Wilkie, Richard L., xxx-xx-xxxx
Willer, Donald E., xxx-xx-xxxx
Willey, William W., xxx-xx-xxxx
Williams, Lynn L., xxx-xx-xxxx
Williams, Quay, xxx-xx-xxxx
Williams, Stanley A., xxx-xx-xxxx
Willis, Alvie J., xxx-xx-xxxx
Willmann, William J., xxx-xx-xxxx
Wilson, James E., xxx-xx-xxxx
Wilson, Robert A., xxx-xx-xxxx
Wilson, Robert O., xxx-xx-xxxx
Wire, Donald C., xxx-xx-xxxx
Wise, Russell E., xxx-xx-xxxx
Witcher, Len O., xxx-xx-xxxx
Witten, James M., xxx-xx-xxxx
Wolf, David B., xxx-xx-xxxx
Wong, Robert L., xxx-xx-xxxx
Wood, Richard A., xxx-xx-xxxx
Wood, Richard J., xxx-xx-xxxx
Woodward, Leigh S., xxx-xx-xxxx
Woodward, Richard B., xxx-xx-xxxx
Woollen, James M., xxx-xx-xxxx
Woywod, George M., xxx-xx-xxxx
Wren, Nelson E. Jr., xxx-xx-xxxx
Wrenn, Charles P., xxx-xx-xxxx
Yamashiro, Isao, xxx-xx-xxxx
Yates, Iva C. Jr., xxx-xx-xxxx
Young, James M., xxx-xx-xxxx
Zacharakis, A. C., xxx-xx-xxxx
Zachos, John K., xxx-xx-xxxx
Zachritz, Robert N., xxx-xx-xxxx
Zane, Lawrence, xxx-xx-xxxx

CHAPLAIN

To be lieutenant colonel

Anderson, Harold E., xxx-xx-xxxx
Bohannon, Kenneth L., xxx-xx-xxxx
Byrne, William T., xxx-xx-xxxx
Calato, Joseph J., xxx-xx-xxxx
Campbell, David A., xxx-xx-xxxx
Dunn, Billy D., xxx-xx-xxxx
Eastham, Frederick, xxx-xx-xxxx
Epps, Bryan C., xxx-xx-xxxx
Fagan, Walter G., xxx-xx-xxxx
Fields, George D. Jr., xxx-xx-xxxx
Flathmann, H. K. G., xxx-xx-xxxx
Hallanger, F. T., xxx-xx-xxxx
Hansen, Paul R., xxx-xx-xxxx
Hyatt, James T., xxx-xx-xxxx
Jaeger, James C., xxx-xx-xxxx
Jones, John P., xxx-xx-xxxx
Keefe, Francis L., xxx-xx-xxxx
Lantz, Donald L., xxx-xx-xxxx
Leath, James A. Jr., xxx-xx-xxxx
Lowery, Frederick C., xxx-xx-xxxx
Malone, Robert A., xxx-xx-xxxx
McGuire, Charles L., xxx-xx-xxxx
Nesko, Milan A., xxx-xx-xxxx
Sharp, James C., xxx-xx-xxxx
Smith, Ralph L. Jr., xxx-xx-xxxx
Stadtmauer, Murray, xxx-xx-xxxx
Uhl, Edward G., xxx-xx-xxxx
Verseput, Theodore, xxx-xx-xxxx
White, Edward O., xxx-xx-xxxx

WOMEN'S ARMY CORPS

To be lieutenant colonel

Freystag, Elizabeth, xxx-xx-xxxx

DENTAL CORPS

To be lieutenant colonel

Lude, John C., xxx-xx-xxxx

MEDICAL CORPS

To be lieutenant colonel

Busch, George J., xxx-xx-xxxx
Giulian, Karl A., 169-30-3255.

MEDICAL SERVICE CORPS

To be lieutenant colonel

Clardy, Monroe F., Jr., xxx-xx-xxxx
Dumont, Roland R., xxx-xx-xxxx
Josehart, Harold E., xxx-xx-...
Kicklighter, John D., xxx-xx-xxxx
Rosenthal, Charles, xxx-xx-xxxx

VETERINARY CORPS

To be lieutenant colonel

Keagy, Richard H., xxx-xx-xxxx

The following-named officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, U.S.C., sections 591, 593, and 594:

MEDICAL CORPS

To be lieutenant colonel

Nunn, Stewart L., xxx-xx-xxxx
Strain, James R., xxx-xx-xxxx

The following-named officers for appointment in the Army of the United States, under the provisions of title 10, U.S.C., section 3494:

MEDICAL CORPS

To be lieutenant colonel

Bergom, Ronald O., xxx-xx-xxxx

The following-named Army National Guard officers for appointment in the reserve of the Army of the United States, under the provisions of title 10, U.S.C., section 3385:

ARMY PROMOTION LIST

To be colonel

Barnthouse, William R., xxx-xx-xxxx
Damewood, Thomas C., xxx-xx-xxxx
Holloway, Balfour, Jr., xxx-xx-xxxx
Jackson, Curtis H., xxx-xx-xxxx
Keeling, John O., Jr., xxx-xx-xxxx
Kneip, James F., xxx-xx-xxxx
Leverett, Lewis C., Jr., xxx-xx-xxxx
Pearson, Homer G., xxx-xx-xxxx
Price, Gerald F., xxx-xx-xxxx
Shoob, Stuart J., xxx-xx-xxxx
Verbeck, Karl C., xxx-xx-xxxx

The following-named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, U.S.C., section 3385:

ARMY PROMOTION LIST

To be lieutenant colonel

Ashley, Alvin K., xxx-xx-xxxx
Bennett, John H., Jr., xxx-xx-xxxx
Bowden, Reuben L., xxx-xx-xxxx
Bryan, Curtis H., Jr., xxx-xx-xxxx
Bryant, William F., xxx-xx-xxxx
Burkett, William E., xxx-xx-xxxx
Carlone, Frank L., xxx-xx-xxxx
Cole, Marion B., xxx-xx-xxxx
Collins, Paul G., xxx-xx-xxxx
Demers, Norman R., xxx-xx-xxxx
Episcopo, Leonard M., xxx-xx-xxxx
Fisher, Glenn A., xxx-xx-xxxx
Ford, Howard F., xxx-xx-xxxx
Fuller, Louis W., Jr., xxx-xx-xxxx
Hallmark, Estle H., xxx-xx-xxxx
Hansen, Harry S., Jr., xxx-xx-xxxx
Hennelly, William P., Jr., xxx-xx-xxxx
Herbert, Curtis B. III, xxx-xx-xxxx
Holmsen, Raymond H., Jr., xxx-xx-xxxx
Hooper, Johnnie P., xxx-xx-xxxx
Hullum, Douglas F., xxx-xx-xxxx
Kale, Donald W., xxx-xx-xxxx
Kinon, Marion H., xxx-xx-xxxx
Layton, Gary E., xxx-xx-xxxx
Lopez, Marcelino, xxx-xx-xxxx
Maskell, William L., xxx-xx-xxxx
McCain, William D., Jr., xxx-xx-xxxx
McKinney, Charles R., xxx-xx-xxxx
Mitchell, James L., xxx-xx-xxxx
Paul, James R., xxx-xx-xxxx
Reid, Benjamin H., xxx-xx-xxxx
Russell, Lee V. III, xxx-xx-xxxx
Schultz, Joseph W., xxx-xx-xxxx
Smith, Jerald G., xxx-xx-xxxx
Tarrant, Joseph W., Jr., xxx-xx-xxxx
Thalhofer, Joseph J., xxx-xx-xxxx
Waters, William H., xxx-xx-xxxx

CONFIRMATION

Executive nomination confirmed by the Senate February 21 (legislative day of February 19), 1974:

DEPARTMENT OF THE INTERIOR

Thomas V. Falkie, of Pennsylvania, to be Director of the Bureau of Mines.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—*Thursday, February 21, 1974*

The House met at 12 o'clock noon.

Rev. Dr. Arthur C. Fulbright, United Methodist minister, Columbia, Mo., offered the following prayer:

Create in us a clean heart, O God, and put a new and right spirit within us. Our Father, for this precious brief interval, free our minds and spirits from the dominion of time and pressures, and let us feel the breath of Your serenity stabilizing us for our responsibilities. Give us now the knowledge of Your abiding spiritual presence, that we may obtain a sense of stewardship in building Your kingdom on Earth. Holy Father, impart to us the peace which the world cannot give neither take away, that through the grace of Your holy presence we may be masters of our tasks and of ourselves.

And may the blessed holy spirit of our Heavenly Father direct our ways; and may He help us increase and abound in love for one another and all men. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

CALL OF THE HOUSE

Mr. O'HARA. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BRADEMAS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 38]

Alexander	Fulton	Patman
Blatnik	Gibbons	Pepper
Brasco	Johnson, Colo.	Reid
Broomfield	Johnson, Pa.	Roberts
Carey, N.Y.	Jones, Tenn.	Rooney, N.Y.
Clancy	Lehman	Steiger, Wis.
Clark	McFall	Stokes
Conyers	Macdonald	Sullivan
Crane	Mailliard	Talcott
Esch	Michel	Teague
Fascell	Mills	Towell, Nev.
Flood	Moss	Vanik
Fraser	Murphy, N.Y.	Young, Ill.
Frelinghuysen	Parris	Zablocki

The SPEAKER. On this rollcall 388 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TRIBUTE TO ARTHUR C. FULBRIGHT

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ICHORD. Mr. Speaker, the United States of America is officially neither a secular society, an atheistic society, nor an agnostic society.

Our Constitution guarantees us freedom of religion but not freedom from religion. All of our history and all of our great political documents make it clear that we are a nation under God.

Thus it has always been the custom to open this assembly, which is the governmental body closest to the people, with prayer, and I trust that this will endure for many, many centuries to come.

The gentleman who opened the House with prayer this morning is a man of God and a very dear friend of mine, Dr. Arthur C. Fulbright of the Wilkes Boulevard United Methodist Church of the university and college city of Columbia, Mo. He is not only a very widely known and highly respected theologian in Missouri but he is also an active free man in a free society who shoulders more than his share of citizenship and responsibility.

THE HONORABLE RICHARD VANDER VEEN

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan, Mr. RICHARD VANDER VEEN, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VANDER VEEN appeared at the bar of the House and took the oath of office.

RESIGNATION OF MEMBER OF COMMITTEE ON THE DISTRICT OF COLUMBIA

The SPEAKER laid before the House the following communication, which was read:

WASHINGTON, D.C.,
February 21, 1974.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: At a meeting of the House Republican Committee on Committees, it was recommended that I be appointed to serve on the House Committee on Post Office and Civil Service in order to fill an existing vacancy.

It is with deep regret that I must therefore tender my resignation as a Member of the House Committee on the District of Columbia. I have enjoyed my service on this Committee and would like to extend my best wishes and appreciation to Chairman DIGGS, ranking Minority Member ANCHER NELSEN, the membership of the staff and all the Members I served with my appreciation for their cooperation and friendship during my service with the Committee.

Respectfully,

GENE TAYLOR,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION AS MEMBER OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. RHODES. Mr. Speaker, I offer a privileged resolution (H. Res. 897) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 897

Resolved, That the following-named Member be, and is hereby elected a Member of the following standing committee of the House of Representatives:

Gene Taylor of Missouri: Committee on Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION AS MEMBER OF COMMITTEE ON HOUSE ADMINISTRATION

Mr. RHODES. Mr. Speaker, I offer a privileged resolution (H. Res. 898) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 898

Resolved, That the following-named Member be, and is hereby elected a Member of the following standing committee of the House of Representatives:

M. Caldwell Butler, of Virginia: Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION AS MEMBER OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. RHODES. Mr. Speaker, I offer a privileged resolution (H. Res. 899) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 899

Resolved, That the following-named Member, and is hereby elected a Member of the following standing committee of the House of Representatives:

James M. Collins, of Texas: Committee on Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SOCIAL SECURITY PAYROLL TAX REDUCTION

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, last week, I reintroduced legislation with 24 cosponsors for the purpose of reducing the oppressive social security payroll tax from its present 5.85 percent to 3.9 percent.

The maximum social security tax is larger than the Federal income tax on more than 50 percent of approximately 80 million individual tax returns to be filed this year.

A married couple with two children with an annual income of $7,000 will pay a Federal income tax of $406 and a social security tax of $409.50.

In recognition of what has become an intolerable tax burden for the low- and middle-income wage earner of this country, over 50 Members of this body have joined me in cosponsoring my social security tax reduction bill. The list is representative of what is, indeed, a national problem and you will find Members on the list that follows from the North, South, East, West, and Midwest who have heard the pleas of the overtaxed American work force and have decided to do something about it.

SOCIAL SECURITY TAX REDUCTION—COSPONSORS

H.R. 12489

James A. Burke (Mass.).
Charles A. Vanik (Ohio).
James C. Corman (Calif.).
William J. Green (Pa.).

H.R. 12829

Joseph Addabbo (N.Y.).
Frank Annunzio (Ill.).
Edward P. Boland (Mass.).
Frank J. Brasco (N.Y.).
George E. Brown, Jr. (Calif.).
Charles J. Carney (Ohio).
Shirley Chisholm (N.Y.).
Walter E. Fauntroy (D.C.).
Michael Harrington (Mass.).
Ken Hechler (W. Va.).
Henry Helstoski (N.J.).
Floyd Hicks (Wash.).
Joe Moakley (Mass.)
Thomas E. Morgan (Pa.).
Robert N. C. Nix (Pa.).
James G. O'Hara (Mich.).
Claude Pepper (Fla.).
Bertram Podell (N.Y.).
Charles B. Rangel (N.Y.).
Donald W. Riegle (Mich.).
Benjamin S. Rosenthal (N.Y.).
John F. Seiberling (Ohio).
Gerry E. Studds (Mass.).
Robert O. Tiernan (R.I.).

NEW BILL (H.R. 12947)

Jonathan B. Bingham (N.Y.).
Yvonne B. Burke (Calif.).
William Clay (Mo.).
John Conyers, Jr. (Mich.).
Ronald V. Dellums (Calif.).
John H. Dent (Pa.).
Don Edwards (Calif.).
Joshua Eilberg (Pa.).
Donald M. Fraser (Minn.).
Bill Gunter (Fla.).
Augustus F. Hawkins (Calif.).
Peter N. Kyros (Maine).
Mike McCormack (Wash.).
Ralph H. Metcalfe (Ill.).
Parren J. Mitchell (Md.).
William S. Moorhead (Pa.).
Charles Rose (N.C.).
Fernand J. St Germain (R.I.).
Charles W. Sandman, Jr. (N.J.).
Paul S. Sarbanes (Md.).
Patricia Schroeder (Colo.).
Louis Stokes (Ohio).
Gus Yatron (Pa.).
Andrew Young (Ga.).

THE WHEAT DEAL

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, I have joined in sponsoring the bill designed to prevent further deals with the Russians along the lines of the wheat deal fiasco. In introducing the bill developed by Chairman RICHARD ICHORD of the House Committee

on Internal Security we have in mind what the wheat deal did to help drive up prices to the American housewife and consumer. We want to avoid a similar fleecing in other trade commodities.

Our bill would restrain the Export-Import Bank from extending further credit to the Soviet Union until Congress has had an opportunity to review the question of credit to the Soviet Union and take such action as is necessary to protect the American consumer. Yesterday it was the wheat deal. Now we understand the Export-Import Bank is considering a low-cost loan to the Russians to finance exploration of gas in Siberia. This is bad business and bad national security. I could never support any schemes to have the American taxpayer subsidize the development of Russian energy resources. Surely we have learned something from the wheat deal and from our overdependence on foreign energy sources.

Mr. Speaker, we are for détente and for good relations with our trading partners. But with talk about bread going to $1 a loaf and with the gasoline situation threatening to bring our economy to a grinding halt, the time has come to think first of our own economic interests.

HOW TO HANG THE HOUSE HIGH

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, failure to bring a meaningful energy bill to the floor is very disturbing. Everybody who waits in line for gas will know that the House is not doing its part. The people want energy problems solved at the earliest possible moment. Refusal by the House to take action to help insure this is one certain way to hang the House higher in the eyes of the public than some Members are trying to hang the President.

In one period of national emergency after another we have had good reason to be proud of the way the House has stood forthright and strong in the discharge of its duties. Now let us live up to that record. Let us get on with the energy bill.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to my colleague from Florida.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to endorse vigorously the remarks made by my distinguished colleague, Congressman SIKES.

PAUCITY OF LEGISLATIVE ACTIVITY

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, as we reach the end of the first month of the 2d session of the 93d Congress, I feel compelled to draw attention to the paucity of legislative activity that has marked the session. In a month we have considered only a handful of bills of any consequence and have failed to act on the most significant of these. During the entire month the House has met for little more than 50 hours.

Where is the leadership of the Congress which has vowed to provide direction for the course of government because of the alleged distraction of the executive branch? Certainly there has been no lack of criticism here of the shortcomings of the executive, but what has the Democratic leadership of Congress offered instead? Not only has there been an absence of any creative alternatives advanced by the majority leadership, but it has failed to produce action on so many of the administration's proposals, some of which have been before Congress for a long time.

I painfully point out that in all the discussion of the low estate in which government is held by the people, the Congress rests at the bottom of the ratings. So long as we continue at the present dawdling pace, Congress will remain there. There are problems to be dealt with and the people want assurance that Congress means to deal with them. I call upon those who control the committees and those who schedule the legislation to demonstrate that the House is going to participate in the process.

Mr. RONCALIO of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. CONABLE. Mr. Speaker, I yield to the gentleman from Wyoming

Mr. RONCALIO of Wyoming. Mr. Speaker, for at least a year we have been working on a strip mine bill (H.R. 11500) which should have been on the floor of this Congress before this but for the delay of my good friend, the gentleman from California (Mr. HOSMER), who again today has asked for an additional week of delay to build support for a White House sponsored substitute. Just produced in full committee this very morning.

Mr. Speaker, the delay stems from the White House, not from this House.

CONTINUED ACTION ON BEHALF OF SOLZHENITSYN INDICATED

(Mr. HUBER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBER. Mr. Speaker, the events of the past week have brought worldwide attention to Soviet dissidence and in particular Alexander Solzhenitsyn. Back on September 17 of last year, I introduced House Concurrent Resolution 298 which would grant honorary United States citizenship to Alexander Solzhenitsyn and Andrey Sakharov. Now I must say in all candor, there was not a great rush to cosponsor this legislation last September, but during the time elapsed, the House Committee on the Judiciary has asked for and received comments from both the Justice and State Departments. As might be expected, the Department of State wrings its hands over the very prospect of reaching out to help a Soviet dissident, even symbolically. The Justice Department report appears to pose no real objections, but suggests it be a House joint resolution. Thus, I do not see why we cannot proceed and get the Congress on record in approbation of these two courageous Soviet spokesmen for freedom.

It is important that we make a declaration on this issue in order to protect Sakharov who is not out of the Soviet Union as is Solzhenitsyn. Such an action would be consistent with the vote of this body on the Vanik amendment to the trade bill. It is important that we do so in order to make the Soviets hesitate at any further crackdowns against their intellectuals, and it is vastly important that we let the many more Soviet citizens who are abused, and who are not named Sakharov and Solzhenitsyn, know that we are not amused at the proclamations by the Soviet Government on peace and détente, while repression of human freedom continues within their borders, and such things as the right of free emmigration are not allowed to Soviet citizens. Therefore, I will recirculate a "dear colleague" letter asking for additional cosponsors and I hope many additional Members will be inclined to join me now.

THE EXTENSION OF THE ECONOMIC STABILIZATION ACT

(Mr. TREEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TREEN. Mr. Speaker, I applaud the leadership and efforts being undertaken by my distinguished colleague from Texas, Mr. ALAN STEELMAN—as well as the other Members of Congress who have joined him—to repeal the Economic Stabilization Act.

It was perhaps inevitable that the wage and price control legislation enacted by Congress would only serve to distort the economy, produce bureaucratic abuses, and create economic injustices.

I am sure many of my colleagues have heard the same horror stories that I have been made aware of. Last summer, for example, supermarket operators were forced to discontinue handling essential commodities because uncontrolled farm prices exceeded freeze prices. Time after time businessmen were asked to continue their operations while prices were frozen and costs increased dramatically.

Mr. Speaker, while the economic stabilization program led many to believe that inflation could be regulated out of existence through a wage and price control program, the only result has been economic inequity and gross inefficiency. It is time, therefore, for Congress to act responsibly, to treat the cause of inflation and not just the symptoms. And the quickest way to do this is to terminate the economic stabilization program, have Congress show some fiscal restraint, and return to a free-market economy.

PERSONAL EXPLANATION

Mr. CONLAN. Mr. Speaker, on Wednesday, February 13, 1974, I was absent and missed two recorded votes. For the record, I now state that, since I was a cosponsor of the following bill, had I been present I would have voted as follows:

Rollcall No. 32: Motion that the House resolve itself into the Committee of the Whole House on the State of the Union

for the consideration of H.R. 11864, to establish a program to demonstrate solar heating and cooling technology. I would have voted "yea."

Rollcall No. 33: Final passage of H.R. 11864, solar heating and cooling technology, I would have voted "yea."

ACTION NEEDED ON ENERGY BILL

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, as the distinguished gentleman from Florida (Mr. SIKES) has said, lines of cars miles long extend outward from our gasoline stations. These waiting citizens are frantic and in too many cases become fanatical.

Now is the time for this House to bring out an energy bill. Failure to do this, failure to get a good energy bill, will bring the wrath of our constituents upon all of us.

Mr. Speaker, I urge that this bill be brought out immediately.

THE EMERGENCY ENERGY ACT

(Mr. DANIELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELSON. Mr. Speaker, my colleagues, while we are talking about the Emergency Energy Act, I want to remind my colleagues again, as I did 10 days ago, that we should consider all the consequences that will result from that bill.

I have been in touch with the Administration Office and the courts who have examined this bill which provides a lot of criminal penalties, and I am informed that they estimate that we may be creating about 275,000 to 300,000 new Federal cases per year under this bill if we are going to insist upon having all these matters heard.

Mr. Speaker, I do hope that the conferees in charge of the bill will take this into consideration, because if it is passed in the present form, we are going to paralyze our courts totally.

THE HONORABLE MARTHA W. GRIFFITHS ANNOUNCES HER RETIREMENT AND WELCOMES THE HONORABLE RICHARD F. VANDER VEEN

(Mrs. GRIFFITHS asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GRIFFITHS. Mr. Speaker, today it is a pleasure for me to welcome a new Democrat from Michigan and to announce at the same time that I will never again be a candidate for Congress.

At the end of 1974, I will retire to practice law with my husband in the city of Detroit.

At this time I would like to thank my husband for the generous support he has given me, which has made my stay here possible.

I would also like to thank my constituents for their loyalty and for their faith and their votes. I wish to thank all the members of my staff for their devoted effort, and finally I wish to thank my committees and their chairmen, as well as the leadership of the majority and the minority for their kindnesses to me through the years.

In return, I trust I pulled my fair share of the load.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AVIATION CAREER INCENTIVE ACT OF 1974

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 894 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 894

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12670) to amend section 301 of title 37, United States Code, relating to incentive pay, to attract and retain volunteers for aviation crew member duties, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from California (Mr. DEL CLAWSON) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 894 provides for an open rule with 2 hours of general debate on H.R. 12670, a bill to restructure the flight-pay system of the Armed Forces.

The present system of flight pay provides for increases over a flier's career based on rank and years of service without regard for the frequency of flight activity. The result is that the major portion of flight pay is received after the 18th year of service and after the aviator has completed the greater portion of his flying career.

H.R. 12670 provides a new schedule of incentive pay for aviation officers which allocates the highest pay rates in the so-called retention-critical years—the 6th to 18th years of aviation service.

The Committee on Armed Services estimates that flight-pay costs for fiscal year 1974 will be $216.7 million if H.R. 12670 is enacted into law.

Mr. Speaker, I urge the adoption of House Resolution 894 in order that we may discuss and debate H.R. 12670.

Mr. DEL CLAWSON. I thank the gentleman from Louisiana for yielding to me.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 894 provides for an open rule with 2 hours of general debate for the consideration of H.R. 12670.

The purpose of H.R. 12670 is to restructure the flight pay system of the Armed Forces to make it more effective in retaining highly trained aviators.

More specifically, H.R. 12670 provides that the highest rates of aviation career incentive pay are paid when an officer is in the retention critical years, which are the same years when he does most of his flying. The pay would remain the same as at present for the first 6 years of service—the obligated service years. Then it would rise sharply to the maximum rate of $245 per month and stay at that level through the 18th year of service. After 18 years it would decrease by $20 a month every 2 years until it reduces to $165 and would stop altogether at 25 years. It would stop earlier if the officer had not met certain minimum performance standards.

This contrasts with the present system, where an officer does not get the maximum rate of pay until the 18th year, a point where his flying time actually begins to decrease markedly. He now retains that high rate through 30 years of service, instead of 25 years as proposed in this bill.

Mr. Speaker, I urge the adoption of this rule.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Iowa (Mr. GROSS).

(By unanimous consent, Mr. GROSS asked and was given permission to proceed out of order and to revise and extend his remarks.)

CONGRESSIONAL PAY RAISE

Mr. GROSS. Mr. Speaker, I regret to inform the Members of the House that this morning the House *Committee on* Post Office and Civil Service failed to produce a quorum for the purpose, among other things, of considering House Resolution 807 which I have introduced for the purpose of disapproving a pay increase for Members of Congress, the Federal judiciary, and the elite corps in the Federal Government.

The committee failed to produce a quorum, operating something of a revolving door procedure in that respect, and I have therefore introduced a resolution, which will be referred to the Committee on Rules, providing that the committee discharge the House Committee on Post Office and Civil Service from further consideration of House Resolution 807 and that the committee agree to the resolution.

I insist not only that the House consider the resolution of disapproval but

that it vote openly and on the record so that the public may know who, in these times, is voting for pay increases that will cost an estimated $34,000,000.

Mr. Speaker, it is ironic that the President's recommended pay raises for Members of Congress, judges, and officials of the top Federal bureacracy were a part of the largest budget, containing one of the largest projected deficits in the history of the United States. The pay raises are proposed at a time of unparalleled inflation—at a time when no American finds he is immune to the severe hardships being caused by runaway prices, critical shortages, sky-high interest rates, and the very real threat of an economic recession and its attendant additional sufferings.

