South Vietnam, Laos, Cambodia, and Thailand; and our taxpayers support some of the most degrading and repressive police and prison systems in the world.

Last year, our Nation signed the Paris Treaty—and after a decade of insane, illegal, and immoral adventurism, American combat troops finally left Vietnam.

This year, let us set as our objective the goal of living up to the terms of the treaty. Let us end the tragedy of U.S. taxpayers paying for a treaty broken in their name. Let us stop backing a signatory government to that pact which repeatedly fails to live up to treaty provisions and which, at the same time, maintains the largest per capita yoke over political prisoners in the world.

That target can be met with congress-

sional approval of the provisions of H.R. 12156, which I introduced January 21 of this year, a bill based upon the "Indochina peace pledge" developed by peace groups including the American Friends Service Committee, the Coalition To Stop Funding the War, and the Indochina Peace Campaign.

At this point, I would like to insert in the RECORD the precise language of H.R. 12156, section by section, followed by an analysis of the rationale for each section made by Mr. Ed Snyder of the Friends Committee on National Legislation:

H.R. 12156

A bill to prohibit the renewal of United States military involvement in Indochina, to encourage compliance with the peace agreement concluded for Indochina, and to prohibit the United States funding of police or prison systems in certain foreign countries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no funds appropriated before, on, or after the date of enactment of this Act shall be expended in connection with the deployment of any United States Armed Forces or any other military or paramilitary personnel under the control of or financed by the United States to conduct any military or paramilitary operation in, over, or off the coast of the Republic of Vietnam, the Democratic Republic of Vietnam, Cambodia, Laos, or Thailand.

1. UNITED STATES DIRECT MILITARY INVOLVEMENT

Secretary of Defense James R. Schlesinger has suggested the possibility of using U.S. military power again in South Vietnam under certain circumstances. *Air Force Magazine* in a January 1974 editorial, "Vietnam: The Tinder Box Is Drying Out," canvassed alternatives and concluded that faced with a North Vietnamese offensive "a swift, large-scale bombing attack on the heartland of North Vietnam" by U.S. air power "is the only one that makes sense."

The Congress in enacting the FY 1974 foreign aid authorization bill specifically prohibited U.S. military action in Indochina without Congressional approval:

Sec. 30. No funds authorized or appropriated under this or any other law may be expended to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

With various Administration trial balloons apparently being floated, it is essential for Congress to reiterate its opposition to any U.S. military involvement.

Proposals similar to the Church-Case amendment should be added to each appropriate bill, such as the supplemental authorization bill, foreign aid authorization, Department of Defense authorization, and relevant appropriations bills.

Indirect involvement of U.S. military related personnel continues at an uncertain level. But an occasional lightning flash discloses the depth of that involvement, as when a U.S. Department of Defense "observer" accompanying South Vietnamese military forces asserting their claim to the Paracel Islands was captured by Chinese forces in mid-January. The Paris Agreements (Art. 5) call for the total withdrawal of all U.S. "troops, military advisers, and military personnel." The Department of Defense informed the Senate Armed Services Committee that there were 5500 Department of Defense civilian contractors and 1,200 Department of Defense civilians financed by the

U.S. government in South Vietnam as of December 31, 1973. (Hearings, Pt. 1, pp. 159-160)

Sec. 2. No funds appropriated before, on, or after the date of enactment of this Act shall be expended for United States military assistance to the Republic of Vietnam during any period that the Republic, in the opinion of the Secretary of State, (1) fails to comply with the provisions of the Agreement on Ending the War and Restoring Peace in Vietnam, or (2) fails to provide to its citizens the freedom of speech or of the press, or the right of its citizens peaceably to assemble or to petition the Government for a redress of grievances.

2. AID CUTOFF UNTIL SOUTH VIETNAM COMPLIES WITH THE AGREEMENTS

The agreements contemplated a ceasefire and a political struggle by the various contending groups in South Vietnam and elections. Neutralists, pro-peace, pacifist, religious, and other persons opposed to the Thieu government were to be released from prison to participate in this process. A token few have been released. But many thousands remain in prison in violation of Section 11. It provides:

"Immediately after the ceasefire, the two South Vietnamese parties will: . . . Ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise."

Thieu has received massive United States aid since the agreement. In 1973 Congress voted \$813 million in military aid and more than \$450 million in related economic and other support. On December 30, soon after Congress had appropriated these Vietnam funds and adjourned, Thieu announced there would be no general elections in South Vietnam as called for in the Peace Agreements. The Administration has indicated it will ask an additional \$600 million for South Vietnam in fiscal year 1974 to supplement funds already given Thieu.

The United States, which provides more than 80% of the funds for the South Vietnamese government, cannot say it has no responsibility in this matter. If the U.S. stands by the process of political accommodation outlined in the Paris Agreements reached after such laborious struggle, it should take every possible step to require Thieu to abide by the provisions of the agreement.

The Senate added a provision to the Foreign Aid Authorization bill, initiated by Sen. Pell (R.I.), which was designed to accomplish this purpose. It was dropped in conference. It provided:

"It is the sense of the Congress that the Agreements on Ending the War and Restoring Peace in Vietnam, and protocols thereto, signed in Paris, France, on January 27, 1973, will be effective only to the extent that the parties to such agreements and protocols carry out the letter as well as the spirit of those agreements and protocols. It is further the sense of Congress that the United States should not furnish economic or military assistance to any party, or make any sale, credit sale, or guaranty to or on behalf of any such party, unless that party agrees to comply, and does comply, with those agreements and protocols. This section shall not apply to the provision of food and other humanitarian assistance which is administered and distributed, under international auspices or by United States voluntary agencies, directly to persons and not through any government."

A similar provision changed from a "sense

of Congress" resolution to an operative section should be added to the foreign aid or other authorization bill in 1974.

Sec. 3. No funds appropriated before, on, or after the date of enactment of this Act shall be expended by the United States to support, directly or indirectly, any public safety or internal security program or any police or prison system in the Republic of Vietnam, Cambodia, Laos, or Thailand. No such funds shall be expended to support any such program or system in any foreign country during any period that such country, in the opinion of the Secretary of State, imprisons or similarly intern any of its citizens for political purposes.

3. A. END UNITED STATES POLICE AID

Congress went far in 1974 to end U.S. funding of the police and prison system in South Vietnam. The Senate Appropriations Committee Report (93-620, p. 27) states:

"The existence of political prisoners in South Vietnam is beyond any reasonable dispute. Only the numbers are in question. Estimates range from 4,300 to 200,000. Reliable and objective sources suggest that there are between 40,000 and 60,000 political prisoners being held. Further, substantiated accounts of cases of mistreatment and torture of such prisoners have been authoritatively reported.

"It has been estimated that the police force of South Vietnam, at the authorized size of 122,000 personnel, has received at least \$130 million in assistance from United States resources since 1967."

In the Foreign Aid Appropriations bill Congress added this language, which effectively prohibits foreign aid funds from being used for police and prison purposes:

"None of the funds appropriated or made available pursuant to this Act, and no local currencies generated as a result of assistance furnished under this Act, may be used for the support of police, or prison construction and administration within South Vietnam, for training, including computer training, of South Vietnamese with respect to police, criminal, or prison matters, or for computers, or computer parts for use for South Vietnam with respect to police, criminal, or prison matters."

Since sizeable funds are still available for these purposes through Department of Defense appropriations and other channels, it is now essential to adopt language in an authorization bill and/or specific appropriations bills to assure that the fund cut-off set forth in the foreign aid appropriations bill becomes truly effective.

B. POLITICAL PRISONERS

The Foreign Aid Authorization bill approved by Congress and signed by President Nixon December 17, 1973, provides:

Sec. 32. It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

Finally, Mr. Speaker, I would like to enter in the RECORD the powerful editorial from the February 4 Washington Post, "What Are We Underwriting in Vietnam?" This editorial is an excellent analysis of the current U.S. role in Vietnam and gives even more reason for quick consideration of H.R. 12156:

WHAT ARE WE UNDERWRITING IN VIETNAM?

In the first year after the signing of the celebrated Vietnam cease-fire agreement of January 1973, there was good reason for Congress and most of the rest of us to hail America's disengagement from combat, to cheer the return of the POWs, to accept routinely the high cost of continuing military and economic aid to the Thieu govern-

ment, and more or less to turn a blind eye to the fact that there was in fact no cease-fire and no perceptible progress toward a permanent peace. Soothingly, we were told that you couldn't expect the shooting to stop overnight, but that the foundations of a "structure for peace" were in place, and that the business of building upon this structure to produce elections and a division of territory and a sharing of political power was only a matter of time. With a year's experience, however, it is now clear that it hasn't worked out that way. (Well over 50,000 Vietnamese have reportedly been killed in combat during this "cease-fire" so far.) Worse, there is precious little prospect that it will. So it is not only appropriate but urgent for the Congress and the public to force their attention back to Vietnam. And the new budget, with its provision for continuing heavy military and economic aid for the Saigon government, offers a powerful argument as well as an opportunity for doing so.

In his State of the Union address, the President spoke wittingly of those who would abandon the South Vietnamese by abruptly shutting off all our aid—as if the issue was as simple as that. Of course, it is not. Most people, we suspect, are fully aware of this country's obligation to continue helping Saigon defend itself against flagrant violations of the cease-fire by the North Vietnamese; larger American policy interests over at least a decade and a half, after all, had a lot to do with creating Saigon's heavy dependence on our continuing patronage. But the real issue is much more complex, for it has to do with who is really responsible for the breakdown of the cease-fire. It has also to do with whether our aid, in conjunction with our diplomacy, is working to improve the chances of real peace in Indochina, or whether it is in fact working toward perpetuation of a vicious, costly war by discouraging the kinds of concessions on both sides that might bring about a genuine settlement.

We do not profess to have the answers—and that is just the point. Nobody in Washington seems to have the answers—or even particularly to care. For the past year, the general tendency has been to blame both sides for the myriad violations if not to ignore them; to cancel off these violations against each other; and to conclude somewhat cynically that this is the natural or inevitable or *Vietnamese* way of resolving conflicts. There is, moreover, the formidable difficulty of finding the facts. With their supreme interests at stake, both Vietnamese sides have had powerful incentives to highlight their own observances of the agreement and to hide their own violations. Field conditions limit the capacity of objective observers, such as journalists, to judge for themselves.

All this gives no reason, however, to avoid trying to get at the facts. For it should be understood that avoiding the question of which side is chiefly responsible for the collapse of the agreement is answering the question to the benefit of President Thieu. Time and again, administration figures have drawn public attention to the alleged violations of Hanoi and the Provisional Revolutionary Government (Vietcong). The imminence of a big Communist offensive has been built up as a special bugaboo, while the open threats of some sort of pre-emptive strike by the South, as well as the plain evidence of provocations by the Saigon government, have been presented to us as no more than legitimate acts of self-defense. To this have been added regular and wholly unrealistic suggestions of American re-entry into the war, including the possibility of renewed bombing of the North.

We have been down this road before and we should know by now where it leads—to blind and unquestioning support of a Saigon government lulled into a false sense of security by our aid, with no real capability to defend itself, by itself, and with no incentive to yield up anything for the sake of a compromise settlement. From this, one can safely project an open-ended conflict between the two Vietnams. True, it is largely their war now, which is a lot better than it being largely our war, as it was for seven agonizing years. But we are nonetheless subsidizing a substantial part of it. Thus, it seems only reasonable for the two sets of armed services and foreign relations committees in both houses of Congress to conduct a searching inquiry into the administration's current Vietnam policy. For this country has a moral as well as a political commitment to the objective of a ceasefire and an ultimate Vietnamese settlement which the administration so proudly proclaimed to be very nearly accomplished facts a year ago. And the American public has a right to know whether, and how, this objective is being served by our continuing aid to South Vietnam. We would not argue that the answer turns entirely on what this country does or doesn't do for President Thieu. Part of the answer obviously must come from Hanoi. Part of it also depends on the efficacy and validity of that larger "structure for peace," reaching from Moscow and Peking to Washington, of which the President had made so much. But a big part of the answer, nonetheless, depends upon Saigon. So we think that before Congress approves more billions for President Thieu, it ought to try to find out whether the easy availability of this subsidy may not be prolonging an intensified Vietnam war by consolidating a militant, recalcitrant and repressive regime in Saigon. For there is at least some reason to believe that a more selective and judicious application—or denial—of this money could make it work to far better effect as an integral part of a wider diplomatic effort to bring about something more nearly resembling a Vietnam peace.

LOWER COLORADO LAND USE AREA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WALDIE. Mr. Speaker, the land of California provides many recreational possibilities for its inhabitants and its visitors. One such area is the lower Colorado River. Many individuals have received permits to erect private cabins upon this Federal land, known officially as the Lower Colorado Land Use Area.

However, these permits are being terminated now by the Bureau of Land Management of the Department of the Interior.

There seems to be no evidence that the Bureau of Land Management has any immediate plans for this land, so I am asking that the land use permits be extended until at least December 31, 1976.

Mr. Speaker, a text of the bill follows:

H.R. 12540

A bill to extend certain land use permits along the lower Colorado River, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other law, those land use permits issued by the Secretary of the Interior for the use of Federally owned land for non-commercial private residences along the lower Colorado River in the area known as the Parker Strip shall be extended until December 31, 1976, and after such date such permits may be extended by the Secretary of the Interior for any number of years.

Sec. 2. In the event that the Secretary of the Interior determines not to extend any land use permit referred to in the first section of this Act beyond the expiration date stated therein, or beyond the expiration date stated in any extension thereof, the Secretary shall, notwithstanding any other law, give the holder of such permit notice, at least twelve months prior to such expiration date, of his intention not to extend such permit.

RILEY MEMORIAL CHILDREN'S HOSPITAL

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HUDNUT. Mr. Speaker, last March my legislative assistant, John Simpson, and I, took a tour of Riley Memorial Children's Hospital in Indianapolis, Ind. Although the severe illness of the children was heart rending, it was also very encouraging to see such impressive facilities and to observe their techniques for treatment of patients. In particular, we were impressed by the burn center, under the leadership of Dr. James Bennett, where adults as well as children were receiving magnificent quality care.

As a member of the Public Health and Environment Subcommittee, I am pleased that a subcommittee hearing is going to be held in Indianapolis under the leadership of our able chairman, the Honorable PAUL ROGERS. I believe that the Indianapolis hospitals will be able to express their needs to the subcommittee, as well as the effects that Federal regulations and laws have on their operations. It will also be mutually advantageous for the subcommittee, as it will help us to become informed on what is being done in the area of health care in Indianapolis.

I would like to take this opportunity to share with my colleagues an editorial by WLWI-TV, channel 13, in Indianapolis on Riley Memorial Children's Hospital. The editorial is as follows:

EDITORIAL

A short time ago a group of us went from TV-13 along with Bob Gregory to visit Riley Children's Hospital. We met first with Mr. James Rice, Administrator; Mr. Don Franklin, Hospital Relations; Dr. Morris Green, Chairman of Pediatrics; Mr. Robert C. Terrill, Director of University Hospitals; and Ms. Theresa Miller, Head of Nursing, and you can't meet with these dynamic hospital leaders without realizing what a privilege it is to have this facility here in Central Indiana.

The parent care pavillion is a great hospital innovation that allows mother or father to stay with the youngsters, help in

their treatment, and in the process, help keep hospital costs down by as much as 40%.

The infant care center is one of the finest in the United States. Babies can be brought here in a special unit from as much as 75 miles away. When they arrive at the center with its fantastic life saving facilities, infants who previously would have died are given a new hope for life.

We put on these sterile gowns to enter the Burn Center at Riley Children's Hospital . . . again, this is one of the outstanding burn care institutions in the world.

We are very privileged here in Central Indiana to have one of America's greatest hospital facilities . . . Riley Memorial Children's Hospital.

LET US GET TO THE BOTTOM OF THE DST CONTROVERSY

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HEINZ. Mr. Speaker, I rise today to urge the House Interstate and Foreign Commerce Committee to hold immediate hearings on the repeal of daylight saving time.

Like so many other issues surrounding the energy crisis, we are being inundated by scores of conflicting reports. There have been stories of numerous accidents or near-misses in the early morning darkness in which children bound for school have been injured. In fact, newspapers have reported that since early January, eight children have been killed in such accidents in Florida alone.

At the same time, stories continue to be heard that the accident and fatality rate during evening rush traffic is down since the beginning of daylight saving time. In addition to these apparently conflicting reports, at least some of the utility companies tell us that they cannot measure any decrease in energy demand as a result of daylight saving time. They report that while many people are using less energy, they cannot determine how much of that reduction is related to daylight time and how much is attributable to other energy conservation practices or to this year's warm winter.

Before Congress adjourned for the Christmas holidays we complied with the administration's urgent request for year-round daylight saving time. They testified that adoption of "fast time" would "reduce nationwide demand for electricity by no more than 1 to 2 percent." As a result of this testimony Congress quickly approved the administration's daylight time proposal.

Now the time has come for congressional assessment of the effects of daylight time. That is why I am calling for immediate House Commerce Committee oversight hearings evaluating daylight time from the standpoints of both safety, especially of our schoolchildren, and actual energy savings.

These hearings must begin immediately, for if the evidence indicates that we should return the Nation's clocks to standard time, then we should do it

now—not 2 or 3 weeks from now. Moreover, I believe the evidence from these hearings is also an immediate must for planning the length and duration of daylight saving time for next winter, insofar as the energy crisis is forecast to persist beyond this school year.

I urge my House colleagues to join me in calling for immediate hearings on daylight saving time.

MAYBE THE OIL COMPANIES SHOULD RUN THE GOVERNMENT

HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. POWELL of Ohio. Mr. Speaker, during the current energy shortage, there has been a great deal of talk about the Congress enacting a so-called windfall profits tax in order to recover some of the excessive profits made by American oil companies. But perhaps such legislation would represent yet another mindless and shortsighted intervention by the Federal Government into an area about which it knows nothing.

Before Congress begins one of its typical knee-jerk reactions, perhaps we should pause to read the amusing, and only slightly facetious comments of one of my constituents, Mr. Sterling R. Uhler of Fairfield, Ohio, who wrote the following "Letter to the Editor" of the Hamilton Journal-News:

OIL TAKEOVER?

FAIRFIELD, OHIO.

EDITOR: Following is a letter I've been tempted to write to the major oil companies.

I have been following the status of your business in the news lately and make the following proposal for your consideration:

I am currently represented by a large institution which purports to render many services to me. They are presently considering an added service; namely, regulating your company and I thought I would compare the two of you before I signed up for that service.

One of my agent's responsibilities is to handle wars for me. If I count the Bay of Pigs we are 0 and 3 over the last 21 years. Can I assume that you have either (a) not been involved in any wars, or (b) won some?

Another service of my present agent is to deliver mail. If I furnish the paper and envelope, addressed just right, they will deliver one first class mail an average of 10 miles for \$1.28 per pound, some of the time.

I understand that your company goes all over the globe to find oil, pays for the right to drill, brings it up from several miles below the surface, refines it, delivers it to almost every street corner in this country in any form I wish from lighter fluid to cup grease and makes it available to me at any hour of the day or night. I understand that your charge for this service is seven cents a pound and that you even make money at that rate.

My question is, instead of the government regulating your company, what would you charge to operate the federal government for us?

P.S. If interested, please respond before April 15th.

STERLING R. UHLER.

JACK ANDERSON RECOGNIZES THAT MOST POLITICIANS ARE HONEST

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. ANDERSON of California. Mr. Speaker, to many the name Jack Anderson is synonymous with excellence in probing behind the scenes of Washington. His scrupulous investigation combined with a keen insight has earned him the reputation as the public's watchdog over the Federal Government.

To some his biting journalistic investigations have proven to be a justly deserved "kiss of death."

It is, therefore, gratifying for me to know that while some may be disillusioned by recent scandals and losing confidence in the integrity of elected officials, that Jack Anderson has concluded his most recent article with the sentence, "Because most politicians are honest."

I believe that it is proper for those who abuse their responsibilities to be removed, but also for those deserving recognition of merit to receive it.

Mr. Speaker, I am certain that my colleagues share with me my appreciation for the continuing objective analysis and journalistic style which makes Jack Anderson a credit to his profession.

I insert his recent article in the February 3 edition of the Washington Post entitled "All Politicians Are Not Crooked" at this point in the RECORD.

ALL POLITICIANS ARE NOT CROOKED

(By Jack Anderson)

WASHINGTON, D.C.—Americans are reeling from a series of political news shocks. Burglary, bribery, perjury, forgery, extortion, obstruction of justice—all have been shown not as the isolated acts of one or two individuals, but as the deliberate modus operandi from the top down.

The embattled Watergate defendants have sought to excuse their conduct by whining that they did no more than practice politics, American style. This idea has been picked up by people everywhere who have been sickened by the revelations of corruption. There has been a turning away from public issues, a disgust with politics in general. Every morning, my mail brings more expressions of disillusionment from people suddenly turned cynical. Reduced to simplest terms, their theme is: "All politicians are crooked."

Yet this simply isn't true. I have spent a quarter century covering Washington, trying to unmask scoundrels. I have found that the standards of integrity in politics are probably higher than in most other fields.