To even suggest a substantial pay raise for Members of Congress and other Federal officials at this time and under these conditions reaches a new height of irresponsibility. The wage inflation which swept through this Nation in 1969 and 1970 is now attributed by many leading economists as resulting from the 41-percent pay raise accepted by Members of Congress in March 1969. There is no reason to believe the result would be any different this year. What little wage and fiscal restraint that now exists, both on the part of employees and employers alike, will dissipate rapidly if the pay of the top Federal bureaucracy is raised. A spiraling inflation of both wages and prices could be triggered far beyond anything that exists today.

As never before in our Nation's history, the U.S. Congress must act reasonably, responsibly, and with an uncommon degree of leadership. It must set the pace and the example for the Nation to follow.

The people of America have every right to expect a record vote. This is simply not the time, regardless of any other considerations, for Members of Congress to permit their pay to be increased and, particularly, in amounts that exceed any so-called wage guidelines that have existed in the private sector, and certainly not by subterfuge or indirection.

Approval of House Resolution 807, the resolution of disapproval, is the only responsible course of action to be taken at this time. By taking any other course the Members of the House and the Senate of the U.S. Congress will be inviting from the public—and in that case I hope they will be the recipients—of another "Bundles for Congress" campaign.

Mr. MAYNE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am happy to yield to my colleague, the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Speaker, I certainly want to commend the gentleman from Iowa (Mr. GROSS) on the great effort the gentleman is making to head off this unjustified and unnecessary congressional pay increase. I have been supporting him in this effort throughout, just as I did in working with him to head off an even more outrageous raid on the Treasury in the guise of a pay increase 5 years ago.

Mr. Speaker, I went to the committee hearing room of the House Committee on Post Office and Civil Service this morning to assist Mr. GROSS in attempting to get a record vote on the pay increase in that committee, and I saw what transpired. I must say it was not a day in the history of that committee of which its members have any reason to be proud. This is after all, a Thursday, with an important bill scheduled for action on the House floor this afternoon. It should be a working day in every sense, and one on which members of the Post Office and Civil Service Committee could well be expected by their constituents to be at the Capitol and on the job. But the sad and disgraceful fact is that although the chairman and Mr. GROSS waited around for almost 45 minutes, there were never enough members showing up to constitute the necessary quorum. It is a shocking thing to have to relate that there were only 6 Democratic members out of 15 Democrats and 6 Republicans out of 9 Republicans on that committee who bothered to even show up there this morning, obviously not a sufficient number to make a quorum. In other words, nine Democrats and three Republicans were absent.

We will have a better idea of whether they are actually here in Washington but for some reason chose not to attend the committee meeting if there is a record floor vote later today. But I fear the conclusion is inescapeable that some committee members stayed away for the specific purpose of preventing the existence of a quorum and thereby avoiding a vote on Mr. GROSS' attempt to block the pay increase from going into effect.

Mr. Speaker, this was legislative irresponsibility at its worst. We in the Congress should not kid ourselves that we can duck our responsibility for the proposed congressional pay increase by any such shabby absenteeism tactics as were resorted to this morning. The people of this country are intelligent enough to know that the responsibility for the pay hike being permitted to go into effect rests with the Congress and cannot be foisted off on a presidential commission or on the President of the United States. I am surprised that the Democratic leadership of this body was not sufficiently interested to take steps to insure the presence of more than 6 out of 15 Democrats at the meeting this morning. Their failure to do so gives rise to the suspicion that they are in fact greasing the way for the pay raise.

This was our last chance with the Post Office and Civil Service Committee—as its absentee Members well knew—as it will not meet for another week and time is running out. Our only chance now is to persuade the Rules Committee to take the resolutions disapproving the pay increase—such as H.R. 807 introduced by Mr. GROSS and H.R. 826 introduced by me—away from the Committee on Post Office and Civil Service and send them to the House floor for a record vote. Like the gentleman from Iowa, Mr. GROSS, I have therefore this afternoon filed a resolution directing such divestiture from the Committee on Post Office and Civil Service.

I urge all Members to join us in pressing the Rules Committee for a speedy hearing and favorable decision on H.R. 807 and H.R. 826. The Rules Committee now represents our last legislative hope to prevent a 7½ percent increase in congressional pay this year, and in each of the next 2 years. If the Rules Committee will just send our resolution to the floor and we can obtain a record vote, we will be acting responsibly rather than like hypocrites looking the other way while the pay increase automatically goes into effect.

As I said on this floor on the 5th of this month, I cannot think of a worse time to raise the salaries of Senators and Congressmen. We, more than anyone else, are supposed to be playing a leadership role and setting an as example for the rest of the country in the fight against inflation. We should not be permitting an increase in our own salaries.

To those Members who disagree with me and believe the proposed increase is both necessary and reasonable, I said "Then have the courage of your convictions and join me in appearing before the Rules Committee to demand a record vote". Surely Members should at least be willing to stand up and be counted on this important issue.

Again I commend the gentleman from Iowa (Mr. GROSS) and I join with the gentleman in urging the Committee on Rules to report our resolutions favorably and promptly, thereby removing them from the jurisdiction of the Committee on Post Office and Civil Service.

Mr. DENNIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course I will yield to the gentleman from Indiana if I have any time left.

Mr. DENNIS. Mr. Speaker, I would like to support the gentleman from Iowa on his efforts, and to say that I also am opposed to a raise at this time for the reasons that the gentleman from Iowa offers, and I also know that the people of the United States are opposed to such a raise through talking to them.

The SPEAKER. The time of the gentleman has expired.

Mr. DEL CLAWSON. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa.

Mr. DENNIS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. DENNIS. But, Mr. Speaker, more than I am opposed to a raise, I am opposed to the method that is being used to secure such a raise. I consider it completely contemptible and disgraceful that, as Members of this body, we cannot even have a quorum in the committee handling the matter, or a vote on the legislation by the Members of the House. This is not right. I believe we ought to have the courage to stand up and be counted, and to do our constitutional duty.

It would not be too bad to vote for a raise, although I am against it, but to run away from such a vote is pretty small stuff, in my opinion.

Again I thank the gentleman from Iowa for yielding to me, and I hope the Committee on Rules will grant the gentleman a rule.

Mr. GROSS. Mr. Speaker, I appreciate the comments made by the gentleman from Indiana.

Mr. HUBER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I will be happy to yield to the gentleman from Michigan if I have time.

Mr. HUBER. Mr. Speaker, I want to compliment the gentleman from Iowa (Mr. GROSS) on the efforts the gentleman is making in this direction, and I wish to associate myself with the gentleman's remarks.

PARLIAMENTARY INQUIRY

Mr. DULSKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DULSKI. Mr. Speaker, my parliamentary inquiry is this: that I understood that the gentleman from Iowa had consumed his entire 5 minutes.

The SPEAKER. The Chair will state that the gentleman from California (Mr. DEL CLAWSON) has control of the time, and that the gentleman from California yielded 2 additional minutes to the gentleman from Iowa (Mr. GROSS).

Mr. DULSKI. I thank the Speaker.

The SPEAKER. Does the gentleman from Iowa wish to yield additional time to the gentleman from Michigan?

Mr. GROSS. Yes, I yield additional time to the gentleman from Michigan, Mr. Speaker.

Mr. HUBER. Mr. Speaker, I want to compliment the gentleman from Iowa (Mr. GROSS) and to associate myself with the gentleman in his remarks and in his efforts, and to commend the gentleman from Iowa for bringing this matter to the attention of the House.

The SPEAKER. The time of the gentleman has again expired.

Mr. DEL CLAWSON. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. LONG of Louisiana. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STRATTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12670) to amend section 301 of title 37, United States Code, relating to incentive pay, to attract and retain volunteers for aviation crew member duties, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York (Mr. STRATTON).

The motion was agreed to.

The SPEAKER. The Chair designates the gentleman from Alabama (Mr. BEVILL) to preside as Chairman of the Committee of the Whole, and requests the gentleman from Colorado (Mr. EVANS) to kindly take the chair pending the arrival of the gentleman from Alabama.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12670, with Mr. EVANS of Colorado (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New York (Mr. STRATTON) will be recognized for 1 hour, and the gentleman from New Jersey (Mr. HUNT) will be recognized for 1 hour.

The Chair recognizes the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this is the subject of flight pay, the same subject that many Members will recall concerned us with a good deal of interest and some excitement back in the month of June. I want to point out that this legislation which is before us today, H.R. 12670, is not really the same issue. What we have here is something different.

Back in June the House of Representatives, by a rather decisive vote, told the Committee on Armed Services, as the Appropriation Committee had hinted some time earlier, that they did not like the idea of high-ranking members of the services, the generals and the admirals, getting flight pay when they were not actually in flying status. They did not like a system under which more than 50 percent of the aviation incentive pay was being paid to members of the armed services during the years when they were flying the least of all. They told us unmistakably that they wanted the whole Committee on Armed Services to undertake a detailed and comprehensive study of the entire flight pay system and to come up with something that was more equitable, and to eliminate wasteful and nonproductive practices.

When the House by that decisive vote last June indicated their desire, as I have just mentioned it, nobody said that we ought to abolish aviation pay. What they wanted, as I said, was to make it more equitable, more rational, and more responsive. As a matter of fact, aviation pay has been in the system for a long time, and it was last examined in detail in 1949 after a study by the Hook Commission. The Hook Commission said that aviation pay or flight pay is designed to do two things: First of all, to provide an incentive for a young man not only to go into a flying career, but also to stay in a flying career instead of getting out and going to the airlines after he has completed his obligated service.

Second, they said that it was a reward for taking hazardous duty. Sometimes people question whether it is hazardous today or not, but a study made a few years ago indicated that over a 25-year period in a particular class of one of the service academies, the death rate among those who had gone into aviation was five times that of those who had not.

This aviation pay, as our committee found in talking to the young men who are actually doing the flying, is also considered as a reward for acquiring this professional skill.

It takes from $100,000 to $500,000 to train a modern aviator and a great deal of time as well, so Congress was not telling the Committee on Armed Services to terminate aviation pay, particularly when we are now involved in a volunteer environment and the services have, in, fact, been concerned about the fact that we were not attracting enough people today into aviation to meet the requirements and have not in particular been able to retain them after their obligated service was over and after the Government had spent so much money to train them. They were going off into other fields and making more money.

So this bill that our committee is bringing to the House floor today represents a compromise between these two objectives, first of all the objective of trying to get a more equitable and less wasteful basis of paying aviation pay, and second, of trying to make sure that we were doing a job of providing incentive so that we could not only attract but also retain young men in the flying of aircraft in the services.

So we had to balance those two things and obviously we could not come up with any system that might provide equity that at the same time would completely eliminate incentive. That is the bill before us. Let me say that it represents the most comprehensive and complete and detailed analysis of the whole matter of aviation pay that has been performed by Congress in 25 years.

Flight pay, as the members of our subcommittee who have been interested in this issue for about 7 months discovered, is not a simple, easy kind of thing. It is detailed and complex and complicated.

Our bill, as all legislative bills, represents a form of compromise. We have these two objectives to reconcile. We have undertaken to reconcile them. I am sure there is not everything in this bill that everybody might want with regard to incentives. I am sure there could be improvements in the legislation. But "this ain't heaven." We are not giving the members of service a rose garden.

But let me just say if the House of Representatives were to vote down this bill we would go back to an old system which the Members of the House and the services themselves have found unsatisfactory.

Let me also just point out to the Members that on the previous issue last June, when we were asking for an extension of 6 months to pay the colonels and generals who were not flying until we could develop a new bill, the House Armed Services Committee itself was split very sharply, 19 to 14. On this bill, on this revised system the bill was passed by our committee 33 to 4 with one member "present."

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Florida.

Mr. SIKES. This bill deals constructively with a problem with which I am quite familiar and one which has long needed a sound and permanent solution. The Congress has attempted over a period of several years to deal in stopgap fashion with this subject and most of these efforts have originated in the Appropriations Committee as money-saving steps. Obviously, this is a matter which should be dealt with in permanent legislation and I commend the distinguished Committee on Armed Services for bring-

ing a bill to the floor and in particular, I congratulate my distinguished friend from New York (Mr. STATTON) for his leadership in this matter.

The whole system of flight pay was justifiably subject to criticism. Yet there were weaknesses in the proposals for correcting shortcomings. The present bill appears to restructure the flight pay system of the Armed Forces in a way that provides a more equitable distribution of flight pay. It is one which, hopefully, will attract aircraft crew members and retain them during their years of greatest activity in operational flying.

Flight pay for aircraft crew members began as early as 1913. It has continued without interruption for most of those in flight status. The career system was established by the Career Compensation Act of 1949 to provide flight pay for frequent and regular participation in aerial flight. There have been subsequent changes and modifications and, in the last few months, efforts toward bringing about a solution have lapsed into limbo.

The new program which is now proposed is one which Congress can well support and one which will serve the basic purpose of adding reasonable remuneration to those who undertake the risks of career flying. Cost will not be a major issue. It will be more reasonable than former programs and yet the terms appear adequate to attract needed personnel for the highly important work of piloting today's very complex aircraft.

I endorse the measure. I have long wanted to see a sound solution. I am happy the House Armed Services Committee has provided it.

Mr. STRATTON. I thank the gentleman from Florida for his comments. They are certainly welcomed by the members of the committee.

Before I outline in detail what we did in this bill, let me also discuss one other point. Basically, the issue last June was the question of why should we pay pilots at all when they are not flying? Why do not we just pay aviation pay when they are in the air, when they are flying, when they are assigned to operational duties and when they go to a staff college, or if they go to a tour in the Pentagon, let us stop paying them flight pay?

Well, our committee looked into this proposal. I first suggested, and the gentleman from Wisconsin (Mr. ASPIN) developed in sophisticated form, this kind of solution. Recognizing that part of aviation pay was incentive pay, the proposal was to pay all aviators a relatively small amount of money throughout their careers as incentive to keep their jobs and then when they were flying, to give them an adequate amount of money to compensate for the hazards of flying.

This was called a two-track system. An aviator's pay might go up or down for a couple of years. We went out to the fleet. We went out to the air bases. We went to the Army Helicopter Base at Fort Rucker, Ala. We were not sitting with the gentlemen in the Pentagon. We went to the men doing the flying, the junior officers, the middle-grade officers, without the senior officers being present and we asked whether we should have such a two-track system, or a system for paying a lesser amount over a career flying pattern. Which they would prefer? Which one would encourage them the most to stay in the service? Which one would attract them?

They said overwhelmingly that they would rather have a steady rate of pay. Their wives would rather be able to count on a certain amount of money from month to month and year to year.

Obviously, if we are going to set up a system that does not appeal to the people that we are trying to retain, we are not helping them.

The CHAIRMAN. The gentleman from New York has consumed 10 minutes.

Mr. STRATTON. Mr. Chairman, I yield myself 10 additional minutes.

One of the major objectives of this legislation would be defeated, so what we have included here is a proposal that pays this incentive pay over a set career. It is called the life stream approach, if we want to use that term.

I want to pay tribute at this point to the members of our subcommittee who spent a lot of time out in the field talking to aviators.

I want to pay particular tribute to the gentleman from Wisconsin (Mr. ASPIN) who is a member of the subcommittee, one who led the fight against the extension of time last June, but who is one who recognizes the facts when he sees them, and he, along with the other committee members, went out to talk to the people, talked to the aviators. He saw what they wanted and he accepted the soundness of the approach of the committee. I will not go into all the details of how this bill differs from the present system. Let me point out that it pays the flying pay to the younger men, not to the older men. It pays it to the men at the time when they have to make this decision as to whether they are going to stay in the service or go out somewhere else.

It also pays it to them at the time they are flying, rather than under the present system where 50 percent of the flight pay is paid to the aviators after the bulk of their flying has been completed.

Under the present system, if he is qualified as an aviator, he can collect this pay for 30 years, except as the result of the temporary action last June, he cannot collect if he happens to be in the grade of captain, colonel, or above. He can collect it for 30 years, even if he is not flying.

We cut off flight pay by law for everybody at 25 years of service, whether they fly or not. Many we cut off at 22 years. a number at 18 years and some of them we are cutting off at 12 years.

This is the first time that any legal action initiated by Congress has been taken to cut off flight pay. Another point: We were against the generals and the admirals getting flight pay back in June, such as that admiral we heard about here, Rear Adm. J. Heavy Bottomly, who occupied a swivel chair at the Pentagon and whirled out on his wings. We voted against the generals and admirals getting flight pay. The Members might be interested to know that under the action that the House took last June, 75 percent of the generals and the admirals lost their flight pay. Under this bill, 85 percent of the generals and the admirals are losing their flight pay.

Another comparison: Under this system, under the present system, as I say, the only control we have over whether an individual who is trained as an aviator is actually used as an aviator, is the regulations provided by the services themselves. There is no congressional check whatsoever on whether people are flying and how much they are flying. This is a major change which the committee introduced. We had to drag the Pentagon, I might say, screaming and kicking even to accept it.

There is no particular problem with the first 6 years of an aviator's life. He spends a couple of years learning how to fly in the Navy and the Air Force—it is a little bit less in the Army. The next 5½ to 7 years are occupied in flying, occupational flying activities. The problem comes after the 6 years, as a man starts to become senior and begins to go to staff colleges and that sort of thing. So, we laid down a system of requiring by law that there be checks on the performance of these aviators and how much time they spend.

At the 12-year period, we required that an aviator must have flown at least 50 percent of the time for 6 years, and when it got to the 18th year, we required that he should fly 60 percent of the time, or 11 years. Frankly, I originally wanted to require that they should be required to fly two-thirds of the time, but it turned out that this proposal would be too disruptive to some of the armed services; the Army, in particular, would have a special problem.

We did not feel that it would be fair to institute a new system that was going to completely disrupt the Pentagon, and so we finally settled for 50 percent at the 12th year and 60 percent at the 18th year. I would feel, myself, that perhaps as the system begins to operate, we might review these percentages.

If a man has reached the 60 percentage at the 18th year, then he can qualify for flight pay until the 25th year at a declining rate of pay, and if he has made only 50 percent of the time, it would be cut off after 22 years. If he has performed less than 50 percent of service, he gets no more flight pay after 18 years. This is a dramatic change. Maybe it should have been tougher; maybe the gate should have been tougher, but this is a new approach and it seems to me perhaps that we ought to walk before we run. We ought to try this out and see how it works.

This bill is also going to save money. When it gets into operation, it will cost $16 million less than the previous arrangement before we instituted the changes last June. In terms of the individual amount of money that an aviator can get for aviation pay, we are dropping it from $75,000 over a flying career to $61,000. But it is advantageous to the individual as he gets the money earlier in time.

We have given warrant officers a substantial break. The warrant officers in the Army do about 40 percent of the flying, and yet their flight pay has not been equal to that given to commissioned officers. Therefore, we increase their flight pay to $200 per month in contrast

to $245 per month for the commissioned officers.

But this $200 a month continues throughout the entire 30-year career, because the warrant officers do nothing but fly all the time. So, by the time they have completed their 30 years, they will actually take home more aviation pay than the commissioned officers.

Mr. Chairman, we did not address ourselves to the matter of enlisted personnel flight pay, first of all, because there was no request for that from the Pentagon. However, we did listen to organizations who wished to testify. The only group solely representing enlisted people that testified was the Air Force Sergeants Association, and they indicated that they supported the bill.

The two things that they were concerned about were the application of per diem pay in the Air Force and the extensive and burdensome use of temporary additional duty tours to Southeast Asia which the Air Force had abused during the Vietnam war. We have directed in our report that the Pentagon correct both of these actions.

Finally, this bill—and this, I think, is the most important item of all—is going to require a better utilization of flying personnel by all of the military services. That is why they are unhappy with it. That is why it is going to require some substantial readjustment, especially in the Army. But this is what we wanted done, and I think we ought to get started.

As I say, Mr. Chairman, this is the first major overhaul of this controversial issue in 25 years.

Congress has taken the initiative in developing a new system. We are going to check the progress of the system. Certainly we are free to improve it as it goes along.

As I say, let us begin today to do that job. If this bill is defeated—and let me stress this—if this bill is defeated, more people will draw money in nonflying positions than will be the case if this bill is enacted.

Let me say that I think we have here a bill that has something in it for everyone. If we are for the aviators, then this is our bill, because this is what they indicated they want, and this is what is designed in order to obtain and attract the best of them to stay in the service. If we are against paying aviators who are not flying, then this is our bill, too, because it will very sharply reduce not only the number of people in desk jobs who are getting flight pay, but it will also reduce the amount of that flight pay, because the bulk of that pay is going to be given to those who are in active flying status.

Mr. Chairman, I cannot think of a better deal than that.

The purpose of this bill is to restructure the flight-pay system for officer aviators in the Armed Forces to make the system more equitable and do so in a manner which increases the ability of the services to retain pilots and navigators in an aviation career.

H.R. 12670 revises flight pay to provide the highest rates of aviation career incentive pay in earlier years of a career when an officer does most of his flying. By so doing, the bill also provides the highest rates of flight pay in the years which are critical from a retention standpoint.

Up to the sixth year of aviation service, flight-pay rates would be the same as the old rates—from $100 to $165 a month—but based on years of aviation service rather than simply years of service. After 6 years of aviation service, flight pay would be increased to $245 per month and remain level at that rate through the 18th year of service as an officer. After 18 years of service, flight pay for commissioned officers would progressively decrease by $20 per month every 2 years, except that general and flag officers' flight pay could not exceed their current rates of $160 and $165 per month; and flight pay for all commissioned officers would terminate after 25 years of active officer service—or earlier if they fail to meet newly prescribed performance minimums. This contrasts with the present system which increases flight pay based on rank and years of service without regard to flight experience, with most officers reaching the $245 rate at the 18th year and retaining that level of flight pay through 30 years of service.

Under the old system, an officer received only 45 percent of his flight pay in the first 16 years of his service and received 55 percent in the next 14 years—after he had completed most of his flying assignments. Under the committee bill an aviator would receive at least two-thirds of his flight pay in the first 18 years of his service.

It should be noted that under H.R. 12670 the stepdown in flight-pay rates begins at the 18th year of officer service. This means that an officer who starts flight training late in his career will still have his flight pay reduced when he gets to those advanced years when he is not called upon to do much flying.

Now let me review some of the fundamental changes made by other principal features of this bill.

WHAT FLIGHT PAY IS

The bill removes flight pay from section 301 of title 37, United States Code, which is the section of law providing incentive pay for all kinds of hazardous duty, and sets up a new section 301a which provides for "Incentive Pay: Aviation Career." The purpose of this new section is to recognize that flight pay is not solely a recompense for hazard to be paid only when one is undergoing a hazardous experience. The committee wished to redefine flight pay to recognize that it is an incentive for undertaking a career which, on a continuing basis, is more hazardous than other service careers and at the same time recognize a capacity to absorb professional training which represents a considerable investment of time and money on the part of the Government.

Our hearings showed that over a full career, flying activity is indeed hazardous. Aviation crewmembers face a higher death rate than nonaviation career personnel. As an example, a study of a graduating class of one of the Academies showed that over a 25-year period the peacetime loss of life of the aviators was five times that of nonaviators. An aviator cannot be replaced quickly. His training is very expensive and very time consuming. It can take more than 2 years to turn out a fully qualified jet fighter pilot. It is therefore necessary to have on hand more trained pilots than there are operational billets so that there will be an adequate number in a crisis.

Training of pilots ranges from $100,000 to over $500,000 per man, depending upon the type of training. The maximum lifetime flight pay earned under H.R. 12670 is approximately $61,000. It will be seen, therefore, that a system that improves retention during those years immediately following the initial obligated service—the years when an aviator is at the age and rank when his cockpit utilization is heavy—is a wise investment of taxpayers dollars.

H.R. 12670 aims to improve retention by increasing the flight-pay rates dramatically during these retention-critical years, while correspondingly reducing the rates at the senior years when flight activity is reduced and retention is not a problem.

It will be pointed out in this debate undoubtedly that retention has been on the increase among the aviation personnel in the Armed Forces. This is correct. From 1971 to 1973 the rate of pilot retention went up for most of the services. The main reason quite simply is the termination of involvement in Vietnam and the consequent perspective of more stable assignments.

However, the services have still not met their retention objectives. The Navy, particularly, is experiencing shortfalls in the retention of pilots in the years just after completion of the initial obligated service. When you lose personnel at that point in service, unfortunately you often lose the most competent men—those who can compete with the best in the private sector.

It costs the Government about $300,000 to train an average aviator. That is a lot of money invested in pilot training. But despite the improved figures of recent years, the Air Force and the Navy have never met their retention objectives in those years, and this despite the force drawdown and termination of combat operations.

I would like to point out that these improved retention statistics between 1971 and 1973 took place when there was a continuous flight pay system in effect, one that had prevailed for 25 years. Initially the cutoff of flight pay by section 715 caused some increase in resignations by senior pilots, but we found in our study that military pilots were taking a wait-and-see attitude as to a career decision; that is, waiting to see what the Congress would do on the permanent revision of the system before deciding whether to leave the service.

The young pilots that we talked to were overwhelmingly opposed to no-fly, no-pay, or two-track system. They said above everything else they wanted certainty in their compensation programs and they wanted a continuous flight pay system. It just does not make sense to enact as a retention incentive a system that is objectionable to those you are trying to retain.

In essence, therefore, while retention

has increased with the drawdown of forces after the war, retention is still not adequate at the critical point and is certain to be much worse if a permanent revision or the restructuring of the system is not passed.

It should be understood that this bill is the first major restructuring of the flight-pay system since the Career Compensation Act of 1949. The flight-pay rates were revised in 1955 to provide for longevity increases and the excusal policy was instituted by the Appropriations Committee in 1954 and modified in 1962 to excuse senior pilots from having to participate in proficiency flying. But this is the first major restructuring of the flight-pay system itself in 25 years.

It should not be lost on the Members that our bill is cost-effective in another way. While contributing to improved retention by putting the flight pay in the retention-critical years, it reduces the career flight pay of a commissioned officer from approximately $75,000 to $61,000. Thus the long-range cost for the Government is reduced although there is an advantage for the individual because he receives the money at an earlier point in time.

APPROPRIATIONS COMMITTEE RIDERS

For many years the Congress, through riders on Defense appropriation bills, has excused various aviation officers from meeting the requirement for frequent and regular flying in order to continue to receive their flight pay. The original purpose of these riders was to save money on the use of aircraft for proficiency flying. For many years this excusal policy applied to officers with more than 15 years of service. In recent years the Appropriation Act expanded this excusal to those in service schools and finally, in fiscal year 1972, provided excusal for all aviators except those needed to perform proficiency flying in anticipation of assignment to combat operations. This excusal was continued in the Appropriation Act for fiscal year 1973, in section 715 of Public Law 92-570, but a clause was added prohibiting payment of flight pay to officers in the grade of 0-6 and above—colonels and generals—who were not assigned to flying status after May 31, 1973.

Members will recall that on the floor last June a proposal to extend the May 31 deadline until our committee had an opportunity to consider the Defense Department proposed revision of flight pay was rejected. However, the action of the Appropriation Committee clearly contemplated a revision of the flight-pay system to correct inequities and that revision is what will be brought about by H.R. 12670.

When the House voted down the proposed delay in the cutoff of flight pay last June, there was considerable criticism of the practice of paying aviators flight pay when they were not in fact flying; that is, assigned to operational flight duties. Several Members urged that flight pay should be paid only when aviation personnel were in operational flying billets. The subcommittee, of which I am chairman, examined this issue in great depth.

We decided not to take the word of the generals but to go out and talk to the young pilots personally, the highly trained men we are trying to retain. We visited an aircraft carrier off California; visited Air Force bases; and spent a day at the Army helicopter center at Fort Rucker, Ala. We took extensive testimony from junior- and middle-grade aviator officers, without senior officers present.

It will be noticed that H.R. 12670 provides a lifestream-earnings approach to flight pay; in other words, a man who is qualified can get flight pay for an aviation career of up to 25 years provided he devotes a substantial portion of his service career to flying duties rather than the up-and-down system of being paid more when he actually flies and less when he is assigned to nonflying duties. Previous law provided, and H.R. 12670 continues, the requirement for regulations to assure frequent and regular performance of flying.

We took this approach because the pilots we interviewed were overwhelmingly opposed to a pay-only-when-flying system. We had developed a proposed two-track system which pays a modest incentive retainer at all times and much higher flight-pay rates when one is actually flying, but the young officers resoundingly rejected this approach. Over and over they told us that what they objected most about service life was the uncertainty. They wanted a system where they would know in advance what they could expect and where they could do their family planning in a rational manner.

We, therefore, adopted the lifestream-earnings approach of H.R. 12670 but made it—as I will show—more stringent than the Department of Defense had proposed.

At the same time, I believe we have fully met the imperative of the House by its vote last June to provide for far greater equity in the distribution of flight pay.

SAVED PAY

The saving provision in the bill, which is explained fully in the committee report, provides essentially a 3-year transition into the new system. While the old system had shortcomings and inequities, the current aviators lived under it for 25 years with the expectation that they would receive it on a continuing basis; and we, therefore, believe some reasonable notice is necessary before changing the system. The Department of Defense had recommended saved pay at the old rates. Our committee felt it was sufficient to provide the saved pay at the new rates which, for senior officers, are lower than what they would have been under the old system. In addition, our committee rejected a recommendation of the Department of Defense to provide saved pay retroactive to last May 31.

THE GATE SYSTEM

Our committee felt that additional safeguards were required in the more advanced phase of an aviator's career to assure that he has devoted a substantial portion of his time to flying. We, therefore, have instituted in this bill a wholly new "gate" system, developed by the committee, which requires aviator officers to be screened at the 12th and 18th year of aviation service.

They would be required to have performed operational flying for 6 of the first 12 years in order to remain eligible for continuous flight pay. At the 18-year gate they would have to have performed 11 years of operational flying in order to be eligible for continuous flight pay through the 25th year. However, if at the 18-year gate an aviator has at least 9 but less than 11 years of operational flying, he would receive continuous flight pay until his 22d year; but for officers with less than 9 years of operational flying at the 18-year point, continuous flight pay would stop altogether.

Please notice that this requires an officer to spend 50 percent or more of his time in operational flying billets. Continuous flight pay would not be awarded on the basis of proficiency flying as might be the case under the present system.

As an example of how stringent our bill is, Mr. Chairman, 80 percent of the general and flag officers who were receiving flight pay prior to May 31, 1973, would be ineligible for flight pay under the bill. By contrast, only 75 percent were removed from flight pay by section 715 of the Defense Appropriation Act for 1973, which would be the system that would continue in effect if this bill were to be rejected.

AVIATION SERVICE PRIOR TO THE FIRST GATE

Mr. Chairman, the minority views alleged that the bill allows an officer to spend the first 12 years in a nonflying status and still receive flight pay because the first gate is not until the 12th year. This is a misunderstanding which arises from an inadequate reading of the bill. The requirement in law that for one to receive continuous flight pay states that "subject to regulations prescribed by the President" an aviator is entitled to incentive pay "for the frequent and regular performance of operational or proficiency flying duty required by orders." It is necessary, therefore, by law for the services to have regulations to assure frequent and regular performance of flying.

Pursuant to this legal requirement, all services have regulations which require that on completion of flight training an officer be assigned to flying duties. In the Air Force the regulation (Air Force regulation 36-20) provides that a pilot will "be assigned to primary aircrew duty for 5 consecutive years" upon completion of pilot training. In the Navy, assignment to an operational flying billet for at least 3½ years is automatic on the completion of flight training. The applicable regulation is CNO Operational Naval Instruction 3710.7G. A similar regulation for the Army also provides for immediate assignment to flight duty following training.

We found that deviations from this policy are so rare that an individual who completes flight training and meets necessary medical requirements is assigned to an operational flying billet: 100 percent of the time in the Air Force; 100 percent of the time in the Navy; and 99 percent of the time in the Army.

In addition, each service has regulations which require the aviator to fly 100 hours a year, to pass an annual flight

physical, to take both an annual flying examination and an annual written examination. These examinations are extensive, including a review of all major emergency procedures and aircraft systems. In addition, the services have what amounts to an administrative gate midway through the first 12 years of service.

In the Air Force, for example, an officer is examined at 7 years of service to see if he qualifies to be a senior pilot. He must have 1,500 hours at that point to be designated as senior pilot; and if he does not he is either assigned to additional cockpit duty or dropped from flight status. The Army reviews their pilots at 7 years of service also and each pilot must have earned 1,500 hours of flying to be rated a senior pilot as well as meeting requirements for instrument certification.

The Navy examines its pilots periodically and requires, in addition to 100 hours of flying annually, 12 hours of night flying and 12 hours of instrument flying per year. Navy pilots who fail to meet the required minimums go before a Naval Aviator Evaluation Board which can remove the man from flight status. For example, of the 3 years from June 1970 to June 1973, the Navy has removed an average of 34 pilots a year from flight status for failing to meet their minimum. This is in addition to those that are dropped from flight status for failing to pass their annual flight physical. The Navy dropped 126 far failing to meet their physical qualifications in fiscal year 1973 and 100 in fiscal year 1972.

It will, therefore, be seen that it is simply not correct to say that one can continue to draw flight pay during the early years of service without having to fly.

The problem was in the senior years where the number of operational billets for officers are reduced and where past policies resulting from appropriation riders had resulted in excusal from flight activity with flight pay being continued. It is to assure that an officer logs a substantial portion of flight time over his entire career that the committee developed the gate system.

COST

As I indicated previously, the Appropriations Committee action to restrict flight pay for senior officers last year clearly contemplated a restructuring of the flight-pay system. It is, therefore, appropriate to compare the system that would be set up by H.R. 12670 with the cost of the system in effect prior to May 31, 1973. On that basis, the bill reduces the cost of flight pay and eventually, after the saved-pay provisions are no longer applicable, our bill would cost approximately $16 million a year less than the old system.

Even compared to the old system with the restrictions of section 715 in Public Law 92–570 in effect, H.R. 12670 would eventually result in an annual saving of more than $3 million. Because of the saved-pay provisions it would temporarily cost more than the existing system.

In summary, the House vote last June was a rejection of the status quo and an imperative to the Committee on Armed Services to restructure the flight-pay system to make it more equitable. H.R. 12670 provides a complete restructuring; it provides it in a way that will cost less to the taxpayers; it provides it in a way that makes the system much more equitable; it provides it in a way that will increase the retention of pilots; and it provides it in a way that is advantageous to the young, highly trained officers who do most of the flying in the Armed Forces.

When we recommended an extension of the flight-pay deadline last June, the vote in our committee was 19 to 14. By contrast, the vote on the bill which we bring to the floor today was 34 to 4, with 1 voting present. We have done the job the House assigned to us, and I hope all Members will support the bill.

Mr. HUNT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill that we bring before the House today, H.R. 12670, was developed in the committee after the most extensive study by the subcommittee of which the gentleman from New York (Mr. STRATTON) is chairman. Our subcommittee heard testimony from the leading officers of the Department of Defense including the Chairman of the Joint Chiefs of Staff and the Deputy Secretary of Defense. But we were not satisfied with simply taking the Washington view. The subcommittee traveled to military installations to get the opinions of junior officers and middle grade officers themselves—the men who fly jets, transports, and helicopters of our fighting forces. You will find the testimony in the printed hearings, and I urge the Members to read it. Reading the subcommittee's frank exchange of views with these young men is an edifying experience.

The subcommittee took testimony from these men without any senior officers present, and the subcommittee was influenced by what they said. Initially we gave a great deal of attention to the possibility of a two-track system. That is, a system which pays a small retainer at all times and then pays a much larger amount when a man is actually flying. We revised this approach because it was overwhelmingly opposed by the pilots themselves. They wanted to know what they could plan on in the way of income during their careers. They do not want uncertain fluctuations in their monthly paychecks. They have more than enough uncertainty in their difficult careers already.

It is a fact that this bill actually costs less than the system that has been in effect for the last 25 years. But I hope the Members of the House will keep in mind that cost is not a driving factor here. In terms of the cost of our air forces, flight pay is a minimal percentage. It runs at present about $227 million a year. The cost is on a downward trend because of the reduction of forces following the Vietnam war. But under our bill, the cost of the system will eventually be, after the savings pay provisions are no longer applicable, approximately $16 million a year less than the cost of the old system.

It should be understood by the Members of the House in voting on this bill that flight pay is not paid simply for undergoing a hazard. It is paid for undertaking a career which is more hazardous on a continuing basis than other careers and which also requires an outstanding individual capable of a high order of professional training. The pay, therefore, is an incentive to recognize a professional career, a skill which costs the Government a great deal in terms of money and time, as well as an incentive to undergo a career which, on a continuing basis, is more hazardous than other service careers.

Members of the House should understand that the bill reported by the committee is much more stringent in its application than the proposal by the Department of Defense.

The committee accepted the revision in the flight-pay table recommended by the Department and accepted the Department's recommendation to base flight pay on aviation service rather than on rank and longevity. However, the committee found the Department of Defense bill inadequate in setting minimum standards of operational flying throughout a whole career and that it failed to adequately define the purpose of flight pay. The committee, therefore, established a new special section of title 37 for "Incentive Pay—Aviation Career." The bill also provides for a gate system developed in the committee which provides for a screening of pilots at the 12th and 18th year of service to assure that they have met performance minimums to be eligible for continuous flight pay. H.R. 12670 increases the monthly rate of pay for warrant officers with more than 6 years of service to $200 a month instead of $615 a month recommended by the Department of Defense. The committee heard a great deal of complaints by warrant officers because of the way their flight pay compared with commissioned officers. We have, in effect, provided a system whereby over a full career, they can earn as much flight pay as a commissioned officer and we have recognized a different pattern of a warrant officer's career which keeps him in the cockpit on a continuing basis.

The committee also found the Department of Defense too generous in its save-pay provisions and provides for senior officers that their save pay would be based on the rates of the new system without any retroactive payments.

The Defense Department had proposed retroactive save pay at the rates of the old system which were substantially higher for senior officers. The committee wants to be fair to these officers and we believe we have provided an adequate transition to the new system while at the same time having due regard for the cost involved.

As an additional safeguard, we have provided in our bill that the Secretary of Defense must report on the number of officers authorized to receive continuous pay after the screening at the 12th and 18th year of aviation service and also the number of officers performing operational and proficiency flying. I am amused by those who misread the bill so as to conclude that a trained pilot could go 12 years in flight pay status without being assigned to flying. The chairman has listed the various regulations which have been provided in the law to prevent such a happening. But just let me say also that if such a thing would happen, the officers responsible for assignment of

pilots would, in my view, be eligible for court martial, and I would do everything to see that they got it.

I hope the Members of the House will understand in summary that this bill is a compromise that we had great pressure to provide a more generous system and particularly to provide a high rate of save pay. We had statements to that effect in subcommittee. I think, in essence, we have gotten a bill which meets the objectives that the Appropriations Committee and the House had in the past and which will completely restructure the flight-pay system in such a way as to increase the retention of these highly trained and very expensively trained military pilots. I urge all Members to support the bill.

To satisfy one question about flying admirals and generals—let me say this bill will gradually eliminate about 85 percent now drawing flight pay.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Chairman, I rise in support of this measure.

Mr. Chairman, I rise to express my support of H.R. 12670, the Aviation Career Incentive Pay Act of 1974. The complete study that the gentleman from New York (Mr. STRATTON) and his subcommittee have made of the complex area of flight pay has validated the work done by earlier congressional committees. They found out, and [Mr. STRATTON] confirmed that the same is true today, that there is no amount of money that can adequately compensate a military aviator for the hazards associated with flying duty. Aviators yesterday and today have considered their aviation pay as skill pay rather than hazard pay. Accordingly, it has long been applied as an incentive pay to attract volunteers for, and to remain in, the aviation service.

With this bill we will be doing away with the annual excusal provisions of the Appropriations Act which so many of our colleagues found so objectionable last June when an attempt to extend it was defeated so decisively. No longer may an aviator get his flight pay without a requirement to fly for a substantial portion of his career. This bill has teeth in it which will ensure that only aviators who actively fly for a majority of a career receive flight pay on a continuous basis. I am strongly in favor of this bill. The committee has come up with the best compromise bill possible to satisfy the intent of this body to put flight pay in the hands of those who really deserve it and to meet the requirements of the Defense Department to establish and maintain a ready aviation force in order to defend our country.

As with all compromises there are found to be some unhappy parties on both sides. I am sure that the Defense Department would have liked us to approve their version of the bill which had no controls in it. There are some Members here that would like to further restrict who gets the pay and the conditions of entitlements.

This is practical legislation in the interest of a strong national defense. The measure deserves to be passed overwhelmingly on its merits.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from New York.

Mr. KING. Mr. Chairman, I would like to ask Members of the House, in considering H.R. 12670, to remember what flight pay is.

Flight pay is not combat pay and is not designed solely to compensate for hazard. It is pay for getting and keeping high cost people in a career where they are exposed to hazard in both peace and war. It is a simple fact that it takes an extra incentive to retain highly qualified people. Statistics show that compared to civilian males, the military aviator has a mortality rate more than four times greater than that of his peer civilian age group. It seems to me that assuring these individuals—who are on call at any time to go to war and who are exposed to hazards on a continuing basis regardless of war—of some stability in their lifetime earnings is not too much to ask.

H.R. 12670 recognizes the inherent dangers of military flying as a profession, provides reasonable controls and performance standards for receipt of the incentive pay, provides the individual with some visibility as to what he can expect over a career, and restricts severely the flight pay of senior officers who are past the heavy flying years.

It is a good bill.

I would also like to comment on how H.R. 12670 addresses the demoralizing situation created by passage of section 715 of the 1973 Defense Appropriation Act. Senior officers had their flight pay terminated as of May 31, 1973, when not in operational billets. Section 715 abruptly terminated flight incentive pay for many colonels and generals and created inequities. Officers who had excelled and were promoted to colonel had their flight incentive pay terminated upon promotion and ended up making less money than their contemporaries who were not promoted. Hardly an appropriate reward for dedicated service, especially since large numbers of these officers had only recently served in the Vietnam conflict flying in combat aircraft.

This bill does not correct all inequities to everyone's satisfaction, including mine. However, it does treat officers in the senior grades alike by defining clearly the length of time for entitlement and eliminating the gross pay inversions that are now the case.

In addition, the "save pay" provision assures a 3-year period of adjustment for senior personnel at the new lower rates of pay. This provision will let our aviation personnel know that the Congress honors its obligations.

I support H.R. 12670; it is a great improvement over the current situation and the provisions of section 715.

Mr. STRATTON. Mr. Chairman, I yield 20 minutes to the gentleman from New York (Mr. PIKE).

Mr. ADDABBO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The call will be taken by electronic device.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 39]

Anderson, Ill.	Giaimo	Pepper
Blatnik	Goldwater	Reid
Boland	Gray	Roberts
Brasco	Griffiths	Rooney, N.Y.
Broomfield	Hanna	Rose
Carey, N.Y.	Hansen, Wash.	Ryan
Chamberlain	Heckler, Mass.	Stanton, James V.
Chisholm	Horton	Stephens
Clancy	Johnson, Colo.	Stokes
Conyers	Jones, Tenn.	Talcott
Crane	Kluczynski	Teague
Davis, Ga.	Leggett	Thompson, N.J.
Diggs	Long, Md.	Tiernan
Dulski	Mailliard	Vander Jagt
Eckhardt	Martin, Nebr.	Vander Veen
Esch	McFall	Vanik
Fascell	McKinney	Wilson, Charles H., Calif.
Flood	Mills	Zablocki
Fraser	Moss	
Frelinghuysen	Murphy, N.Y.	
Fulton	Parris	
Gettys	Patman	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12670, and finding itself without a quorum, he had directed the Members to record their presence by electronic device, whereupon 369 Members recorded their presence, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER resumed the chair.

The SPEAKER. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries.

The SPEAKER. The Committee will resume its sitting.

AVIATION CAREER INCENTIVE ACT

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. PIKE).

Mr. PIKE. Mr. Chairman, before we disagree on this legislation, I wonder if there are a few things that we could agree upon. First, I think we should agree with what the distinguished gentleman from New York (Mr. STRATTON), said, that there is no thought in the House of Representatives to completely end flight pay.

But, I think that we can agree on some more things. I think we can agree that what we are looking for in our Military Establishment is a military establishment that is tough, a military establishment that is trained and a military establishment that is ready.

I would also agree with the gentleman from New York when he says that this issue of flight pay has not been con-

sidered in depth since 1949. We have not considered flight pay for 25 years.

One of the reasons I am opposing this bill is because we probably will not consider it again for another 25 years. If we are going to do anything worthwhile about it, now is the time to do it.

Well, what is the present law? The present law simply says that people will get flight pay as crew members for hazardous duty, and that is described as involving "frequent and regular participation in aerial flight." That is what the law says. The regulations which have been adopted by the Department of Defense over the years have allowed this frequent and regular participation in aerial flight to come to mean 4 hours a month. That is what the regulation says.

We have let this go and we have let this develop to the point where indeed, as the gentleman from New York says, today a man can get away with going to flight school for 2 years and collecting flight pay for the rest of his life, whether he flies or not. So, some people say, "Well, this bill is a little better than that, and therefore let us support it."

Well, just how good is this bill? What does it do? First of all, why is the bill here? Let there be no question that the bill is here because the retention rates in the military were falling. They were not.

The retention rates among the pilots have improved every year from 1970 to the present time. They have improved in the Navy from 26 percent in 1970, 27 percent in 1971, 34 percent in 1972, to 43 percent in 1973. The Air Force has gone from 45 percent retention in 1970 to 57 percent in 1973.

Now, they did not come in with this legislation in 1970 when the retention rates were so bad; they came in in 1973. Why did they come in in 1973? They came in because we cut off the flight pay for the people who were not flying.

Let the Members remember that we did not cut off the flight pay for the people who were flying, we did not cut it off for the admirals and the generals and the full colonels and the Navy captains who were flying; we only cut it off for the people who were not flying.

Now, what does this legislation do? It starts off with a very simple clause which says:

Section 301(a) (1) is amended by inserting "enlisted" before "crew member".

Well, Mr. Chairman, that does not mean much to anybody, but I will tell the Members what that one little word does. It separates the enlisted flyers from the officer flyers, and it says that the enlisted flyers shall continue to get flight pay only when they fly, and for the officers we are setting up a completely different system, and they can get flight pay on the following basis:

During the entire military aviation career of a pilot we are only going to look at him twice during his entire time of 25 years; we are only going to look at whether he is flying twice. We look at him at the end of his 12th year, and we look at him at the end of his 18th year.

Do not be confused. These are the so-called gates. Do not be confused by the difference between getting to the gate and getting through the gate.

In order to get flight pay for 12 years, all one has to do is graduate from flight school, under this bill. We are writing into law the worst practices they have developed under the regulations. All one has to do to get flight pay for 12 years is to graduate from flight school, and that is all there is to it.

Now, in order to continue to get flight pay, in order to get through that gate, when one gets to that 12-year period, he is supposed to have flown for 6 years. If he has flown for 6 years, he gets flight pay for 6 more years, whether he flies or not.

That gets him to 18 years. He must have had to fly for 6 years to get 18 years worth of flight pay. When he gets to that 18-year gate—and this is the only other time we are going to look at him in his entire career—if he has flown for 9 years, he gets through the gate for 22 years of flight pay, and if he has flown for 11 years, he gets 25 years worth of flight pay.

That is what the bill does. The worst that anybody has to do in order to get 25 years of flight pay is to fly for 11 years.

Mr. Chairman, I just happen to think that this is not what Congress intended when it talked about frequent and regular participation in aerial flight. Eleven years out of 25 years is the worst, and the best is 2 years out of 12 he will have to fly. It takes an Army pilot much less time than 2 years to graduate from flight training. He can do it in 1 year.

This bill is written for the Army pilots. The committee and the subcommittee have worked hard on this legislation; I do not deny that.

They came up with a bill and it said "You have to fly 2 out of 3 years. We are still going to look at you only twice," it said, "but in this 12-year period you must have flown for 8 years in order to get through that gate, and then we will look at you again at the end of that 18-year period, but you must have flown for 12 years in order to get through that gate."

Now, is it such a terrible thing to ask of the military in order to get flight pay that you must have to do this? The military said, "We cannot do it. We cannot live with that." So they changed the bill and they changed the bill to what it is now.

The gentleman from New York (Mr. STRATTON) alluded earlier to the problem of retaining pilots and of attracting pilots. Well, does anybody know how many pilots we have in these United States of America? As of the end of fiscal year 1973 there were 8,484 planes in the Air Force; there were 58,810 people getting flight pay. Now, they were not all pilots. There are only about 30,000 pilots for those 8,400 planes. The rest of them are navigators and bombardiers. That is what you have in the Air Force.

In the Navy and Marine Corps there were 6,574 planes and about 20,857 people in the Navy getting flight pay and 6,237 in the Marine Corps getting flight pay.

The Army was actually the worst of all. There were only about 4,250 slots in the entire Army Establishment for aviators, and they have 17,000 pilots for those slots.

Now, what is this business that we hear about here that we have to pass this bill or else we will lose all of these pilots? People talk about the money that it costs to train a pilot. Well, heck, yes, it does cost money to train one, and you can get the statistics from the hearings starting at page 385 on the Air Force. It averages out to $135,000 in order to fully train a pilot. This includes the costs both for primary and operational training. It costs more for some than for others, very obviously. However, where are we going when we say that because it costs so much to train a pilot we are going to save this money by not making them fly? If we pass this bill we are not going to have to lose all of these pilots we spend all of this money training because we will not make them fly. For crying out loud, would you not save as much money by taking those pilots that we have trained and making them fly instead of training new ones? It is just a suggestion that I throw in. It seems to me it would be conceivable to have the pilots flying instead of serving in legislative liaison and things like that.

Finally, the gentleman from New York (Mr. STRATTON) referred to a fictitious character that I invented the last time we were talking about this business. Some people got very offended at this, so I am going to give you a real character this time taking him from page 211 of the hearings.

This particular individual is a gentleman whom I will not name, but he is a general. Here was his career. He was commissioned in 1942; in 1945 he went to Europe. This is an Army general now getting no flight pay at this point. In 1945 he went to Europe; in 1947 to 1949 he was in Japan with the occupational forces; in 1941 to 1953 he was with the Reserve and Guard; 1953 and 1954 he went to the Command General Staff; 1954 and 1955 he was the commanding officer of the 28th Field Artillery Batallion at Fort Carson, Colo. This is a good Army officer, and then after 14 years in the Army he went into flight school.

In 1955 he went to flight school. And here is what would happen to that man under this bill which we have before us today:

From 1955 to 1956 under this bill he would get $100 a month extra as flight pay. From 1956 to 1959 he came to Washington for 3 years in the Career Management Division, Army Staff, in Washington, and under this bill during that period of time his flight pay would climb from $100 a month to $150 a month.

In July 1959 he went to the Army War College at Carlisle Barracks, Pa., and while he is there his flight pay is going to climb from $150 to $165 a month.

In 1960 he spent a year and 1 month in Korea with Headquarters I Corps, and there his flight pay climbed to $165 a month.

From 1961 to 1965 he is back to Washington, D.C., and his flight pay climbs to $225 a month. He is in the Office of the Deputy Chief of Staff of Operations, and also in the Assistant Chief of Staff for Force Development. And here his flight pay does start to drop, because he has been in for 18 years, and has been a pilot for more than 6 years. In 1965 he becomes Assistant Commandant of the

Army Aviation School, and his flight pay goes down to $185 a month.

In 1967 finally he goes to Vietnam, and he flies I do not know how many missions, but he did get 35 Air Medals, and the bill would cut off his flight pay because he has been in for 25 years.

This is the nature of the bill that we are dealing with.

Frankly, the bill is created to take care of the Army pilots. The Air Force could practically live with the bill that the committee wanted to report out. The Marine Corps could live with the bill that the committee wanted to report out, and that was to ask them fly 2 years out of 3. It did not really make them simply because they never looked at it.

The other thing that this bill does: We do not have much chance to supervise the existing law; we had very little chance to supervise that law. We had some chance to do that, but we did not elect to do that. The law did require that every year the Department of Defense would report back to the Congress on all the people above major in the Air Force, and above lieutenant commander in the Navy, who were receiving flight pay. This bill strikes that clause out. They do not have to report back to Congress any more excepting as to those who are at their 12th year of flight pay status, and those who are at their 18th year of flight pay status. That is all we are ever going to hear about.

What happens if a pilot gets to the 12th year, and he has not passed through the gates? Suppose he has not flown enough, suppose he has not flown the 6 years required of him in the 12-year period, does he ever have to pay that back, his flight pay back, that he has been getting? Of course, he does not have to pay that back. In fact, he can keep right on getting it. All he has to do is to start flying, that is all that he has to do.