Politicians are people, with human strengths and failings. Some are honest, some are not. The most base among them, on occasion, have served the public worthily. And the most noble haven't always risen above pettiness.

Politics is the art of compromise; it is essential to good government that political adversaries resolve their differences. Those who do so shouldn't be regarded as sellouts who have compromised their convictions.

There is also some truth to the political precept that the first duty of an officeholder is to get himself reelected. This would be quite impossible if he ignored the wishes of his constituents. Thus it is possible for leg-

islators, without loss of integrity, to represent the legitimate special interests of their constituencies. Of course, there remains a subtle, difficult-to-define line beyond which a conscientious Congressman doesn't press a special cause.

The greatest evil in the American political system is the fund raising. Most political campaigns have become financed mainly by the special interests and pressure groups. The sad truth is that the American voter often can't be bothered to go to the polls, let alone give money. Democracy—it's wonderful, but who wants to pay for it?

INDISPENSIBLE FATCATS

Even the most honest candidates can't entirely escape doing business with the special interests. Those who have tried to finance campaigns from small contributions, with rare exceptions, have learned quickly that the fatcats are indispensable. Indeed, it is a miracle of politics and a tribute to officeholders that the pressure groups don't wield more influence than they do.

The decent men and women in public life are too numerous to single out. Honest, honorable, hard-working officeholders are the rule at every level of government. Many have made great personal sacrifices to serve the nation. Perhaps the best way to tell their story is to cite a few typical incidents, selected at random from the daily lives of the people who govern us.

SOME EXAMPLES

Rep. Elizabeth Holtzman (D., N.Y.) spends nearly three-quarters of her take-home pay on expenses related to her Congressional duties. She gave me a complete breakdown of her personal finances for 1973. She wound up with only \$7263 from her \$42,500 salary to spend on personal living expenses. This is considerably less than her operating budget when she was a New York City lawyer.

Walter Sauer, as acting president of the Export-Import Bank, has access to a government car and driver. Yet long before anyone ever heard of the energy crisis, he scorned this luxury and walked the five miles to work. At the office, he always puts in a more strenuous day than anyone else.

Space Administrator James Fletcher, scrupulously honest, worried for days about a gift presented to his wife. It was a scarf, worth about \$20. He didn't want to offend the donor, but even more, he didn't want to be in a position where he could be accused of accepting favors.

Sen. Sam Ervin (D., N.C.) quickly made his income tax returns public when challenged by the White House.

Sen. Daniel Inouye (D., Hawaii) won't close the door to his inner office, contending that he never does anything that he would be ashamed to have others hear.

A food chain executive, upon learning that Sen. Gale McGee (D.Wyo.) was marked for political extinction by the John Birch Society, raised \$30,000 for McGee's campaign. Long after McGee was reelected, he launched an investigation into food pricing policies. The food executive asked for an appointment, and McGee listened courteously to his explanations. Nevertheless, McGee went ahead with his investigation, and issued a report highly critical of the food chains.

Sen. Clifford Case (R.N.J.) decided to donate the \$18,000 surplus from his last campaign to the government, then had to wrestle with Treasury officials to get them to accept it.

Two of the biggest businesses in Democratic Sen. Phil Hart's home state of Michigan are automaking and hunting. When he sought reelection in 1964, some of Detroit's blue-collar neighborhoods were torn with racial strife. The political pros urged Hart to lay off the civil rights issue. Yet out of

conviction, he led the fight for a crucial civil rights bill. When he ran again in 1970, the gun lobby threatened to defeat him if he supported gun controls. Again, he stuck to his convictions.

Sen. Barry Goldwater (R., Ariz.), a monument of personal integrity, has remained outspoken, attacking Republican and Democratic chicanery with equal candor.

Sen. Harold Hughes (D. Iowa) is giving up his Senate seat to preach the gospel. His colleagues regard him as Presidential timber. Yet he is putting his religious convictions ahead of his personal ambitions.

A Pennsylvania state legislator, Donald Davis, has devoted long hours to seek water for a few impoverished families who live beyond the water mains. Yet he won't be running this year in their district, and, therefore, they can't vote for him.

Sen. Charles Mathias (R., Md.) won't accept campaign contributions larger than \$100.

Sen. James Buckley (R., N.Y.) fought against the "pork barrel" public works bill in a closed-door Senate committee meeting; even though the cuts he demanded would have hurt projects in his home state.

Sen. Mike Mansfield (D., Mont.) born of Irish immigrant parents in the Hell's Kitchen section of Manhattan, is known for his unwavering honesty. He is guided only by conscience and duty.

Vice President Gerald Ford's appointment was subjected to agonizing scrutiny by the Senate and House before he was finally approved to succeed Spiro Agnew. Ford's integrity turned out to be unassailable.

PUBLIC SERVICE, PUBLIC TRUST

These are just a few examples of what I consider to be the prevalent morality in Washington. I have lambasted the bureaucracy for its inefficiency, red tape, fumbling and—on occasion—corruption. Yet the preponderance of civil servants are diligent, trustworthy, intelligent people who really believe that public service is a public trust.

They are making the system work. Where else is the most powerful man in the land challenged daily, as is President Nixon, by the other branches of government, intent on finding the truth and insuring justice?

Where else can the No. 2 man, with the personal power of former Vice President Spiro Agnew, be publicly exposed, brought to justice and forced out of office in disgrace?

For all the dizzying reverses of 1973, there is no panic among our people and no collapse of our institutions. The press is exposing wrongdoing. The Congress is check-reining the Executive. The courts are enforcing the laws.

During my 25 years at the ringside in Washington, I have also seen a steady improvement in the standards of conduct. Election by election, many of the practitioners of easy virtue have been weeded out by the voters. Others have gotten religion since they first arrived in Washington.

Congressmen who used to squeeze kickbacks from their Congressional employees, fearing prosecution, have given up the practice. Disclosure has caused a decline in other financial abuses on Capitol Hill. Only a few of the lawyer-legislators still maintain an interest in their old law practices. Junketing now is largely for legitimate legislative purposes. And the majority of Congressmen have started taking a hard look at the identity of the major donors to their political campaigns.

The public, too, is developing a new maturity as more and more Americans realize there are no lasting heroes and no simple solutions. But the Watergate morality has also brought a new cynicism, and the good are sometimes damned along with the bad by the press and public.

"What it will all come down to," a Senator told me gloomily, "is that all politicians will

be in serious trouble. People won't care what party the politicians belong to or whether they are honest or dishonest. Every officeholder in the country is going to have great difficulty from people who are disgusted by corruption and want to throw the rascals out."

Unquestionably, there are politicians whose shady dealings and financial finagling make them vulnerable to the public desire for retribution. But a wholesale purge, without regard for the character of the politicians involved, would be another tragedy for the American people.

Because most politicians are honest.

SCIENTISTS LOOK TO SUN FOR NEW ENERGY SOURCE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. TEAGUE. Mr. Speaker, as the energy shortage becomes more and more a part of our daily lives, an intense search for alternate sources becomes increasingly important. The pioneer work done by the National Aeronautics and Space Administration and the research effort of the National Science Foundation is providing the groundwork for a significant development of the Sun as a source of energy for our daily use. Mr. Leslie Berkman, Los Angeles Times staff writer, in an article on December 26, 1973, outlines briefly the current circumstances with respect to solar energy and the opportunities that exist. I commend this article to the reading of my colleagues and the general public:

SCIENTISTS LOOK TO SUN FOR NEW ENERGY SOURCE: THOSE WHO SHUNNED SOLAR POWER AS IMPRACTICAL ARE HAVING SECOND THOUGHTS

(By Leslie Berkman)

More than 25 years ago, a presidential commission predicted that by 1975 millions of American homes could be heated without gas or electricity—by the rays of the sun.

But that prediction never came true. Instead, development of solar energy was relegated to academia, and the nation leaned heavily on availability of cheap fossil fuels with an eye toward the promise of nuclear power.

Today, faced with a worsening crisis, those who traditionally have shunned solar energy as costly and impractical are having second thoughts.

Scientists are predicting that, given the proper financing, solar energy could be developed into a cheap and abundant fuel supply.

Private industry is striving to make solar power commercially marketable within five years.

Even the Atomic Energy Commission, besieged with questions about the safety and environmental impacts of nuclear power, has urged President Nixon to spend \$32 million next year alone on solar research.

The AEC recommendation is symptomatic of a current reshuffling of priorities in the federal energy program.

The National Science Foundation's \$13.2 million solar energy budget for 1974, although called gravely inadequate by many, nonetheless shows a dramatic gain over previous years.

(The National Science Foundation was designated last April by the Nixon Adminis-

tration as the "lead agency" in researching solar energy for domestic use.)

Some experts contend that if the country commits enough money and manpower to the effort, by the year 2000 solar energy could provide 35% of heating and cooling in buildings, 30% of the energy to produce the nation's hydrogen and other synthetic fuels and 20% of the nation's electrical needs.

They point out that solar energy reaching the earth in three days more than matches the combined energy in all the world's fossil fuels.

Targets of solar research, which is under way in a scattering of university and industrial laboratories throughout the country, range from development of a huge electricity-generating "solar farm" in the desert to commercialization of the solar cell, a small silicon wafer that converts sunlight to electricity.

The use of sunlight for warming and air-conditioning homes and offices appears closest on the horizon.

Increasingly the NSF is funneling money into this effort. This fall NSF awarded contracts to Westinghouse, General Electric and TRW to take the first step in a five-year program to bring solar heating and cooling into commercial use.

Several bills currently are before Congress that would start work on thousands of solar heating and cooling demonstrations in commercial and residential buildings within the next five years.

A Southern California Edison Co. researcher remarked that until 1½ years ago, only an occasional inventor or professor inquired about solar energy. Now companies as large and as profit-conscious as McDonnell Douglas and Minneapolis Honeywell are interested.

Dr. Jerome M. Weingart, a senior engineer working on solar energy projects at Cal Tech's Environmental Quality Laboratory in Pasadena, reports that in the last two months, as people have become conscious of the national energy crunch, he has been besieged with telephone calls, letters and invitations to appear on television.

"Suddenly everybody is interested in solar energy," Weingart said. Builders and contractors who once turned deaf ears to proposals for solar heating and cooling now are demanding "Where is it?"

But he added that virtually every businessman refuses to take the risk without assurance of government financing. And the question of which federal agency should foster commercial use of solar energy is still a matter of considerable dispute.

The technology for using sunlight to heat, cool and even electrify homes and commercial buildings already has been developed, but it remains to be put to commercial use.

In test projects, loops of aluminum tubing are fixed to the black (for heat absorption) surface of the roof with a slanted southern exposure. The roof section—or "solar panel"—is underlaid with foam insulation and enclosed in two or three layers of glass to block the wind and create a "greenhouse" effect.

The sun heats the tubing and a liquid running through it to about 250 degrees. A pump circulates the heated liquid (basically water and antifreeze) through pipes to warm the building and then flushes the liquid into a storage tank to provide heat overnight and on cloudy days.

The sun-heated liquid, when passed through an absorption-refrigeration unit, can also provide air conditioning. Work is being done on a system that would use the hot liquid coupled with a steam engine to generate electricity.

Some speculate that eventually the sun could directly supply at least a third of the country's heating and cooling requirements. With the addition of storage tanks—a larger version of hot water tanks—the percentage

could be increased to 80%. The remainder of heating needs would still be met by oil, gas or electricity.

But the fact is that there are no solar heating packages—do-it-yourself or otherwise—on the market in America, although solar panels are manufactured in Japan, Australia and Israel.

The reason is mostly economic. It is estimated that 1,000 square feet of solar paneling, enough to heat an average home, would cost \$2,000 to \$4,000.

Solar advocates say that over the lifetime of the average home mortgage the fuel savings in a solar heating system would more than compensate for the larger capital outlay.

They also note that as conventional energy forms such as natural gas and electricity become more expensive, solar energy is bound to come into demand.

"In most parts of the Southern and Western United States, solar heating will be cheaper to operate than all-electric heating but will cost more to install," said Cal Tech's Weingart.

He added that the states' current effort to set energy performance standards for new buildings would also vastly improve the economic feasibility of solar heating.

California is considered particularly well-suited for solar heating and cooling because of its generous share of sunshine, the large number of low-rise buildings and a special concern for nonpolluting forms of power. In addition, Weingart said, "California is the trend setter in the construction industry, where innovation happens the fastest."

Weingart, who is conducting a study of institutional barriers to solar energy for the Ford Foundation, said that those who have to be convinced of its merits include architects, engineers, building owners and operators, lending and appraising institutions and local code and building officials.

The initial cost of a solar installation is a major drawback.

One plan being considered is for utility companies to lease and maintain rooftop solar panels for homeowners, much as the telephone company installs and maintains its telephones.

Southern California Edison Co. is contracting for a year-long study on the possible impact of solar heating and cooling on its operation and customers. And Southern California Gas Co. has entered into a program with Cal Tech's Environmental Quality and Jet Propulsion laboratories to develop and test gas-assisted solar water heating.

It is projected that a 60- to 70-square-foot solar panel, costing about \$280, could supply 75% of the hot water needs of an apartment unit. While domestic water heating represents only 6% of energy consumption in the South Coast Air Basin, Weingart figures that solar water heating alone could save Southern California Gas Co. 250 million cubic feet of gas a day by 1985.

The secret to making solar systems economical, most scientists agree, is mass production.

Unitspan Architectural Systems in the San Fernando Valley reports that it will be the first in the nation to launch into full-time production of commercial solar panels.

The firm's board chairman, Abe Grossman, regards the 2- by 7-foot solar panels made of metal and tempered glass as "building blocks." At first, he said, a homeowner might install a small number of the panels for water heating and add more as interior heating and cooling systems are perfected.

A number of private industrial and university researchers are looking beyond development of solar heating toward solar-produced electricity.

One method under exploration would trap and concentrate sunlight in a vast expanse of reflectors and pipes—called "solar collectors"—laid in the desert.

Liquid channeled through the reflectors in pipes would be heated and converted to steam to run turbines to generate electricity.

Another collection technique known as the "tower method," is being developed by McDonnell Douglas of Huntington Beach in affiliation with the University of Houston.

By this method, mirrors would beam the sun's heat at a hemisphere atop a 1,500-foot tower. The hemisphere would be wrapped in tubes with liquid that would be heated by the reflected rays and converted to steam.

Among unanswered questions, according to Dr. Mason Watson, an associate energy program director for Aerospace Corp., is how large solar power plants should be and where they should be sited. To build a solar power plant today with generation capacity comparable to nuclear power plants now being built would require enough solar collectors to cover 36 square miles.

While Aerospace researchers found that only 3% to 10% of the land in Southern California is suitable for solar plant siting, estimates indicate these sites could supply 2 to 15 times the total amount of power required in the Southland by the year 2000, according to Watson.

An alternative to solar collectors are solar cells, which produce electricity without being linked to a generator.

A house with solar cells on the roof would be self-sufficient, no longer relying on outside power supplies.

Once again, however, the holdup is economic. An average house using 23 kilowatt hours of electricity a day would need 2,000 solar cells costing from \$7,000 to \$10,000 fixed to the roof.

"Solar cells worked in space because there price didn't matter," one aerospace engineer said.

But Bill Yerkes, president of Heliotek, one of only two major solar cell manufacturers in the country, said his company hopes to cut the cost of solar cells to as low as 10 to 25 cents apiece through mass production. His goal is to compete with nuclear power by 1985.

Heliotek already is making a strong effort to broaden its markets. As a result, solar cells are now lighting offshore oil platforms and amplifying signals at remote transmission towers.

A TRIBUTE TO COOPERATION

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. OWENS. Mr. Speaker, a recent incident on a road in southern Utah symbolized the benefits of cooperation among citizens. The 609th Tactical Control Squadron, stationed at Cannon Air Force Base in New Mexico, has been on special assignment in Iron County, Utah. They have used a county road in the western area of Iron County in connection with their military operations there. The past winter has badly damaged the road, breaking up the surface and creating not only a poor road but a dangerous one.

Iron County spreads over an area of 2 million acres but has a population of just under 12,000. As a result, many needed repairs on the county's roads have gone unchecked simply because there is not enough money or manpower to complete the necessary work.

On a recent Saturday, the 609th Tactical Control Squadron volunteered to

help out. The county provided the oil mulch and road trucks, area livestockmen provided stock trucks, and the men of the 609th provided most of the muscle. Together, in a joint, voluntary effort, these men not only repaired a road; they proved a point. It is possible for the military, local government, and area citizens to band together and accomplish something worthwhile that otherwise would not have been done.

I would like to personally commend the 609th Tactical Control Squadron, the officials of Iron County, and the livestock growers of the area for their joint accomplishment. Unfortunately, alliances, of this sort are all too rare and are worthy of note when they arise.

PROTECTING FLORIDA'S RECREATION/TOURISM INDUSTRY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. YOUNG of Florida. Mr. Speaker, there are many legislative problems which must be resolved in the National Energy Emergency Act (S. 2589), now in House-Senate conference. However, I am pleased to note that the conference report does contain two items of special interest to those of us from Florida and other States with rapidly growing economies which are dependent on tourism and recreation for continued growth.

First, section 109 of the conference bill amends the Emergency Petroleum Allocation Act to specifically require adjustments for petroleum allocations "in order to reflect regional disparities in use, population growth, or unusual factors influencing use—including unusual changes in climatic conditions * * *."

As you may recall, I planned to offer an amendment to the Emergency Petroleum Allocation Act which contained very similar language, in order to protect the State of Florida from being given 1972-level allocations, which would be insufficient because of the State's rapid population and economic growth. However, my colleagues on the House Interstate and Foreign Commerce Committee assured me during the course of floor debate that the language of the bill did permit the necessary adjustments. My colloquy with them, reprinted in the CONGRESSIONAL RECORD, clearly established the intent of Congress in this instance.

The inclusion of section 109 in the National Emergency Act served as a clear signal to the FEO that the substance of my original amendment was indeed the intent of Congress. I am, therefore, especially pleased that the FEO today announced a 20-percent increase in Florida's fuel allocations to reflect the continuing demand in the State, because of growth and economic expansion.

Because of my strong concern over the impact of proposed energy conservation plans on Florida's important recreation/tourism industry, I worked closely with other Members of the Florida delegation to insure that the language of the act

would not discriminate against our State; as a result, the language of the conference bill does require the Administrator of the FEO to analyze the economic impact of any energy conservation plan. Among the specific items which he must take into account are: The fiscal integrity of State and local government; employment; the economic vitality of regional, State, and local areas; and small business.

The conferees have elaborated on their intentions further in their joint explanatory statement to accompany the bill, and I believe that these words are of special significance for Florida:

There must be a realization by those in authority that the public good is not served by denying allocations of fuel for certain uses which have the appearance of being non-essential (such as recreational activities or various aspects of general aviation) if to do so would result in significant unemployment and economic recession for some regions of the country. There are, of course, many areas of this nation where recreation and tourism provide the base of the local economy. Careful attention must be given to the needs of these as well as other areas.

Florida has already felt the impact of the energy shortage as many Americans have decided to forego their annual vacations in Florida in order to conserve fuel, or out of fear that they will not be able to obtain it once they are in Florida. The corrective measures embodied in the Energy Emergency Act, as specified above, make it clear that recreation and tourism are vital social and economic aspects of American life and, therefore, entitled to equitable treatment with other sectors of the economy. Moreover, the FEO decision to allocate additional fuel to Florida is a meritorious first step in this direction.

TWELFTH GUAM LEGISLATURE SUPPORTS STATUS TALKS

HON. ANTONIO BORJA WON PAT OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WON PAT. Mr. Speaker, the U.S. Government is preparing to enter into an agreement with the approximately 15,000 residents of the Northern Marianas Islands which would bring these people permanently into the fold of the American political system. The United States presently administers the Northern Marianas as part of the Trust Territory of the Pacific under a trusteeship agreement with the United Nations.

While many of the final details of the agreement remain to be worked out, it appears from statements made last December in a joint communique by the members of the Marianas Political Status Commission and the President's personal representative, Mr. Franklin Haydn Williams, that the final document will include promises by the United States to first, establish a Commonwealth of the Northern Marianas under the sovereignty of the United States; second, return all lands now held by the U.S. military which are not needed for defense

to the people of the Northern Marianas; third, provide the new Commonwealth with a "maximum of self-government," including a constitution drafted by the residents of the Northern Marianas; fourth, provide extensive assurances of future Federal aid, including \$14.5 million in guaranteed assistance from Washington for the first 5 years; fifth, agree to discuss with the Micronesians all U.S. land requirements in the islands; sixth, confer U.S. citizenship on the indigenous residents of the area; and seventh, provide other forms of economic and cultural assistance, such as declaring the new Commonwealth a duty-free port.

While such action would require the ratification of the United Nations and the U.S. Congress, it is apparent that the Northern Marianas are well on their way to achieving the degree of political and economic stability and autonomy for which they have strived since the end of World War II.

Guam is part of the Marianas Islands, of course. And as a people who are ethnically and culturally related to our brethren in the Northern Marianas, it is only natural that the people of Guam are following the ongoing status talks between the United States and Saipan with considerable interest. We wish them every success. And, we look forward to welcoming them in the American system.