When he gets to that 18-year gate if he has not flown for 9 years out of the 18, does he have to give back the flight pay he has been getting? Of course not. All he has to do is to start flying. He has to start flying at 4 hours a month, that is the way they have defined it, and that gets him back on flight pay.

Mr. SATTERFIELD. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Virginia.

Mr. SATTERFIELD. Mr. Chairman, I am quite interested in the point the gentleman from New York is making that under this bill a military pilot must do no more than complete flight training to draw flight pay for 12 years. I would like to know wherein that is different from the existing law?

Mr. PIKE. It is not. I started off by saying that it is not different from existing law, but this is our chance to do something about it, and it is the last chance we will have for 25 years. I think the existing law is an outrage, and we ought to do something about it.

Mr. SATTERFIELD. Does the gentleman have a proposal to do that? I would be interested in hearing it.

Mr. PIKE. Quite frankly, I think that this bill is just so hopeless that I do not think I am going to try to amend this bill. It is my understanding that somebody is going to, or may, offer an amendment to put the bill back where the committee originally had it, which was 8 years of the first 12 and 12 of the first 18. That would be an improvement, but it would still allow the man to get flight pay for 12 years with only 2 years of flying, for the simple reason that nobody is going to look at him at all during that 12-year period.

Mr. SATTERFIELD. Will the gentleman yield further?

Mr. PIKE. I yield to the gentleman from Virginia.

Mr. SATTERFIELD. Do I correctly interpret what the gentleman says that if we do not pass this bill, we will not change that situation at all; that it would still exist?

Mr. PIKE. If we do not pass this bill. I happen to believe that something useful will happen, because if we do not pass this bill, those generals and those admirals and those colonels and those Navy captains over there whom we took off flight pay are going to stay off flight pay, and this gets the ones who are of that rank and are not flying back on flight pay.

Mr. SATTERFIELD. If the gentleman is talking about the first 12 years of service then, he is not talking about the captains, colonels, admirals, and generals.

Mr. PIKE. No, but this is where the pressure to get a bill before Congress came from at this time, and that is where the pressure to get a different bill before Congress will come from again.

Mr. Chairman, I reserve the balance of my time.

Mr. STRATTON. If the gentleman from New York desires additional time, I understand it is available now from the gentleman from New Jersey.

Mr. HUNT. If the gentleman desires additional time, it is only available now, and I will grant him 10 minutes of the time if he so desires. Other than that, I will fill in the slot. I will be very happy to grant him 10 minutes now.

Mr. PIKE. Am I to understand that I may not reserve any time?

Mr. HUNT. I have not given the gentleman any time yet. I will give it to the gentleman now.

Mr. PIKE. I may not reserve it until later?

Mr. HUNT. I have applications here for time.

Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. ASPIN).

Mr. ASPIN. I thank the Chairman.

I think that in looking at this flight pay bill we have to ask, What is it that we are trying to do and what is it that we want to accomplish? I think an ideal system, that many of us who have opposed the flight pay abuses in the past would say, would be that we ought to pay people when they are flying and not pay them when they are not flying. I think that was the original intention of the gentleman from New York (Mr. PIKE) and others who had testified about the problems of abuses with the flight pay.

When checking with the members of the service, we found that they would really prefer to be paid on a regular basis. They did not want to receive a great deal of fluctuation in their pay, where they would receive a lot of money in one month and then no additional flight pay in another. They wanted a continual average. But then the question arises, What can we do to protect the taxpayer in that kind of situation? What guarantees do we have that if we pay flight pay on a regular basis, on an average basis, that we will in fact be getting any flying for it? That is how we came to this decision about the gate proposal. The object of the gates is to make sure that when we do pay continuous flight pay to aviators and pilots, that they do some flying, and so the gate was set. The numbers are open to suggestion, to change, but basically I think the gate proposal is sound.

If we are going to pay continuous flight pay then I think it is right to demand that the taxpayers make sure that there is a certain amount of flying for that. So we have asked, them to fly 6 out of 12 years and 11 out of 18 years in order to receive 25 years of flight pay.

Now the gentleman from New York (Mr. PIKE) wants us to vote down this bill, but the problem is if we do we are back to the old situation, which is much worse. The gentleman from New York says right now someone could do 2 years of training and then receive 12 years of flight pay. But if we vote down this bill and revert to the old system, someone could do 2 years of training and receive 30 years of flight pay. There is nothing to protect us. If we vote down this bill, there are no gates in the system anywhere.

The second point, which is an important point, is that really to talk about 2 years of flight training and then 12 years of flight pay is not accurate. We originally in our proposal had three gates at 6 and 12 and 18 years. We wanted to have a look at 6 years, but it turned out that administratively that would be costly, and in fact most pilots or 93 percent of all pilots in fact are assigned immediately after training to a flying billet.

That whole question of flight pay for people who do not fly really does not arise until after about 6 years of being in the service. For the first 6 years the pilot goes into training he is flying, 2 years in training and 4 years in assignment. After that he might be assigned to a position which does not require flying. So it is really a question of what happens after 6 years. Is he really going to be assigned to places where he does not fly more often than to places where he does fly? It is there we have to protect the taxpayer.

The reason why this bill will work and the gates and incentives will succeed is simply because the services will want to make them succeed. As soon as this bill is passed everybody who is a pilot will then know what he has to do in order to receive 25 years of flight pay. He will know that. It will be in the law. He will know how much flying he has to do in order to receive 25 years of flight pay. If he does not get that flying he does not get that 25 years of flight pay and that will make him unhappy, and when the fliers get unhappy the services become nervous, as we saw when we cut off the generals and the colonels earlier this year. The services become very unhappy and they become upset when the fliers become upset, so the services will make every effort to make sure the fliers make

their gates so that they can get the years of flying in.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STRATTON. I yield the gentleman from Wisconsin 5 additional minutes.

Mr. ASPIN. I thank the chairman.

Mr. Chairman, I think there is only one other point we have to make, which is also a very important point, and that is that flight pay starts to be cut off at 18 years and is completely cut off at 25 years. The old law that is on the books now is that we cut off flight pay for the colonels and the generals who do not fly. They are cut off on the basis of rank. What this bill does is cut off on the basis of time and service. It cuts everybody off after 25 years of flying, no matter what the rank.

What we are doing is taking the money away from the people who really do not need it. There is no problem with incentive after 25 years and with hazards after 25 years. It is in the earlier years where the people do the flying. The bill cuts off people who ought to be cut off and puts the money up early in the person's career.

I think the bill on the whole is a very good one.

I think it is clearly, absolutely clearly, better than the system that we have now. There is no sense to vote down this bill, to revert to the old system.

I do not say this bill could not be improved in certain particulars, but it makes no sense to vote this bill down and revert to the old system, that is clearly much worse.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman.

Mr. STRATTON. I want to commend the gentleman for the job he did on the subcommittee. He was one of the hardest working members in the subcommittee, a gentleman who clearly shared the doubts and apprehensions of many Members of this Chamber last June that the present system had a lot of inequities and a lot of inequalities, and a gentleman who had a number of constructive ideas and who was willing to listen to the facts and willing to listen to the opinions of the men that we are trying to attract to the service.

I want to reiterate again and have the gentleman repeat, is it not his view that whatever one may feel about this particular bill, that for those who want to tighten up the flight pay system, for those who want to put more money on those that are flying and less money on those that are not flying, that this bill is substantially better than the present system?

Mr. ASPIN. I think the gentleman is absolutely correct. I do not think there is any doubt but what this bill is better than what we have now.

Mr. STRATTON. And therefore, for one to oppose this bill, we would simply end up with a system that in terms of those who want to try to improve this arrangement is worse, rather than better.

Mr. ASPIN. Yes. The gentleman from New York, Mr. PIKE's philosophy seems to be that we should vote down this bill, which the gentleman from New York (Mr. PIKE) thinks is bad, in order to revert to the old system, which we all agree is worse, in the hopes that out of this chaos will emerge something better.

Mr. STRATTON. Would not the gentleman, having worked with me and other members of the subcommittee in the past 7 months on this legislation, would not he venture a guess that it will be some time before we get a chance to come back to this, since we have other urgent matters, including that of medical officers in the Armed Services and enlisted bonuses?

Mr. ASPIN. I agree.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I will be happy to yield to the gentleman.

Mr. PIKE. Does the gentleman say it is absolutely impossible for the Committee on Armed Services to write a bill and come up with a bill that requires a man to fly more than 6 years to get 18 years worth of flight pay?

Mr. ASPIN. No. I do not think that is impossible.

Mr. PIKE. Does the gentleman think we could pass it?

Mr. ASPIN. I think we could probably pass it.

Mr. PIKE. Who on earth would oppose it, besides the flyers that are not flying?

Mr. ASPIN. Why is not the gentleman proposing it? The gentleman has remarked time and time again that this is taking a long time. He frequently chided the members of our subcommittee for taking so much time; yet he wants us to vote this thing down and go back on the subcommittee and take more time.

The gentleman has also said time and time again how much easier it is to pass things on the floor than it is in the committee, which I agree is absolutely right; but the gentleman does not have an amendment to offer on the floor. He wants to vote the thing down and go back into the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUNT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, I would say to the gentleman from New York that if he has an amendment, he ought to offer the amendment. Let us not put it back into the committee. Let us not vote this thing down.

I would like to quote the distinguished chairman of our committee, the gentleman from Louisiana, if I might. He does not say it very much anymore, but he has said in the past, so I say to the gentleman from New York (Mr. PIKE), "Put up or shut up."

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Yes; I will be happy to yield.

Mr. PIKE. Let us say I do offer an amendment to put the bill back to where the subcommittee had it in the first place. Does the gentleman think that the subcommittee would vote for it?

Mr. ASPIN. Let me ask what that would do for the gentleman's original objection, that a person could fly for 2 years and get 12 years of flight pay, what does it do for that objection?

Mr. PIKE. What does the amendment do? It does not do one thing.

But, it would put the bill back to where the subcommittee had the bill before the Pentagon re-worked it.

Mr. ASPIN. Would the gentleman from New York support the bill with that provision?

Mr. PIKE. Mr. Chairman, I would support the bill if we were looking at flight pay, say every 4 years, and made a man fly 3 out of those 4 years.

Mr. ASPIN. That is not in the amendment we are talking about. I am asking the question, if it went back to our original proposal, 8 out of 12, 12 out of 18, would the gentleman from New York (Mr. PIKE) support the bill? Yes or no?

Mr. PIKE. If we look at them often enough to see that they were on track for that 8 out of 12, but if we are not going to look at them but twice in their careers, of course not.

Mr. ASPIN. Mr. Chairman, I do not see how the gentleman can suggest that we ought to go back to committee with this thing. If the gentleman has a suggestion, a specific suggestion, I think he ought to offer it. If he does not have it, then I do not see how he can recommend that we vote this down when it is clearly better than what we would revert to. I do not think the gentleman from New York is being very constructive.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, I yield to the distinguished chairman of the committee.

Mr. HÉBERT. Mr. Chairman, I want to commend the gentleman from Wisconsin in recognizing the position he has just made. I welcome him to the establishment. I am glad he has seen the light in the window, and I congratulate him on putting up. As long as he puts up and stays with the establishment, it will be very difficult to lead the gentleman from New York down the same road, but I still have hopes.

Mr. ASPIN. Mr. Chairman, I would just like to say that if the chairman of the committee at some time have gotten the impression that I have not always been shoulder to shoulder with him on these matters, I think he is not looking at the big picture. I think if we look at the big picture he will see that he and I have been the pillars of our "structure of enduring peace." I think he and I together are the personification of our "total force concept," to say nothing of our undying devotion to "essential equivalence" and "meaningful symmetry." On the long things, Mr. Chairman, we always agree.

Mr. HÉBERT. Mr. Chairman, if the gentleman will yield further, I do agree again with what the gentleman has just said, particularly when he used the word "symmetry," because I was in that racket he is in now. I made my living for many years being a press agent, and I thought I was a good one until the gentleman came along. In my palmiest days, I could never make inaccuracies appear so accurate.

Mr. ASPIN. Mr. Chairman, if there are any small areas of disagreement, I am sure he will understand. My point is, do not praise me too much, Mr. Chair-

man; I am trying to get us some votes for this bill and the gentleman is likely to ruin it with the people I am trying to get.

Mr. MILFORD. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Texas.

Mr. MILFORD. Mr. Chairman, I rise in support of the bill on flight pay reported out by the Committee on Armed Services. As a former pilot in Army aviation, I have followed its course with great interest. I think it represents an excellent compromise in meeting the diverse requirements to which it is addressed.

Certainly it offers a high incentive for young men to enter an aviation career—a key feature in today's all-volunteer force. The front-end load feature of flight pay rewards the young flier immediately, and motivates him to resist the lure of a civilian airline job when his initial obligated service is up. In this way, the Government can protect its investment in him—between $100,000 and $500,000 per aviator, depending on his specialty.

Second, this bill establishes realistic controls that insure the Nation will get maximum use of the aviator's talents. The career "gates" which are set up at the 12th and 18th year of service, provide an innovative and flexible means or rewarding those officers who are actually doing the flying. Likewise, they avoid the hazards of an "on-again, off-again" system which would unfairly plague individual aviators with financial irregularity.

We have received a "read colleague letter" which has emphasized "pay whether he flies or not." I can personally testify that nonflying assignments for the Army aviator are essential. He must have tours of duty with ground units because he is intimately involved with them while flying. He must know and experience their organizations and tactics. Then he can provide proper fire support and transport when he flies them at tree top level and then actually gets into ground combat when he lifts them to their objectives and exchanges fire with the enemy on the ground. The role of the Army aviator in Vietnam is legend. He could not have earned these accolades without assignments to ground units.

I am pleased to see that this bill would reduce officer flight pay in sensible step decreases, beginning at the 18th year and terminating it completely at the 25th year. This provision answers the major congressional criticism of the existing flight pay law—that it primarily benefits the senior aviators, many of them in nonflying jobs, when they no longer need an aviation career incentive. And a 3-year saved pay provision implements these decreases in an orderly manner, without breaking faith with currently serving senior pilots.

I congratulate our distinguished colleague from Louisiana, and the members of his committee, on the bill they have presented us and I urge its adoption.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I just want to tell the gentleman from Wisconsin that he has lost me, because when he and the chairman of the committee get together on something, my innate suspicions become aroused.

Mr. DAVIS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from South Carolina.

Mr. DAVIS of South Carolina. Mr. Chairman, I rise in support of H.R. 12670. This bill provides the first real control on eligibility for flight pay since 1954 when the Congress, in an effort to save money by reducing the amount of proficiency flying, authorized payment of flight pay to older officers who were excused from the monthly performance of flying.

The bill clearly establishes flight pay in the frame of reference for which it has always been intended—as an incentive for a career in aviation. It also defines a career for pay as 25 years of active service as an officer.

In a significant departure from prior policy, the bill limits pay for a full career to fliers who spend a substantial portion of their 25-year aviation career in flying jobs. The standard established for eligibility is a lot more stringent than any previous standard. If a flier does not perform at least the minimum number of years specified, he will be screened out of the aviation force and denied incentive pay. The committee's position is tough, but fair. It exacts a reasonable return for the taxpayer's dollar and will eliminate much of the criticism inherent in the current flight pay system.

Some people argue that pilots should receive flight pay only when they fly. "No fly—no pay" has a nice ring to it. But this proposal fails to recognize the need to assure stable earnings for this high-cost resource.

The young pilots want a steady, constant incentive pay rather than higher rates just when they fly. These are the men we are trying to retain. It is the views of these young pilots themselves—not those of the generals that have influenced the committee.

The Defense Department originally opposed the gate system as "too rigid" and would have preferred a less stringent control. The committee has taken a wise middle ground. H.R. 12670 gets the pay to the people who perform. It creates a sound new system. I urge you to join me in supporting it.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from New York.

Mr. PIKE. Mr. Chairman, I just want the gentleman to know that I will respond to his challenge and I will offer an amendment.

Mr. HUNT. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I thank the gentleman for yielding. We have mocked the Air Force and the Navy about enough. I think we had our fun about 6 months ago. As a result, the morale of much of our flying corps is in moderate shambles.

I want to commend the chairman of our subcommittee, Mr. STRATTON, and the gentleman who was just in the well, the gentleman from Wisconsin (Mr. ASPIN).

The gentleman from Wisconsin developed the gate system as modified by the committee a number of times. I think that the committee has worked diligently and well. Unfortunately, as a member of the subcommittee, I could not attend all of the field trips that were held.

But they have done a good job, and they have arrived at a fair compromise. I think the net effect is that we have a bill that is going to inure to the best interests of the defense budget and also the morale of the flying corps.

Mr. Chairman, the gentleman from New York (Mr. PIKE), and his cosigners have in their minority views attacked the bill as being unnecessary and have, in my opinion, misread the legislation and failed to state the facts which are available in the committee report.

The minority summarized its views by saying, "The nonflying generals and admirals get back their flight pay—that is what it was all about."

This is not the same issue that we had back here some 6 or 8 months ago. The simple fact is that the bill would reduce the number of generals and admirals receiving flight pay, compared to the number who are today receiving flight pay in the U.S. military service.

Prior to May 31 of last year, when we had no section 715 of the Appropriation Act, there were 526 admirals and generals eligible and who were receiving flight pay.

We passed section 715, and that number was reduced to 115. And if the Members want a reason for supporting this bill, they should just remember that H.R. 12670, which has been well worked over by the Committee on Armed Services, will reduce that number to 76. That is, 76 admirals and generals only will be receiving flight pay under this new and revised legislation, some 39 fewer than under the present law.

The minority views suggest that H.R. 12670 is not needed as a retention incentive, because retention has improved, and, of course, they cite a number of statistics: In the Navy, the 26-percent retention in 1970; the 27-percent in 1971; 34 percent in 1972; and 43 percent in 1973. But this is still well short of the required 52 percent. That is 11 percent shy.

In the Air Force, it was 45 percent in 1970, 51 percent in 1971, and 57 percent in 1973, and the target is 60 percent in order to do the job.

In recent years the Navy and the Air Force have never met their retention objectives.

I think it would be very instructive to look at the highest retention figure: 57 percent for the Air Force in 1973. If we compare this to the required retention of 60 percent, we are 3 percent shy. Three percent equates to a reduction or to a cost of training of some $23 million. Each percentage point that the Air Force was short in 1973 means that we need to train some 34 additional people, and the cost of training pilots is not cheap, as the gentleman from New York (Mr. PIKE) well knows; $229,000 per pilot is the current replacement cost. So we mul-

tiply $229,000 times about 15 percent times about 34 replacements for each percentage point, and what we get is an extra cost of well over $100 million. That is a pretty neat savings that we can effect by enacting this piece of legislation if we wish to save money in national defense.

Mr. Chairman, the minority also takes a worst-case view. Of course, this is the thing that many times we Pentagon critics say and do. They allege that an officer can get 12 years of flight pay for only 2 years of flying. This relates to the colloquy which has just taken place on the floor.

This allegation simply arises from a misreading of the bill. The critics were so impressed with our new gate system that they forgot to read the rest of the language in the bill. The bill continues the requirement in the law that an officer has to demonstrate frequent and regular performance of flying, and that this is to be required by regulations issued by the President.

The simple fact is that the regulations require all newly trained pilots to be immediately assigned to flight status.

In addition, pilots are required to fly a minimum of 100 hours a year, to pass an annual flight physical, to pass an annual written examination, to pass an annual flight examination, and, in addition, the services have in effect screening devices that provide for removal from flight pay of those who do not meet the minimum requirements.

In the Air Force one does not get to be senior pilot unless he has flown for 7 years. The Army has a similar program.

The Navy reviews their pilots periodically and eliminates some every year for failure to maintain their minimums.

Mr. Chairman, I believe the committee has come up with an excellent bill which addresses itself to a very real problem of retention and curtails flight pay for admirals and generals. We need to look behind the rhetoric and look at the facts as we did in the subcommittee.

I intend to vote for this measure, and I urge all Members to join me in support of it.

Mr. STRATTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama (Mr. NICHOLS).

Mr. NICHOLS. Mr. Chairman, I would like to address the matter raised regarding the amount of flying done in the Army. In our review of flight pay, we learned two facts regarding the Army. First of all, the Army warrant officers fly just about all of their careers, and second, the Army commissioned officers fly less than officers in other services. I believe our bill, H.R. 12670, takes both these facts into account.

With regard to the warrant officers, the bill increases their pay to $200 after the sixth year and then holds its level through the 30th year. This is a reasonable, equitable provision that actually gives the warrant officer slightly more pay over a career than a career officer.

Now with regard to the commissioned officers, we concluded that we could not approve a system that would pay flight pay over a career to anyone who did not do a substantial amount of flying. The Army believes that its officer aviators should have a primary specialty other than flying. For example, armor or infantry. While we understand this concept of managing officers and have no desire to change this system, the committee did not believe that an officer who flies for only 6 to 9 years over a career should get this incentive pay for 25 years.

The "gate" system included in the bill deals directly with this problem. The performance standards at the "gates"—operationally flying for 6 of the first 12 years and 11 of the first 18—will guarantee that no officer, whether in the Army or another service, will continue to get incentive pay over his career unless he actually performs operational flying for a significant part of his career.

The vast majority of these Army aviators are men who returned in the last few years from flying helicopters in combat in Vietnam—they performed distinguished service in very difficult and dangerous assignments.

I am particularly pleased, therefore, that in its saved-pay provision H.R. 12670 gives those who will come up against the newly established "gates" shortly a reasonable period of time to adjust to the new system. Briefly, the bill provides for a 3-year phasein. But the saved pay will be at the rate in the new system which, for senior officers, is lower than the rates applicable to them in the past.

H.R. 12670 has a lot of thought behind it—a lot of hours of study and hearings. Our charter was to find a permanent solution to the inequities of the old system—a solution that would be effective in retaining military aviators. I believe H.R. 12670 is the answer.

In summary the bill would—

Pay on the basis of aviation service rather than total military service;

Concentrate highest rates of pay in the retention-critical years rather than at the end of a career;

Terminate pay at 25 years of officer service;

Establish "gates" at 12 and 18 years to assure minimum flying standards throughout a career;

Increase warrant officer pay substantially—to $200 a month after 6 years; and

Finally, to reduce costs in comparison to the old system.

This is an equitable bill and I urge your support.

Mr. HUNT. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from New York (Mr. MITCHELL).

Mr. MITCHELL of New York. Mr. Chairman, in October 1972 Congress passed section 715 of Public Law 92-204 which denied flight pay to Navy captains, Air Force, Army, and Marine colonels, generals, and admirals who were not assigned to actual flying billets. This attempt to save money by cutting off flight pay to senior aviators backfired.

This reduction in benefits, coupled with threats to change the retirement and other basic programs caused many aviators to leave the service. To replace one combat ready Navy or Air Force pilot takes 2 years and costs the U.S. taxpayer $0.5 million.

According to the Navy young aviators' resignation rate averaged 16 per month prior to the enactment of section 715. During the 8 months following the passage of section 715, the monthly resignation rate skyrocketed 400 percent. If America feels it advisable to replace these additional 368 Navy pilots who resigned—over and above the average number—it will cost $184 million. This sum applies to just the Navy. If the replacement cost were prorated across the services, the total would prove staggering.

H.R. 12670 is an attempt to present a career aviation package that will attract and retain service aviators for the lowest possible dollar. In an effort to gain the support of chronic DOD budget slashers, I feel the committee has erred on the side of economy—false economy. It is not a bill the DOD warmly embraces. Rather it is one they probably "can live with":

First. It provides for the highest rate of flight pay when the aviator does most of his flying and during those periods he is most tempted to leave the service.

Second. It answers the charge that "admirals and generals receive flight pay but don't fly," by terminating flight pay at the end of 25 years of flying duty, the average officer would be 45 years of age; hardly senile or an "arm chair" type;

Third. It provides two additional—over regular service requirements—screening periods to insure an aviator does not receive flight pay unless he has spent at least 6 years in actual flying assignments at the 12th year of service and 11 years at the 18th year of service;

Fourth. It treats the flying warrant officer more equitably by increasing his maximum monthly pay from $165, under present law, to $200 and starting this maximum reimbursement at the 6th rather than the 18th year;

Fifth. At the end of 3 years it will cost the taxpayer $16 million less each year than the old program would have; and

Sixth. It provides a career package that a young officer can count on and plan with.

However, H.R. 12670 is not a sweetheart contract for aviators. Prior to passage of section 715, which was supposedly a temporary measure, a career aviator could earn $75,000 in incentive pay over a 30 year period. Under this proposal he could earn $14,000 less or $61,000 in 25 years.

Then, too, in many instances, the senior aviator, through no fault of his own, will lose approximately $2,000 because there is no provision for retroactivity in this legislation.

RETROACTIVITY AMENDMENT

I planned to offer an amendment to provide retroactivity for the O-6 and above who will lose approximately $2,000 through no faut of their own. But I was approached by aviator friends in several of the services requesting me not to introduce this amendment on the basis it might weaken the bill. They feel the retroactive pay is deserved, but they are willing to sacrifice this amount of money to strengthen the overall package. I do not agree with their thinking but it is their bill and their money. I will accede to their wishes.

I intend to support H.R. 12670 because it is better than the present law—since the passage of section 715—it does con-

tain several good features and it is "the only game in town." But I have serious reservations. Whoever heard of professionals in any field being paid less for their services during an inflationary period? As planes and weaponry becomes more expensive and more sophisticated, we offer aviators less monetary incentive. It does not make sense. Only time will tell whether it will attract and retain. Only time will tell whether the United States will lose millions of additional dollars through pilot disenchantment with congressional actions.

H.R. 12670 is a bottom dollar solution. I hope it works. From the many flight pay hearings I attended I am convinced that anything less would prove severely counterproductive.

I want to take just a moment to state the importance to our Nation that we have an experienced pool of aviators to provide an inexpensive insurance for our Nation's defense.

Though not actually operating aircraft at all times, an aviator is available to—throughout his career. There are many flying billets where being young isn't essential—patrol, ferry, instructing, carrying passengers. Billets which must be filled, and when filled by senior aviators, free junior aviators to fly the more physically demanding missions. Commercial pilots, for example, continue to fly to age 60—we are cutting them off at age 45.

There are also many administrative jobs where only an officer with an actual aviation experience can make an optimum decision.