As an indication of our good will, the entire membership of the 12th Guam Legislature recently enacted a resolution No. 129 which, on behalf of the electorate, "does hereby express the support of the people of Guam to the people of the Northern Marianas in their quest for a political status within and as a part of the United States."

Resolution 129 further expresses the hopes of the legislature—and I believe of the majority of the Guamanian people—that "the entry of the other Marianas Islands into the ranks of the political subdivisions of the United States would be a de facto step toward reunification of Guam with its sister islands to the north."

The latter point is extremely important, Mr. Speaker. For, while Guam is geographically a part of the Marianas Island chain, we have been forcefully divided by the world's major powers since 1898. To our considerable dismay, the United States has not encouraged the long overdue reunification of these two areas.

To the contrary, by the act of promising the residents of the Northern Marianas a degree of political autonomy far greater than that presently enjoyed by the American citizens of Guam, the United States may well have created an effective impediment to reunification for the foreseeable future.

Under the provisions of the Guam Organic Act, for example, residents of that territory are not governed by a constitution of their own choosing, but by one which was drafted for them by the U.S. Congress in 1950. Nor has the President of the United States deemed it necessary to send his personal emissary to Guam to discuss our many problems with the Federal Government. As a matter of fact, even though I specifically

requested such action, as has the Guam Legislature, we were ignored by the White House and given a watered-down "status group" comprised of various Washington bureaucrats who are empowered to discuss matters only with the Guam Governor and others selected by him. Last, but equally important, the American citizens of Guam have additionally been denied the right to determine how much of our limited land areas shall be controlled by the Federal Government, the result being that one-third of Guam is controlled by the military, but not all is actively or beneficially used for any purpose.

In view of the aforementioned facts, one could hardly expect the people of the Northern Marianas to discuss reunification with Guam, especially when it is obvious that the Guamanians have been unable to obtain the same degree of political autonomy now being offered the Northern Marianas—even after Guam has been a part of the United States for 76 years.

Needless to say, the people of Guam are proud of their role in the American way of life. We have benefited economically from our association with this country. And we have proudly sent our boys to the battlefields in World War II, Korea, and Vietnam to defend the principles upon which this great Nation is founded and upon which we base our relationship with our fellow Americans.

But it comes as no small shock to our people to see the United States readily, even eagerly, offer our neighbors to the north a host of privileges which we on Guam do not enjoy.

To the residents of the Northern Marianas, I applaud their tenacity in achieving the goals they set for themselves.

To accord these individuals a political status higher than that now accorded Americans in the U.S. Virgin Islands or Guam, however, is a grave trespass on the boundaries of the union which exists between territorial Americans and their counterparts in the 50 States.

Territorial Americans have fought and died for this country. And, in return, we expect and demand no less than fair treatment and a full measure of justice.

I appreciate that the United States is desirous of utilizing the Northern Marianas for additional military bases. I support such action as I would far prefer the continuation of an American presence in the Pacific than that of any other major military power. And, the existence of U.S. military bases on Guam and in the Northern Marianas will certainly provide additional economic assistance to the residents of this area.

Whatever the needs—whether real or imagined—of the Pentagon in the Western Pacific, however, the willingness of Washington to deal so generously with noncitizens while denying their fellow Americans equal treatment can only be viewed with suspicion and resentment by the people of Guam.

During the months to come, the members of the 12th Guam Legislature Status Committee will endeavor to review our present relationship with Washington and propose some badly needed changes. As these matters become public, I will

bring them to the attention of my colleagues in the Congress.

For the present, however, I salute the members of the 12th Guam Legislature for their forthright support of the efforts of the Micronesians in the Northern Marianas, and I insert the contents of Resolution 129 at this time into the RECORD.

RESOLUTION No. 129

Relative to expressing the support of the people of Guam for the people of the Northern Marianas in their quest to establish a political status within and as a part of the United States of America and pledging the whole-hearted cooperation of the people of Guam in this endeavor

Be it resolved by the Legislature of the Territory of Guam:

Whereas, it has been publicly announced that representatives of the Northern Marianas and the United States have entered into negotiations relative to the establishment of a political status for the Northern Mariana Islands within and as a part of the United States of America; and

Whereas, the people of Guam—despite concern about the benign neglect that has sometimes been exhibited by the United States toward this island territory—still believe that the governmental system of the United States represents man's best hope for the perpetuation of a society of free and equal people; and

Whereas, the people of Guam would be proud and pleased to see their brothers in the Northern Marianas become a part of the American community; and

Whereas, the entry of the other Mariana Islands into the ranks of the political subdivisions of the United States would be a *de facto* step towards reunification of Guam with its sister islands to the north; now therefore be it

Resolved, that the Legislature of Guam does hereby express the support of the people of Guam to the people of the Northern Marianas in their quest for a political status within and as a part of the United States of America; and be it further.

Resolved, that the Legislature of Guam does pledge the whole-hearted cooperation of the people of Guam to the people of the Northern Marianas in their political status negotiations; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Political Status Commission of the Northern Marianas, to the Marianas District Legislature, to the Administrator of the Marianas District, to the Honorable Franklin H. Williams, High Commissioner of the Trust Territory and to the Governor of Guam.

Duly and regularly adopted on the 18th day of November, 1973.

COST OF LIVING COUNCIL CHAIRMAN EYES BROADER CONTROLS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. ASHBROOK. Mr. Speaker, all citizens beware.

According to the January 12 issue of Business Week, Cost of Living Council Chairman John Dunlop is looking for some kind of mechanism to replace the present system of wage and price controls.

And what a mechanism Dunlop has in mind. The Federal Energy Administration would become a vehicle for allocating scarce building materials as well as fuel, with allocations based at least in part on how well wages and prices are kept in check in the construction industry.

As Business Week cautions, this proposal to piggyback wage and price controls on measures to relieve the energy crisis has implications far beyond the construction industry.

If the plan wins Nixon Administration acceptance, and Congress approves it, the tie-in could spread to other industries short of materials and fuels. It could become another step toward a planned economy.

The complete text of the article follows:

A STEP TOWARD TIGHTER CONTROLS

The Nixon Administration is seriously considering a plan to use the proposed new Federal Energy Administration to allocate scarce building materials as well as fuel—and to decide allocations at least in part on how well wages and prices are kept in check in the construction industry. In effect, it is a proposal to piggyback wage and price controls on measures to relieve the energy crisis. It has broad implications: The policy would not have to stop with the construction industry.

If the plan wins Nixon Administration acceptance, and Congress approves it, the tie-in could spread to other industries short of materials and fuels. It could become another step toward a planned economy.

Nobody talks of it openly in such terms yet. The idea is being circulated by Cost of Living Council Chairman John Dunlop as a possible solution for control problems in the construction industry. But Dunlop also has been searching for some kind of mechanism to replace the present system of wage and price controls, operating since 1971, which expires Apr. 30 unless Congress extends it. The CLC chairman, originally the head of the construction controls program only, has looked before at that program for ideas for broader controls policies.

"What we want out of the FEA is the authority to deal with materials problems and allocations," confirms an Administration official familiar with the construction plan. The authority would be used as a lever to enforce government wage and price standards by making compliance with the standards a condition for receiving critically short building materials. Contractors and unions that failed to cooperate would find their projects on the bottom of the government's priority lists. "When you allocate fuels and materials, you allocate jobs," says an AFL-CIO official.

THE NEW WEAPON

Administration officials turned to the energy crisis for a solution to the construction controls problem after becoming convinced that the tripartite Construction Industry Stabilization Committee was losing its effectiveness. With the Administration's decontrol of other major industries in recent months and inflation outrunning average settlements by more than three percentage points in 1973, construction union leaders have found continued participation in the CISC politically intolerable. The CISC, which will be three years old in March, is on the verge of becoming the oldest wage control agency in U.S. history.

The Dunlop proposal would replace the CISC with a special Office of Construction within the FEA. But while the shape and the name of the construction panel would change, key labor and management members of the CISC would be retained in policymaking roles basically independent of FEA Ad-

ministrator William E. Simon. The relationship between the new Construction Office and the FEA would be much the same as the current independent status of the CISC under the Cost of Living Council.

The Administration will approach Congress for the broad allocation authority under the banner of the energy crisis. It will argue that the authority is needed to assure and speed the development of new energy sources and the expansion of current sources. With this mandate, the FEA could guarantee delivery of scarce materials to such construction projects as pipelines, refineries, and nuclear power plants. At the same time, the FEA would continue to induce suppliers of the scarce goods to produce priority materials through the mandatory fuel allocation program already in operation at Simon's Federal Energy Office.

MOVING FAST

The Administration's timetable for Congressional action is short. Government sources indicate that they want the authority approved and the new construction agency operating no later than the end of March to avoid political entanglement in the expected debate over the extension of wage and price controls.

Politically, Dunlop's strategy appears to be to use the Administration's campaign to develop an "energy ethic" to further his efforts to dampen inflation through supply and capacity changes in the economy. He is already trying to nail down production commitments as a quid pro quo for either price rises or outright decontrol.

Dunlop has quietly been lobbying on Capitol Hill for a stripped-down version of the CLC to monitor and possibly enforce the commitments he is negotiating now with labor and management. But he believes that in the current political climate, any Nixon Administration proposal is likely to face tough opposition in Congress. Consequently, he hopes to guide a debate that will evolve into an acceptable plan that Congress can call its own.

THE FEO'S ROLE

Since Dunlop began his campaign on the Hill, however, the FEO has moved to the forefront of political economic policymaking. Although Dunlop says he finds the idea of using oil as an enforcement tool for wage-price controls "repugnant," he obviously intends to take advantage of the sense of urgency and broad mandate the energy crisis has given Simon's agency to try to stabilize the economy.

No one at the FEO was openly talking this week about the specific Dunlop proposal for construction. But construction problems are clearly at the top of Simon's energy-related priority list. "Our role is to provide government leadership and to act as expeditors—not just as allocators—to get this job done," says Simon. "With further Congressional authority, for example, we could cope with materials bottlenecks or even shortages of skilled labor, such as welders, for nuclear projects."

Simon is cautious about discussing any extension of FEO authority in materials allocation beyond what is required to build new refineries, spur Alaska pipeline development, and develop other energy sources. But he is concerned about "raw materials shortages in nine out of 13 basic industries," and he notes, "This program has ramifications for every part of the economy in such things as usage of raw materials and controls of shortages. It's all part and parcel of the effort to achieve energy independence." Simon's deputy, John C. Sawhill, also sees the broad economic potential for FEA. "We see this operation as an opportunity to use leadership to implement necessary changes in our fundamental economic patterns," Sawhill says.

Like Dunlop—and every other key economic official in the Administration—Simon

is a free-market advocate who thinks that "there is little government can do that business can't do better." But he also happens to be in the controls business now. "We now have the mechanism in the FEO for dealing with microeconomic problems," says Simon.

Given the FEO's microeconomic management powers—and the additional clout it will seek from Congress this year—Simon's operation could well develop into an umbrella agency for economic planning by the government along the lines recently visualized by Council of Economic Advisers Chairman Herbert Stein. Stein said the U.S. "may need an economic planning agency like the Japanese or French have." One FEO insider agrees that his agency might fill this need.

THE MAYOR'S SCIENCE AND TECHNOLOGY ADVISORY COUNCIL OF PHILADELPHIA—A PROTOTYPE FOR THE NATION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. EILBERG. Mr. Speaker, the city of Philadelphia, like other major cities in our country, is confronted with a set of increasingly difficult and complex problems. Currently, solutions to these problems are becoming more expensive in terms of manpower, resources, and the price of failure. Thus, there is considerable incentive for bringing the very best scientific and technological counsel to bear on the tasks of defining the city's problems, devising suitable solutions, and monitoring the effects of governmental programs.

A considerable range of technical manpower already exists in the city. However, the compartmentalization of governmental structure and of professional disciplines, and the necessity to monitor day-to-day operations, tend to work against development of innovative interdisciplinary approaches which appear to offer some of the most fruitful directions for governmental action.

A wealth of technological and scientific manpower is available in the Philadelphia academic, industrial, and research institutions. Many of the educational institutions are already on their way to channeling academic concerns toward multidisciplinary solutions of pressing urban problems. Equally important, business corporations and research institutions are also following this lead and they possess capable leaders whose survival depends on their ability to translate scientific theory into action.

An advisory group to the chief operating officer of the city can provide some of the technical approaches and the knowledge needed to permit the city to operate at maximum efficiency and also coordinate activities with the Governor's Science Advisory Committee and technological groups at the Federal level. It is for this reason that the science and technology advisory council was established to provide this type of counsel to Mayor Frank L. Rizzo. Through the Of-

fice of Intergovernmental Science Programs of the National Science Foundation and the Pennsylvania Science and Engineering Foundation, funds were made available for a 2-year period to "seed" this effort. With funding assured, the mayor selected Dr. I. M. Levitt, as executive director, to operate the council on a day-to-day basis. The city of Philadelphia has combed the scientific, technological, and business communities for various types of talent which could be directly applied to its problems.

Through the personal intervention of the executive director, approximately 175 candidates were solicited and invited to join the council. Originally, six divisions were set up dealing with energy, environment, esthetics, housing, transportation, and urban affairs. At the suggestion of one of the city operating departments, a seventh division, communications, was added. Each division has a chairman and vice chairman who, together with the heads of the operating departments and the directors of the quasi-public organizations, comprise a group of 30 which represent the operating council. This council develops the operating strategy for M-STAC.

The initial problems with which the council dealt were culled from the operating department of the city. Approximately 50 problems surfaced as a consequence of a questionnaire issued from the managing director's office and consultations with the commissioners. Of the 50, approximately 15 were chosen to be tackled by the council on its first effort. These 15 were the problems the staff considered to have a scientific or technological solution.

The council, now after 18 months of operation, has dealt in great detail with some of these problems and some of the solutions have been achieved.

The council has found a way to eliminate approximately 1½ million cubic yards of sludge at the southwest sewage plant to convert it into an inert, ecologically acceptable fill material for Interstate 95. The council has dealt with the energy problems in the Philadelphia region and several studies have been made in the area of conservation of energy. They have tackled the problem of electronic enhancement of fading public documents so that the city may preserve permanent records of buildings and houses which have been demolished in the 1950's and 1960's. The council has pioneered an effort to convert trash-to-energy as a major cost-saving factor for the city. The council has acted as a clearinghouse for demonstrations on technology which can be applied to urban affairs, examples of which are ultrasonic tire testing to use retreads on city vehicles, the use of infrared detection equipment for locating the source of fires, the assessment of a communications system for the fire department to permit faster arrival at a fire and more efficient procedures during a fire, a study of traffic strategies for the city to help bring the carbon monoxide levels down to the EPA primary standards, development of criteria for the abandonment of

houses, formulation of legislation for the partial elimination of graffiti, a study of the false alarm problems that plague all major cities, and so forth.

M-STAC was created as a pilot program to determine optimum methods for the interaction of science and technology with the political, economic, and societal forces in an urban community. The caliber of the M-STAC personnel, many of whom possess international stature and head up research activities with national overtones, insures that this pilot program will succeed and may be a point of departure for future and more sophisticated models.

EX-NIXON AIDE: ON JOINING THE REBELLION

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. RIEGLE. Mr. Speaker, a young speechwriter on President Nixon's staff recently resigned his post. He has offered the country some thoughtful observations on his White House experience. I insert, for the interest of my colleagues, an important article he has written which appeared in the New York Times of February 2, 1974:

[From the New York Times, Feb. 2, 1974]

EX-NIXON AIDE: ON JOINING THE REBELLION
(By John K. Andrews, Jr.)

BETHESDA, Md.—Regretably, after giving voice several years ago to America's "silent majority" on the issue of the Vietnam war, the Nixon White House has now undertaken to cow that majority back into silence by making them doubt their own decent instincts on an even more basic issue—executive responsibility and the rule of law in our democracy.

The line of attack was set by Vice President Ford when he suggested in mid-January in a speech that few Americans other than "extreme partisans" and "super welfare-staters" were prepared to see the President removed from office because of his handling of Watergate and related scandals.

That suggestion is patently untrue; one expects better from the admirable new No. 2 man. In point of fact, the demand for some sort of cure to the gangrenous condition at 1600 Pennsylvania Avenue cuts across the whole spectrum of American politics. The open rebellion of conservatives at their recent Washington conclave underscores this. So do the opinion surveys:

Whereas some 61 per cent of the electorate voted for Mr. Nixon's reelection in 1972, as against 39 per cent for George McGovern, the Gallup poll now shows only 42 per cent opposing his resignation, with 47 per cent in favor. Nearly one-third of the President's entire center-right landslide constituency, in other words, no longer has the stomach to say his resignation nay. And for every five votes won by the ultraliberal Mr. McGovern 15 months ago, six are now being cast for the accession of meat-and-potatoes Mr. Ford, even though that would require the unprecedented trauma of a chief executive quitting in midterm.

Beyond what the cold numbers reveal, I can attest more personally to the bipartisan breadth of disaffection with Mr. Nixon's defiant, fugitive leadership style.

As a conservative, upper middleclass, Midwestern WASP Republican, I was a textbook example of the natural Nixon supporter. As a press aide and speechwriter on the President's staff from the beginning of 1970 to the end of 1973, I was the beneficiary of his fatherly, if never intimate, interest in my work, and I tendered him in return an almost filial affection and loyalty over most of that period. I believed deeply, and still do, in most of what he wanted to do for America and the world. I yield to none in lauding his achievements for peace.

When Watergate began to engulf the White House in 1972, however, the President I so admired was replaced by an ethically numb figure unable or unwilling to vindicate the idealism so many of us on his young staff had cherished about American constitutional government. After months of bitter frustration trying to help set matters right from the inside, I finally quit on principle last December.

In rejoining the battle now from the outside, my prayer is still to see him somehow open up, own up, take command of the reformers, and serve out his term. But like a daily growing plurality of Americans, I am also resigned to the unpleasant imperative of measures to save the Presidency from this President in the event the President continues refusing to be saved from himself.

The man's technical innocence or guilt of crime has long since become sadly irrelevant. Even if not a lawbreaker himself, he has run a campaign and an Administration infested with them and has done shockingly little to clean up the mess since it squirmed into the daylight last year. The consequences for public confidence in our institutions have been cataclysmic. Mr. Nixon cannot therefore escape grave blame for, at the minimum gross negligence of duties to which his constitutional oath binds him.

Thus we face perhaps one of the most clear-cut moral issues that have tormented American domestic politics since slavery was abolished. While the country does, to be sure, still have a President in the literal sense—in Army parlance, a "warm body" still occupies the Oval Office—yet in moral terms the revered leadership position is quite vacant. One way or another that vacancy must be filled, and quickly.

If, as I still want to believe, the President's sins are those of omission only, he might well win redemption and honorable survival by admitting them and asking for a second chance. But if they are indeed crimes of commission, as his stubbornly guilty demeanor seems to argue, then—as his own steely-nerved daughter Julie has conceded—he must go.

So please, Mr. Ford, cool it. We need you untainted by demagoguery as you wait in the wings. You know in your heart that Mr. Nixon has covered the highest office with dishonor. That failing any new willingness on his part to atone, resignation is one perfectly legitimate remedy, explicitly contemplated by the Founding Fathers in Article II, Section 1 of the Constitution. That his dethroning by impeachment and conviction is another, a remedy surely broad enough to rid us of misgovernment not otherwise remediable.

On this last point, of course, the pundits warn us that Congress senses that most people wish Mr. Nixon gone yet recoil from the bloodletting of an impeachment. Sure they do. For once they want Capitol Hill to lead, not be led by, them—and any member of the House or Senate who thinks his duty to constituents consists in mere puppetry to a timid public mood is a discredit to the representative process.

To repeat, the moral vacancy atop the executive branch must be filled. For Congress not to apply the pressure that will fill

it, either with qualities summoned up inside the present incumbent or else with the oaken character of their own club member, Gerald Ford, can only deepen public cynicism by betraying a similar vacuum on the legislative side. Then, God forbid, what a banana republic we would be.

THE 1975 FISCAL YEAR BUDGET

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. HUDNUT. Mr. Speaker, the Federal budget for fiscal 1975, which has been presented today by the Executive Office of the President of the United States, breaks all previous records for Government spending. It requests total spending of \$304.4 billion, an increase of \$29.8 billion over 1974. It anticipates revenue of \$295 billion, which is \$25 billion more than 1974 receipts. The budget deficit has also set a new alltime record. "The United States Budget in Brief," a condensation of the budget for fiscal year 1975, indicates on page 4 that the Federal Government spending for 1975 would exceed its income by some \$9.4 billion if unemployment holds to 4 percent. The document also states that as a result of this deficit, "federal debt held by the public is estimated to rise from \$346.5 billion at the end of 1974 to \$359 billion at the end of 1975."

This latter statistic is a little bit misleading, and I regret that we have to go to the fine print in the document—table I, page 46—to discover that the estimated 1974 fiscal year debt will be \$486.4 billion and in 1975, \$508 billion. The difference between the \$359 and the total is that Government agencies hold \$148.9 billion of the Federal debt.

Mr. Speaker, what this means, if the projections are accurate—and we can have no reason to believe that they are anything but conservative projections at the best—is that in the 10 years, since 1965, the gross Federal debt has risen from \$323.2 billion to \$508 billion. This simply boggles the mind, and forces many Americans to ask the question "Where are we going in America?" What is happening to the value of our currency? What are we doing to future generations? How can we justify running our Federal Government on the basis of continuing deficit financing when our homes and businesses must be run otherwise, or the sheriff will be at the door?

I have always opposed deficit spending, and will continue to do so. I feel that we should pay our way as a Nation, just as we do in our homes and businesses. There is nothing wrong with borrowing—we all do it; but we also pay back at interest what we borrow. I do not think we should pass along to our children and our children's children an incredible and disastrous burden of public indebtedness that will break their backs, the back of our currency, and the back of our country—which seems to be just what we are in the process of doing. We

simply must get a handle on Government expenditures, control them as best we can, and see to it that outgo matches income.

To this end, during the past session of the 93d Congress, I introduced H.R. 7154. This bill provides that Federal expenditures shall not exceed Federal revenues except in time of war or grave national emergency declared by Congress. It also provides for systematic reduction of the public debt. Right now, the budget includes a figure above \$25 billion for interest on the public debt, and it is anticipated that in fiscal 1975, that figure will rise to \$29 billion. That figures out something like a little more than \$58,700 per minute that the American people are paying to service the national debt—much less retire it. My legislation—and other bills like it—is still pending before the Ways and Means Committee, and I wish that hearings could be held on this subject and the public be given the chance to express itself to the committee, because I feel quite certain that most Americans disapprove of the astronomical figure that the public debt has reached.

We did make some progress toward budget reform in the last session of the Congress by passing H.R. 7130 in December. I was glad to vote for this measure, which, when it becomes effective, will require Congress to set ceilings on outlays and revenues each year, prepare its own budget proposals, return to the Appropriations Committee control of forms of spending which are now not subject to such review, and extend the fiscal year to begin on October 1 rather than July 1 so that all spending can be compared at one time to the earlier Budget Committee targets. The ceiling set earlier in the year can be reviewed and revised all at one time in September, but every step of the process has to be related to every other step. The process is cumbersome and is not a panacea. However, it is intended to provide a discipline within which the congressional will to govern can be rediscovered. It is a step in the right direction, but I feel we must continue to work for better budget reform, a balanced budget, and efforts to reduce Federal spending and the public debt.

So far as the fiscal 1975 Federal budget is concerned, it is staggering. The document itself that has been sent to the Congress is 1,072 pages long—much bigger than the Indianapolis Telephone Directory. The budget does reflect the administration's change in spending priorities. The plan allocates almost 50 percent of the expenditures to human resources—that is, education and manpower, income security, and veterans benefits, where this category received only 34 percent of the budget in 1969. Defense spending, on the other hand, has dropped proportionately from 44 percent of the 1969 budget to 29 percent of the proposed 1975 budget, and so forth and so on.

It is now our job in Congress to study the entire request, review the component parts, make changes as we see fit, and

hopefully improve the entire budget. It is a tall order indeed.

COMPLAINTS OF ANNE ARUNDEL, MD., COUNTY PUBLIC SCHOOL SYSTEM

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mrs. HOLT. Mr. Speaker, Federal harassment is a strong term, but it accurately reflects a situation which is occurring in many local school districts throughout the country.

The Anne Arundel County system in my district, is one in which I and the other residents of the county are justifiably proud. Our schools were integrated without incident in the late 1950's, and last year we successfully implemented a busing plan to comply with the legalized numbers racket known as racial balance. All of this has been accomplished in a calm, mature manner.

Despite our progress in this area, and our desire to comply peacefully with increasingly absurd bureaucratic and court decisions, we find ourselves being subjected to continuing intervention by the Philadelphia Regional Office of Health, Education, and Welfare. Their latest demand for data defies all logic; it is, in fact, the most blatant and arrogant example of Federal authoritarianism that has come to my attention.

I would like at this time to insert in the RECORD, copies of correspondence from Dr. Edward Anderson, superintendent of schools in Anne Arundel County, and Mr. Dewey E. Dodds, Director of the Philadelphia Regional Civil Rights Office which clearly documents this situation.

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS, Annapolis, Md., January 28, 1974.

HON. MARJORIE S. HOLT, Member of Congress, Longworth House Office Building, Washington, D.C.

DEAR MRS. HOLT: I am enclosing a copy of a letter I received from the Director, Office of Civil Rights, Region III, and a copy of my reply.

As you may know, we in Anne Arundel County have done everything humanly possible to achieve a good working relationship between the races, and I firmly believe that our system can stand the most rigid examination by impartial authorities. On the other hand, I think the actions of the so-called "Civil Rights Office" should be brought to the attention of every member of Congress and to the entire American public. These people are systematically attempting, and in some cases succeeding, in turning the races against each other and in destroying the American Public School System.

It is the most assinine and cruel thing that has ever happened in this Nation, and I think it is indeed time for Congress to look into this monster which has been created. We in Anne Arundel County would be more than willing to stand up and be counted and to be investigated in every way by responsible authorities. This is such a serious matter that I do not think any of us can any longer stand still. I would urge some action on your part if it is possible.

I have written also to Senators J. Glenn

Beall and Charles McC. Mathias, and to Secretary Caspar W. Weinberger expressing my very deep concern.

Sincerely,

EDWARD J. ANDERSON, Superintendent of Schools.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, OFFICE OF CIVIL RIGHTS, Philadelphia, Pa., January 22, 1974.

Dr. EDWARD J. ANDERSON, Superintendent, Anne Arundel County Schools, Annapolis, Md.

DEAR DR. ANDERSON: We have received your school district's application for funding under the Emergency School Aid Act (ESAA). A review of the application has determined that additional information is required in order to certify your district's compliance with the ESAA assurances.

Mr. Edward Stofko of your staff was notified by telephone on January 14, 1974, as to the specific information which is needed. Following is confirmation of the basis for the information and the specific regulatory section regarding same.

DEMOTION OR DISMISSAL OF MINORITY GROUP PERSONNEL

Section 185.43(b) addresses the disproportionate demotion or dismissal of minority group staff.

A review of your district's application indicates that of 85 head coaches employed by your district in 1973-74, none are black. There were 31 white and 4 black head coaches of sports in the school district prior to desegregation; this constitutes a 100 percent reduction of black coaches. In addition, it raises questions concerning your recruitment and hiring practices of head coaches. It is necessary that our office receive the following material:

The name of each black coach employed by your district, including the years 1961 to the present; the sport he/she coached prior to and immediately following desegregation; the school in which he/she was employed; his/her salary/supplement before and after desegregation; his/her reason for leaving; and his/her last known address and telephone number.

DISCRIMINATION AGAINST CHILDREN

Section 185.43(d) (4) addresses the imposition of disciplinary sanctions in such a manner as to discriminate against minority group children.

A review of your district's DHEW fall enrollment reporting form indicates that disciplinary sanctions have had a disproportionate impact on minority students in a substantial number of your schools, many of which were not included in our original information request.

- 1. Annapolis Elementary.
2. Cape St. Claire Elementary.
3. Central Elementary.
4. Davidsonville Elementary.
5. Cromwell Elementary.
6. Germantown Primary.
7. Germantown Intermediate.
8. Harmon Elementary.
9. Hillsmere Elementary.
10. Manor View Elementary.
11. North Glenn.
12. Parole Elementary.
13. Shady Side.
14. Tyler Heights.
15. Van Bokkelen Elementary.
16. Andover High.
17. Annapolis Junior High.
18. Annapolis Senior High.
19. Anne Arundel Junior High.
20. Anne Arundel Senior High.
21. Bates Junior High.
22. Brooklyn Park Junior/Senior High.
23. Corkron Junior High.
24. George Fox Junior High.
25. Glen Burnie Senior High.
26. Lindale Junior High.

- 27. McArthur Junior High.
28. Marley Junior High.
29. North East Senior High.
30. Severna Park Junior High.
31. Severna Park Senior High.
32. South Junior High.
33. Southern Senior High.
34. Learning Center.

For each of the above schools, please provide information for each student similar to that provided in the attached worksheet for the school years 1971-72, 1972-73, and 1973-74. At your own discretion, you may or may not wish to use the attached worksheet for organization of the material. Each student should be listed separately and the actions against that student should appear under his/her name. Please list each student only once. In addition, please provide the information below for each school.

A. A narrative description of the district's disciplinary rules including:

- (1) What are the rules of conduct?
(2) Who determines violations and what standards are used to make such determinations?
(3) What standards for application of rules are written?
(4) How are teachers informed of these standards?
(5) How are students informed?
(6) What is the suspension process?
(7) What is the expulsion process?
(8) Who metes out the punishment?
(9) What options of punishment are available?

B. The same as (A) above for each school which has different or additional standards.

It is our understanding that all students in the Learning Center are there largely because they have been disciplinary problems in other schools within the county. It is therefore requested that the above information be provided for each student now enrolled in the center and whose referral to that school was based upon disciplinary factors.

It is also our understanding that there is a procedure by which, on occasion, certain students with disciplinary problems may be referred to the local authorities such as juvenile court, police department and other such agencies. Please also provide the same kind of information as listed above for each student referred to such agencies.

RACIALLY ISOLATED AND/OR RACIALLY IDENTIFIABLE CLASSES

Section 185.43(c) and (d) (5) prohibits the assignment of students to classes in such a manner as to discriminate against minority group children by assigning them to classes which are racially identifiable or racially isolated.

A review of your application and your fall report forms revealed that racial isolation in certain classes exist at the following schools.

Table with 2 columns: School and Grade. Lists schools like Brooklyn Park, Crofton, Folger, etc. and their corresponding grades.

The following schools according to your application and the fall report forms appear to have racially identifiable classes, some of which may be due to ability grouping procedures.

- 1. Georgetown East
2. Germantown Primary
3. Hillsmere
4. Manor View
5. Tyler Heights

Please verify and explain the existence of any racially identifiable or racially isolated classes in schools listed above and others which were not listed. Also, please indicate those schools which use ability grouping.

Other questions discussed with Mr. Stofko and appropriate actions requested included:
A. Improper formation of Adult Advisory Committee. Students were not included.

B. Transfer of public property or services to private schools. The nondiscriminatory status of the St. Jane Francis School was not addressed in the application.

It is necessary that you submit this information as soon as possible but not later than 15 days after receipt of this letter, in order that we may complete the processing of your application. If there are any questions or need for clarification regarding the requests, please do not hesitate to call at your earliest convenience.

Sincerely yours,

DEWEY E. DODDS,
Director, Office for Civil Rights,
Region III.

JANUARY 25, 1974.

Mr. DEWEY E. DODDS,
Director, Office for Civil Rights, Region III,
Department of Health, Education, and
Welfare, Philadelphia, Pa.

DEAR Mr. DODDS: Your letter of January 22, 1974, requesting information has been received. The following quote is from a staff member who I asked to review your request:
"How much money are we talking about? Is it enough to buy this school system?"

"Rev. Dodds has created a masterful piece of fictional literature. I'd really be concerned if I thought he were serious."

As for me, Mr. Dodds, your unmitigated arrogance is surpassed only by your incompetence as demonstrated by your uncalculated letter.

Sincerely,

EDWARD J. ANDERSON,
Superintendent of Schools.

Mr. Speaker, I find the content and the tone of Mr. Dodds letter to be both unnecessary and insulting. I am equally disturbed to find that we are so far down toward making the goal of a good education secondary to the whims of Federal bureaucrats who, apparently, have nothing better to do than devise outrageous demands for irrelevant data. I firmly believe that the will of Congress and the American people is being seriously subverted in this case.

In closing, I would like to reemphasize Dr. Anderson's request: "I think it is, indeed, time for Congress to look into this monster which has been created."

RAIL TRACK ABANDONMENT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mrs. GRASSO. Mr. Speaker, the abandonment of 175 of Connecticut's 664 miles of rail trackage—as recommended in the Department of Transportation's report on Northeast and Midwest rail service—would have a disastrous effect on the economy of my State, add new cost factors to an already intolerable situation and new transportation problems to our other economic difficulties.

If the Transportation Department's suggestions are followed, a full 26 per-

cent of Connecticut's tracks will be eliminated and numerous towns and cities—where businesses and industries have come to rely on rail freight—will cease to be stops along rail lines.

Under the DOT plan for reorganization, Connecticut rail shipments would be cut from 161,000 to 154,000 annually, yet the turmoil and dislocation that would result from the plan's implementation in Connecticut go deeper than this overall statistic.

If the Transportation Department recommendations are followed, many industries now depending on rails for the delivery of raw materials and the transport of their finished products would be cut off with no reasonable transportation alternative. Likewise, Connecticut's dairy and poultry industries would be without a viable means of obtaining badly needed foodstuffs—particularly livestock feed and fertilizer.

The Sixth Congressional District which I serve would be particularly hard hit. Service would be curtailed on 8 of the 14 rail lines now operating in my district, while 23 of the existing 37 freight stops would be eliminated.

For example, in the area of New Britain—the largest city in my district—three out of six stops will be eliminated and two of four lines affected. Freight service would be cut by a phenomenal 15 percent. Business and industry in towns such as Southington, Plantsville, and Milldale will no longer be able to rely on rail service for the delivery of badly needed goods. Elsewhere, retailers in growing population centers such as Simsbury and Avon will also lose their rail freight lines, and a rail spur servicing needed economic interests in Watertown will be eliminated.

Everywhere throughout Connecticut and the Sixth District business and industry will be forced to turn to motor transportation for the shipment of raw materials and delivery of finished products.

At a time when we must do everything in our power to provide alternatives to highway transportation, due to grave energy shortages, doing away with rail lines is simply incomprehensible.

Adoption of the Transportation Department plan in Connecticut would mean more crowded highways, greater air pollution, and severe economic hardship and dislocation. Moreover, if vital access routes for badly needed products are abolished in my state, prices for these products will rise dramatically.

Mr. Speaker, I voted for the Regional Rail Reorganization Act as a means of restoring, supporting, and maintaining modern, efficient rail service in the Northeast. Yet, the recommendations made by the Transportation Department as mandated by the act certainly failed to fulfill this goal.

It is my strong belief that the Transportation Department should be ordered back to the drawing board to formulate a more realistic plan for rail service in Connecticut. You may be assured that in hearings on this plan scheduled to be held in my State beginning March 11, I will proffer my suggestion quite firmly.

A VOLUNTEER ARMY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. CARTER. Mr. Speaker, a recent letter from the Secretary of the Army, the Honorable Howard H. Callaway, who is a former Member of this body, indicates that the efforts the Secretary is making in securing a volunteer Army are effective. In my opinion, the Secretary is doing a superior job in his present position. I include his letter for the RECORD:

SECRETARY OF THE ARMY,
Washington D.C., January 31, 1974

HON. TIM LEE CARTER,
House of Representatives,
Washington, D.C.

DEAR TIM LEE: As I am sure you are aware, there has been a considerable amount of interest regarding the status of the volunteer Army. I am now completing a full report on the first year of the volunteer Army and will be forwarding a copy of it to you in the near future. In the meantime, I thought you and your constituents would appreciate a brief status report. In summary, the news is good.

First, I would like to mention a recruiting technique heretofore unknown in the modern American Army. Last year the Army reactivated the 9th Infantry Division at Fort Lewis, Washington, but the manpower was not at hand. The Army directed the Commander, General Fulton, to take his cadre, the Division colors, and recruit a division. General Fulton and his recruiters did just that. They began a vigorous recruiting campaign and today that division stands at 102 percent strength, essentially filled with volunteer soldiers. Now this is a real success story, a living example illustrating that the volunteer Army program is not an impossible dream, but a workable idea which can be accomplished.

During the period January to December 1973, the Army recruited 163,300 men and women. Reenlistments for the year totalled 46,300. In addition, 2,530 men and women extended their enlistments for two years or more during the period from January to October. The Army has achieved 88 percent of its recruiting objectives since we abandoned the use of the draft on 29 December 1972, and recent recruiting trends are up. The high school graduate content of our non prior service enlisted accessions since the draft ended (calendar year 1972) has been about 60 percent. If we include prior service accessions, the high school figure rises to 63 percent; and if we take a snap shot of the whole Army, we find 71 percent enlisted men and women have at least a high school education. Although there were some shortfalls in meeting recruiting goals in the early months of this fiscal year, recently the monthly goals have been met and our enlisted strength permits us to maintain an effective and quality force.

Many new approaches to recruiting are being tried which stress quality together with quantity, such as bringing the recruiter force up to authorized strength on a priority basis, expanding the unit of choice and station of choice options (as in the example of the 9th Division), focusing on the junior college market, screening out poor soldiers in reenlistments, administering new entrance tests, and even screening out early in training the individuals who cannot become successful soldiers. These efforts will continue.

With respect to discipline in the volunteer Army, in comparing trends for Fiscal Years 1972 and 1973, a period which includes both draft and volunteer Army experience, we find that rates for AWOL, desertion, crimes of

violence, crimes against property, and courts-martial, are down. Virtually every major indicator of discipline in the Army has, in fact, remained at the same level or improved. Whatever factors contribute to this picture, it is clear that today's volunteer soldier is not causing an increase in disciplinary problems.

As you know, there has been some interest in the racial composition of our enlistees. I want to stress that the Army has no quotas based on race. Our main concern is that the applicant is qualified to enlist and serve in the Army and that he is motivated to serve to the best of his ability. Operating under that policy, the percentage of black males enlisting in the Army increased from 18.7 percent in Calendar Year 1972 to 28.2 percent in Calendar Year 1973 and as a result, the black enlisted men increased from 17.5 percent of our enlisted strength in Calendar Year 1972 to about 20 percent in Calendar Year 1973. Black soldiers, like all other soldiers, are assigned throughout the Army in accordance with their enlistment commitments and their individual capabilities.

Finally, combat readiness, which is the heart of the Army's business, has shown significant improvement. Judged by the stringent standards reported to the Joint Chiefs of Staff, the divisions today much more nearly meet their goals than they did at the end of the draft—all 13 divisions are fully operational and nearly all are ready for combat.

These simple facts and figures point to one conclusion: The Army is better today than it was at the end of the draft. All of the important trends are in the right direction. I am proud to emphasize that your Army is good, combat-ready, and improving with the passage of time.

Sincerely,

HOWARD H. CALLAWAY.

GILMAN NOTES FORD REMARKS ON NIXON PEACE EFFORTS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. GILMAN. Mr. Speaker, Vice President GERALD R. FORD spoke on January 26 before the Anti-Defamation League of B'nai B'rith, meeting in West Palm Beach, Fla. His remarks on the efforts of President Nixon to achieve a generation of peace are illuminating.

The Vice President's lucid remarks remind us that our President's efforts are responsible for the first true overtures toward peace in the Middle East, and a general lessening of hostility and tension in many of the world's most uneasy places.

Mr. Speaker, I include Vice President FORD's remarks in the CONGRESSIONAL RECORD for the benefit of my colleagues and all our citizens:

ADDRESS OF VICE PRESIDENT GERALD R. FORD

Today I want to talk about peace.

It was with a dream of peace that Albert Einstein came to America from Germany. Einstein brought more than the genius that introduced the nuclear age. He also brought the insight that we must evolve a new consciousness in which all mankind ascends to higher levels of human compassion, imagination, and cooperation.

Einstein said that peace cannot be kept by force. It can only be achieved by understanding.

Another visionary came to the United

States from Germany. He is Henry Kissinger, whose diplomatic skills are helping to bring fulfillment to Albert Einstein's dream.

There were those whose eyebrows lifted in surprise—yes even skepticism—when President Nixon announced that Henry Kissinger as his choice for the Secretary of State's office. The doubters wondered whether the office might limit the marvelous persuasive powers which helped open the long-closed door to China and accomplished other major changes in the way we looked at the world and in the way the world looked at us.

But now I think it is obvious, even to those skeptics, that the President's action strengthened rather than weakened Henry Kissinger's influence on diplomacy.

Now, Henry Kissinger speaks as the Chief Foreign Policy officer for our government with the full weight of the Presidency behind him. This, I believe, was a positive factor in Henry Kissinger's successful effort to achieve a settlement in the Middle East.

But before going into more detail about the remarkable diplomacy of Henry Kissinger, I want to refer to the President who established the policies that the Secretary of State implements. So much attention has been focused on controversial events in Washington I fear we are losing sight of the Nixon Administration's creative relationship with the rest of the World.

The fact is that President Nixon's Middle East policy is a study in credibility, integrity, and consistency. The President's 1968 address before the B'nai B'rith organization clearly outlined his views of the Arab-Israeli impasse, his commitments, and his visionary concept of the dangers and hopeful possibilities for that vital region.

The Nixon doctrine emerged in 1969. It was a concept of the world that would lead America to listen more and lecture less, inclining us today partnership rather than paternalism. The State of Israel was concerned at that time lest unilateral concessions be demanded of her and an arbitrary settlement imposed. The President pledged that the United States would only use its good offices to assist the parties to the conflict to fashion their own settlement. He kept his word.