How much more sensible to pay an experienced aviator $2,500 to keep him on tap than to encourage him to quit and force the taxpayers to come up with $500,000 to replace him.

I submit, Mr. Chairman, that we have cut expenses, and cut them to the bone. Anything more stringent would be penny-wise and pound foolish. The average career aviator receives roughly $50,000 in flight-incentive-hazardous duty pay. Replacing him costs the United States 10 times as much or $500,000. The plane he flies such as an F–14 or F–15 can cost more than $10 million. In fact, it only requires 20 F–14's to equate the entire annual cost of flight pay throughout the services. Should the quality, attitude, or dedication of a pilot suffer because of our failure to act affirmatively today and this resulted in the loss of just one F–14, we would lose the equivalent of flight pay for 200 career aviators. We cannot allow this to happen.

Mr. HUNT. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, I came on the floor to listen to this debate with a completely open mind. After hearing the remarks that have been made by members of the committee and others, I now rise in total support of this legislation. I think that the gentleman from New York (Mr. STRATTON) and the gentleman from New Jersey (Mr. HUNT) should be commended on the obvious thoroughness in the study and the work that has gone into this legislation.

I should like to recount something that happened to me last night when I was invited to go to New York to meet with a group of 700 people who were owners of gasoline service stations. I told these people that the legislation on the floor of the House this afternoon dealt with flight pay regulations for members of the armed services. They as a group felt that this was a very worthwhile and important thing. I told them what was involved. They seemed to think, from what they understood, that this was a good way of continuing the morale of the members who fly in the armed services. But they were amazed that this was the only piece of legislation that this House was going to be acting on this afternoon.

I told them we had contemplated discussing and acting on the energy bill, but for some reason it was withdrawn. It was very difficult to explain to these men that we were acting on one piece of legislation dealing with flight pay that affects a comparatively few people in our country, even though it is very important for the safety of our country, which is why I support this bill. But they could not understand that we were not going further. Frankly, nor could I.

I tried to explain the working of this Congress to this group. Let me tell the Members that if they stood in front of 700 men who are in the process of going bankrupt, who are in the process of asking anybody in the Federal Government to give them some leadership that they can follow, and tried to explain to them what we are doing here today instead of acting on the energy bill, it would be very difficult.

I think it is important, because this is the last bill in the House today—and it is a bill I hope we are going to pass—if I could make a plea at this time, and if there were any members of the leadership I could speak to on this issue, I should like to see this Congress sit right in this Chamber, whether it is on Friday, Saturday, and Sunday, to address this energy issue that is equally important to our country as is this aviation flight pay to our armed services.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

Mr. Chairman, I just want to have the record show that although I am the Member who is in charge of this flight pay bill and am interested in getting it passed today, I could not agree more with the gentleman from New York. In fact, I took the well of the House on Tuesday at the beginning of this week's session to urge that this Congress act promptly on an energy bill.

The people in the gentleman's State and in my State of New York, both along the Hudson River, in Westchester County, and up in Albany, Schenectady, and Amsterdam, are desperately short of gasoline. I think it is a disgrace that we are not acting as promptly as possible to get some energy legislation enacted, whether it be an omnibus bill or something else that will provide an equitable and fair rationing system.

Mr. PEYSER. I thank the gentleman for his comments.

There are many things that are analogous in this bill that is before us right now as to what I think we should be doing in the Congress as reflects the Federal Energy Office. That Federal Energy Office, and Mr. Simon, today I am convinced need the direction of this Congress, because I do not think the administration has provided the leadership or direction for Mr. Simon to act affirmatively enough. It is time that we do something.

Now we are telling the armed services what is going to be the flight pay basis, how it is to be carried out, and I think this is right. This is our job. But why we are not doing it on something that is affecting every member of this country, I do not know.

I did not want to get off on an aside here, but I just felt that after talking to the people that I talked to last night and hearing their reaction to this legislation, I just had to convey to the Members of Congress that these people and the public in general think we have run out of gas.

I think we had better refill our tanks right here and try to do something. It is not too late right now, this afternoon, to make some decisions about staying in session until we resolve this problem.

In closing, again I would like to say I support this legislation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HUNT. I yield the gentleman 2 additional minutes.

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New York (Mr. McEWEN).

Mr. McEWEN. Mr. Chairman, I compliment my colleague, the gentleman from New York (Mr. PEYSER) for bringing up this matter. I am delighted to have my colleague take the floor, the gentleman on the other side of the aisle who is the floor manager, and endorse the gentleman in the well and what he is saying. I too support this bill and I too am shocked that this Congress, when all of America is facing this energy crisis, is not acting on the matter of energy.

I would say to the gentleman that while he has problems in the metropolitan area, in my district in the urban areas we have similar problems. We have people who are isolated and some people who are cut off. They have a few gallons for their fire engines and ambulances but in other villages they have run out and people are not going to be able to get to work. We in Congress are not dealing with this problem. I think we will hear from these people in their wrath.

Mr. HILLIS. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Indiana.

Mr. HILLIS. Mr. Chairman, I too commend the gentleman in the well and associate myself with his remarks.

I support this legislation but I have a great feeling we are making a terrible mistake by not moving on the energy legislation that is so important and so vitally needed in the country at this time.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New Jersey.

Mr. HUNT. Mr. Chairman, I take this opportunity to commend the gentleman on his remarks on a matter outside the bill we are discussing. On a matter of such vital importance as energy, this is an opportune time to discuss it. It likewise is so vitally important to us.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, I compliment the gentleman for his comments.

I cannot join in condemning the fact that Congress has not done anything legislatively to deal with this problem in our country. The fact is there is not one piece of legislation needed to deal with this problem in our country. The fact is there is not one piece of legislation needed for the Energy Office or this administration to be able to deal with this shortage throughout the country. Normally we need 18 million barrels a day. We have 2.7 million barrels short. That can be handled completely by FEO without any action by Congress on that problem, but there are other things which the administration may want to have handled legislatively which I think we ought to move on, such as environmental considerations and other problems. But as to distribution, they have the power downtown now.

Mr. PEYSER. May I interrupt to speak on that for a moment. It is an important point. The Federal Energy Office and the administration have the right if the oil companies are willing to cooperate and they do not have the right if the oil companies are not willing. They have no right of inspection or of demanding the records. Unless we give them that legislation they do not have the right. They can say they make an allocation but they have no authority to see that the allocation is made or to see where supplies are or what is the storage capacity. They do not have that authority.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STRATTON. Mr. Chairman, I yield the gentleman from New York (Mr. PEYSER) 2 additional minutes.

Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I would like to address myself to the point the gentleman from New York just made. We have exactly the same problem in the Schenectady and Albany areas. The problem lies in the followup of oil allocations. There is no question that the Executive has the power now to make allocations. But without some followup energy legislation there is still no legal authority for the Government to develop statistics independently of the oil companies as to who has what gasoline stored where. We are still completely dependent on the oil companies for statistics as long as we have no energy bill. Obviously they have not given us the full picture. Obviously we need mandatory statistics legislation on oil if we do not need anything else.

It is time for Congress to get moving because only 21 percent of the people of this country approve of what Congress is doing now and that is well below even the low approval rating for the President of the United States.

Mr. PEYSER. I thank the gentleman.

I would like to take 1 minute to comment further on the flight pay bill on the issue of morale, which I think is vitally important in the armed services. I served for many years in the armed services and there is nothing more important. I have always thought the morale of the American soldier was excellent and it enabled him to carry on as he has, but we are faced with the question of the morale of the people of this country also.

I do not think there is one Member that will deny when he gets back to his district that the morale is lousy, if he is rating on any basis or any scale. It is bad for Democrats and Republicans and in particular, it is bad for the American people. I think this is no longer a partisan issue that we should be worried about. It is an issue that we as the House of Representatives should be addressing. I do not know who to make these remarks to, other than those who are here, in the hope that the leadership, the Speaker, the majority leader, will do something now to give us the opportunity to take some action.

I ask whoever can exert any influence, may be better than I can exert, to get some action in this Congress. Let us give the people the service they deserve.

Mr. HUNT. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GUBSER).

Mr. GUBSER. Mr. Chairman, I rise for two purposes: First, to compliment the committee and the able leadership of the gentleman from New York (Mr. STRATTON) and the gentleman from New Jersey (Mr. HUNT) on successfully attacking one of the most difficult problems that the Committee on Armed Services has faced in many, many years.

This is truly a question which involves morale and it also involves the retention of highly skilled people, whom it costs hundreds of thousands of dollars to train.

The bill undoubtedly will not please everyone, but I do think under the circumstances which prevail, the committee has done an outstanding job. I certainly, for what it may be worth, wish to voice my support.

The second purpose for which I rise is really motivated out of complete provincialism. As Members know, I am a very loyal Californian. California now has the largest delegation in the Congress. It is the most populous State in the Union and certainly it is a State which because of its geographical, its economic, and political importance, deserves its proper and just recognition. I must say today that California has been slighted.

A great deal has been said today about this new leadership team on the House of Representatives Committee on Armed Services, composed of the distinguished gentleman from Louisiana (Mr. HÉBERT) and the gentleman from Wisconsin (Mr. ASPIN).

This is new, novel, and wonderful; but truly we have overlooked something. This is not just a two-horse team of new leadership. The gentleman from California (Mr. LEGGETT) should have been included. This new leadership should be called the Hébert-Aspin-Leggett troika, not a team.

Mr. STRATTON. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, I rise today in support of H.R. 12670, the Aviation Career Incentive Act.

The industrial nations of the world are today engaged in fierce competition for the resources required for technological production. Presently the main thrust of this struggle is for the oil reserve of the underdeveloped nations which are vitally needed to run the machines that turn out the products upon which are needed for continuing a high standard of living.

With the international situation such as it is, it is more important than ever for this country to present a strong national defense system to preserve peace, stabilize struggles, and prevent tensions and rivalries from giving rise to armed conflict.

Peace is maintained through strength. This is not a time to allow our military competency to erode.

Therefore, the passage of this legislation is essential to encourage high efficiency in flight performance and to insure that this country will always have at its command a team of experienced topgrade pilots and flightcrews. Our future depends on this. I urge the adoption of H.R. 12670.

Mr. HUNT. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Chairman, I appreciate this opportunity to speak on behalf of H.R. 12670, Aviation Career Incentive Act of 1974.

On the June 28, 1973, the House denied a request to extend flying pay from June 1, 1973, to December 31, 1973, for colonels and generals who were excused from flying. The purpose of the extension requested was to give the Congress sufficient time to examine the proposal under consideration today, H.R. 12670. The action taken by the House on the request for extension was understandable in light of the confusion over certain issues that were raised at the time. But I suggest that we must now remedy the inequities created for the many dedicated professionals by the last House action.

The reason I am speaking on behalf of this bill is that I strongly believe that a sound flying pay system must exist to not only pay a man while he actually faces the hazards of combat, but to retain rated officers for a career. H.R. 12670 meets that need for a sound system and I believe favorable action is essential for several reasons.

First, the proposal is cost effective. An Air Force pilot with only the basic requisite skills costs the American taxpayer

1 year and $124,000 in training. Add to this the additional expense of combat crew training, which is 6 months to a year long, and this individual becomes one of the most expensive resources in the military today. If this pilot resigns after 6 years, he must be replaced. If we can keep him for 24 years, we may have avoided training as many as three new pilots.

Second, you get what you pay for. There are some of us in this group today whose terms of reference are geared to World War II. What we see is a major or colonel, barely old enough to shave—leather helmet, white scarf—leading an even younger group of eager, carefree fighter pilots to their $54,000 P–51's which are maintained by young, proud, and ingenious crew chiefs whose toolkits contain a wrench and several screwdrivers. What is the real picture? Today's typical squadron commander—a major or lieutenant colonel—is a highly trained, mature professional leader. He manages 18 F–4's worth $45,000,000 and 26 crews representing an equally large training investment. This squadron commander is led by a colonel wing commander who is directly responsible for three squadrons. Are you willing to entrust multimillion-dollar weapons systems to anyone less than the best? More to the point, can we afford to have these complex weapons systems commanded and managed by mediocre or inexperienced aviators? My answer to that is a definite "No"—we can't afford it, the Nation can't afford it. So we must try to have the best. We train them and try to hold them so that one day we have men who can lead effectively, which brings me to my third reason for wanting to see this legislation approved. That relates to what I consider a fair return for the dollars we pay our aviators.

The wing commander I have been talking about has been in several flying squadrons, he has also had one or two tours in Vietnam, a tour of duty in a staff job, assignment to a war college, followed by a stint in the Pentagon. Then he was promoted to colonel. Soon he becomes the commander of a wing with aircraft assets alone totaling well over $100,000,000. This does not include all the manpower and support equipment costs. For this we compensate him with approximately $27,000 per year. Can industry find a similar bargain, who in addition to his salary is willing to lay his life on the line for his country? I think very few would be willing to take that kind of responsibility and that kind of risk. If this wing commander has been told as a company grade or junior field grade officer that flight pay might be cut off for senior officers as the House did on June 28, 1973, what motivation would he have to attend school, move to a staff job or, for that matter, accept promotion to colonel when the net result of all these actions would be loss of pay? What industry promotes a man and cuts his pay? We must consider the fact that we are in the all-volunteer era. It is essential that we find ways to not only attract but also retain the people we need.

As to cost, the figures through fiscal year 1978 are included in the departmental letter of May 17, 1973, which the chairman included in the CONGRESSIONAL RECORD of July 1973. I think it is significant that the long-range effect of this proposal, with the saved-pay transition, will be a lower cost than the present system. And, as pointed out in that letter, there could well be additional savings in training costs if retention improves, as anticipated. I support a saved-pay transition for a reasonable period of time in order to avoid a precipitous reduction in pay and the attendant hardships for people who have made typical long-term mortgage, education or other financial commitments. There certainly is precedent for a saved-pay provision of this nature, such as that provided for civilian employees who are reduced in grade. I believe that we can live with the increased interim costs of this proposal, particularly when we consider the ultimate reduction in costs.

I am making one last point which I think should be key in our thinking. It is not enough to attract young men to the romance of flying—we must provide the incentive to retain them for a career that includes combat hazards, family separations, and frequent moves which uproot the family. I would hope that we would not become so distracted by tales of desk bound generals that we ignore the needs of our country. Proposals which would cut off flight pay for all officers, regardless of grade except those actually flying—the so-called no fly, no pay—are shortsighted in the extreme. Any half-way perceptive officer knows that his flying career is almost certain to be interrupted by nonflying assignments—whether to school, a staff job or a remote assignment. In my view, it is unreasonable to expect an officer to submit to the hazards of a flying career unless he is compensated throughout his career. This proposal meets that objective in a reasonable manner and I urge the House to take prompt favorable action on H.R. 12670.

Mr. BURGENER. Will the gentleman yield?

Mr. PRICE of Texas. I yield to the gentleman from California.

Mr. BURGENER. Mr. Chairman, I wish to commend the gentleman in the well and associate myself with his remarks.

I drew my last flight pay in the days of World War II and Korea, but I do indeed remember something about morale in the military.

This legislation will probably go a long, long way toward a lasting solution of this matter. I wish to commend the subcommittee and its leadership on both sides for a very thorough job done on a difficult subject.

I thank the gentleman for yielding.

Mr. DE LA GARZA. Will the gentleman yield?

Mr. PRICE of Texas. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I want to commend my colleague from Texas for the eloquent presentation he has made on the subject matter of this bill.

I would like to associate myself with his remarks and commend him again for giving us the advantage of his wide experience in the military as a flight officer.

I urge support of this legislation.

Mr. PRICE of Texas. I thank the gentleman from Texas.

I now yield to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. I thank the gentleman for yielding.

I would like to associate myself with his remarks.

Having been an infantry soldier in both World War II and in Korea, I did not draw flight pay, but I want to guarantee you that I was surely glad that those who were drawing it were giving us the close support that they did. I strongly support this bill

Mr. STRATTON. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. CHAPPELL).

Mr. CHAPPELL. Mr. Chairman, I rise in support of the Aviation Career Incentive Act (H.R. 12670). I do so as an ex-military pilot with command experience. This legislation will provide the military with a better means to improve its management of the flight pay system. It will be accomplished through the tremendous savings that will accrue by the retention of our skilled aviators—as opposed to the significant training costs necessary to replace those who choose to leave active service.

Due to the nature of the military aviation system we can only replace pilots at the bottom through training. This is very expensive and time consuming. It takes almost 2 years to turn out a combat-ready pilot at a cost of a quarter of a million dollars and up. Because of the attractiveness of airlines as compared to the rigors, deprivations, and lower pay of military aviation, the services must train approximately two aviators for every aviator required at the end of obligated service. Recent trends indicate that an even higher percentage of trained pilots are now leaving after completion of their obligated service. In addition to increased costs, the failure to retain junior aviators generates a deficiency in personnel inventory and even more seriously a dilution in experience and combat readiness due to the time lag in providing qualified replacements.

This problem is now further aggravated by the problem of attracting volunteers to military aviation in a draft-free environment. The Navy, in addition to retention problems, has been unable to attract sufficient men to meet the reduced pilot training requirements. This results in a deficiency in Navy capability to respond to military contingencies. This situation cannot continue. The only and most cost effective alternative is increased retention.

Flight pay for our highly trained personnel has fallen from 50 percent of their base pay during World War II to approximately 15 percent. The total amount has never been increased during this period of heavy inflation. Compare this with the highly attractive, and financially rewarding benefits commercial airlines

offer pilots. The typical airline offers a DC–8 captain $45,600 annual salary with only 13 years of service. A 747 captain receives an annual salary of $61,200. A company-paid life insurance of $45,000 is provided as well as company paid medical and dental insurance.

Mr. Chairman, this country will need a strong career force in the foreseable future, one which is ready to respond wherever and whenever called upon to defend our national interests, H.R. 12670 represents compromise legislation which I am confident will help us maintain the effective military aviation establishment that our citizens expect and deserve. It offers an attractive and reasonable alternative to our current system and satisfies my feelings that the junior pilot who does most of the flying should be paid for his fair share of flight pay sooner in his career. It also offers an orderly transition to a nonflight pay status for senior officers. If the alternative to this is a military aviation establishment pockmarked with low morale and high replacement pilot training costs we should act decisively to support this proposal.

Mr. Chairman, I urge the passage of this bill.

Mr. HUNT. Mr. Chairman, I yield whatever time I have remaining to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SATTERFIELD).

Mr. SATTERFIELD. Mr. Chairman, I rise in support of this legislation.

I have been greatly concerned about what we did with regard to flight pay last year. I believe this legislation will cure that error. It is easy to overlook the fact that a young man who enters into an aviation career in the military service looks not only to his present remuneration but when he makes the decision to enter the service and makes the recurring decisions in future years as to whether he will remain in the service a prime consideration is what he may look forward to by way of future remuneration throughout his career.

I was distressed that Congress recently changed its flight pay commitment by saying to those officers of the grades 0–6 and above you cannot receive what you have been expecting to receive and what you are entitled to.

It is imperative that the Federal Government maintains its obligations and its commitments to these service men throughout their entire careers. I believe that this legislation before us will cure a defect that was created by our previous action. It proposes a reasonable method for flight pay remuneration for those activity engaged in aviation in the armed services. I strongly urge my colleagues in the House to support this legislation.

Mr. STRATTON. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the full committee, the gentleman from Louisiana (Mr. HÉBERT).

Mr. HÉBERT. Mr. Chairman, I rise with, I think understandable pride, not to discuss the legislation before us today, but to bring to the attention of the Members that which can be accomplished by a committee that sets about its business of doing a job.

Mr. Chairman, the House Committee on Armed Services for many, many years in this body has had the very high respect of the House of Representatives. My predecessors on that committee have all gone down in history as men of great importance, particularly, of course, Carl Vinson, who served in this Congress longer than any other one in the history of the Congress; he served for over 50 years, and he is still living at the age of 90, and is still fully knowledgeable and keenly interested in what is going on in the Congress. And all of the others, Dewey Short and Ham Anderson, Phil Philbin, and Mendel Rivers, who preceded me.

But, Mr. Chairman, let me add that I do not believe that any of these people who have served in this body have had a more cooperative or more understanding group of members than those whom I have been privileged to chair, as the chairman of this committee, with a membership of 43 individuals.

I believe that that has been demonstrated clearly on the floor of the House today, and shows exactly what it means to have individuals of different thoughts, different philosophies, different ways of going about things, and of being in disagreement and yet not being disagreeable. I submit that this has been demonstrated by the distinguished gentleman from California (Mr. GUBSER) and others, as well as the exchange, of course, between the gentleman from Wisconsin (Mr. ASPIN) and myself, and the smiled-upon discussion between the gentleman from New York (Mr. PIKE) and myself—who, I might say, wanders in and wanders out, and just when I think that he is in then he is out, and when I think that he is out, then he is in—but that is what makes life so interesting on this committee which, as I said, is a committee consisting of 43 individuals, and it could be pretty difficult to handle. And as I sat here today and heard these men get up and speak, and heard just as you heard yourselves, I am sure that the Members realize that this is not a committee of one man, that it is not a dictatorial committee, but that it is a committee run as a team. I want to express my appreciation for that teamwork to the members of that committee today.

Of course, Mr. Chairman, as I said, I grew up at Mr. Vinson's knee, just as did Mendel Rivers—in fact, we went to the Vinson College, from which place no one ever graduated—but I might just mention one piece of advice that Mr. Vinson gave us in running a committee: He said, "Get them mad, but don't get them all mad at the same time."

The subcommittee of that committee are run by chairmen who are chairmen because of their rank, helped by the minority chairmen of equal rank.

So here today the committee brings before the House a piece of legislation that is most needed, but a piece of legislation that has not been hastily brought to the House. This legislation was ready last year before we recessed. This committee, under the gentleman from New York (Mr. STRATTON), assisted by the gentleman from New Jersey (Mr. HUNT), took trips. They went to sea and talked to individual pilots aboard the ships. They went to bases and discussed the situation with those Air Force, Army and Marine Corps individuals and not just those who had been deprived of this pay last year through what I believe was a very wrong decision.

Last year the committee vote was 19 to 14. This year's vote was 34 to 4 and 1 present, indicating to the members that the committee could get together and after 7 months in hearings could come to a compromise and bring before this body a piece of legislation which I believe, while not totally acceptable to everybody—and no legislation is totally acceptable to everybody—certainly is a piece of legislation.

I thank the chairman, the gentleman from New York (Mr. STRATTON) for allowing me this opportunity to thank him and to thank the gentleman from New Jersey (Mr. HUNT) for the magnificent job they have done, for the great demonstration of team play they have shown here today, for the splendid example of what real committee work is, and the excellent demonstration to this body of how a piece of legislation can be brought to the floor by a committee which has as its one goal—that which we always have on the Committee on Armed Service—the solid defense of this Nation. Not a No. 2 defense, but a No. 1 defense, because in this league of international relations they do not pay off on a second position; they only pay off on the winner. As long as I am surrounded by the men that I am surrounded by on the House Committee on Armed Services, I will be proud to be its chairman.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from New Jersey.

Mr. HUNT. I thank the gentleman for yielding.

Mr. Chairman, on behalf of my colleagues on this side of the aisle who served on the committee, we want to say to the gentleman from Louisiana we thank him for his expert guidance and thank him for his tolerance and just for putting up with us in the many things we have to say on the floor, or the peculiar moments that we give him in the committee work. We think he has done a great job, and under his guidance I am quite sure we will progress to greater heights in assuring the protection of this Nation, one Nation under God, with liberty and justice for all.

Mr. HÉBERT. I thank the gentleman from New Jersey, who is one of my quieter members, very retiring and very solitary. Sometimes we do not quite understand what he means because he speaks a little low. I thank the gentle-

man from New Jersey, indeed, very much, and I thank the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I want to thank the distinguished chairman of the full committee for his very generous comments about the members of the subcommittee, and express to him personally and on behalf of the subcommittee our appreciation for the leadership he has provided to us. He sometimes tries to give the impression when speaking in this Chamber and in the committee room of being a bear in terms of the kind of rough treatment he affords to members of the committee, giving the impression that he makes all the decisions at the top and we just fall in line. But we on the committee are well aware, and particularly on this subcommittee, that the chairman actually turns over the full responsibility for legislation to the subcommittees to whom he delegates the legislation.

This bill that we have presented to the committee today is a perfect example of that. We got into a complicated thicket with it. There were a lot of new problems. The committee came up with a lot of initiative and new ideas. We hear much talk these days about the necessity for Congress coming up with ideas of its own. Well, this bill contains some new congressional ideas.

And the committee chairman, the distinguished gentleman from Louisiana never said at any time: "Do not do this or do not do that or make sure to come up with this kind of bill or that kind of bill." Instead he said: "I leave it up to the subcommittee to determine the shape of this bill, and I am sure its full committee will go along with what the subcommittee has developed."

I think that is the way the legislative process ought to work. It is the kind of guidance that the Democratic caucus provided last year to the individual committees and to the committee chairmen.

I want to commend the gentleman from Louisiana for his adherence to those guidelines.

I also would like to take this opportunity to express my appreciation to all the members of the subcommittee who have worked so hard, including the gentleman from New Jersey (Mr. HUNT), the senior Republican member, who has already been referred to and who has been a real pillar on the subcommittee. The gentleman from Wisconsin (Mr. ASPIN) did a remarkable job, as did the gentleman from Alabama (Mr. NICHOLS), and the gentleman from California (Mr. LEGGETT), and the gentleman from California (Mr. DELLUMS), and the gentleman from South Carolina (Mr. DAVIS); and on the minority side the gentleman from Ohio (Mr. POWELL) who unfortunately will not be a candidate for reelection, and the distinguished gentleman from New York (Mr. MITCHELL) who himself had a distinguished Naval aviation service career and who has probably been more directly and intimately and emotionally involved in this complex subject than any other member of the committee; and also the gentleman from Florida (Mr. YOUNG) who was on the committee during our hearings but who has since transferred to another committee, but who throughout the hearing process did a great job.

I want to say just a couple of other things before we close the debate. One is that some of the objections that have been made to this bill remind me of a fellow who complains because we have given him only an Oldsmobile and not a Cadillac.