Mr. Nixon made a commitment to help Israel maintain an arms balance to provide the necessary defense capability. He was mindful of the massive flow of Soviet arms to Egypt and Syria. He kept his word.

There was no credibility gap when the U.S. Air Force rushed transport after transport loaded with arms to Israel during and after the October war. This was done to replace Israeli losses and maintain the balance in the face of the heavy shipments of Soviet arms to the area. To finance the airlift and other assistance, the Administration sponsored a \$2.2 billion emergency aid bill. Mr. Nixon kept his word.

The President was forced to order a military alert in October to avert the possibility of unilateral direct intervention by an outside power in the Middle East conflict. Some in Washington saw a credibility gap. But there was no question that the alert was necessary and there was no credibility gap in the nations directly concerned. They knew what was happening. Again, the President was consistent with our stated policies.

In recent years there was great concern over the plight of Soviet Jewish citizens who wanted to emigrate to Israel. President Nixon said he would intercede. He did. There is no credibility gap among the many thousands of Soviet Jews who continue to find new homes in Israel.

Secretary Kissinger's recent mission profited from the new climate that exists in the world. This is the climate that ensued from the President's historic initiatives in visiting Moscow and Peking and from the understandings reached there and in subsequent exchanges. This is the climate that flows

from the President's extricating our nation from the war in Vietnam, his terminating the draft, and other accomplishments.

I am convinced that prejudice and hatred between Arab and Israel can be transcended just as we have moved forward in our own relations with the People's Republic of China. Accordingly, we look toward the continued momentum of Arab-Israeli settlement. Both sides now have much to gain by not permitting the situation to stagnate where it is, but to translate it into steady progress toward further agreements encompassing the remaining issues, resulting in a just and durable peace in the Middle East.

This is a test for the parties directly involved as well as for all powers with interests in the area and, in addition for the United Nations forces entrusted with peacekeeping on behalf of the parties and the world community.

Secretary Kissinger's handiwork has relieved a dangerous global pressure point. The Israeli and Egyptian forces are physically disengaging themselves, with the U.N. forces in between acting as a buffer. Each side now has the opportunity to carry out this agreement in such a manner as to instill confidence in the other side that agreements between them can succeed and can contribute to the building of peace.

All of the credit does not belong to American diplomacy. A large share accrues to the courage, goodwill, and vision of leaders in both Egypt and Israel. I salute the statesmanship of President Sadat of Egypt and Prime Minister Golda Meir of Israel.

Secretary Kissinger's genius was in narrowing the distance between the parties without imposing a formula from outside. He acted as a go-between for the two sides. This is far better than coercion. It enhances America's moral standing with both parties, increases our influence, and decreases the chances of American military embroilment.

I wish to reaffirm that Israel will not be expected to negotiate from a position of weakness. We are continuing our policy of appropriate arms supply to Israel. We are carefully observing developments to ascertain that redeployment of Israeli troops strengthens the mutual desire to pursue peace and lessens the chances for a renewal of hostilities.

We are continuing to work with the Soviet Union in efforts to minimize regional friction.

We have felt that the oil embargo imposed by some nations against the nations of the industrialized world and particularly against us was ill-advised. Its implications for the world's economic stability are far reaching. I share Secretary Kissinger's stated view that failure to end the embargo in a reasonable time would be highly inappropriate and would raise serious questions of confidence with respect to the nations with whom we have dealt on this issue.

Meanwhile, we must proceed with our own energy development. Exploitation of domestic petroleum and natural gas potentialities, along with nuclear, solar, geothermal, and non-fossil fuels is vital. We will never again permit any foreign nation to have Uncle Sam over a barrel of oil.

Cooperation by consumers has reduced energy demands to the point where we will get through the winter without serious hardship in American homes. We have been able to defer gasoline rationing and hope we will be able to avoid it entirely. But this depends on continued conservation by the public and industry.

While I am more optimistic now about a lifting of the Arab embargo, even this will not solve the basic shortage. Our American living standard continues to improve with an ever-expanding need for energy.

President Nixon has invited other oil-consuming nations to meet in Washington next month to discuss the energy shortage. Control of inflation is linked with the price

of oil. The President has said that the energy shortage "threatens to unleash political and economic forces that could cause severe and irreparable damage to the prosperity and stability of the world."

Against this background, it is particularly encouraging that peace is becoming popular. A first step toward a permanent settlement has been taken in the agreement on military disengagement.

A logical next step would involve disengagement along the Syrian-Israeli lines. Any such move, of course, would also have to address the issue of Israeli prisoners of war. I recall all too vividly the torment of Americans over the unknown fate of our P.O.W.'s in North Vietnam.

Secretary Kissinger judged very astutely the moment when Egypt and Israel were equally ready to go from a state of permanent hostility to a state of possible accommodation. He converted that readiness into a formula that both countries could accept. We pray that this can now likewise be done with regard to the confrontation on the Syrian-Israeli front.

A process of awakening has started in the region where fear and death have stalked frontiers for over a quarter of a century. It has come at a terrible cost. The United States will continue to work in every way to encourage a permanent settlement acceptable to both sides. It is my fervent hope that from such a peace will flow a spirit of greater cooperation not only between the Arabs and Israelis but among all peoples.

Our enemies are not other nations or groups of humanity different from ourselves. Our enemies are hunger, disease, poverty, ignorance, hopelessness, fear, and hatred. Our great challenge is not in military confrontation but in harnessing the natural resources and industrial genius of humanity to assure better lives for all Americans and the entire family of man.

A Jewish sage made the beautiful prophecy that Israel will be rebuilt only through peace. This applies to the Arab states and to our own country as well.

The great religions of the Western world, Christianity and Judaism, emerged in that holy land which is at long last on the threshold of peace. That land is also sacred to the believers in the Koran, the faith of Islam. All of us—Christian, Jew, and Moslem—share the same supreme Creator.

In that spirit, I pray that God will bless our country, that it may ever be a stronghold of peace, and its advocate in the council of nations. May He strengthen the bonds of friendship and fellowship among the inhabitants of all lands.

**ROBERT S. ALLEN RECOGNIZES
DAN FLOOD'S FIGHT TO KEEP
PANAMA CANAL**

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. SNYDER. Mr. Speaker, the eminent columnist, Robert S. Allen, has recently paid tribute to the latest efforts of the Honorable DANIEL J. FLOOD of Pennsylvania to maintain U.S. sovereignty over the Panama Canal and the Canal Zone. We are all in DAN FLOOD'S debt for his untiring efforts to keep intact this vital link in our Nation's security network.

Mr. Allen's columns of January 24 and February 2, as carried by Publishers-Hall Syndicate, follow:

PANAMA CANAL

WASHINGTON, JANUARY 24.—The State Department asked for it and it's getting it—right between the eyes.

Congressional reaction has been vehement and truculent to that suspiciously vague and ambiguous announcement that an "agreement in principle" has been reached with Panama terminating U.S. ownership of the Canal and sovereignty over the Canal Zone.

If the State Department's high-flown bureaucrats thought they were being smart in easing out this disclosure during Congress' absence, they were sorely mistaken.

The response was instantaneous and like waving a red flag before an enraged bull.

Illustrative is the furious blast of Representative Daniel Flood, D-Pa., Veteran Appropriations subcommittee chairman and leading congressional authority on the Panama Canal. He told this column:

"If the Administration is looking for another confrontation with Congress, I know of no better way to get it than by attempting to surrender the Canal and Zone to Panama."

Bitingly stressed by Flood is that Panama is ruled by an iron-fisted military dictator whose intimate henchman are notorious leftists with close ties with Cuba's communist dictator Fidel Castro.

Foremost among them are Foreign Minister Juan Tack, Finance Minister Jose Guillermo Alzu and United Nations Ambassador Acquinillo Boyd. It is known that they, as well as dictator Omar Torrijos, who fancies himself as the "Jefe Maximo" of Panama, have secretly visited Cuba as guests of Castro.

The so-called "agreement in principle", to end U.S. control over the Canal and Zone, was negotiated in tightly guarded deliberations between Tack and U.S. Ambassador Ellsworth Bunker.

Tack is noted for his long and virulent hostility towards the U.S.

Bunker, former Ambassador to South Vietnam, was especially designated to conduct the Panama parleying.

IN THE DARK

Particularly arousing grave doubts and concern are—

* * * The complete secrecy enveloping the Bunker-Tack negotiations; other than a few insiders, no one even was aware they were underway. The low-key announcement about the "agreement in principle" broke largely as a surprise.

* * * Similarly, there has been a total blackout on the nature and details of the professed agreement. Neither Bunker, Tack nor anyone else has given any hint on that. In an obvious effort to allay suspicion and defuse hostility, State Department "sources" have leaked reassuring intimations that a treaty is "not imminent" and that it will be a long time before one is concluded.

These placating premises are patent stalls to temper and mollify congressional and public doubts and opposition.

Representative Flood is irately making it clear that's a vain hope.

Flatly and unequivocally he brands the Bunker-Tack negotiations as illegal and unauthorized, and predicts Congress will never approve any accord tampering with U.S. ownership and control of the strategic Panama waterway.

"This matter is another incident in a long effort to surrender the Canal Zone that has not been authorized by Congress," Flood told this column. "This outrageous undertaking constitutes one of the most disgraceful episodes in the history of the United States."

"The illicit procedure of the State Department to surrender the Canal Zone and Canal has a long history of falsification and misrepresentations. Congress will never allow the vast work in the Canal Zone and the immense expenditures for the Canal in the past 70 years to be undermined by any form of trickery, chicanery or other skullduggery."

It is Flood's forceful contention that the U.S. has treaty obligations with other countries that bar modifying the 1903 treaty with Panama.

"Apparently it is either unknown in the State Department or it is being flagrantly disregarded," says Flood, "but our country has solemn Canal treaty obligations with Great Britain and Colombia that cannot be casually ignored. Before we start rewriting the 1903 treaty with Panama, Great Britain and Colombia have to be considered."

WHAT THEY'RE UP TO

As so far ascertained by Representative Flood, the closely guarded "agreement in principle," covers four key issues:

(1) Sovereignty over the Canal and Canal Zone.

(2) U.S. payments to Panama.

(3) Defense of the Canal.

(4) Construction of a new sea-level waterway capable of accommodating the huge oil tankers now plying the oceans.

Representative Thomas Morgan, D-Pa., chairman of the House Foreign Affairs Committee, is planning to summon Ambassador Bunker for a report on what was done and detailed interrogation. Flood, while not a member of this committee, expects to be on hand.

Under the 1903 treaty, the U.S. has jurisdiction over the 533-square-mile Canal Zone in "perpetuity".

The leftist Torrijos dictatorship is demanding this be abrogated and Panama get sovereignty over both the Zone and the waterway. At times, this agitation has become violent. Ten years ago riotous anti-U.S. demonstrations were incited by the Panama government.

U.S. military forces in the Zone had to be hastily reinforced to protect the 44,000 Americans living there.

One of the Panamanian propaganda demands was that the Panama flag be flown in the Zone with the U.S. flag. Congress flatly turned that down. A resolution authorizing that was overwhelmingly rejected by the House of Representatives 382 to 12.

Subsequently, after Congress adjourned, President Eisenhower authorized the flying of the Panama flag. He did that on the recommendation of then-Secretary of State Christian Herter who succeeded the late Secretary John Foster Dulles.

Flood indignantly recalled this backdown, and declared it is contrary to overwhelming sentiment in the U.S.

"The people of our country are overwhelmingly against any betrayal of U.S. interests in Panama, involving the Zone and the Canal," says Flood. "Any attempt by this Administration to relinquish U.S. sovereignty over these invaluable national properties will not only be overwhelmingly rejected by Congress but decisively repudiated by the American people."

PANAMA CANAL

WASHINGTON, FEBRUARY 2.—That fanfare "agreement in principle" with Panama is being flatly branded as a secret "surrender of U.S. sovereignty"—over the Canal and the Canal Zone.

That is the unsparing accusation made by Representative Daniel Flood, D-Pa., in a letter to Ambassador Ellsworth Bunker, who negotiated the mystery-cloaked understanding in a series of tightly-guarded meetings in Panama with Foreign Minister Juan Tack, virulently anti-U.S. leftist.

A copy of Flood's scathing denunciation has been to every member of Congress. Underscoring the significance of the blast is that Flood, veteran Appropriations subcommittee chairman, is the leading congressional authority on the Panama Canal.

While the terms and provisions of the Bunker-Tack agreement have yet to be spelled out, Flood charges they are obviously based on a "policy" that will drastically

modify U.S. authority over the Canal and Canal Zone.

This grave contention is predicated on a letter Flood received from Bunker following the latter's "agreement in principle" with Tack.

"The principles set forth in your letter to govern detailed negotiations," Flood wrote Bunker, "define the serious surrender of U.S. interests and responsibilities that Congress so adamantly opposes. It is utterly idle to suppose that negotiations conducted under their terms can protect the interests of the United States."

Those basic U.S. interests, Flood pointed out, are categorically affirmed in the 1973 annual report of the House Merchant Committee, as follows:

"Continued undiluted U.S. sovereignty over the Canal Zone and Canal, and the major modernization of the existing Canal. All other issues, including the highly propagandized idea of a sea-level canal, are irrelevant."

STANDING PAT

On these fundamental determinants there can be no concessions.

"The Canal Zone territory," Flood told Bunker, "was acquired by grant in perpetuity and the purchase of all privately owned land and property in it under treaty negotiated pursuant to an act of Congress, which has not authorized the disposal of any of the territory or property thereon. All the indications are Congress never will authorize their surrender."

Flood has irrefutable evidence to support that.

Some years ago when the State Department proposed permitting the Panama flag to be displayed in the Canal Zone, the House smashing rejected it 382 to 12.

"On every test of public opinion," declared Flood, "sentiment is overwhelming against surrender of the Canal and Canal Zone to Panama. Correspondence from voters throughout the country overwhelmingly supports continued undiluted U.S. control."

"In view of all the facts, if the Administration wishes another blistering confrontation with Congress, there is no better way to get it than to attempt to surrender U.S. sovereignty over the Canal Zone and Canal. The people of the United States will not tolerate surrendering the U.S.-owned Canal Zone and Canal."

TWO SWEETENERS

While the main terms and provisions of the Bunker-Tack agreement are still tightly guarded secrets, two apparently lesser items have been quietly unfurled.

They came to light in a little-publicized White House announcement that the President will shortly ask Congress to "authorize the transfer to Panama of two U.S. military bases (airfields) in the Canal Zone and the sale of Panamanian lottery tickets in the Zone."

Representative Flood brands these moves as "stupid", "unwarranted", and "ill-conceived".

"If there are to be further negotiations," he asserted, "why surrender points in advance. Could there be anything more stupid, or does this indicate a determination on the part of the Administration to adhere to its purblind course regardless of the cost or consequences. Who in our government is behind such supine weakness in protecting our just and indispensable treaty rights?"

Relinquishing the two airfields to Panama without getting anything in return, Flood acidly maintains, is the height of idiocy—especially when dealing with the leftist dictatorial clique ruling Panama.

And permitting Panama to operate its national lottery in the Canal Zone is outrightly illegal.

"That has been banned by U.S. law for more than 50 years," pointed out Flood. "Al-

lowing Panama to conduct its lottery in the U.S. Canal Zone may seem innocuous but it definitely is not. Such action would be tantamount to granting Panama authority to exercise one attribute of sovereignty in U.S. territory. Under no circumstances should this be permitted, for it will inevitably lead to other demands for other attributes."

Vigorously seconding Flood's tough stand, Representative Gene Snyder, Ky., a ranking Republican member of the Merchant Marine Committee, cited Panama's historic "instability" as a crucial reason for retaining complete U.S. sovereignty over the Zone and Canal.

"Graphically illustrative of Panama's instability," said Snyder, "is the long list of presidents it has had. Since the first president took office in February 1904, there have been 59 changes of government. Only four presidents completed their term of office of four years. During that same period, the U.S. has had 12 presidents to Panama's 59."

DR. EARTHA M. M. WHITE, HUMANITARIAN AND PHILANTHROPIST

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. BENNETT. Mr. Speaker, I have the sad duty to report to Congress the passing of Dr. Eartha M. M. White, humanitarian and philanthropist and lifetime resident of Jacksonville, Fla. She was the recipient of many honors, including the Lane Bryant Volunteer Award in 1970 given to the one person in America considered to have made the most outstanding voluntary contribution to his or her community during the year immediately passed. Mr. Speaker, I put in the RECORD herewith articles from the Florida Times-Union, the Jacksonville Journal, the Florida Star, and the Chronicle, which speak more in detail of this magnificent person, who has passed now to her reward, and left all mankind her debtor:

[From the Florida Star]

ANGEL OF MERCY LIVED TO BE 97

Jacksonville's nationally famed "Angel of Mercy", Miss Eartha Mary White who founded the Clara White Mission and the Eartha M. M. White Nursing Home was buried Thursday afternoon following her death on Friday, Jan. 11 in a local hospital.

The well-known humanitarian and philanthropist who lived to be 97 years old and resided at 4850 Moncrief Village celebrated her birthday last Nov. 9, 1973 in the Civic Auditorium. She was a native of Jacksonville.

Her service to humanity dates back to the Spanish-American War when she helped care for the wounded and sick and later set up soup kitchens to feed the poor during the Depression of the thirties. She was also a hero of the Jacksonville Great Fire of 1900 when she saved valuable records belonging to the Afro-American Insurance Company.

During World War I she was the only woman in a 60-member interracial War Camp Community Service Conference. For more than 40 years she had visited the inmates of Duval County and Raiford prison facilities, taking them cigarettes, toilet articles and other useful items.

Miss White established a maternity home, two nursing homes for the aged, buildings for child care centers a rest home for tubercular patients, a home for delinquent black

girls and the Harriet Beecher Stowe Community Center.

The recipient of many awards and honors, was presented the Lane Bryant Volunteer Award in 1970 given to the persons in America considered to have made the most outstanding voluntary contribution to his or her community during the past year.

She received the Booker T. Washington Symbol of Service Award from the National Business League, the nation's oldest group of black businessmen, for her fortitude and dedication to the principles for which Booker T. Washington stood.

Miss White also received the Better Life Award of the American Nursing Home Association, the highest award given by that organization.

She was a member of numerous organizations, including the state and national Association of Colored Women's Clubs, Seminole Culture Club, Jacksonville Historical Society and Jacksonville Humane Society.

[From the Jacksonville Journal]

EARTHA WHITE DIES; CENTURY OF SERVICE

"Do all the good you can, In all the ways you can, In all the places you can, For all the people you can, While you can."

That was the special prescription for life passed on to Eartha Mary Magdalene White, a frail 97-year-old humanitarian who died yesterday in a Jacksonville hospital.

The special prescription for life was that of Miss White's mother and was apparently adopted by Miss White, who founded the Clara White Mission and the Eartha M. M. White Nursing Home.

In 1970 Miss White was presented the Lane Bryant Volunteer Award, given to the one person in America considered to have made the most outstanding voluntary contributions of his community each year.

Among her numerous other awards were the Booker T. Washington Symbol of Service Award given by the National Business League and the Better Life Award of the American Nursing Home Association. She was twice honored at White House receptions.

When she received Florida's Senior Citizen of the Year in 1971, she told reporters at a press conference to tell the nation to "get out of yourselves and let God use you, for He has the solution to all our problems."

Miss White, who lived at 4550 Moncrief Village N., distributed food, clothing and other necessities free of charge at the Clara White Mission during the depression. Food is continuously distributed by the mission to the underprivileged and toys are given to needy children at Christmas.

During the Spanish-American War in 1898, she helped the sick and wounded, providing nursing care and food.

A Daughter of the Grand Army of the Republic and a member of the Women's Relief Corps, she was the only woman in a 60 man interracial "War Camp Community Service Conference" in World War II, organizing canteen services and managing various Red Cross Center activities.

In addition, she visited Duval County Jail and prison farm inmates for more than 40 years, taking an interest in their personal concerns and problems. And when the prisoners were released, it was Miss White's mission which provided them with food, clothing, job counseling and any other services needed for their readjustment to society.

Miss White made it her policy to turn over her birthday gifts to the nursing home. In an interview three years ago with Ray Knight, the late Journal columnist, Miss White said that she does not worry for the mission and nursing home when funds run short. "I am sponsoring nine projects without compensation and find that faith in God will accomplish all things," she said.

Mr. Knight who died Jan. 4, willed \$100,000 to the deeply-indebted Eartha M. M. White Nursing Home. He was a member of the board for many years.

In the interview with Mr. Knight, Miss White said, "My name was given to me six months before my birth. One of my relatives wanted me to be named Eartha, so I would be a storehouse unto the people. Another relative wanted me to be named Mary Magdalene after a great woman of the Bible.

"Although I was my mother's 13th child and the only one who lived, I have truly carried out the prophecy of those aged men who named me."

Funeral arrangements are incomplete.

[From the Florida Times Union]

EARTHA M. M. WHITE DIES HERE AT AGE 97

Eartha Mary Magdalene White, humanitarian and philanthropist and founder of the Clara White Mission and the Eartha M. M. White Nursing Home, died Friday in a Jacksonville Hospital.

Miss White, who lived at 4350 Moncrief Village N., was a native of Jacksonville. In November, 1973 she celebrated her 97th birthday at a party at the Civic Auditorium.

She was widely known for her service to others. During the Spanish-American War she helped the sick and wounded, and during the Depression she established soup kitchens.

During World War I she was the only woman in a 60-member interracial War Camp Community Service Conference. For more than 40 years she had visited the inmates in Duval County prison facilities.

Miss White established a maternity home, two nursing homes for the aged, buildings for child care centers, a rest home for tubercular patients, a home for delinquent black girls and the Harriet Beecher Stowe Community Center.

She was the recipient of many awards and honors. She was presented the Lane Bryant Volunteer Award in 1970 given to the one person in America considered to have made the most outstanding voluntary contribution to his or her community during the past year. She was selected from more than 500 nominees.

She received the Booker T. Washington Symbol of Service Award given by the National Business League, the nation's oldest group of black businessmen. She was given this award for her fortitude and dedication, the principles for which Booker T. Washington stood and the National Business League pursues.

Miss White also received the Better Life Award of the American Nursing Home Association, the highest award given by that organization. This award was in recognition of her service in contributing to the high quality of care at the Eartha M. M. White Nursing Home.

She was a member of numerous organizations, including the state and national Association of Colored Women's Clubs, Seminole Culture Club, Jacksonville Historical Society and Jacksonville Humane Society.

Holmes-Glover Funeral Home is in charge of arrangements.

[From the Florida Chronicle]

EARTHA MARY MAGDALENE WHITE

(By Mike Tolbert)

They laid down a lady to rest last Thursday. She was tired.

Her name was Eartha Mary Magdalene White, the thirteenth child born to an ex-slave in 1876. As a 3 o'clock sun split through a warm January Thursday afternoon, hundreds of Eartha White's friends came together to celebrate her life and to lay down her body.

When she died, she was drawn and wrinkled and withered. Her old body was stooped and it was not unusual to see her being

helped about by friends in her later years. But, as a young Reverend Rudolph McKissick stood robed before a sea of black faces in his Bethel Baptist Institutional Church, he said, "Many times, I would wonder if she was really going to die. I would see her each year looking almost the same. Now she's at rest. She ought to be tired. She worked a long time."

I suppose there are a lot of ways to describe just who Eartha M. M. White was when she was alive. One way would be to tell of the Clara White Mission and the Eartha M. M. White Nursing Home. The number of awards she received for her good works would be, in themselves, a great testimonial. Not too long ago, the President cited her as the country's outstanding volunteer worker. And then, how many people have their birthday party each year in the Civic Auditorium?

But, maybe Miss White can best be described by some of the things she said like, "Do all the good you can, for all the people you can, while you can."

As her friends paraded two by two into the church sanctuary that afternoon, an old white face stood beside me. "I guess I should have signed the guest book as 'judge,'" he said. "I was one for over 15 years. And you know, Eartha White did more for me and the courts than anybody I know. If I needed something, I called her and she did it, whether it was groceries for a needy family or clothes or just taking care of somebody for a while." The old man hung his head the way you do when you are trying to remember a friend. Then, he too, walked inside.

Mayor Hans Tanzler was there to deliver some "reflections" of Miss White. "She was the greatest woman I have ever known," he said. "For over 15 years, I thought I really knew her until I had served you as mayor. She would come to see me, that little lady with the sparkle in her eyes. She would lay her hand on my arm and say to me, 'God has a purpose,' then she'd ask me to help her do something. Then she'd say, 'If you can't do it, it's still going to get done.'"

As the mayor talked, he would occasionally cast his eyes upward as if he knew she was there listening. "She would say to me, 'I don't know how we are going to pay the mortgage this month, but God will provide.'"

There will be a monument, Tanzler promised, somewhere in the city dedicated to the memory of Eartha White. "I don't believe there is anyone here who doesn't know something about Eartha M. M. White," he said.

When McKissick celebrated her life, he looked out over Miss White's casket, covered with red, white, yellow and blue flowers—the only ones in the old church—and said, "I would get a note that she was in the hospital and then the next thing I would see her at a banquet. She would always tell us we can do the same. Then she would quote her scripture: 'Ye abide in Me and My words abide in you, ye shall ask what ye will and it shall be done unto you.'"

Then McKissick waved his arms and said, "I know she must have asked God for a lot of things. If you were hungry and she knew about it she would feed you. If you were naked and she knew about it she'd clothe you. If you were sick and she knew about that she'd bring you something and if you were in jail—and some of you may know it—she'd visit you."

Sister White, the Reverend said "was a saint of God." Now, he said, God has taken "that perfect soul from that decrepit body."

Mr. Milton Hood stood in front of a green-robed choir and sang one song to Miss White. Except for his voice and the soft organ behind him, the church sat completely silent.

He sang: "And now goodbye. She's going too far to live with Jesus. She's going home to die no more. Her work on earth is now all over. She's done her works. She's done it well. No more. Then time can tell."

Yes, Lord. They laid down a lady to rest last Thursday. She was tired. Amen.

THE PRESIDENT'S NONEXISTENT ENERGY BUDGET

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. VANIK. Mr. Speaker, last year, the President's budget was a clever attempt to juggle figures, hide numbers, and confuse Congress. Last year there was a purpose behind the deception—the President was disguising, as well he could, the various unconstitutional impositions of his administration. In many ways, I find this 1975 budget even more deceitful. There is no pretense to the budget manipulations. This time it appears the President's intent is only to deceive—there is talk of energy research but no real programs, no real drive for energy independence.

The energy crisis has created a major challenge for the Federal Government. A vigorous research and development program must be launched if we are to assure our future security and economic growth. We must learn how to use better our vast domestic resources. At the same time, we must vigorously pursue research into "renewable" resources—such as solar energy and hydrogen fuel—to guarantee the well-being of future generations.

The President says that he recognizes the depth of this challenge and he has created the goal of energy independence by 1980. On June 29, 1973, the President announced his 5-year, \$10 billion research and development program which, he claimed, would be initiated in the 1975 budget. To lay the groundwork for this increased budget request the President requested Dr. Dixie Lee Ray, Chairman of the Atomic Energy Commission, to recommend, "an integrated research and development program for the Nation." He requested this report be filed by December 1, 1973, in order, presumably, for its recommendations to be included in the new budget.

There is no evidence of this new program in the President's 1975 budget. But the President does not admit the gap. Indeed, the budget in brief proudly states:

The 1975 budget reflects a comprehensive national energy policy to deal with current shortages and provides funds to initiate Project Independence.

But when we get to the more detailed special analyses for the budget we find this revealing statement under special analysis O, Federal research and development programs:

Only part of the budget increase for new energy R&D initiatives is reflected in the budgets of the Federal departments and agencies in the analysis that follows. An additional \$777 million in obligations and \$461 in expenditures for acceleration of energy research and development and related activities . . . do not appear in any of the tables that follow. The additional funding

will be the subject of a later separate submission amending the 1975 budget.

In short, there is no new comprehensive program—there are no hard details—no plans—no Manhattan project—no Apollo project—only rhetoric and promises of a future energy message. Even in the promise of future energy messages, it is clear that the expenditures for 1975 will not equal the President's own stated goal of \$2 billion of research money each year. As the President says in his budget message:

The budget provides for \$1.5 billion for direct energy research and development programs in 1975, compared with \$942 million in 1974.

This commitment is woefully inadequate in a year in which the price of oil has gone up by as much as \$30 billion.

WHAT IS REALLY IN THE 1975 BUDGET FOR ENERGY

In order to find out exactly what is in the 1975 budget for energy research and development, we should focus on the budgets of those agencies to be included in the President's new Energy Research and Development Administration (ERDA). Legislation establishing ERDA passed the House on December 19, 1973, and is now awaiting action by the Senate. Basically, ERDA takes the Atomic Energy Commission, stripped of its regulatory functions, and adds to it other smaller agencies. The composition of ERDA and the 1974 and 1975 budget for its components follows:

[In thousands of dollars]

	Fiscal year—	
	1974	1975
Atomic Energy Commission (minus licensing and regulatory which is placed in the new Nuclear Energy Commission).....	2,489,914	2,789,468
Department of Interior:		
Office of Coal Research.....	124,779	135,000
Bureau of Mines fossil fuel R. & D.....	68,115	70,658
Office of the Secretary underground electric power transmission research.....	2,838	3,000
National Science Foundation solar and geothermal programs.....	(1)	(1)
Environmental Protection Agency research and development.....	(2)	(2)

¹ The solar and geothermal research activities of the National Science Foundation are not broken out in the budget. Generally speaking, however, these activities are funded under NSF's research applied to national needs program. The RANN budget increased from \$75,000,000 to \$84,000,000. In 1974, the Federal Government spent \$13,000,000 on solar research and \$11,000,000 on geothermal research.

² EPA's R. & D. budget will not be completely transferred to ERDA, but the bulk of these activities will apparently be included in the transfer.

These figures do not reveal any remarkable increases in the President's budget for energy research—nothing to resemble a "crash" program we have been hearing so much about. The above calculations are only approximations. They cannot offer more than a vague gage of what the Federal Government will be doing in the coming year to meet the challenge of the energy crisis. For one thing, the budget of the Atomic Energy Commission includes such items as weapons—\$857,530,000; naval reactor development—\$161,500,000; and space nuclear systems—\$27,000,000. In short, more than half of the AEC's budget is military-related, yet the President wants

to include all of these activities in his new ERDA. This fact merely underlines the difficulty of defining the President's new energy program.

In addition to the research activities listed above, the President included \$2,000,000 for an Office of Research and Development under the Secretary of the Interior. At first, this appears as a hopeful sign, until we read the explanatory note. The Office of Research and Development—

Provides for the coordination, development, and implementation of Department resources toward an integrated nonnuclear research and development program to meet the nation's needs.

This appears to be only a recognition of the confusion and lack of hard direction that exists in the 1975 budget.

With respect to the energy crisis, and the need to stimulate solutions, the President's budget is a dry well.

WHY U.S. DEFENSE SPENDING IS NOW AT AN ALL-TIME HIGH

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. DELLUMS. Mr. Speaker, I would like to call to the attention of my colleagues an excellent article on U.S. defense spending that appeared in the most recent issue of U.S. News & World Report. This article is most valuable because it reports the views of the Pentagon planners themselves.

Among the points brought out by the article are the following:

That on current planning assumptions, we may expect nothing but larger and larger budgets;

That the presence of U.S. troops overseas is likely to get us into wars that do not directly affect U.S. security;

That the United States is the only country with a significant capacity to fight wars overseas;

That the Pentagon is looking forward to more wars like Korea and Vietnam;

That despite our self-image of being the only superpower genuinely interested in peace, we are also the only superpower with major "combat exposure";

That the Pentagon planners genuinely believe that a new qualitative leap in the arms race will lead the Soviets to give up, instead of trying desperately to catch up, as they have with every single qualitative leap that we have initiated in the past—A-bomb, H-bomb, ICBM, Polaris, ABM, MIRV—each time with the same futile hope that the Soviets would just give up, and become peaceful like us.

The article by Bonner Day follows:

WHY U.S. DEFENSE SPENDING IS NOW AT AN ALL-TIME HIGH

Nearly 30 cents of every dollar in taxes goes for defense—at a time when the U.S. isn't at war anywhere in the world. And the bill is going up. Bonner Day, who has covered military affairs for this magazine for six years, asked Pentagon officials to assess the reasons.

When the White House announced on Feb-

ruary 4 plans to spend 86 billion dollars on defense this coming year, a cry of anguish was heard in many places in this country.

Why, people asked, does the Pentagon need the largest military budget in history at a time when the Vietnam War is over, relations with Russia and Communist China supposedly are better than ever, and the country's borders are more secure than at any time in history?

Inflation gets part of the blame. Just as with household budgets, prices of nearly everything the armed forces buys—from food to tanks—are soaring. Annual pay and benefits alone have increased 11.3 billions since 1964, even though 1.5 million servicemen and civilian employees have been trimmed from the active work force.

But the main answer lies in the conviction expressed by the nation's defense chiefs that while U.S. military strength may be adequate today, it soon will be overshadowed by the Soviet Union.

If this trend continues, warn the strategists, waning U.S. military power will undercut America's ability to influence events abroad. Other nations would drift more and more into Russia's orbit, with the U.S. left out in the cold.

PREVENTIVE MAINTENANCE?

In hopes of turning things around, therefore, the country's military leaders are asking for additional billions to buy new, expensive weapons as well as to pay the salaries and other costs necessary to maintain American military bases abroad.

Not only will these steps make the U.S. stronger, it is argued, they may also persuade the Kremlin to back off from its weapons build-up rather than send the superpowers' arms race on another lap.

For that reason, American spending plans for next year are designed to make clear the U.S. stands poised for a new build-up of arms, if that's what's signaled. For example: 1.3 billion dollars to push work forward on the Trident nuclear missile submarine. The Navy wants to build the first of 10 of these billion-dollar vessels by 1980; 3.5 billion dollars for the construction of 30 ships and the conversion of 4 others, part of an eight-year program to modernize the fleet; 500 million dollars to develop the first test models of the B-1 strategic nuclear bomber, designed to elude Soviet border defenses to fly deep into the Russian homeland; 750 million dollars for improvements on land-based Minuteman missiles, giving them better protection from enemy attack, better accuracy and more explosive force; 1.8 billion dollars for F-15s and F-14s—two highly sophisticated aircraft the Pentagon says are necessary to modernize the Air Force and protect Navy carriers; 1.6 billion dollars to beef up stockpiles of ammunition, missiles and bombs depleted by the Vietnam and Middle East wars; 9.4 billion dollars for military scientists, to improve present weapons and design new ones and 3.5 billion dollars for increases in salaries and other personnel costs necessary to keep 2.1 million men and women trained and deployed around the world.

All in all, the Pentagon proposes to increase spending from 79.5 billion dollars in the 12-month period ending next June 30, to 85.8 billion dollars in the following 12 months, making it the largest military budget in the nation's 198 years, whether at war or peace. Close to 30 cents of every tax dollar would go for defense.

The fact that the White House asked Congress for authority to spend a total of 92.6 billions—though not all will be laid out next year—signals more large budgets.

SKEPTICAL CLIENTS

The job of selling this program to Congress and the public is going to be a big one, at a time when the prestige of the military is low and Americans are questioning the wisdom of costly defense plans in peacetime.

It won't be easy because many Americans think the country already has more defense than it needs. The task will be doubly difficult because even the highest military officials assert that U.S. borders today are more secure from enemy invasion than they have ever been in history.

What's more, civilian officials at the Defense Department say that, regardless of the future, the U.S. is the No. 1 superpower today, with Russia second. "We are not in difficulty in 1974," is the way Defense Secretary James R. Schlesinger put it recently.

The fact of U.S. strength is impressive by any measure:

The arsenal of nuclear missiles assembled in the 1960s can virtually destroy any enemy of the U.S. Since 1967, the U.S. has unilaterally limited itself to 1,054 land-based intercontinental missiles and 658 sea-based missiles, largely on the grounds that enough is enough. The nation's fleet of B-52 intercontinental bombers, armed with nuclear bombs in times of alerts, has declined in number—from more than 700 in 1961—to a present force of 400, mainly because the Government hasn't felt the need to build more.

LEAD IN QUALITY?

Although the Russians have matched and passed the U.S. in numbers of land and sea missiles in the last couple of years, these long-range weapons are authoritatively judged as lagging behind those of the U.S. in technical quality, as of 1974. Moscow has only a fraction of the number of intercontinental bombers the U.S. has.

While it is debatable, U.S. military men still generally agree that U.S. killer submarines, fighter planes and warships can outperform their Soviet counterparts.

When it comes to battlefield weapons, American-made M-60 tanks, television and laser-guided bombs and antitank weapons used by Israel in the latest Mideast war provided more than a match for Russian gear used by the Arabs.

Suggestions the U.S. planes are growing too complex for operation in combat conditions are scoffed at by professional soldiers familiar with their performance in the Mideast and in Southeast Asia.

Experience seems to favor American military men, too. Russian troops lack the combat exposure that U.S. officers and men gained in Korea and Vietnam.

One further indication of U.S. strength is this: Every other country stations the great majority of its military forces within its own borders, to repel foreign invaders. But U.S. military might is so great that its cutting edge is focused overseas—at foreign bases or cruising foreign waters. U.S. military forces alone are shaped primarily by a strategy of fighting America's wars far from domestic borders.

Today 561,000 troops are abroad—1 of every 4 Americans in uniform. Some 1,500 Air Force planes are based in foreign countries. More than half the Navy's 540 ships are in foreign or international waters, and most of the rest are taking breathers between foreign assignments. Five of the Army's 13 divisions—those best equipped and trained—are overseas.

LOOKING AHEAD

Despite the mammoth strength of the U.S. today, though, the Pentagon and the White House insist the future is not nearly as secure as others claim.

The most publicized concern centers on the speed with which the U.S.S.R. has been catching up in missiles.

Russia is building four new land-based missiles and a new missile submarine, and is testing nuclear warheads equipped with multiple, independently targeted re-entry vehicles (MIRV's). If the U.S.S.R. catches up in multiple-warhead technology, defense officials fear, it will be able to open a missile

gap over the U.S. and gain a greater potential to cow its neighbors.

That view of the future was behind a recent announcement by Defense Secretary Schlesinger that the U.S. is prepared to increase its nuclear might if the Russians fail to agree to controls on strategic nuclear missiles.

Less dramatically, there is also widespread worry that conventional land, sea and air forces may slip.

As measured by manpower, the strength of U.S. forces has already declined from the Vietnam high of 3.6 million to a planned 2.1 million next year. At the same time, Russian military strength has increased from 3 million to 3.8 million.

If cuts go much deeper, it is argued, the U.S. might have to pull back from more foreign bases—something Washington's policy makers don't want to do. As they see it, Korea and Vietnam proved the nation must be trained and equipped for foreign wars.

WORLD ROLE

There is little disagreement that without American forces, free-world defenses would lose much of their backbone. So, the Pentagon insists it must have funds to keep troops abroad in the interest of maintaining peace.

Furthermore, it is argued, the mere fact that U.S. troops and interests are involved nearly everywhere raises the danger that the U.S. could be dragged into a shooting war even though the country's own security might not be directly at stake. So American forces had better be ready, high military officers believe.

This was made clear in October, 1973, when President Nixon put the nation's conventional and nuclear forces on alert around the world in a confrontation with the Soviet Union over the Middle East. Such hazards seem likely to occur over and over again as new arms increase the Kremlin's capacity for mischief-making, particularly if lesser nations lose their respect for American strength.

Naval experts single out the growth of the Soviet Navy as an omen of what the U.S. faces. Moscow is building its third and fourth aircraft carriers, and its aggressive submarine-construction program has led such authorities as Adm. Marc de Joybert, French Navy Chief of Staff, to say that the U.S. has already fallen behind Russia in sea power.

The U.S. Navy's master plan calls for an increase in the number of American ships, starting in 1977. But this blueprint could founder, naval leaders say, if they don't get money to match the massive expansion of the Russian Navy.

Thus, not only in the Navy but in all other defense areas, the U.S. is finding it increasingly difficult and expensive to shore up its military standing. The latest request for new billions is expected to be only a forerunner of even bigger budgets ahead.

GILMAN CITES 301 LIVING RECIPIENTS OF U.S. MEDAL OF HONOR

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. GILMAN. Mr. Speaker, the U.S. Medal of Honor is the highest decoration that our Nation bestows for outstanding bravery and valor in America's service.

Among the awardees is Edouard V. M. Izac, who represented the State of California in this House of Representatives. My own district in New York was once represented in Congress by Thomas W. Bradley, a native of Walden, N.Y. who

earned his Medal of Honor at Chancellorsville, Va., as a member of the 124th New York Infantry during the Civil War.

Tragically, many of these high honors were bestowed upon their recipients posthumously.

The Medal of Honor History Roundtable, whose dedicated national director, Rudolf J. Friederich, resides in my district, has provided me with the findings of his extensive research—a list of 301 recipients of the Medal of Honor who are still living.

Mr. Speaker, in the belief that these men are deserving of our Nation's undying gratitude, recognition, and honor, I include this list in full in this portion of the CONGRESSIONAL RECORD:

A ROSTER OF THE 301 LIVING MEDAL OF HONOR RECIPIENTS, JANUARY 21, 1974

(Compiled by Rudolf J. Friederich)

Presented below is a roster of the 301 surviving recipients of the Medal of Honor, our nation's highest decoration for valor. It is the first known listing published since 1963.

CHINA RELIEF EXPEDITION (1)

Seach, William, Navy.

LATIN-AMERICAN CAMPAIGNS (7)

DeSomer, Abraham, Navy.
Frazier, Hugh C., Navy.
Hanneken, Herman H., Marine.
Lowry, George M., Navy.
Nickerson, Henry N., Navy.
Schilt, Christian F., Marine.
Zuiderveld, William, Navy.