Actually we have set up here much more stringent regulations and controls over who will be subject to aviation pay from the point of view of Congress and the basic law than we have ever had before. Some of the theoretical complaints that have been made here this afternoon about how many years of flight pay one can get for only 2 years of training apply even more to the present system. But the control of the aviation pay is primarily determined by the rules and regulations of the services. And even today, without any congressional review the services require not only 4 hours of flying a month to retain proficiency for flight, they also require an annual flight physical, an annual written examination and an annual instrument check. In the Air Force after completion of 7 years a pilot is reviewed as to whether he ought to become a senior pilot. In order to become a senior pilot one has to have had 1,500 flying hours at that 7-year point, which is twice as many hours as are required for just maintaining proficiency. If one does not pass the screening to become a senior pilot, then he well may be eliminated from flight status altogether. That procedure applies both to the Army as well as to the Air Force.

The Navy checks over its pilots for their flight proficiency every year. They eliminate about 35 a year on the basis of failure to perform efficiently, and more than 100 more a year because they cannot pass the flight physical.

So during these initial years there are already in the basic service regulations adequate guarantees of flying performance.

The congressional guidance and guidelines we propose in this bill would come after that period when an officer goes on after his career enhancement to some staff college or staff work, where he can broaden himself so that he is not just a plane driver or a stick jockey but also becomes a broader, more knowledgeable, a responsible officer of the armed services, better fitted for ultimate command.

I believe we have here today a bill that represents real congressional leadership in this complex field. I think we ought to exert this leadership and provide the opportunity to get started on the closer, stricter and more efficient guidance over aviation pay which this bill provides.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Aviation Career Incentive Act of 1974".

SEC. 2. Chapter 5 of title 37, United States Code, is amended as follows:

(1) Section 301(a)(1) is amended by inserting "enlisted" before "crew member".

(2) Section 301(g) is repealed.

(3) The following new section is inserted after section 301 and a corresponding item for that section is inserted in the chapter analysis:

§ 301a. Incentive pay: aviation career

"(a) Subject to regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled to aviation career incentive pay in the amount set forth in subsection (b) of this section, for the frequent and regular performance of operational or proficiency flying duty required by orders. For the purposes of this section, it is the intent of Congress that aviation career incentive pay for a crew member who holds or is in training that leads to the award of an aeronautical rating or designation shall be restricted to those officers who engage, and remain, in that aviation service on a career basis. It is also intended that, under regulations prescribed by the Secretary of Defense, or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, an officer (except a flight surgeon, or other medical officer) who is entitled to basic pay, holds an aeronautical rating or designation, and is qualified for aviation service under regulations prescribed by the Secretary concerned, is entitled to continuous monthly incentive pay in the amount set forth in subsection (b) of this section that is applicable to him. However, a flight surgeon, or other medical officer, who is entitled to basic pay, holds an aeronautical rating or designation, and is qualified for aviation service under regulations prescribed by the Secretary concerned, is entitled to monthly incentive pay in the amounts set forth in subsection (b) of this section for the frequent and regular performance of operational flying duty. Furthermore, to insure compliance with congressional intent, and to reflect congressional policy, an officer must perform the prescribed operational flying duties (including flight training but excluding proficiency flying) for 6 of the first 12, and 11 of the first 18, years of his aviation service to be entitled to continuous monthly incentive pay. However, if an officer performs the prescribed operational flying duties (including flight training but excluding proficiency flying) for at least 9 but less than 11 of the first 18 years of his aviation service, he will be entitled to continuous monthly incentive pay for the first 22 years of his officer service. If at those times in his aviation career he has failed to peform those prescribed duties, his entitlement to that pay ceases, but he remains entitled to monthly incentive pay for the performance of subsequent operational or proficiency flying duties. For the purposes of this section, the terms—

"(1) 'operational flying duty' means flying performed under competent orders by rated or designated members while serving in assignments in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary concerned, and flying performed by members in training, that leads to the award of an aeronautical rating or designation; and

"(2) 'proficiency flying duty' means flying performed under competent orders by rated or designated members while serving in assignments in which such skills would normally not be maintained in the performance of assigned duties.

"(b) A member who satisfies the requirements described in subsection (a) of this section is entitled to monthly incentive pay as follows:

"(1) For an officer in pay grades O–1 through O–10 who is qualified under subsection (a) of this section:

"Monthly rate:	"Phase I Years of aviation service (including flight training) as an officer
$100	2 or less.
$125	Over 2.
$150	Over 3.
$165	Over 4.
$245	Over 6.

"Monthly rate:	"Phase II Years of service as an officer as computed under section 205
$225	Over 18.
$205	Over 20.
$185	Over 22.
$165	Over 24 but not over 25.

An officer is entitled to the rates in phase I of this table until he has completed 18 years of service as an officer, after which his entitlement is as prescribed by the rates in phase II, if he has completed at least 6 years of aviation service as an officer. However, if he has over 18 years of service as an officer, but not at least 6 years of aviation service as an officer, he continues to be subject to the rates set forth in phase I of the table that apply to an officer who has less than 6 years of aviation service as an officer. An officer in a pay grade above O–6 is entitled, until he completes 25 years of service as an officer, to be paid at the rates set forth in this table, except that an officer in pay grade O–7 may not be paid at a rate greater than $160 a month, and an officer in pay grade O–8, or above, may not be paid at a rate greater than $165 a month.

"(2) For a warrant officer who is qualified under subsection (a) of this section:

"Monthly rate:	Years of aviation service as an officer
$100	2 or less.
$110	Over 2.
$200	Over 6.

For the purposes of clauses (1) and (2) of this subsection, the term 'aviation service' means the service performed, under regulations prescribed by the Secretary concerned, by an officer, and the years of aviation service are computed beginning with the effective date of the initial order to perform aviation service.

"(c) In time of war, the President may suspend the payment of aviation career incentive pay.

"(d) Under regulations prescribed by the President and to the extent provided for by the appropriations, when a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, performs, under orders, duty described in subsection (a) of this section for members entitled to basic pay, he is entitled to an increase in compensation equal to 1/30 of the monthly incentive pay authorized by subsection (b) (1) or (2) of this section, as the case may be, for the performance of that duty by a member of corresponding grade who is entitled to basic pay. He is enitled to the increase for as long as he is qualified for it, for each regular period of instruction, or period of appropriate duty, at which he is engaged for at least two hours, including that performed on a Sunday or holiday, or for the performance of such other equivalent training, instruction, duty or appropriate duties, as the Secretary may prescribe under section 206(a) of this title. This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.

"(e) The Secretary of Defense shall report to Congress before July 1 each year the number of rated members by pay grade who—

"(1) have 12, or 18, years of aviation services, and of those numbers, the number who are entitled to continuous monthly incentive pay under subsection (a) of this section; and

"(2) are performing operational flying duties, proficiency flying, and those not performing flying duties.".

SEC. 3. Section 715 of the Department of Defense Appropriation Act, 1973 (86 Stat. 1199), and section 715 of the Department of Defense Appropriation Act, 1974 (87 Stat. 1041), are each amended by striking out the last sentence.

SEC. 4. Notwithstanding the amendments made by this Act, an officer who was entitled to incentive pay under section 301(a)(1) of title 37, United States Code, on May 31, 1973, or on the day before the effective date of this Act, if otherwise qualified on the day before the effective date of this Act, is entitled to monthly incentive pay as prescribed in either clause (1) or (2) of this section, as follows:

(1) If he is credited with 6, or less, years of aviation service as an officer, and with less than 12 years of service as an officer, he is entitled to monthly incentive pay either—

(A) in the amount he was receiving under section 301(b) of that title on May 31, 1973, or on the day before the effective date of this Act, but with no entitlement after either of those dates, as applicable, to any longevity pay increases or increases resulting from promotion to a higher grade until such time as the rate to which he is entitled under section 301a(b) of that title, as added by this Act, is equal to or greater than the amount he was receiving under that section on May 31, 1973, or on the day before the effective date of this Act, and thereafter his entitlement is as prescribed by that section, as amended by this Act; or

(B) at the rate prescribed by section 301a (b) of that title, as amended by this Act;

whichever is greater. However, an officer who is promoted and assigned to pay grade O–7, or above, during the 36-month period following the effective date of this Act may not receive more than the rate which existed for that pay grade prior to June 1, 1973. Once an officer described in this clause has received any monthly incentive pay under section 301a(b) of title 37, United States Code, as added by this Act, he is no longer entitled to receive any payment under section 301(b) of that title as it existed on the day before the effective date of this Act.

(2) If he is credited with more than 6 years of aviation service as an officer, or less than 6 years of aviation service, but more than 12 years of service as an officer, he may receive monthly incentive pay at the rate prescribed in the table in section 301a(b) of title 37, United States Code, that is applicable to him, or $165, whichever is greater, for not more than 36 months after the effective date of this Act, notwithstanding the provisions of section 301a(a) of that title with respect to prescribed operational flying duties (including flight training but excluding proficiency flying).

However, the amount to which a reserve officer is entitled under this section is governed by the provisions of section 301a(d) of title 37, United States Code.

SEC. 5. This Act becomes effective on the first day of the first month after enactment.

Mr. STRATTON (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PIKE: On page 3, line 5, after the period, strike the sentence beginning "Furthermore" through line 13 and insert in lieu thereof the following:

"Furthermore, to insure compliance with congressional intent, and to reflect congressional policy, an officer must perform the prescribed operational flying duties (including flight training but excluding proficiency flying) for 8 of the first 12 years and 12 of the first 18, years of his aviation service to be entitled to continuous monthly incentive pay. However, if an officer performs the prescribed operational flying duties (including flight training but excluding proficiency flying) for at least 10 but less than 12 of"

Mr. PIKE. Mr. Chairman, during the debate on this bill I was asked in the classic words of the chairman of the committee, but by the gentleman from Wisconsin (Mr. ASPIN) to "Put up or shut up."

So here it is. Here is the bill that the subcommittee itself wrote until the Pentagon told them to change it. This is what this amendment is.

It says that instead of having to fly 6 out of the first 12 years to pass through the gate, he will have to fly eight out of his 12 years to pass through the gate.

Is that such a terrible thing to ask a pilot to do to get flight pay? I do not think so and the subcommittee did not think so, either.

It says that when he gets to the 18-year gate, instead of having to fly 9 years to pass through for 22 years of flight pay, he has got to fly 10 years to pass through for 22 years of flight pay, and instead of having to fly 11 years to get 25 years of flight pay, he would have to fly 12 years to get 25 years of flight pay. That is all the amendment does.

It says that in order to pass through the gate he has to fly eight out of his first 12 years and 12 out of his first 18 years. That is what the amendment says.

Now, there are things that the amendment does not say. It does not say that he has to fly at all during that first 12 years; oh, no. Now, we are not going to be that tough on them. They do not have to fly at all once they get out of flight school. They just keep on getting flight pay every single year for their 12 years, whether they fly or not. Once they pass through that 12-year gate, they do not have to fly anymore for 6 years. They get flight pay up to 18. No, no. They just keep on getting flight pay, whether they fly or not.

All the amendment does is reinstate the bill to the point where the subcommittee had it.

Now, what happened when the subcommittee presented this bill? The Pentagon got very unhappy. As I said, the Marines do it. Most of the Air Force does it. Most of the Navy does it. The war-

rant officers in the Army do it, but the commissioned officers in the Army do not do it.

Who flies in the Army? The warrant officers fly in the Army.

So, the question is very simple. Are we going to have a bill which does that which we ought to be doing, making the people fly a little bit to get their flight pay—less than half, always less than half?

The gentleman from New York (Mr. STRATTON) in the hearings on page 809, said this:

> The American people are simply not going to put up for long paying aviation pay to officers who are not devoting a substantial portion of their careers in actual flying, and substantial in my book certainly can not mean less than 50 percent.

OK. I have put up. Now, let us see what the other people do.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. PIKE. Mr. Chairman, I yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I just wanted to ask the gentleman from New York whether he would support the bill if his amendment is accepted.

Mr. PIKE. Mr. Chairman, I want to assure the gentleman that I will support the amendment which I have just offered. As to the rest of it, we will cross that bridge when we come to it.

Mr. HUNT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the hour grows late and many of our colleagues due to the gasoline fuel shortage, have reservations on the planes that are flying.

I just want to recall whether I am correct on this: As I recall, the author of this amendment, the gentleman from New York (Mr. PIKE) said at the outset when he spoke initially on the floor that the bill we are considering (H.R. 12670), was so bad he would not even attempt to amend it.

Now, he comes along, obviously in pique, and attempts to amend it back to a bill that was rejected in the committee—not because the Pentagon told anybody. I do not know whereof my colleague speaks, but the Pentagon has not tried to influence me. As the Members can understand from our conversations before, I am quite sure my colleague understands that they never attempt to influence me. Even the chairman of the committee, the chairman of the full committee on Armed Services, the gentleman from Louisiana (Mr. HÉBERT), as much as said that he had some difficulty with me in those respects.

So, I say to the Members today, this bill we have presented to them, the one that my colleague now seeks to amend at the last moment after we have gone through this, after the Committee on Armed Services voted it out of committee by a vote of 34 to 4, he now seeks to amend in pique at the last moment. This is a pretty poor demonstration, I would say, when he would not even try to amend it in committee. That was the place to do it. We do not come on this floor and write legislation.

We come on this floor this afternoon from the Committee on Armed Services to pass a bill recommended all over the country. The warrant officers my colleague spoke about are for this bill. The Members heard my colleagues speak today on the floor. They heard my colleagues speak and tell them that the warrant officers are getting what they want, getting an increase in pay that they so richly deserve. These other men who fly the combat helicopters, we seek to take care of these men. We seek to take care of our own obligations.

Nothing has been said about the bill which resulted from studies of the Hook Commission of 1928 that guaranteed these men flight incentive pay and which was passed into law by this Congress in 1929. We who have brought the bill to the floor today simply want to do one thing: Fulfill our obligation to these men who are flying, who have come into the armed services by being induced to come in to be aviators with an incentive pay.

To walk away and to welsh on a promise is to really walk away from a contractual obligation. I am certain many Members who are attorneys here understand that when one has a contract obligation, one fulfills it. If he does not, then the courts compel him to do so.

Mr. Chairman, let me urge my colleagues today to support the bill we have presented to them. Let me ask them in all sincerity to vote down this innocuous amendment. If we wanted this, of course, we would have brought it out. I assure the Members also of one thing: The Pentagon is not the catalyst.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as the gentleman from New Jersey has already pointed out, this matter was not addressed in the minority views at all, and as a matter of fact the key point to which the minority views are discussed is not touched on by this amendment at all. We have been told earlier that the bill that we offered was a terrible thing, because it would allow somebody to draw 12 years of flight pay for only 2 years of flying. The same, if true, would apply under this amendment. Under this amendment it would be possible to draw flight pay for 25 years with only 12 years of flying. So there is some question as to just what the purpose of the amendment is.

But it is a very simple matter as to why the subcommittee did not accept this position. This was the original proposal for consideration by the subcommittee and, in fact, this was my original idea. The reason that the subcommittee backed away from it was the very simple reason that we discovered that if we insisted on this amendment, we would seriously disrupt the flying operations of the Army and create real havoc in the Navy.

Since, after all, the purpose of this bill is to provide an incentive to build an effective aviation service in the Army and in the Navy and in the Air Force, we did not think that just to insist on congressional prerogatives was a justification for disrupting the services that we were trying to help.

Here is what the situation is. General Benade, the Assistant Secretary of Defense for Manpower, said as follows:

> The Department believes that the members of the Subcommittee should be aware of the severe impact that such a requirement would produce on the aviation community. The following table provides an illustration of the numbers of career aviators in the present force who would be denied continuous incentive pay at the 12 and 18 years "gates" because of failure to meet the operational flying time standards.

Mr. Chairman, the table is given in percentages. It shows that in the Army, at the 12-year gate, it is 100 percent, and at the 18-year gate, 100 percent; in the Navy, 60 percent at the 12-year gate; and at the 18-year gate, 72 percent; and in the Air Force, 20 percent at the 12-year gate, and 25 percent at the 18-year gate.

Now, this is a rather shocking situation, there is no question about it. But we felt that the wise and the sensible and the responsible thing to do was to make some adjustment so that the services could restructure their flying assignments on a gradual enough basis so they did not have complete chaos as a result of the passage of this bill. We tried, in other words, to compromise the desires of the House to put flight pay on a more equitable basis with the other objective, which was to create a system that would provide an incentive for people to get into an effective aviation force and to stay in it.

For that reason we dropped the gates a couple of years so that we could get this thing started, as I said. Let us walk before we run. Let us begin at least to do this job.

Mr. Chairman, I think it would be irresponsible for us to undertake the adoption of an amendment that clearly, as the Assistant Secretary of Defense has indicated, would create chaos and would seriously impair the effect on personnel attraction and retention. Such a law can only be counterproductive, at the same time increasing significantly the costs for replacement training.

In other words, we are by this amendment working against our own purposes, and I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. PIKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PIKE. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WHITE

Mr. WHITE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WHITE: On page 2, line 13, insert before the word "officers" the words, "regular or reserve".

Mr. WHITE. Mr. Chairman, this is a clarifying amendment which says that if and when we pass this bill reserve and regular officers would be included and treated alike.

Mr. STRATTON. Will the gentleman yield to me?

Mr. WHITE. I yield to the gentleman.

Mr. STRATTON. The gentleman from Texas has been good enough to show me

his amendment. What it does, as the gentleman just said, is simply to make it clear the provisions of this bill apply not only to regular officers on extended active duty, but also to Reserve officers on extended active duty.

We have in the subcommittee a legal opinion which says the present wording of the bill makes it perfectly clear it applies to the Reserve officers who are on active duty as well as Regular officers. However, we would have no objection to the amendment and would be glad to accept it and take it to conference.

Mr. WHITE. I thank the gentleman.

I yield to the gentleman from New Jersey.

Mr. HUNT. We have no objection on this side, and we will be very happy to accept the amendment.

Mr. WHITE. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WHITE).

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the committee rises.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BEVILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12670) to amend section 301 of title 37, United States Code, relating to incentive pay, to attract and retain volunteers for aviation crewmember duties, and for other purposes, pursuant to House Resolution 894, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STRATTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 320, nays 67, not voting 44, as follows:

[Roll No. 40]

YEAS—320

Abdnor	Bevill	Burgener
Alexander	Blackburn	Burke, Calif.
Anderson, Ill.	Blatnik	Burke, Fla.
Andrews, N. Dak.	Boggs	Burke, Mass.
Annunzio	Boland	Burleson, Tex.
Archer	Bowen	Burton
Arends	Brademas	Butler
Armstrong	Bray	Byron
Ashley	Breaux	Camp
Aspin	Breckinridge	Carter
Bafalis	Brinkley	Casey, Tex.
Baker	Brooks	Cederberg
Barrett	Brotzman	Chamberlain
Bauman	Brown, Calif.	Chappell
Beard	Brown, Mich.	Clark
Bell	Brown, Ohio	Clausen, Don H.
Bennett	Broyhill, N.C.	Clawson, Del
Clay	Jarman	Rinaldo
Cleveland	Johnson, Calif.	Robinson, Va.
Cochran	Johnson, Pa.	Robison, N.Y.
Cohen	Jones, Ala.	Rodino
Collier	Jones, N.C.	Rogers
Collins, Tex.	Jones, Okla.	Roncalio, Wyo.
Conable	Jordan	Roncallo, N.Y.
Conlan	Karth	Rooney, Pa.
Conte	Kazen	Rose
Corman	Kemp	Rostenkowski
Cronin	Ketchum	Roush
Culver	King	Roy
Daniel, Dan	Kyros	Runnels
Daniel, Robert W., Jr.	Landgrebe	Ruppe
Daniels, Dominick V.	Landrum	Ruth
Davis, Ga.	Latta	St Germain
Davis, S.C.	Leggett	Sandman
Davis, Wis.	Lehman	Sarasin
de la Garza	Lent	Satterfield
Delaney	Litton	Scherle
Dellenback	Lott	Sebelius
Denholm	Lujan	Shipley
Derwinski	McClory	Shoup
Dickinson	McCloskey	Shriver
Donohue	McCollister	Sikes
Dorn	McDade	Sisk
Downing	McEwen	Skubitz
Dulski	McFall	Smith, Iowa
Duncan	McKay	Smith, N.Y.
du Pont	McKinney	Spence
Edwards, Ala.	McSpadden	Staggers
Eilberg	Macdonald	Stanton, J. William
Erlenborn	Madden	Stanton, James V.
Esch	Madigan	Steed
Eshleman	Mahon	Steele
Findley	Mallary	Steelman
Fish	Mann	Steiger, Ariz.
Fisher	Maraziti	Steiger, Wis.
Flood	Martin, Nebr.	Stephens
Flowers	Martin, N.C.	Stratton
Flynt	Mathias, Calif.	Stubblefield
Foley	Mathis, Ga.	Stuckey
Ford	Matsunaga	Sullivan
Forsythe	Mayne	Symms
Fountain	Meeds	Taylor, N.C.
Fraser	Melcher	Thompson, N.J.
Frenzel	Mezvinsky	Thomson, Wis.
Frey	Michel	Thone
Froehlich	Milford	Thornton
Fuqua	Miller	Tiernan
Gaydos	Minish	Towell, Nev.
Gettys	Minshall, Ohio	Treen
Giaimo	Mitchell, N.Y.	Udall
Gibbons	Mizell	Ullman
Gilman	Moakley	Van Deerlin
Ginn	Mollohan	Vander Jagt
Goldwater	Montgomery	Veysey
Gonzalez	Moorhead, Calif.	Vigorito
Goodling	Moorhead, Pa.	Waggonner
Gray	Morgan	Walsh
Grover	Murphy, Ill.	Wampler
Gubser	Murtha	Ware
Gude	Myers	Whalen
Gunter	Natcher	White
Guyer	Nedzi	Whitehurst
Haley	Nelsen	Widnall
Hammer-schmidt	Nichols	Wiggins
Hanley	O'Brien	Williams
Hanna	O'Neill	Wilson, Bob
Hanrahan	Owens	Wilson, Charles H., Calif.
Hansen, Idaho	Parris	Wilson, Charles, Tex.
Hansen, Wash.	Passman	Winn
Harsha	Patten	Wolff
Hastings	Perkins	Wright
Hébert	Pettis	Wyatt
Heckler, Mass.	Peyser	Wylie
Hicks	Pickle	Wyman
Hillis	Poage	Yatron
Hinshaw	Podell	Young, Alaska
Hogan	Powell, Ohio	Young, Fla.
Holifield	Preyer	Young, Ga.
Holt	Price, Ill.	Young, Ill.
Horton	Price, Tex.	Young, S.C.
Hosmer	Pritchard	Young, Tex.
Huber	Quie	Zion
Hudnut	Railsback	Zwach
Hungate	Randall	
Hunt	Rarick	
Hutchinson	Rees	
Ichord	Regula	
	Rhodes	
	Riegle	

NAYS—67

Abzug	Bolling	Dennis
Adams	Burlison, Mo.	Diggs
Addabbo	Carney, Ohio	Dingell
Anderson, Calif.	Chisholm	Drinan
Badillo	Collins, Ill.	Eckhardt
Bergland	Conyers	Edwards, Calif.
Biaggi	Cotter	Evans, Colo.
Biester	Coughlin	Evins, Tenn.
Bingham	Danielson	Grasso
	Dellums	Green, Oreg.
Green, Pa.	Long, Md.	Rosenthal
Gross	McCormack	Roybal
Hamilton	Mazzoli	Ryan
Harrington	Metcalfe	Sarbanes
Hawkins	Mink	Schneebeli
Hechler, W. Va.	Mitchell, Md.	Schroeder
Heinz	Mosher	Seiberling
Helstoski	Obey	Shuster
Henderson	O'Hara	Stark
Holtzman	Pike	Studds
Howard	Rangel	Whitten
Kastenmeier	Reuss	Yates
Koch	Roe	

NOT VOTING—44

Andrews, N.C.	Johnson, Colo.	Rooney, N.Y.
Ashbrook	Jones, Tenn.	Rousselot
Brasco	Kluczynski	Slack
Broomfield	Kuykendall	Snyder
Buchanan	Long, La.	Stokes
Carey, N.Y.	Mailliard	Symington
Clancy	Mills	Talcott
Crane	Moss	Taylor, Mo.
Dent	Murphy, N.Y.	Teague
Devine	Nix	Vander Veen
Fascell	Patman	Vanik
Frelinghuysen	Pepper	Waldie
Fulton	Quillen	Wydler
Griffiths	Reid	Zablocki
Hays	Roberts	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Nix with Mr. Moss.
Mr. Rooney of New York with Mr. Patman.
Mr. Hays with Mr. Vander Veen.
Mr. Teague with Mr. Pepper.
Mr. Brasco with Mr. Waldie.
Mr. Zablocki with Mr. Kuykendall.
Mr. Carey of New York with Mr. Frelinghuysen.
Mr. Kluczynski with Mr. Ashbrook.
Mr. Reid with Mr. Mills.
Mr. Dent with Mr. Quillen.
Mr. Fulton with Mr. Crane.
Mr. Long of Louisiana with Mr. Talcott.
Mr. Murphy of New York with Mr. Broomfield.
Mr. Fascell with Mr. Rousselot.
Mr. Roberts with Mr. Buchanan.
Mr. Stokes with Mr. Symington.
Mr. Vanik with Mr. Snyder.
Mr. Slack with Mr. Clancy.
Mr. Andrews of North Carolina with Mr. Taylor of Missouri.
Mrs. Griffiths with Mr. Devine.
Mr. Jones of Tennessee with Mr. Wydler.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10203) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes."

CONTROL OF DRUG ABUSE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-219)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

One of the leading concerns of this Administration over the past five years has been the problem of drug abuse in America. In the 1960's, the number of heroin users increased substantially, reaching more than a half-million by 1971, and we saw an increase in the abuse of other narcotic and non-narcotic drugs.

With the cooperation of the Congress, and with the assistance of many foreign nations that were involved, we have undertaken a massive response to a problem which was assuming massive proportions. Our response has been balanced between rehabilitation for drug users, and strong enforcement against drug traffickers. It is compassionate, thorough and tough—and it has been highly effective.

REHABILITATION

In 1971, Federally-financed treatment programs for drug abuse were assisting 20,000 people. Today, these programs, linked with State and local drug abuse treatment programs have a capacity for helping more than 160,000 people.

In 1972, we had some 30,000 people on waiting lists for treatment of heroin addiction. Today, these waiting lists have been virtually eliminated. Those who formerly resorted to crime to support a drug habit because treatment was unavailable no longer have that excuse for their criminal activities. Those who want help can get that help.