WORLD WAR I (22)

Balch, John H., Navy.
Boone, Joel T., Navy.
Call, Donald M., Army.
Dozier, James C., Army.
Furlong, Harold A., Army.
Hayden, David E., Navy.
Hays, George P., Army.
Hill, Ralyn M., Army.
Izac, Edouard V. M., Navy.
Katz, Phil C., Army.
Kaufman, Benjamin, Army.
Latham, John C., Army.
O'Neil, Richard W., Army.
Parker, Samuel I., Army.
Peck, Archie A., Army.
Pope, Thomas A., Army.
Robinson, Robert C., Marine.
Sampler, Samuel M., Army.
Slack, Clayton K., Army.
Valente, Michael, Army.
Van Iersel, Ludovicus M., Army.
Waalder, Reidar, Army.

LINE OF PROFESSION (6)

Badders, William, Navy.
Eadie, Thomas, Navy.
Huber, William R., Navy.
Mihalowski, John, Navy.
Truesdell, Donald, Marine.
Willey, Charles H., Navy.

TRANS-ATLANTIC FLIGHT (1)

Lindbergh, Charles A., Air.

WORLD WAR II (149)

Adams, Lucian, Army.
Anderson, Beaufort T., Army.
Atkins, Thomas E., Army.
Barfoot, Van T., Army.
Barrett, Carlton W., Army.
Bell, Bernard P., Army.
Bender, Stanley, Army.
Bennett, Edward A., Army.
Bidde, Melvin E., Army.
Bjordlund, Arnold L., Army.
Bloch, Orville E., Army.
Bolden, Paul L., Army.
Boyington, Gregory P., Marine.
Briles, Hershel F., Army.
Britt, Maurice L., Army.
Bulkeley, John D., Navy.
Burke, Francis X., Army.
Burr, Herbert H., Army.

Burt, James M., Army.
 Bush, Richard E., Marine.
 Bush, Robert E., Navy.
 Calugas, Jose, Army.
 Chambers, Justice M., Marine.
 Childers, Ernest, Army.
 Choate, Clyde L., Army.
 Clark, Francis J., Army.
 Colalillo, Mike, Army.
 Connor, James P., Army.
 Coolidge, Charles H., Army.
 Craft, Clarence B., Army.
 Crawford, William J., Army.
 Crews, John R., Army.
 Currey, Francis S., Army.
 Dahlgren, Edward C., Army.
 D'Alessandro, Peter J., Army.
 Daly, Michael J., Army.
 Davis, Charles W., Army.
 DeBlanc, Jefferson J., Marine.
 Dervishian, Ernest H., Army.
 Doolittle, James H., Air.
 Doss, Desmond T., Army.
 Drowley, Jessie R., Army.
 Dunham, Russell E., Army.
 Dunlap, Robert H., Marine.
 Ehlers, Walter D., Army.
 Erwin, Henry E., Air.
 Everhart, Forrest E., Army.
 Finn, John W., Navy.
 Fisher, Almond E., Army.
 Fluckey, Eugene B., Navy.
 Foss, Joseph J., Marine.
 Funk, Leonard A., Jr., Army.
 Fuqua, Samuel G., Navy.
 Galer, Robert E., Marine.
 Garman, Harold A., Army.
 Gary, Donald A., Navy.
 Gerstung, Robert E., Army.
 Gordon, Nathan G., Navy.
 Gregg, Stephen R., Army.
 Hall, William E., Navy.
 Hamilton, Pierpont M., Air.
 Hawk, John D., Army.
 Hendrix, James R., Army.
 Herrera, Silvestre S., Army.
 Herring, Rufus G., Navy.
 Horner, Freeman V., Army.
 Howard, James H., Air.
 Huff, Paul B., Army.
 Jackson, Arthur J., Marine.
 Jacobson, Douglas T., Marine.
 Johnson, Leon W., Air.
 Johnson, Oscar G., Army.
 Johnston, William J., Army.
 Kane, John R., Air.
 Kelly, Charles E., Army.
 Kelly, Thomas J., Army.
 Klsters, Gerry H., Army.
 Knappenberger, Alton W., Army.
 Lawley, William R., Jr., Air.
 Laws, Robert E., Army.
 Lee, Daniel W., Army.
 Leims, John H., Marine.
 Lindsey, Jake W., Army.
 Logan, James E., Army.
 Lopez, Jose M., Army.
 Lucas, Jacklyn H., Marine.
 Mabry, George L., Sr., Army.
 MacGillivray, Charles A., Army.
 Maxwell, Robert D., Army.
 Mayfield, Melvin, Army.
 McCampbell, David, Navy.
 McCarthy, Joseph J., Marine.
 McCool, Richard M., Jr., Navy.
 McGaha, Charles L., Army.
 McGarity, Vernon, Army.
 McKinney, John R., Army.
 Meagher, John W., Army.
 Meril, Gino J., Army.
 Michael, Edward S., Air.
 Montgomery, Jack C., Army.
 Morgan, John C., Air.
 Murray, Charles P., Jr., Army.
 Neppel, Ralph G., Army.
 Nett, Robert P., Army.
 Newman, Beryl R., Army.
 Ogden, Carlos C., Army.
 O'Kane, Richard H., Navy.
 Oresko, Nicholas, Army.
 Falge, Mitchell, Marine.
 Pierce, Francis J., Navy.

Pope, Everett P., Marine.
 Ramage, Lawson P., Navy.
 Rodriguez, Cleto L., Army.
 Ross, Donald K., Navy.
 Ross, Wilbur K., Army.
 Rouh, Carlton R., Marine.
 Rudolph, Donald E., Army.
 Ruiz, Alejandro R., Army.
 Schaefer, Joseph E., Army.
 Schauer, Henry, Army.
 Schonland, Herbert E., Navy.
 Scott, Robert S., Army.
 Shea, Charles W., Army.
 Shomo, William A., Air.
 Shoup, David M., Marine.
 Sigler, Franklin E., Marine.
 Sjogren, Carl C., Army.
 Skaggs, Luther, Jr., Marine.
 Smith, Maynard H., Air.
 Soderman, William A., Army.
 Sorenson, Rickard K., Marine.
 Spurrier, Junior J., Army.
 Street, George L., III, Navy.
 Swett, James E., Marine.
 Thompson, Max, Army.
 Tominac, John J., Army.
 Treadwell, Jack L., Army.
 Vlug, Dirk J., Army.
 Vosler, Forrest L., Air.
 Wahlen, George E., Navy.
 Walsh, Kenneth A., Marine.
 Watson, Wilson D., Marine.
 Whiteley, Eli L., Army.
 Wiedorfer, Paul J., Army.
 Wilbur, William H., Army.
 Williams, Hershel W., Marine.
 Wilson, Louis H., Jr., Marine.
 Wise, Homer L., Army.
 Zeamer, Jay, Jr., Air.

KOREAN WAR (36)

Adams, Stanley T., Army.
 Barber, William E., Marine.
 Bleak, David B., Army.
 Burke, Lloyd L., Army.
 Cafferata, Hector A., Marine.
 Charette, William R., Navy.
 Crump, Jerry K., Army.
 Davis, Raymond C., Marine.
 Dean, William F., Army.
 Dewey, Duane E., Marine.
 Dodd, Carl H., Army.
 Harvey, Raymond, Army.
 Hernandez, Rudolph P., Army.
 Hudner, Thomas J., Navy.
 Ingman, Einar H., Army.
 Kennemore, Robert S., Marine.
 Kouma, Ernest R., Army.
 Lee, Hubert L., Army.
 McLaughlin, Alford L., Marine.
 Millett, Lewis L., Army.
 Miyamura, Hiroshi H., Army.
 Mize, Ola L., Army.
 Murphy, Raymond G., Marine.
 Myers, Reginald E., Marine.
 O'Brien, George H., Jr., Marine.
 Pittman, John A., Army.
 Rodriguez, Joseph C., Army.
 Rosser, Ronald E., Army.
 Schowalter, Edward R., Army.
 Simanek, Robert E., Marine.
 Sitter, Carl L., Marine.
 Stone, James L., Army.
 Van Winkel, A. Hie, Marine.
 West, Ernest E., Army.
 Wilson, Benjamin F., Army.
 Wilson, Harold E., Marine.

VIETNAM WAR (78)

Anderson, Webster, Army.
 Baca, John P., Army.
 Baca, Nicky D., Army.
 Baker, John F., Army.
 Ballard, Donald B., Navy.
 Barnum, Harvey C., Jr., Marine.
 Belkirch, Gary B., Army.
 Bondsteel, James L., Army.
 Brady, Patrick H., Army.
 Bucha, Paul W., Army.
 Clausen, Raymond M., Jr., Marine.
 Davis, Sammy L., Army.
 Dethlefsen, Merlyn H., Air.

Dix, Drew D., Army.
 Dolby, David C., Army.
 Donlon, Roger H., Army.
 Dunagan, Kern W., Army.
 Ferguson, Frederick E., Army.
 Fisher, Bernard F., Air.
 Fitzmaurice, Michael J., Army.
 Fleming, James P., Air.
 Foley, Robert F., Army.
 Fox, Wesley L., Marine.
 Fritz, Harold A., Army.
 Hagemeister, Charles C., Army.
 Herda, Frank A., Jr., Army.
 Hooper, Joe R., Army.
 Howard, Jimmie E., Marine.
 Howard, Robert L., Army.
 Jackson, Joe M., Air.
 Jacobs, Jack H., Army.
 Jenkins, Don J., Army.
 Jennings, Delbert O., Army.
 Joel, Lawrence, Army.
 Kays, Kenneth M., Army.
 Keller, Leonard B., Army.
 Kelley, Thomas G., Navy.
 Kellogg, Allan J., Jr., Marine.
 Kerrey, Joseph R., Navy.
 Kinsman, Thomas J., Army.
 Lang, George C., Army.
 Lassen, Clyde E., Navy.
 Lee, Howard V., Marine.
 Lemon, Peter C., Army.
 Levitow, John L., Air.
 Liteky, Angelo J., Army.
 Littrell, Gary L., Army.
 Livingston, James E., Marine.
 Lynch, Allen J., Army.
 Marm, Walter J., Jr., Army.
 McCleery, Finnis D., Army.
 McGinty, John J., III, Marine.
 McNeerney, David H., Army.
 Miller, Franklin D., Army.
 Modrzejewski, Robert J., Marine.
 Morris, Charles B., Army.
 Novosel, Michael J., Army.
 O'Malley, Robert E., Marine.
 Patterson, Robert M., Army.
 Penry, Richard A., Army.
 Pittman, Richard A., Marine.
 Ray, Ronald E., Army.
 Roberts, Gordon R., Army.
 Rogers, Charles C., Army.
 Sasser, Clarence E., Army.
 Sprayberry, James M., Army.
 Stumpf, Kenneth E., Army.
 Taylor, James A., Army.
 Thacker, Brian M., Army.
 Thornton, Michael E., Navy.
 Thorsness, Leo K., Air.
 Vargas, M. Sando, Jr., Marine.
 Wetzel, Gary G., Army.
 Williams, Charles Q., Army.
 Williams, James E., Navy.
 Wright, Raymond R., Army.
 Young, Gerald O., Air.
 Zabitosky, Fred W., Army.

ISRAELI WAR—1967 (1)

McGonagle, William L., Navy.

NOTES

- a. Oldest living member, William Seach, age 96, China Relief Exp. 1900.
- b. Youngest living member, Gordon R. Roberts, age 23, Vietnam.
- c. Negroes: All Vietnam: Anderson, Joel, Rogers, and Sasser.
- d. Roman Catholic Priest, Angelo J. Liteky, Vietnam.
- e. Former Governor, Joseph J. Foss, WW II, South Dakota.
- f. Former Arkansas Lieutenant Governors, Britt and Gordon, WW II.
- g. Former House of Representative, Edouard V. M. Izac, WW I, California.
- h. Conscientious Objector, Desmond T. Doss, WW II.
- i. President of the Congressional Medal of Honor Society, Charles A. MacGillivray, WW II.
- j. Line of Profession, awards authorized under previous legislation, pre-WW II, to Navy personnel for valor not involving actual combat.

k. Israeli Aerial Attack, June 8-9, 1967, first award under new legislation wherein hostile force need not necessarily be a belligerent nation to the United States.

SUMMARY BY BRANCH OF SERVICE AND AWARD PERIOD

	Army	Navy	Marine	Air Force	Total
China	0	1	0	0	1
Latin	0	5	2	0	7
Interim	0	5	1	0	6
WW I	17	4	1	0	22
WW II	94	18	24	13	149
Atlantic	0	0	0	1	1
Korea	21	2	13	0	36
Vietnam	53	6	12	7	78
Israel	0	1	0	0	1
Total	185	42	53	21	301

¹ AAC.

GAO EXAMINATION FINDS OIL SHALE WASTE DUMPING PLANS QUESTIONABLE IN SEVERAL ASPECTS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. VANIK. Mr. Speaker, in early January I asked the General Accounting Office to look into proposals of the Department of the Interior for the new prototype oil shale leasing program. Those proposals would allow the private oil company participants in the program to dump the thousands of tons of waste materials generated in the oil recovery process on the public's land—at no charge to the companies.

As things stand now, six tracts of land, each about 5,100 acres in size, will be used in the Federal prototype program. The first tract, in Colorado, has already been put up for leasing and brought a winning bid of over \$210 million. Depending on the type of recovery method utilized and several other factors, commercial recovery of shale oil will result in huge amounts of crushed and unusable spent shale. The surface mining operation of the first C-a tract could result in almost 70,000 tons of waste each day if the 50,000 barrel/day operation Secretary Morton hopes for is realized.

The abuse of the public's interest is obvious, and the potential for further misuse and abuse of these public lands is important for us all to be aware of.

I asked several basic questions in my letter to the GAO:

First. Did the statutory authority for this waste disposal on public lands foresee that use?

Second. Is this utilization of the authority legal?

Third. Is it reasonable and proper to allow these public lands to be used by private industry with no remuneration to the public?

Fourth. If the waste disposals are within the law, should not environmental impact statements be required to assess the repercussions?

The GAO letter replied that though the Department of the Interior has not yet made complete or final land management plans, the proposals to this date were of questionable legal propriety. Ad-

ditionally, the GAO said that there is some question whether the whole plan to use lands in addition to the leased 5,100 acre-tracts is not contrary to the spirit and intent of the Mineral Leasing Act. That act establishes 5,120-acre limits for each lessee of Government lands.

Mr. Speaker, in our efforts to achieve energy self-sufficiency, we cannot sell out the public's long-term interests in favor of relatively short-term petroleum gains. But the Federal prototype oil shale leasing program, from its inception, has seemed to take more than it gives. It is an area of concern that demands much congressional and citizen oversight to prevent private industry's gain at the public's expense.

Mr. Speaker, the texts of both my letter to the General Accounting Office and their reply follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 7, 1974.

HON. ELMER STAATS,
Comptroller General, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: The Federal Prototype Oil Shale Leasing Program recently announced by Secretary of the Interior Morton will soon begin with bidding on the first of six tracts of land in Colorado, Utah, and Wyoming. Each state contains two lease tracts of about 5100 acres apiece that Secretary Morton hopes will provide "enough industrial experience" to allow informed decisions to be made on the continuation and expansion of the oil shale program.

Each tract will support one of several mining techniques, among them a "strip mining" technique that will mine the oil shale rock before it is crushed and retorted to yield its kerogen contents. This surface mining technique appears to be the cheapest and most efficient oil recovery method, but also the most destructive to the Rocky Mountain Western Slope lands where all of the prospective tracts are located.

After the oil is recovered, the remaining crushed shale, the consistency of flour and effectively sterilized by the heat of the retorting process, is discarded. It has no practical use, at least not in the huge quantities that a commercial oil shale operation will produce. Most of the operations foresee mining of shale of an average quality of about 30 gallons of oil per ton of shale. A 500,000 barrel-a-day commercial plant like Secretary Morton hopes will be developed by the Prototype Program will have over 69,000 tons of waste shale each day.

Compounding the disposal problem is the fact that the crushed and processed rock will have a greater volume than its parent rock since it has been broken up—with a consequent increase in the inter-particle spaces. Authorities estimate that the processed shale will have a volume at least 12% more than the original, and perhaps up to 40% more. This spent shale cannot be immediately returned to its original site since access to other oil shales might then be blocked.

The Department of the Interior's "Environmental Impact Statement" attempted to anticipate the tremendous problems that the massive amounts of waste would bring. The Final Lease Form, published in the Federal Register of November 30, 1973, further anticipated disposal of spent shale in section 10 of its initial remarks:

10. Withdrawal of additional lands: The Department recognizes that in some situations lands outside the leased tracts may be required under other statutes than the Mineral Leasing Act for roads or other purposes in connection with the prototype oil shale leasing program. Moreover, since this is a prototype rather than a general leasing

program, the Department may in the future find it desirable to conduct investigations, studies, and experiments under section 101 of the Public Land Administration Act (43 USC 1362), particularly in connection with the disposal of spent shale. In order to facilitate these possible future investigations, studies, and experiments, the Department is withdrawing from all forms of appropriation under public land laws, including the mining laws, certain lands in the vicinity of the tracts offered for lease.

An examination of the Public Land Administration Act cited, shows this:

43 USC 1362: The Secretary of the Interior may conduct investigations, studies, and experiments, on his own initiative or in cooperation with others, involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction.

Using this authority as precedent, the Secretary of the Interior will allow millions of tons of shale waste to be dumped on adjacent Federal lands that are not leased by the oil companies under the Prototype Leasing Program. This seems to me a very severe stretching of the apparent intent of 43 USC 1362. It allows private, profit-making industry to use the public's lands as garbage pits for their spent shale wastes—and at no cost to the industry.

In view of the profit making potential of oil shale, a potential which increases almost daily as the price of available liquid oil skyrockets, it makes no sense to allow this government-sanctioned abuse of our public lands without compensation.

I would appreciate it if your office could review and examine all aspects of this waste shale dumping on no-leased public lands and report your findings to me. I would hope a preliminary assessment would be available several days before February 1, 1974, so that it can be submitted before that deadline for comments solicited in the January 3, 1974 Federal Register announcement of Colorado and Utah public land withdrawals (pages 832-34).

There are several areas that are worthy of attention in your considerations:

Did the enacting legislation for 43 USC 1362 foresee this use of its authority? Did it intend to authorize disposal of mining wastes? Did it foresee the dumping of wastes of this extent?

Is this utilization of the Code within the law? Can the Secretary indeed interpret the Code as he has?

Is it reasonable and proper to allow this proposed use, and probable abuse, of public lands without a single penny of compensation? Why shouldn't the oil companies be required to pay for the use of and damage to non-leased public lands? Why should the Federal government subsidize these private companies for their financial gain?

If non-leased land dumping is allowable, what are the environmental repercussions? Shouldn't a NEPA statement be required in each instance of waste shale disposal in addition to the already published very general EIS that covered the Prototype Leasing Program?

If there is any way that my office might aid you in your examination, please do not hesitate to contact us.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

COMPTROLLER GENERAL
OF THE UNITED STATES,

Washington, D.C., January 30, 1974.

HON. CHARLES A. VANIK,
House of Representatives.

DEAR MR. VANIK: Your letter of January 7, 1974, raises several questions concerning a proposal by the Department of the Interior (hereafter "the Department") to withdraw from all forms of appropriation and to re-

serve certain public lands in the vicinity of other public lands which are to be leased under the Department's "prototype oil shale leasing program."

Proposals to withdraw approximately 6,560.04 acres in Colorado and 840 acres in Utah appear at 39 F.R. 832 and 833 (January 3, 1974). Each notice of proposed withdrawal states that the subject lands are " * * * to be used in investigations, studies and experiments by the Department of the Interior, or with others in the improvement, management, use and protection of the lands and their natural resources under section 101 of the Public Land Administration Act (43 U.S.C., section 1362), and pursuant to paragraph 10 of the notice of shale leases published in the November 30, 1973 issue of the Federal Register, 38 FR 33187-33199."

Section 101 of the Public Land Administration Act is paraphrased in the portion of the proposed withdrawal notice quoted above. Section 10 of the Department's notice of sale of shale leases, 38 F.R. 33188, reads as follows:

"Withdrawal of additional lands: The Department recognizes that in some situations lands outside the leased tracts may be required under other statutes than the Mineral Leasing Act for roads or other purposes in connection with the prototype oil shale leasing program. Moreover, since this is a prototype rather than a general leasing program, the Department may in the future find it desirable to conduct investigations, studies, and experiments under section 101 of the Public Land Administration Act (43 USC1362), particularly in connection with the disposal of spent shale. In order to facilitate these possible future investigations, studies, and experiments, the Department is withdrawing from all forms of appropriation under public land laws, including the mining laws, certain lands in the vicinity of the tracts offered for lease."

As you point out, the Department's prototype oil shale leasing program involves the leasing of certain public lands in Colorado, Utah, and Wyoming. While a specific mining technique is not mandated for a majority of the tracts under the Department's program, several probable techniques require a "retorting" process whereby oil is recovered from the oil shale rock, leaving huge residues of "retorted" or "spent" shale. Your figures indicate that over a ton of shale is required to produce one barrel of oil by retorting, and that the shale residue is greater in volume than the original shale by virtue of the retorting process.

Your specific questions concerning the use of withdrawn lands outside the leased tract for disposal of spent shale are as follows:

Did the enacting legislation for 43 U.S.C. 1362 foresee this use of its authority? Did it intend to authorize disposal of mining wastes? Did it foresee the dumping of wastes of this extent?

Is this utilization of the Code within the law? Can the Secretary indeed interpret the Code as he has?

Is it reasonable and proper to allow this proposed use, and probable abuse, of public lands without a single penny of compensation? Why shouldn't the oil companies be required to pay for the use of and damage to nonleased public lands? Why should the Federal Government subsidize these private companies for their financial gain?

If nonleased land dumping is allowable, what are the environmental repercussions? Shouldn't a NEPA statement be required in each instance of waste shale disposal in addition to the already published very general EIS that covered the Prototype Leasing Program?

We would offer several general observations before proceeding to these questions. First,

section 10 of the notice of sale of shale leases as well as the Department's 1973 environmental impact statement clearly envision that some outside lands will be required for disposal of spent shale in some cases. However, the extent of this use cannot be determined at the present time since it is dependent upon such factors as the mining techniques which lessees employ, and the extent to which disposal can be accomplished on the leased tracts. For example, the Department's environmental impact statement indicates that *in situ* recovery is the only option to be afforded for the two Wyoming tracts (vol. III, pg. IV-6). Consequently, no outside lands would be required for disposal. On the other hand, use of some outside lands for disposal seems probable with respect to the Colorado and Utah tracts (vol. III, pgs. IV-10-30). The need for outside lands will generally be greatest in the early stages of mining and production, since initial disposal on the leased tracts would impede mining operations. Secondly, actual arrangements for the use of outside lands for spent shale disposal have yet to be made. The Department's proposed lease for the mining tracts does not of itself confer any access to outside lands. The Department's environmental impact statement (vol. III, pg. V-86) states:

"An oil shale lessee or any other party will have to make separate applications for rights-of-way for roads, power transmission lines, telephone and telegraph lines, and pipelines and for special land use permits and other rights to use land outside the tract subject to the oil shale lease for purposes connected directly or indirectly with oil shale development. * * *"

Thus, provision of outside lands for disposal purposes will be accomplished separate and apart from the lease or any other arrangements now existing. Thirdly, the Department has informally advised us that it has not at present determined what specific authorities and procedures would be employed in actual arrangements for the use of outside lands.

As a result of the foregoing, the questions which you raise cannot be fully answered at the present time. However, we hope that our responses will be of assistance in formulating comments on the proposed withdrawals.

With reference to your first question, section 101 of the Public Land Administration Act, 43 U.S.C. 1362, provides:

"The Secretary of the Interior may conduct investigations, studies, and experiments, on his own initiative or in cooperation with others, involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction."

Closely related is section 102 of the same act, 43 U.S.C. 1363, which provides:

"The Secretary of the Interior may enter into cooperative agreements involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction. The provisions of this section shall apply only in those cases where the making of cooperative agreements for such purposes is neither expressly authorized nor expressly prohibited by other provisions of law."

The relatively brief legislative history of the act does not disclose any consideration of whether sections 101 or 102 might apply to disposal of mining wastes; nor, for that matter, does the legislative history indicate any effort to specifically detail projects or uses contemplated by these sections.

The Public Land Administration Act was based upon draft legislation proposed by the Department, and sections 101 and 102 were enacted in the same form as proposed. Compare H.R. 7004, 86th Cong., 1st sess. (May 7, 1959). The general purpose of these sections was to extend to all public lands under the

jurisdiction of the Department the same authority for investigations, studies, and cooperative agreements which therefore applied only under certain specific statutes. See H. Rept. No. 1249, 86th Cong., 2d sess., 1; S. Rept. No. 1755, 86th Cong., 2d sess., 1. The Department's letter transmitting the proposed legislation noted that then existing statutes not only limited authority for such activities to particular categories of public lands, but also to particular purposes. H. Rept. No. 1249, *supra*, 3, 4. Accordingly, it appears that both sections 101 and 102 were designed to provide general authority to undertake or support activities not specifically prohibited or authorized by other statutes.

Your second question is whether this authority may be applied to the use of outside lands for disposal of spent shale under the circumstances discussed herein. As noted previously, it is not clear at present exactly what authority and procedures the Department will employ in actually making outside lands available for shale disposal. Thus it is possible that other statutory authority might ultimately be invoked apart from, or in conjunction with, the Public Land Administration Act. However, considering the Public Land Administration Act alone, we would offer the following comments.

We doubt that the mere general provision of outside lands for use in disposal of shale could of itself be considered an investigation, study, or experiment within the purview of section 101. On the other hand, we understand that there are a number of factors and alternatives to be considered in terms of disposal techniques. For example, level filling a canyon or gorge from bottom to top might adversely affect wildlife which feed at the base of such locations. Therefore, a graded filling operation might be preferable if feasible from an engineering viewpoint. Questions also exist concerning the types of vegetation which can grow in a deposit of spent shale. In sum, it appears that legitimate investigative or experimental activities could possibly be undertaken in connection with shale disposal. Accordingly, we believe the broad authority conferred by the act could be utilized for shale disposal provided that such disposal is undertaken in conjunction with specific and meaningful investigative, study or experimental activities.

Your third question is whether compensation should be obtained for use of outside lands for shale disposal. For consideration here is the so-called "user charges" statute, section 501 of the Independent Offices Appropriation Act, 1952, 65 Stat. 290, 31 U.S.C. 483a, which provides:

"It is the sense of the Congress that any work, service publication, report, document, benefit, privilege, authority, use, franchise, license, permit, certificate, registration or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued by any Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945) to or for any person (including groups, associations, organizations, partnerships, corporations, or businesses), except those engaged in the transaction of official business of the Government, shall be self-sustaining to the full extent possible, and the head of each Federal agency is authorized by regulation (which, in the case of agencies in the executive branch, shall be as uniform as practicable and subject to such policies as the President may prescribe) to prescribe therefor such fee, charge, or price, if any, as he shall determine, in case none exists, or redetermine, in case of any existing one, to be fair and equitable taking into consideration direct and indirect cost to the Government, value to the recipient, public policy or interest served, and other pertinent facts, and any amount so determined or redetermined shall be collected and paid into

the Treasury as miscellaneous receipts: *Provided*, That nothing contained in this section shall repeal or modify existing statutes prohibiting the collection, fixing the amount, or directing the disposition of any fee, charge or price: *Provided further*, That nothing contained in this section shall repeal or modify existing statutes prescribing bases for calculation of any fee, charge or price, but this proviso shall not restrict the re-determination or recalculation in accordance with the prescribed bases of the amount of any such fee, charge or price."

We have observed that the very broad language of this section contemplates that persons who receive special benefits from the Government should provide compensation therefor. 48 Comp. Gen. 24, 27-28 (1968). The matter of compensation for Federal benefits is also the subject of BOB Bulletin No. 58-3 (November 13, 1957) and BOB Circular No. A-25 (September 23, 1959). Circular No. A-25 states in part, pages 1-2:

"3. *General policy.* A reasonable charge, as described below, should be made to each identifiable recipient for a measurable unit or amount of Government service or property from which he derives a special benefit.

"b. *Lease or sale.* Where federally owned resources or property are leased or sold, a fair market value should be obtained. Charges are to be determined by the application of sound business management principles, and so far as practicable and feasible in accordance with comparable commercial practices. Charges need not be limited to the recovery of costs; they may produce net revenues to the Government."

In our opinion, 31 U.S.C. 483a would apply to any arrangement for disposal of spent shale on outside lands absent specific statutory authority to the contrary. Again, the matter of compensation will depend upon the precise statutory authority and procedures utilized by the Department. If the Department invokes a statute or existing statutory regulations which contain provisions relating to compensation, such provisions would presumably be governing.

Your fourth question relates to the environmental repercussions of shale disposal on outside lands and whether environmental impact statements would be required in each instance of such disposal in addition to the Department's existing environmental impact statement. We believe that making outside lands available for shale disposal of the magnitude contemplated could be a major Federal action significantly affecting environmental quality, and thus subject to the environmental impact statement requirement under section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C). Accordingly, the real issue here is whether the Department's 1973 general environmental impact statement for the prototype oil shale leasing program is sufficient to cover the actual and ultimate provisions of outside lands.

The 1973 statement does address potential impacts of shale disposal both on and under the lease tracts and on outside lands, and discusses environmental impacts on specified outside lands which the Department considers likely areas for disposal. At the same time, the statement recognizes that such discussion is necessarily hypothetical and tentative at present since it is unknown precisely what outside lands will be involved, what disposal techniques will be employed, and what new technologies and alternatives may become relevant by the time disposal is actually required (presumably when detailed development plans are submitted several years from now). Department officials have informally advised us that while they have no current plans to file additional environmental impact statements, such action will be taken if warranted by circumstances

existing at the time detailed development plans are submitted.

In addition to the specific questions which you have raised, our review indicates another legal issue concerning the use of outside lands for shale disposal. The basic statutory foundation for the prototype oil shale leasing program is section 21 of the Mineral Lands Leasing Act, as amended, 30 U.S.C. 241. This section authorizes the Secretary of the Interior to lease shale oil deposits on public lands "and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals * * *" (italic supplied). Section 21 further provides that no lease under that section may exceed 5,120 acres. Each of the six tracts to be leased under the prototype oil shale leasing program approaches 5,120 acres without consideration of any outside lands which may be required for shale disposal. As noted previously, the Department's proposals to withdraw outside lands in connection with the leasing operations include over 6,500 acres in Colorado and over 800 acres in Utah.

It could be argued that section 21 contemplates a 5,120-acre limitation upon all surface lands required for the extraction and reduction of minerals in a mining operation under any single lease, particularly since this section specifically authorizes inclusion of adjacent lands in the basic lease. In any case where mining of oil shale could not as a practical matter be accomplished without the existence of offsite disposal facilities, outside lands used for this purpose could be regarded as "required for the extraction and reduction of shale oil within the meaning of section 21. Somewhat analogous considerations involving maximum amounts of land provided for pipeline rights-of-way under section 28 of the Mineral Lands Leasing Act, 30 U.S.C. 185 proved fatal to the Department's original trans-Alaska pipeline program in *Wilderness Society v. Morton*, 479 F. 2d 842 (D.C. Cir. 1973). See particularly part I of the court's opinion, 479 F. 2d at 851-875.

While in our opinion legal issues regarding the effect of the 5,120-acre limitation upon provision of outside lands for shale disposal are potentially quite serious, they appear to be premature at the present time. Presumably, actual applications for outside lands will not be made for some time, and then will require consideration of the specific authorities relied upon. It should also be noted that use of outside lands for purposes specifically authorized by law—such as rights-of-way for tramroads (43 U.S.C. 956) and power and communications lines (43 U.S.C. 959)—would clearly not conflict with the 5,120-acre limitation. See *Wilderness Society, supra*, 479 F. 2d at 879-881.

Finally, it is noted that the Department has proposed legislation which, if enacted, would apparently overcome the problem of acreage limitations in relation to outside lands. See S. 1040 and H.R. 5442, 93d Congress. Section 112(a) of these identical bills provides in part as to mineral leases:

"The lessee shall have, under his lease, the right to use, free of charge, so much of the surface of the leased areas as may be reasonably required for the actual extraction and removal of the mineral subject to his lease. The lessee shall also, upon payment of fair market rental and upon such terms and conditions as the Secretary may prescribe, have the right to a lease for the amount of the surface reasonably necessary for other operations under the lease and access thereto of (1) the leased area, and (2) where the leased area is inadequate, nearby leaseable lands. * * *"

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

COMMISSIONER BENJAMIN J.
MALCOLM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. RANGEL. Mr. Speaker, Commissioner Benjamin Malcolm, who was appointed as head of the department of correction of New York City, in January of 1972, is the first black to hold such a position there. During his tenure as commissioner, Mr. Malcolm has made great strides in bringing about needed reform in the correctional system. His concern and dedication toward bettering the lives of the men and women who are presently incarcerated in New York City jails has won him the respect of his colleagues and fellow New Yorkers.

I take the liberty of placing an article, which recently appeared in the *New York Voice*, concerning Commissioner Malcolm, and his efforts to bring about reform in the CONGRESSIONAL RECORD, in order that my colleagues may become aware of the outstanding work that Commissioner Malcolm has been doing in the area of prison reform:

HUMANIZATION OF PRISONS IS GOAL

(By Naline Alexander)

"We were extremely happy. When we went out to sell vegetables, we would get a nickel a piece as reward. Then we'd have a little party." Commissioner Benjamin J. Malcolm, who heads the Department of Correction of the City of New York, reminisced about his boyhood in the south during an exclusive interview last week.

Commissioner Malcolm, 54, was appointed by Mayor John Lindsay January 24, 1972, after the city had conducted a nationwide search for the position. "I welcomed the search," said Comm. Malcolm, for it demonstrated that the best man for the job was already in the Correction Department as the first deputy to the man on his way out, Commissioner McGrath.

Mr. Malcolm had been appointed to the number two spot after the Tombs riots of 1970. "You'd be surprised what bare hands can do to steel and concrete," he said.

After the Tombs uprising, reforming the correctional system seemed like an impossible task, said Comm. Malcolm. "We're attempting to treat the ills of the nation." Correctional facilities must go beyond the "warehouse of human beings," he stressed.

FAMILY ROOTS

Born in Pennsylvania to parents who were poor, but rich in spirit, Mr. Malcolm moved to the south with his family when he was a child. He grew up in South and North Carolina and Georgia.

It was never easy, but Mr. Malcolm's parents managed to provide for him and his four brothers and sisters. "Mother worked as a domestic for about 3 to 4 dollars a week, but books came before food." His father worked as a waiter in a hotel, and there was some income from the small farm.

After finishing high school at 15, young Malcolm worked for a year selling Black papers (only White boys were allowed to sell White papers), for which he made 3 cents a paper. And he set pins at a bowling alley. At the end of a year he had saved fifty dollars and was on his way to Morehouse College in Atlanta, Georgia. "I was only five feet tall and weighed 98 pounds," he said, chuckling. "The other guys told me the high school was down the street."

Drafted into the army as a private in the summer of '42, Mr. Malcolm made Lieutenant in the short time of six months. Just the day before he entered the service, he took time out to get married. He and his wife, Carlotta, raised two daughters: Gail Loftus, 22, who is now married, a mother, and a student at Hunter College; and Carol, 19, a sophomore at Syracuse.

After the war, Malcolm decided to try the so-called land of freedom and opportunity, the north. "I met rank prejudice and rank discrimination."

In 1948, Mr. Malcolm took a job as a parole officer, "just above where I'm sitting now," he said, pointing to the ceiling. At that time parole officers made \$2,460 a year. Now his salary is almost \$40,000 in the same building.

INNOVATIONS

The first Black commissioner of the Department of Correction said the difference between his administration and that of his predecessors is very much a matter of style. "I've tried to establish a closer relationship with the inmates," he explained.

Commissioner Malcolm numbers several reforms among his contributions to the correctional system. They include:

The implementation of the 72-hour furlough program (suggested by the previous commissioner);

Inmate councils;

Inmate newspapers;

Greater emphasis on staff training in human relations;

Expanded educational, medical, mental health, recreational and community release programs.

Mr. Malcolm strongly believes in and has practiced integration in the staffing of the department.

In terms of physical improvements, Comm. Malcolm feels the constant pressure from his office has influenced the police to make more "quality" arrests (the arrest rate has gone down in the past few years), and has influenced the courts to speed up this processing of cases. This has resulted in a lowering of the inmate population. (During the Tombs riots, that institution held 2,000 inmates, when it was designed for only 900. It is now operating below the preferred maximum.)

For the future, Comm. Malcolm said, "If I am reappointed, I hope we begin to see the closing down of institutions." To boast about being able to lock up large numbers of human beings is, he said, "very sad." He sees the future goal as one of reversing the process of repetitious criminal behavior (for which he feels community release programs are very important) and the "continued humanization of our system."

PUBLIC DEVELOPMENT OF PUBLICLY OWNED OIL-GAS LANDS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1974

Mr. WALDIE. Mr. Speaker, one of the principal responsibilities facing Congress

this year will be an evaluation of domestic oil and gas resources, particularly as they relate to lands under public ownership.

Hearings have begun in the Senate on legislation which would establish a Federal oil and gas corporation for the management of these extensive and vital resources. I am privileged to have introduced similar legislation in this House.

I think it important to consider that passage of this legislation should not be construed as an act of quick judgment in light of the energy controversy. Rather, I consider such legislation to be extremely important if the Federal Government is to have meaningful management of these resources over the next several decades.

The importance of such legislation was recently outlined by Mr. Lee White, Chairman of the Energy Policy Task Force of the Consumer Federation of America. Mr. White, a ranking expert on energy, was Chairman of the Federal Power Commission from 1966 to 1969. At this time, Mr. Chairman, I would request that an article written by Mr. White and published in the Sacramento Bee on January 23, be reprinted in the RECORD:

PUBLIC DEVELOPMENT OF PUBLICLY OWNED OIL-GAS LANDS (By Lee C. White)

The Tennessee Valley Authority, launched 40 years ago, has demonstrated that the federal government can operate efficiently in the energy field without destroying or weakening private enterprise in that industry. This country need a counterpart of the TVA in finding, producing and managing oil and gas deposits on behalf of the people who own them. It is an idea whose time has come.

Geologists believe that 60 to 75 per cent of all oil and gas yet to be discovered in the United States is on publicly owned land. There is no reason why at least part of these valuable resources should not be discovered and developed by a government corporation for use by their owners—the citizens.

Until now, the government has permitted privately owned corporations to exploit these resources by bidding for the right to go on public lands and explore for petroleum. Less than 5 per cent of the petroleum of public lands has been thus leased.

BAD ADMINISTRATION

Unfortunately, the administration of this program has been wretched. Leases requiring prompt development have been so loosely enforced that in the Gulf of Mexico there are tracts for which bidders paid the government more than \$750 million, but have not produced a drop of fuel even though oil and gas in commercial quantities have been found.

A federal oil and gas corporation, while no panacea, would make a significant contribution to easing our basic and continuing energy problem. Nor is the idea as novel as it seems: We are the only major industrial

nation that leaves all the handling of petroleum to privately owned corporations, whose management must be responsive to stockholders, as distinguished from national priorities.

There was comparatively little need to consider major alternatives to our privately operated petroleum industry as long as the country's needs were being met. However, when things go wrong, as they obviously have recently, the system must be reexamined.

The advantages of a government oil corporation are many. Energy shortages may exist for decades. In this situation, there should be in the field an energy-producing organization motivated not by profits, but by national needs. There is nothing inherently wrong with the profit incentive, but where the product is as essential to national well-being and security as energy, at least part of the country's effort to provide it ought to be motivated by America's security, personal and business needs.

We have seen, for instance, that a voluntary fuels allocation program does not work, primarily because it conflicts with the profit motive. Private management understandably would decline to sell fuel for a higher public purpose—city bus systems, say—at a lower price than it could get from homeowners who need it for heating.

INDEPENDENTS' SHARE

Protecting independents in the oil business could be insured by requiring the federal corporation to allocate a fair share of its crude oil to them. Private companies naturally find it difficult to do this themselves. As one oil executive said: "There's no place in our corporate charter, the Constitution, the law or the Bible where it says we majors must protect and preserve our competitors." He's probably right, but Congress ought to change things so the independents can stay in business as competitors of the major companies.

There undoubtedly will be opposition from oil industry to the proposed government corporation. But the industry ought to welcome the competition and the chance to show it can do a better job than a government agency. This competitive spur to the oil industry may be the best feature of a government oil corporation.

NOT NATIONALIZE

Nor would such a public corporation be the first step toward nationalizing the oil industry, any more than TVA meant the end of the private electric utility industry as was predicted by some in the 1930s.

The present approach to the energy situation is not good enough, with consumers being asked to tighten their belts and pay more, while environmental goals are delayed. Congress has an obligation to act.

No one can claim that creation of a federal oil and gas corporation is the single, dramatic solution to this country's energy needs for the next 20 years. But I think it is a minimal step that should be taken without delay. We can no longer permit ourselves to be totally dependent for basic energy supplies on private industry that has failed to develop our resources in a way that meets national needs and protects consumers.

HOUSE OF REPRESENTATIVES—Tuesday, February 5, 1974

The House met at 12 o'clock noon.

Rev. A. Reid Jepson, vice president of Public Ministries, Far East Broadcasting Co., Whittier, Calif., offered the following prayer:

God of our fathers, Lord of the present and Saviour of all who believe. In these troubled times, help us. Teach us lessons

we are slow to learn. Give us faith, not so much in ourselves but in God, concerning ourselves and our service on Earth and in Heaven. As in Old Testament times when the Prophet Nehemiah at Jerusalem's water gate (Nehemiah 8: 1-8) called his people to return to the Holy Book of God, may our Nation of

leaders and citizens also seek the Lord.

In the words of Ezra the priest, may we bless the great God, bowing our heads and asking forgiveness, obey and worship the Lord. Then we shall have the smile of Your approval on our land again. Then we can count on Your blessing, protection, and prosperity. Grant us this revival