There are those who need help but are unwilling to seek it. We are doing everything possible to encourage them to come in out of the cold. As an incentive to those who are not motivated to seek help on their own, Federal agencies are increasing their support of local programs to provide treatment for addicts and abusers who become involved in the criminal justice system.

ENFORCEMENT

Federal drug investigation and intelligence responsibilities have been consolidated in the new Drug Enforcement Administration of the Justice Department to provide the strongest possible spearhead in the attack on America's number one public enemy.

International seizures of opiates have increased sharply in the last year. The number of Federal drug-related arrests has jumped from over 15,000 in fiscal year 1972 to almost 25,000 in fiscal year 1973.

The continuing heroin shortage in the East Coast is an encouraging sign of success in the effort to stem the flow of this dangerous drug into our country. I am informed that the price of a milligram of heroin in New York City has tripled in the past 24 months. The purity of that heroin which is available was reduced by almost half in the same period. While we cannot solve the drug problem without treating those who are addicted, the most important factor in seeking a solution will be continued reduction of illicit drug supplies. If we are to eliminate the supply of illicit drugs we must remove from our society those who deal in these drugs.

I am determined to maintain and increase the pressure on those who traffic in human misery. Despite the very positive evidence that we are on the right track in removing the menace of drug abuse from our society, more remains to be done.

In my message to the Congress of June 17, 1971, requesting legislation for the present full-scale Federal offensive against drug abuse, I made it clear that there was much we did not know about this problem. I noted in that message that "it is impossible to say that the enforcement legislation I have asked for here will be conclusive—that we will not need further legislation. We cannot fully know at this time what further steps will be necessary. As those steps define themselves, we will be prepared to seek further legislation to take any action and every action necessary to wipe out the menace of drug addiction in America."

While our enforcement efforts are proving effective in finding drug traffickers, our system of criminal justice is not as effective in dealing with them after they are arrested. Justice Department studies show that more than a quarter of those who are convicted of narcotics trafficking do not serve a single day behind bars. These studies also indicate that nearly half of those arrested for drug trafficking may be continuing their criminal activities while out on bail. Further, because of the enormous sums of money involved in trafficking, a drug law violator finds it easier to post a high bail than do persons involved in other types of crime.

We have identified these loopholes in the criminal justice system, and now we must close them. I will submit shortly to the Congress legislative proposals which would increase the penalties for those who traffick in narcotics, provide mandatory minimum sentencing of narcotic traffickers for first time offenses, and enable judges to deny bail, under certain conditions, pending trial.

NEW LEGISLATION AIMED AT DRUG TRAFFICKERS

The new penalties for narcotics trafficking would provide minimum Federal sentences of not less than three nor more than fifteen years for a first offense. It would provide not less than ten nor more than thirty years for a second offense. Additionally, the proposal would increase the maximum Federal penalty for illicit trafficking in other dangerous drugs from the present five years for a first offense to ten years; and for the second offense, the minimum penalty would be three years and the maximum penalty would be increased from ten to fifteen years.

This proposal would also enable judges to deny bail in the absence of compelling circumstances if a defendant arrested for trafficking dangerous drugs is found (1) to have previously been convicted of a drug felony, (2) to be presently free on parole, probation, or bail in connection with another felony, (3) to be a nonresident alien, (4) to have been arrested in possession of a false passport, or (5) to be a fugutive or previously convicted of having been a fugitive. The defendant must be brought to trial within 60 days or the matter of bail would be reopened, without regard to the earlier findings.

CONCLUSION

Drug abuse is a problem that we are solving in America. We have already turned the corner on heroin. But the task ahead will be long and difficult, and the closer we come to success, the more difficult the task will be. We can never afford to relax our vigilance and we must be willing to adjust our methods as experience tells us they should be adjusted.

We will continue to support treatment and rehabilitation of abusers with all the generosity and compassion which victims of drug abuse require.

But there can be no compassion for those who make others victims of their own greed. Drug traffickers must be dealt with harshly, and where the law is not sufficient to the task, we must provide new laws, and we must do so rapidly.

I urge the earliest possible consideration and passage of the legislation which I am proposing to strengthen our drug enforcement efforts by closing the loopholes in our criminal justice system.

RICHARD NIXON.

THE WHITE HOUSE, *February 21, 1974.*

CONGRESSIONAL PAY RAISE

(Mr. SYMMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMMS. Mr. Speaker, it is indeed ironic that at a time when the American wage-earner and pensioner is forced by inflation to buy beans and franks, that Congress is contemplating another salary increase to keep pace with the price of filet mignon. The irony rests in the indisputable fact that Congress itself is most responsible for the soaring cost of living and yet we are asking everyone else but ourselves to pay for it.

For month after month I have listened while Government officials scold private citizens for their supposed contribution to the "wage-price spiral." I have heard all the phony logic used to rationalize the imposition of wage-price controls on our once free economy. And now I am burdened with hastily conceived excuses and counter charges employed in an effort to explain away the critical shortages which inevitably resulted from the controls on wages and prices. The implication in each case has been that individual Americans—not government—were responsible for our economic hardships and that therefore the American public—not government—would have to tighten its belt.

It is a typical tactic of government that while bowing to the idol of deficit spending it is blaming its own malfeasance and inflationist policies on the private citizenry. Business and labor are told to "hold down" the cost of living even though they have no control whatever over the expansionist monetary policies of the Federal Reserve System which dictate the wage and price hikes. This is the situation at present. Yet, as if this state of affairs is not sad enough, Congress now adds insult to injury by considering a salary increase for itself while disapproving of salary increases for all other hard-working Americans. When this kind of hypocrisy prevails it is no wonder that

public respect for Congress keeps plummeting ever lower.

Until Congress musters sufficient political courage to come to grips with deficit spending it should not even entertain the thought of a salary increase. Since Congress has created our mounting inflation by its utter refusal to cut spending, Members of Congress should pay the price by having to live with their present salaries. Indeed, if we are to reestablish economy in government, then there is no better place to start than with our own paychecks.

It is truly unfortunate that, as a consequence of the Federal Salary Act of 1967, no positive action by Congress is now required to approve of pay increases. It is my belief that the American taxpayer has a right to know where his representatives stand on an issue of this importance whenever it arises. Moreover, Members of Congress should be held accountable for their salary hikes to the people they represent. I am confident that were the true feelings of Americans known, their message to Congress would be to act responsibly, balance the budget and repeal the bureaucratic restraints on U.S. productivity before contemplating a pay increase for a job performed to date so poorly.

CONVERSION FUND EXTENSION FOR MEDICAL SCHOOLS

(Mr. ABDNOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABDNOR. Mr. Speaker, today I have introduced legislation providing for a 2-year extension of the Public Health Service Act's authority for grants for 2-year medical schools intending to become schools capable of granting medical degrees. This so-called conversion fund expires June 30, 1974, prohibiting further grant assistance to those 2-year medical schools converting to a 4-year degree granting school. The need for this extension can be expressly seen by the circumstances in my State of South Dakota.

The South Dakota legislature recently passed into law the needed authority for our 2-year medical school to convert into a 4-year degree granting school. Pending accreditation, the school will not be able to open its doors to the third year medical student until the fall of 1975, 1 year too late for the conversion fund assistance. The conversion fund would have provided $50,000 per third year student which amounts to $1,750,000 in our case. The legislation I have introduced would provide the needed time for the school to qualify, and its application for assitance to be considered. The assistance factor per student enrolled would remain that of $50,000.

The need for a 4-year degree granting medical school in the State of South Dakota, and thus assistance from the conversion fund, can be seen in that 50 to 67 counties in the State show a need for additional physicians when you compare population density to available doctors.

Many studies indicate a close correlation between the location where the most advanced level of training was received and the location of practice. Residency training programs would appear to be an effective approach to increasing the quantity of physicians in South Dakota, and you cannot fill residencies without the close supervision of a 4-year medical school. One relates to the other, and thus the point of concern.

Needless to say, I will not be so foolish as to imply that the answer to South Dakota's health needs rests wholly in the development of a 4-year degree granting medical school. It simply represents one part of the health systems development and feasibility. The extension of the conversion fund would provide needed Federal assistance for the school's development and eventually the development of a regionalized integrated rural health system providing continued health education, allied health support, and family practice emphasis so badly needed in this age of specialization.

MORE ON THE MICRONESIAN STATUS TALKS

(Mr. WON PAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WON PAT. Mr. Speaker, several weeks ago, I rose to point out to my colleagues in the House a problem of severe proportion which is growing out of the United States' status talks with the Northern Mariana Islands.

At that time, I pointed out that it is becoming more apparent with every passing day that the State Department and the Department of the Interior, together with officials of the Pentagon, are so desirous of developing a major military facility on the island of Tinian that this country is offering to provide the estimated 15,000 residents of the Northern Marianas with a significant degree of political and economic autonomy in exchange for their cooperation.

Included in the proposed package deal will be an offer of U.S. citizenship, commonwealth status with this country, and a guaranteed program of financial assistance.

As a Guamanian-American, I certainly congratulate my fellow Chamarros for their success in the status talks to date, and I have joined with the entire membership of the 12th Guam Legislature in offering our best wishes for continued success.

I also noted, however, that the American citizens of Guam are not faring so well in their efforts to upgrade their political status with this country.

The Guam Pacific Daily News, which covers not only Guam but Micronesia—Trust Territory of the Pacific—in an editorial by Mr. Joe Murphy, agreed with my comments, I am pleased to say. The newspaper further amplified my comments with their own illuminating but provoking views and statements.

Since I believe this is an issue of growing concern to my colleagues, as well as the American citizens of Guam, I hereby request that the editorial be inserted in the RECORD at this point.

[From the Guam Pacific Daily News, Feb. 9, 1974]

AT A DISADVANTAGE

It's wholly predictable, and will be just the first shot, with many more to come.

We're talking about Rep. Antonio B. Won Pat's statement made in the Congressional Record this week, when he complained loudly that his Micronesian neighbors seem to be getting a better deal at the bargaining table than Guam is getting as a U.S. territory.

We don't think that Won Pat's statement is just petty jealousy, either, because he's not that kind of a person. We think that he is legitimately expressing the views of most of the people in Guam. We're just surprised that some of the more vocal members of the Guam legislature haven't already taken up the cry.

Won Pat, in his remarks, said that while he joins the Guam Legislature in backing the aspirations of the people of the Northern Marianas to upgrade their status with the U.S., the needs of Guam should not be overlooked in the process.

It gets back to our original premise—that Guam should have been included in the talks. The U.S. State Department, and the President of the United States, and his person l representative, Ambassador Williams should have told the people of the Northern Marianas—"Yes, we'll talk to you about future political status, even though it will make the rest of the Micronesians unhappy—but we just don't see the likelihood, or the probability that the U.S. Congress will ever agree to two separate political divisions in an island group as small as the Marianas, so if you want to talk, fine, but we'll have to include Guam in the talks."

Now we are getting into a situation in which the people of Guam, all U.S. citizens, and under the U.S. flag for nearly 75 years, an island that was occupied by the enemy, bombed and shelled by the U.S. finds itself in a position of a lesser degree of self government than our island neighbors.

The tentative agreement between the Northern Marianas and the U.S. would establish a "Commonwealth of the Northern Marianas" under U.S. sovereignty, provide for return to local control of all U.S. military land not needed for defense, guarantee $14.5 million annually for five years in federal assistance, confer U.S. citizenship on indigenous residents of the area, declare the commonwealth a duty-free port and allow for "maximum self-government" with the drafting of a local constitution.

How does that leave Guam on the outside, looking in?

Well, nobody has said anything about providing for return to local control all military land on Guam not needed for defense. Nobody has said anything about providing an annual stipend of $14.5 million annually—in fact last year, such grants were about one fourth that amount, with a population nearly ten times as large. But, even more important, nobody at the U.S. federal government level has said anything to the people of Guam about the drafting of a local constitution, which would allow for "maximum self government."

Won Pat made this point emphatically, when he said: "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." Guam does not have its own constitution, but one which Congress drafted for it in 1950, called the Organic Act. Efforts to open status negotiations through the White House have gotten nowhere, Won Pat said. He also noted: "We were ignored by the White House and given a watered-down 'status group' com-

prised of various Washington bureaucrats empowered to discuss matters only with the Guam governor and those selected by him."

Won Pat concluded: "The American citizens of Guam also have 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 land is actively or beneficially used for any purpose."

Another aspect of the situation, which we have pointed out before, and voiced by Won Pat in the Congressional Record, is that under the circumstances prospects for reunification of Guam with its Marianas neighbors seem poorer than ever before. Before, reunification with Guam had some appeal to the people of the Northern Marianas—such things as citizenship, duty free port status, the federal minimum wage law, inclusion in various federal programs. But the U.S. government, in their apparent generosity to the Northern Marianas, have taken such bargaining tools away from Guam.

We're certainly not blaming the leaders of the Northern Marianas for trying to gain every advantage they can in the negotiations. In fact, we applaud their persistence and determination. We do object, however, to the United States in not realizing that the Marianas are one island chain, and then sitting down collectively with all the representatives of those islands. We also find some fault with the leaders of Guam for not insisting more strenously that we be included in those talks.

Frankly, we find it difficult to see any out for the U.S. at this time. We doubt if the U.S. Congress will agree to a fragmentation of the Marianas, especially a fragmentation that obviously puts Guam at a disadvantage. We appreciate Rep. Won Pat in his attempt to set the record straight on the matter, but we think it an opportune time for all of Guam's leaders to try to gain the ear of the State Department, the Department of Interior, the U.S. Congress, and the President on the obvious unfairness of the treatment of the people of Guam, in comparison to our northern neighbors. ICM.

EMERGENCY ENERGY ACT

(Mr. PATTEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATTEN. Mr. Speaker, I take this time to express my great disappointment and outrage that near the end of the month of February, the Congress has not yet reached an agreement on legislation which would grant temporary emergency powers to the President to deal with the fuel shortages. I am, of course, speaking of the Emergency Energy Act.

It is beyond my comprehension why this distinguished body of legislators cannot legislate a bill which would enable this country to deal with a situation which in many areas has developed into crisis proportions. The original purpose of the bill was to simply grant the temporary powers to the Executive which could be used to stem a potentially grave economic threat to our Nation. That was back in the 1st session of the 93d Congress. We composed and debated an emergency bill prior to the Christmas recess and many of those sessions ran into the early morning hours. It was amended, debated and voted on again and again. I intended—and my colleagues know this—to celebrate Christmas Day on the floor of the House of Representatives, so that I could return to my people and assure them that the Congress has indeed acted. But it did not, and I could not tell them so.

Congress returned from its recess only to recess once again without having taken affirmative action on the legislation. Now, after the Senate has completed consideration of the conference report, another logjam appeared on the House horizon.

Congress is supposed to be dealing with an emergency situation. One does not deal with an emergency situation by considering it for nearly 3 months. My home State of New Jersey has been experiencing severe shortages of gasoline. My people have witnessed violent outbreaks and soaring prices. The poor are struggling now, not only to pay for food, but for the fuel to heat the homes. They have been patient and have conserved—they have been extremely patient; but there is a limit, and the people of New Jersey have long passed that limit, as have I.

The Senate version is presently acceptable. It provides for the needed emergency powers and compensates for some of the consequences of the energy crisis we are experiencing. In late December 1973, I voted to limit the "windfall" profits of the industry. The conference report contains a rollback of prices on domestic crude. I am completely in support of that.

I have the highest regard for Senator JACKSON and Chairman STAGGERS for the endless hours they have devoted to arriving at an emergency energy bill and it is about time that Congress completes action on it and delivers it to the President.

We are attempting to deal with an emergency situation. Let us act with that in mind, and adopt the Senate conference report.

THE RETIREMENT OF CONGRESSWOMAN EDITH GREEN

(Mr. ROSTENKOWSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROSTENKOWSKI. Mr. Speaker, in the past 3 years, many of our colleagues have made the very difficult decision not to seek reelection to the Congress. It is a decision that affects each and every one of us in almost the same personal way as it affects each of them. While it is a loss of friendship, and a loss of camaraderie, these are merely losses of distance and frequency and are therefore not permanent in nature. There is, however, another kind of loss that often accompanies the retirement of one of the outstanding members of this body—the loss of leadership and of expertise, qualities that are never so effectively replaced.

The recent decision of the gentlelady of Oregon not to return to Washington for the 94th Congress creates one such significant loss. EDITH GREEN is a woman whom I have admired since I myself first came to Washington in 1959. She has symbolized a style of independence and integrity that we would all do well to emulate. Her capacity for work is legendary and her competency in the field of education is virtually unmatched.

Yes, the retirement of Mrs. GREEN will certainly alter the makeup of the Congress in the years to come. But, apart from this selfish concern of ours, her decision to retire will provide her with the leisure time that she, if anyone, truly deserves.

Even in making public her decision not to seek reelection, EDITH GREEN, in her usual style, was able to pin-point, better than most, some of the hopes and frustrations of all of us here in this Chamber. In her remarks, given before the Portland City Club, she seemed to be speaking the mind of so many of us, as she so often has during debate in the Chamber. In this address, she noted that:

George Bernard Shaw once defined democracy as a "device which insures we shall be governed no better than we deserve."

By that standard, the people of Oregon must have deserved representation of a standard unsurpassed anywhere, for that is what they have received.

Since I know of the great admiration and respect that all my colleagues hold for her, I would at this point like to insert her announcement of retirement in the RECORD:

ANNOUNCEMENT OF RETIREMENT BY REPRESENTATIVE EDITH GREEN

As Wendell has pointed out in his comments, this is a bi-partisan report to our constituents. I am pleased to participate in it.

One of the joys of the last many years has been the most pleasant bi-partisan working relationship Wendell, Al Ullman and I have had in the House. This very fact has, I believe, worked to the benefit of Oregon. Congressman Wyatt is a great legislator—whose sense of "right" and fairness has commanded the respect of colleagues on both sides and obviously the respect and confidence of Oregonians by his margin of victory in every election—including 1974—if he asked for it.

Today, it is perhaps a bit more difficult than usual for me to speak to you, because of the extra-ordinary loss of confidence in government that seems to have swept the American people.

The fact I am retiring from Congress at least by the end of this year—and therefore, have no personal self-interest, whatsoever, in your acceptance of my observations—it is my hope that this will help persuade you of the sincerity and the genuine concern which I have for the democratic institutions of this country. I am retiring from Congress for a number of reasons, and one is to keep a promise to myself that I made 20 years ago when I was first elected. And that was that should I be so fortunate (and I have been) to win repeated votes of confidence from my constituents then I would retire voluntarily from Congress at a time I considered most appropriate. That time has come. Twenty years in any one job is a reasonably long time. I have never felt in better health; my energies remain unabated. My retirement from Congress, by no means, means a retirement from active life. There are a number of projects and goals which I wish to pursue.

If given a choice to serve in Washington in a time of peace and calm—or a time of stress and strain, a time of crisis, then I must choose the latter—not because it is

easier—but because it is more demanding, more personally challenging, decisions more crucial. I'm grateful I've had both. In 1954, fresh from the Korean War and still deep in the Cold War, we were a country gripped by fear, McCarthyism, and uncertainty. Our youth was apathetic, our economy shaky, our schools run down.

How much has transpired in the intervening years! Sputnik, a national awakening, optimism, the resurgence of youth, new hope, assaults on prejudice and discrimination, growth of equal opportunity—followed by a devastating war, disillusionment, violence, inflation, and growing disenchantment with government. The great pendulum has swung mightily in both directions, and the Nation has been fiercely buffeted. These years have given me moments of deep sorrow and moments of great joy.

It was with sorrow I read a Harris Poll in December in the Washington Post. The caption for the two column article read: Presidency Rated Below Trashmen.

That caption could have, also, read: Washington Post Rated Below Trashmen!!

Because every institution in our society, with the exception of medicine (according to this poll), rated below the trashmen in terms of the confidence shown by the American people. The executive branch—according to Harris—winning the confidence of only 18%; labor, 20%; Congress, major companies and the press, 29% each; the U.S. Supreme Court, 33%; religion, 36%; the military, 40%; T.V. news, 41%; medicine, 57%.

When there is this lack of confidence in every one of our institutions—could it be really a lack of confidence in ourselves! Truman said: "The immediate, the greatest threat to us is the threat of disillusionment, the danger of an insidious skepticism—a loss of faith in the effectiveness of international cooperation. Such a loss of faith would be dangerous at any time. In an atomic age it would be nothing short of disastrous."

James Russell Lowell said: "All free governments, whatever their name, are in reality governments by public opinion, and it is on the quality of this public opinion that their prosperity depends." If Truman and James Russell Lowell are both correct, and I believe they are, then before we travel further down this path of self-destruction (yes, at times self-flagellation) we should reexamine our instruments of government—and ask why we've reached this place.

Watergate—to be sure, but pre-Watergate, in 1966, the Executive branch, labor, Congress, the press, the Supreme Court, religion, T.V. news—none of these institutions enjoyed the confidence of one-half of the American people.

I share Wendell's views on the absolutely incredible, inexcusable, stupid series of events called Watergate—and that scenario has no chance of being played out for at least a few months. If some of those bright lawyers around the White House had just remembered Edmund Burke's views: "It is not what a lawyer tells me I may do!! It's what humanity, reason and justice tell me I ought to do".

I wish to leave no doubt of my position on Watergate: wherever corruption or criminal activity has occurred, it should and must be uprooted vigorously. Nothing is a greater threat to free government than the corruption of its institutions.

The Members of the Judiciary Committee, with 90 staff people headed by John Doar, are determined to search out all the facts—those that exonerate as well as those that implicate—in order to reach a fair and impartial conclusion.

At a breakfast meeting last week of the moderate Democrats—Pete Rodino, the Chairman, outlined the scope of the Committee's work and answered questions for an hour.

Among the subjects being explored by the task force examining domestic surveillance activities are allegations with respect to a) the 1969 wiretaps, b) the Huston plan, c) the activities of Messrs. Caulfield and Ulasewicz, d) the activities of the special investigative unit in the White House, and e) the activities surrounding the Ellsberg trial.

The task force charged with examining campaign intelligence activities is examining allegations with respect to the following activities, among others: a) White House "dirty tricks," b) intelligence activities of the Committee to Re-Elect the President, c) the Diem cables, d) the plan to burglarize and firebomb Brookings Institution, and e) operation Sandwedge.

Among the areas under consideration by the task force considering the Watergate break-in and aftermath are allegations with respect to a) the Liddy plan, b) the actual break-in at Watergate, c) the destruction of files, documents and other evidence, d) payments to the Watergate defendants, e) the relationship between the CIA and the Watergate investigation, f) offers of executive clemency to the Watergate defendants, g) the role of John Dean in the Watergate investigation, h) the firing of Mr. Cox, and i) the presidential tapes.

The task force examining the President's personal finances is examining, among others, allegations concerning a) tax deductions taken for the gift of vice-presidential papers, b) deductions and expenditures attributable to private uses of San Clemente and Key Biscayne, c) the sale of the New York apartment, d) the deductions on the Whittier home, e) the sale of certain Florida lots, f) the possibility that income should be imputed by virtue of personal use made of government facilities and services, and g) improvements to San Clemente and Key Biscayne properties of a non-protective nature at government expense. In connection with the President's personal finances, the Joint Committee on Taxation is reviewing the President's returns.

There are a number of allegations under consideration by the task force considering agency practices. Before listing them, I want to emphasize that these are mere allegations. The fact that an inquiry is being or will be made should not be taken to mean that the Committee thinks there was necessarily wrongdoing there, nor should it be taken to mean that there has been any prejudgment whatsoever. Some of the allegations under consideration are a) White House involvement in the solicitation of illegal campaign contributions, b) allegations involving links between dairy contributions and dairy import quotas and price supports, c) allegations involving the compilation of an "enemies" list and action taken with various agencies, particularly IRS, to penalize or harass those listed, d) allegations involving instructions to the Antitrust Division to accord ITT favorable treatment because of a campaign contribution, and e) allegations involving a connection between the White House and the events leading to the indictment of Messrs. Mitchell and Stans.

The Committee is fully aware of its awesome responsibility—as is the House. It is playing a historic role—and what it does will surely affect the future of this country for as long as our form of government persists. There is little precedent. In 1974, the Committee and the House will be setting the precedents for future generations, restudying the Federalist papers, defining "impeachable offense"—establishing the facts.

While there is some difference of opinion among lawyers in the House, many believe that if the House should impeach, the Senate would be limited to those matters in the Articles of Impeachment. Amended Articles of Impeachment is unlikely. I hope that the majority of Oregonians can see why most of my colleagues and I approach this entire matter with special care, special concern, and with the sense that history is watching. No partisanship, no short-term sensationalism can deflect us from our long-term responsibility.

And for a small minority—destroying the Office of the Presidency to "get Nixon" reflects no credit on those who feel that way.

I can understand Wendell's feelings. You and I know that wrongdoing is not the monopoly of one man, or one group, or one party. An honest-to-goodness house-cleaning is not a partisan matter. In my years in Congress, I have originated or conducted a very large number of investigations into mismanagement of funds and abuse of power by the government. I have not found malfunctioning to be the monopoly of one party. If we are going to rid ourselves of wrongdoing, we must do our work without regard to party or ideology. I am afraid that this is much harder to do than to say. How easy it is to confine your investigations to your enemies!

How tempting it is to seek indictments only against your opponents! Yet, such a partisan view of justice will surely do more harm than good to the stable fabric of a free society.

Besides Watergate, what has contributed to the erosion of confidence in government? "Vietnam", to be sure. "The Flowing of power from Congress to the White House." What about the continuous and mounting flowing of power—of decision-making from cities and states to Washington? I believe the sheer size and the remoteness has contributed immeasurably to erosion of confidence in government.

The Social Security recipient who has waited 3 or 4 months for her check from the government loses confidence; she wants service not statistics. The individual who does not get reimbursed under Medicare for months and then only a fraction of the medical bills loses confidence; he believes his government doesn't care; he demands results—not promises from 3000 miles away.

The small businessman becomes engulfed in paperwork—forms to fill out—regulations to read, guidelines to follow. His view—what a mess! That government! Consider this: A Senate subcommittee estimated a short time back that it costs the United States government about $18 million a year to print, shuffle and store forms to businesses and that it costs businessmen another $18 million to get the forms filled out. The National Archives Office said it was a conservative estimate.

Bigness is another way; Yesterday I phoned the Director of the administrative office of the United States Courts; he confirmed that we could expect an increase up to 300,000 in the number of offenses brought before federal courts if the Emergency Energy Act passes in its present form.

In my judgment, the job of the Executive branch, the job of the Congressman is just too big. None of us can do it well.

The legislative load on Congress has skyrocketed out of control. During the first half of the 93rd Congress, 17,528 bills were introduced by Members, of which many were major public bills. Even if there were nothing else to do but study proposed bills, and even if there were limitless funds for staff, it would be impossible—working 16 hours a day—to give all these bills the necessary attention.

There is no end to our problems and if we look to Washington for all solutions, there will be no end of programs. Each new one generates the expectation that the solution will soon be found. And then the infusion of federal funds does not solve the problem, mismanagement occurs, expectations are dashed, disappointments set in and disillusionment and distrust follow.

As I see it, we must have decentralization—a real shift of power to state and local governments.

Decentralization, however, will not take place effectively through words or even through unilateral withdrawal of the federal government from various problem areas. Decentralization will occur only when state and local governments develop vigorous personalities of their own and develop vigorous approaches to the solution of their problems. It is not the collapse of federalism that I look forward to, but rather the resurgence of initiative and imagination in local government. Only a widespread renaissance of local initiative can bring this about.

Let me touch briefly on two other points. Most of my colleagues and I share the concerns Mr. Wyatt has discussed about lobby groups, and I include the new-style of so-called "citizens lobbies" which clothe their positions in a mantle of pure public good. Such groups are proliferating and in fact form a significant new force on the political scene—but they are not yet subject to the same controls as other lobbies. I think they must be.

A sound public interest is good; an interest based on emotion putting out horrendous misinformation is not helpful to the legislative process—whether it be a church lobby or an oil lobby.

Many of the so-called public interest groups seem to believe that if hundreds of thousands of members "buy" their conclusions, their recommendations and relay this by thousands of letters or petitions to Congress—then ipso facto—good government results. I ask for more public thought to the dilemma; how is the constitutional right to petition one's government protected—yes encouraged—and yet the Congressman's right and responsibility to have time to study legislation—preserved? I am beginning to wonder if the impact of mail on "good government" isn't in inverse ratio to its volume. If a Congressman and his staff—for purely political reasons—must devote 80% of their time and occasionally 100% of their time to answering mail and petitions—then there is just that much less time to study legislation, to very carefully draft it—to do the essential research—to read—to reflect—yes, to examine our instruments of government to see if they're working—and to do the scandalously neglected but absolutely essential oversight job if programs are to fulfill their Congressional intent.

I don't know the answer. I do know people write in after they have received a Congressional response to a petition—and say, I never, ever, signed such a petition. Others sign petitions without reading.

I ask more public thought about open meetings of all committees. Hearings, of course, should be and are public. More of us are having doubts about open "mark-up sessions". Committees opened for the public interest are in reality more often opened for the special interests.

In closed conference sessions between House and Senate—I've seen violations of every rule of the House. On the other hand, on the Education and Labor Committee, I have been labor lobbyists in very recent years walk between Members' seats to press a point while roll-call vote on a highly controversial bill is in progress.

I sometimes wonder if the very delicate negotiations and compromises necessary at the constitutional convention would have been successful if public interest groups, and special interest groups working through so-called public interest groups, had persuaded them that all meetings should be open.

If there is one thing I have learned in my years in Congress, it is that this institution represents America in microcosm. The men and women who serve there may not reflect your views or mine, but to an amazing degree—in their style—in their views—in their persons—they do reflect their own constituency.

Yes, there are bad apples among politicians as there are in the population as a whole. But the vast majority are hard-working, honest, good and decent people—just as Americans are as a whole. George Bernard Shaw once defined democracy as a "device which insures we shall be governed no better than we deserve"! On the whole I think America has deserved well and been served well.

It is tempting to succumb to the cynicism and lack of confidence so prevalent. But while we can afford to be disappointed in individuals, we cannot afford to be disappointed in the democratic process—for this is the foundation of our strength.

Each era brings its trials and challenges. Always they seem the most difficult we have faced. But our society has always been characterized by optimism and confidence—having discovered our weaknesses, we will rediscover our strengths.

I am eager to return to Oregon—to family and friends. The District will send a new face to Washington to help shape a new form to federal programs and to federal-state relations.

My years as the Third District Representative will always be for me one of the great joys and prides of my life. And no one could have a better constituency. Even though you've disagreed with me on specific issues (some, on all!!) you've given me the leeway necessary to try to do the best job possible. My colleagues ask about my State and I tell them this constituency is among the best-educated, politically aware, no-nonsense, but common sense groups in the United States.

For my successor may you always remain—(may the big majority of all our citizens forever remain) the good and decent people that you are. My farewell is not to you—but to my office. It is my most cherished hope that I may continue, in other ways, to work with you for our city, our state and our nation.

LEGISLATIVE PROGRAM

(Mr. RHODES asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I take this time to ask the distinguished acting majority leader if he is in a position to give the Members of the House some idea of what the program will be next week.

Mr. McFALL. Mr. Speaker, if the distinguished minority leader will yield, I will be happy to reply to him.

Mr. RHODES. Mr. Speaker, I yield to the distinguished acting majority leader.

Mr. McFALL. Mr. Speaker, there is no further legislative business for today. After the announcement of the program for next week, I will ask unanimous consent to go over until next Monday.

Mr. Speaker, the program for the House for next week is as follows:

Monday is District day. There are no bills scheduled.

For Tuesday and the balance of the week, we have H.R. 2, Employee Benefits Security Act. We have a modified open rule with 4 hours of debate. We expect to take the general debate only on Tuesday.

We have also scheduled S. 2589, the National Energy Emergency Act conference report, which is subject to a rule being granted.

Then, we have H.R. 11793, Federal Energy Administration. We will have votes on amendments and the bill. We have had the general debate already, if the Members will recall.

Then, we have H.R. 11035, the Metric Conversion Act, which is subject to a rule being granted.

Finally, we have H.R. 10294 the Land Use Planning Act, subject to a rule being granted.

Conference reports may be brought up at any time. Any further program will be announced by the leadership later.

Mr. RHODES. Mr. Speaker, may I make a point before the gentleman from California proceeds?

I just want to ask about the program as far as S. 2589 is concerned.

I note that the gentleman stated that the bill is to be called up for conference report and subject to a rule being granted.

Mr. Speaker, it was my understanding that a rule had been granted on that bill.

Mr. McFALL. Mr. Speaker, at the time this was written, the report had not been filed on the rule. I understand now that either the report has been filed, or it will be filed as of midnight tonight.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. RHODES. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I would like to ask the distinguished acting majority leader, the gentleman from California, a question. Is there an open or closed rule on the pension bill, H.R. 2? Has an open rule or a closed rule been granted on the pension bill?

Mr. McFALL. Mr. Speaker, the gentleman from Hawaii (Mr. MATSUNAGA) informs me that it is a modified rule.

Mr. YATES. Mr. Speaker, I thank the gentleman.

ADJOURNMENT TO MONDAY, FEBRUARY 25, 1974

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

IMPEACHMENT PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 60 minutes.

(Mr. ADAMS asked and was given permission to revise and extend his remarks, and include extraneous matter.)

Mr. ADAMS. Mr. Speaker, I rise today to share with my colleagues some of the views of citizens of Seattle as expressed to date and to express my own approach to the important subject of impeachment.

An investigation involving improper conduct of the President, which would make him subject to impeachment under the Constitution, must be instituted in the House of Representatives. If the House decides a formal charge should be made, then articles of impeachment are referred to the Senate for trial. If, after a trial, the Senate by a two-thirds majority votes to convict the President, then he is removed from office.

At this point, Mr. Speaker, I would like to share with the House the views of my constituents, as reflected in mail I receive and a questionnaire I sent to all households, and, in addition, a resolution adopted by the Seattle-King County Bar Association, all of which apply to the impeachment proceeding in the House of Representatives.

CONSTITUENT OPINION

My office has now received over 4,000 letters on the subject of impeachment. This mail is presently running approximately 15 to 1 in favor of the House issuing articles of impeachment and referring the matter to the Senate for trial. In view of this great interest, I mailed approximately 165,000 questionnaires to every household in my district in January 1974. We have received approximately 5,000 responses. The responses have been 66 percent in favor of impeachment and 21 percent opposed.

During this period, the Seattle-King County Bar Association proceeded with a series of special meetings to determine the position of the bar association on impeachment. The question of whether a public position should be taken was presented at the bar association quarterly meeting on Wednesday, December 12, 1973. The association sent out notice of the subject of the meeting in advance and according to newspaper accounts the meeting was heavily attended. At this December meeting, time was allocated to both sides and after debate the members attending the meeting voted to take a public position on the conduct of President Richard Nixon. It was also decided to hold a special meeting to determine what that position should be. The board of trustees agreed upon a time and a place, together with special rules and procedures that would apply if two-thirds of those attending the special meeting approved.

The board of trustees then mailed a notice of the special meeting to all members of the bar association on January 10, 1974. This notice included a statement of the purpose of the meeting and a description of the manner in which all resolutions would be considered at the meeting.

The special meeting was held on Wednesday, January 23, 1974, and rules were adopted which set the procedure and alloted time for debate, which was equally divided between the sides. At the conclusion of the debate the following resolution was adopted:

RESOLUTION OF SEATTLE-KING COUNTY BAR ASSOCIATION

RESOLUTION NO. 1: STATEMENT OF PRINCIPLES UNDERLYING THIS RESOLUTION

The questions raised by the actions and the conduct of the Nixon administration generally referred to as "Watergate" call for a re-examination and reaffirmation by all citizens of the underlying premises on which our society is based. These include the principle that ours is a society of free people, that we have the right of democratic self-government, that our government is one of laws, not of men; that our liberties, our rights and our responsibilities as Americans derive from and are dependent on the vigilant maintenance of the rule of law.

We recognize that "Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen" and that "In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously."

Evidence has been developed sufficient to establish probable cause that the President or persons acting under his direct authority may be responsible for acts which constitute high crimes and misdemeanors under the Constitution. Among such evidence are statements by witnesses and in documents suggesting repeated violations of the fundamental constitutional rights of Americans, corrupt practices, interference with fair election practices and obstruction of justice.

This Association takes no position on the determination to be made by the Senate on a bill of impeachment.

The constitutional powers of government should be employed to develop the whole truth with regard to these alleged violations of law and to take appropriate means to assure that our government observes the law scrupulously.

The President of the United States, his administration and the American people are entitled to a fair hearing on these matters and to full disclosure of the facts in the orderly manner provided by law.

Impeachment and trial on the charges stated in the Articles of Impeachment are the means provided by our Constitution for determining whether acts which would subvert the principles upon which our system of government is based have in fact been committed by or under the responsibility of an incumbent president.

Because of the nature of our republic, because of the significant role which lawyers have played in securing and maintaining our rights, our responsibilities and our liberties as free men from birth of this republic to the present, and because the role of law and the role of lawyers in our government has been called into question by "Watergate," it is particularly incumbent upon us as lawyers to see that action is taken to resolve the questions raised. Now, therefore, be it

Resolved that this association urge the House Judiciary Committee to send to the House of Representatives a resolution and Articles of Impeachment specifying the charges against the President as may be determined by the Committee urging the House to vote to impeach the President so that a full public hearing on the facts may be had in conformity with the procedures established by the Constitution, and be it further

Resolved that the officers and trustees of the Association be authorized to take appropriate steps to publicize and implement the foregoing statement of principles and resolution.

Submitted January 16, 1974.

STANDARDS

The precedents for defining the constitutional standards for the removal of the President under article II, section 4 for "bribery, and other high crimes and misdemeanors" are very few. The phrase "high crimes and misdemeanors" was first referred to in the trial of the Earl of Suffolk in 1388. This was not used as a definition of any statutory crime since history indicates that misdemeanors did not exist as crimes in England until well into the 16th Century.

In the Federalist Paper No. 65, Alexander Hamilton indicates that impeachment was a method to reach the "misconduct of public men" and "abuse or violation of some public trust."

In Federalist Paper No. 51, James Madison indicates that impeachment was the ultimate check by the legislative branch on the Executive.

My research of the Constitutional Convention records indicates that impeachment was not to be a criminal proceeding. This is borne out by article I, section 3(7) of the Constitution which states that there shall be no punishment other than removal from office. It also seems true, however, that impeachment is a far more severe action than the parliamentary "vote of no confidence" since we hold elections only every 4 years and such a removal from office can prevent the electorate from expressing its will for a lengthy period of time. (See Butler's remark in the Convention, May 30. 1 M Farrand, The Records of the Federal Convention of 1787, 34 (1911)).

The House Judiciary Committee is at work defining standards for presentation to the full House and it is my understanding that the committee staff is supposed to report on this subject today. I have been working for months with the House leadership, as a member of the Steering and Policy Committee, to establish that the House would provide adequate staff and powers for this inquiry. This first meant approving sufficient funds for the Judiciary Committee to begin this inquiry. Then we proceeded to adopt House Resolution 803 to grant the subpena power necessary to the committee so it can require the production of evidence. It is essential that the committee have the necessary funding and investigative power to conduct a fair and full inquiry before any final decision is made.

GATHERING OF EVIDENCE

As a former U.S. attorney who has had experience with grand jury proceedings, I have informally discussed the gathering of evidence and establishment of standards with members of the Judiciary Committee. I have stressed that grand jury procedures can be used as guidelines but not as binding precedents in this matter. I have also advocated that this matter be brought before the House by the Judiciary Committee as soon as possible.

From my experience with similar processes—such as grand jury inquiries—it seems clear that the amount of time necessary to complete a full and fair inquiry will be determined by the degree of cooperation the House of Representatives receives from the President and other witnesses whose verbal statements, written documentation, and recorded evidence are essential to a proper decision in the case. If the President and his staff co-

operate fully with the Judiciary Committee, the inquiry by the House can be concluded expeditiously. If the President does not supply documents and other possible evidence, the investigation by the House will take much longer.

Current reports of the Judiciary Committee indicate that every effort is being made to proceed as rapidly as fairness to the public and justice to all potential defendants will allow.

CONCLUSION

As a Member of the House of Representatives, I am prepared to vote on this matter at the earliest possible date consistent with such fairness and justice. I am prepared to do my part to see proper standards are developed and the evidence promptly produced. These steps are essential so that each of us who are Members of the House of Representatives will be able to fulfill our constitutional responsibilities in a manner that will sustain and improve our Nation.

Mr. ECKHARDT. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I am happy to yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Speaker, I wish to compliment my distinguished colleague, the gentleman from Washington (Mr. ADAMS) for an extremely fair and judicious statement on this subject matter, and would like to associate myself with the gentleman's views.

I want to say in that connection that there is no man on the floor who has a better background, both before and since he came to the House, than the gentleman from Washington, (Mr. ADAMS), to consider this matter in depth and with thoughtfulness.

I particularly want to compliment the gentleman on understanding—and I hesitate to put words in the mouth of the gentleman—but I am really taking thoughts from his words on the proposition that this is a process that is not only judicial in nature, but is also a public question. It is perfectly proper for the bar of his area to consider this subject as a public question because the facts do belong to the public.

The determination with respect to impeachment is both judicial and public, and his inquiry as to the views of his district seems to me to be wholly consonant with the nature of the proceedings pending before us. I think the gentleman has done a real service in presenting these views to us this afternoon.

Mr. ADAMS. Mr. Speaker, I thank the gentleman from Texas (Mr. ECKHARDT). The gentleman is a distinguished constitutional lawyer. I very much appreciate his opinion on this. I think all of us in the House face many difficult days on this matter. I believe we should all do what we can do to contribute toward making the process work in a proper fashion.

Mr. RONCALIO of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I am happy to yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Speaker, I would like to concur with what the gentleman from Texas (Mr. ECKHARDT) has said regarding the judicial wisdom and professional restraint with which the gentleman from Washington (Mr. ADAMS) has approached this difficult problem. We all recognize the judicial tone of the process that should be applied to this subject matter.

In that connection I would like to point out in contrast to this calm professionalism the shabbiness of what I find in the headlines of today's Washington Star-News where we of the House are put on notice and duly warned that Kissinger will quit if Nixon is impeached.

I point out the flagrant disregard for due process of law, the coercive rumormongering, in such matters, and compare it all to the professional expertise of the paper just presented by the gentleman from Washington.

Mr. ADAMS. I thank the gentleman for his comments.

Mr. Speaker, I yield back the balance of my time.

LIFTING WAGE AND PRICE CONTROLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 5 minutes.

Mr. GILMAN. Mr. Speaker, wage and price controls have outlived their usefulness. Our economic climate with its surging increases in the cost of living, makes us question whether our economic stabilization program has been effective.

Stringent wage and price regulations have only added to a bleak economic picture. Instead of controlling inflation and bolstering our economy, these controls fostered inflation while at the same time creating severe shortages in products ranging from copper to petrochemicals, from wood to molasses.

A recent 2,300-member survey by the National Association of Manufacturers reports that over 90 percent of the firms sampled are experiencing unusual difficulties in obtaining materials and supplies. Over 60 percent of these companies suffered financial losses because of controls. Every firm contacted indicated that wage and price controls had harmfully distorted existing operations. Some of the major damages cited include: shortages, market dislocations, time-consuming managerial and reporting activities, production slowdowns, lost sales, and numerous other costly effects.

Reports from small businesses in my own region of southeastern New York State only support the deleterious effects wage and price controls have had upon industries relying on petrochemicals, zinc, polyvinyl chloride, neoprene, polyethylene resins, and chlorine, to mention just a few.

While I am not firmly convinced that the simplistic formula of supply and demand can meet all of our economic needs, the lifting of the economic controls appears to be preferable.

In place of these controls, I urge a thorough assessment of our economic policy. We have, in the Cost of Living Council, the organizational capabilities, along with much of the necessary information, to undertake such an approach. With an exhaustive long-range review of our economic policy in a departmentally interrelated basis, we could develop a feasible economic plan, allowing us to avert the dire crises that necessitate the imposition of controls.

For this reason, I am pleased to join with my colleagues in this plea for the lifting of controls. We are all too familiar with the chaos that controls have created in our economy. Let us return to a free economy, while at the same time making reasonable, realistic plans for our future economic policy.

SALARY INCREASE FOR CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, I am strongly opposed to the 7-percent salary increase for Members of Congress and other Government officials. The budget in which this proposed increase is included is a budget that runs to over $300 billion—with an incredible deficit of almost $10 billion. With a budget such as this and the inflationary pressures that become greater with each passing day, Congress has no business voting themselves a pay increase that will amount to a 21-percent hike over 3 years. This pay jump far exceeds the guidelines of the Cost of Living Council. The Council guidelines now require that a large company obtain Government permission before giving workers increase of more than 5 percent. The proposed congressional pay increase would go far beyond that level—7 percent for each of the next 3 years.

If the House of Representatives is ever to fill the vacuum of leadership that exists on Capitol Hill it must take the initiative now and set an example to the American people by rejecting this unnecessary and inflationary pay increase.

Under present law, the recommendations set forth in the budget will go into effect automatically unless Congress formally disapproves within 30 days. Unfortunately, some Members of the House seem intent on conducting a delaying action to insure that we do not have the opportunity to put this increase to a vote. It is time for each Member to stand up and be counted on this.

I have signed the discharge petition to force the House Members to go on record by voting up or down on this pay increase. I have also sponsored a bill that disapproves of the increase itself. I urge my colleagues to support these measures and show the American public that in these economically trying times their Representatives in the House can act responsibly.

OLDER AMERICANS TO BENEFIT LITTLE FROM REVENUE SHARING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, I rise to commend our distinguished colleague from Florida, the Honorable CLAUDE PEPPER, for bringing to the attention of Congress a study he requested from the General Accounting Office on the use of revenue sharing dollars to aid the elderly.

In response to Congressman PEPPER's request, the GAO reviewed spending decisions made by 250 units of local government, which had $1.688 billion available through the revenue sharing program.

Mr. Speaker, I was shocked to learn from the GAO report that local units of Government allocated less than one-half of 1 percent of their revenue sharing dollars, a total of only $2.9 million, to programs to benefit one of America's most vulnerable groups—the elderly.

Mr. Speaker, I would like again to pay tribute to the diligence and leadership of my distinguished colleague from Florida. CLAUDE PEPPER has worked for years for adequate nutrition and other basic necessities for America's senior citizens. The GAO study to which I have referred was described in his excellent testimony before the Select Education Subcommittee on a bill (H.R. 11105) to extend the nutrition program for the elderly.

This program, of which he is an original sponsor, provides hot meals daily to over 200,000 older persons.

Mr. Speaker, with Mr. PEPPER's permission, I insert in the RECORD at this point an extract from his testimony to the subcommittee, and the GAO letter to which he refers:

EXTRACT FROM TESTIMONY OF THE HONORABLE CLAUDE PEPPER ON H.R. 11105, EXTENSION OF THE NUTRITION PROGRAM FOR THE ELDERLY, FEBRUARY 14, 1974

The increases in authorization to $150 million for 1975, $200 million for 1976, and $250 million for 1977 are sound and imperative also in view of a report I have just received from the Comptroller General of the United States, informing me of the amount of revenue sharing funds which have been allocated to expenditures designed to benefit the elderly.

Mr. Chairman, at my request, the Comptroller selected 250 local governments primarily on the basis of dollar significance and geographical dispersion. The selection included the 50 cities and the 50 counties that received the largest amounts of revenue sharing funds for calendar year 1972. These 250 governments received about $1.658 billion through June 30, 1974, or about 38 percent of the approximately $4.4 billion distributed to all local governments. Including interest earnings on the revenue sharing funds through June 30, 1973, about $1.688 billion was available for use by the 250 governments. The necessary legal and procedural steps were taken by 218 of the governments to authorize the expenditure of $1.374 billion of these funds. The remaining 32 governments did not authorize the expenditure of any of the funds.

Of the 218 governments, 28 authorized the expenditure of part of their revenue sharing funds in programs or activities specifically and exclusively for the benefit of the elderly. These authorizations totalled about $2.9 million, or about two-tenths of 1 percent of the total funds authorized for expenditures by the 218 governments. Expenditures ranged from a low of $1,000 appropriated by Brighton, Vermont, for operating and maintaining a senior citizens center to a high of $785,716 appropriated by Pima County, Arizona, for purchasing a nursing home used primarily for care of the indigent elderly.

Mr. Chairman, I submit this report dated February 13, 1974, for the record. It confirms my strong belief that we must continue and immediately expand our Federal commitment to the elderly. It justifies my plea to your subcommittee to give earnest consideration to increasing the authorizations I have outlined for Title VII of the Older Americans Act, the nutrition program for the elderly.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., February 13, 1974.

Hon. CLAUDE PEPPER,
House of Representatives.

DEAR MR. PEPPER: Your November 14, 1973, letter requested that we report on the extent to which general revenue sharing funds are being allocated to programs specifically and exclusively designed to benefit the elderly.

As agreed with your office, we analyzed data we had gathered as of June 30, 1973, on the uses of revenue sharing funds by 250 selected local governments. Although we did not specifically accumulate data on funds allocated by the 250 governments exclusively for the benefit of the elderly, we did obtain data on the types of programs or activities being financed wholly or partially with revenue sharing funds. Accordingly, we believe that from this data we can make a reasonably accurate estimate of the extent to which these governments had allocated the funds to programs specifically intended to assist the elderly.

The Revenue Sharing Act (Public Law 92-512) provided for the distribution of approximately $30.2 billion to State and local governments for a 5-year program period. The Office of Revenue Sharing, Department of the Treasury, made initial payments under the Revenue Sharing program in December 1972 and had distributed about $6.6 billion through June 30, 1973, to the 50 States, the District of Columbia, and about 38,000 units of local government. Approximately one-third of the funds were distributed to the States and the remaining two-thirds to local governments.

One of the objectives of revenue sharing is to provide State and local governments with flexibility in using the funds. Accordingly, the act provides only general guidance as to how local governments can use the funds by requiring them to be spent within a specified, but quite extensive, list of priority areas. The priority areas are: maintenance and operating expenses for public safety, environmental protection, public transportation, health, recreation, libraries, social services for the poor or aged, and financial administration. In addition, a local government may use the funds for any ordinary and necessary capital expenditure.

LOCAL GOVERNMENTS INCLUDED IN ANALYSIS

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FUNDS USED TO ASSIST THE ELDERLY

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Expenditures designated to benefit the elderly ranged from a low of $1,000 appropriated by Brighton, Vermont, for operating and maintaining a senior citizens center to a high of $785,716 appropriated by Pima county, Arizona, for purchasing a nursing home used primarily for care of the indigent elderly. Pima county had obtained the nursing home under a lease-purchase arrangement and used revenue sharing funds to exercise the purchase option.

The other 26 governments were financing a variety of programs for the elderly. The more significant programs included the following:

Jersey City appropriated $400,000 to finance a public transportation discount program for senior citizens.

Sacramento county appropriated $104,254 to finance a project being undertaken by the Sacramento County Legal Aid Society to provide legal services to the elderly.

Jefferson county, Alabama, authorized use of $45,000 in revenue sharing funds received through June 30, 1973, to add an 83-bed wing to the county nursing home for the indigent aged. An additional $150,000 was to be used to acquire equipment for the new wing.

Kansas City earmarked $100,000 for a nutrition program for the elderly that was expected to provide food for 600 persons a day.

Clark County, Nevada, appropriated $125,000 to acquire a building for use as a senior citizens center. The center will provide hobby, recreational, and social activities. An additional $25,000 was earmarked for renovating the building. This project was being jointly undertaken with Las Vegas, which was participating in the initial capital costs and will be responsible for operating the center.

LIMITATIONS ON DATA

The data on the extent to which the selected governments used revenue sharing funds to assist the elderly was obtained primarily from governments' financial records and therefore represents the direct uses of the funds. Because of the inherent nature of the Revenue Sharing program, the actual results or effects of the funds may be different from the uses indicated by financial records.

When a recipient government uses revenue sharing to wholly or partially finance a program, which was previously financed or which would have been financed from its own resources, other uses may be made of its own freed resources. Freed local funds may be used for such things as tax reductions, increasing the level of funding for other programs, reducing the amount of outstanding debt, and so forth.

Because of such factors as changing amounts of revenue available to a government from its own sources and changing budgetary priorities, it is exceedingly difficult, and perhaps impossible in some jurisdictions, to objectively identify the actual results or effects of revenue sharing. Accord-

ingly, in considering the information presented in this report, you should be aware that the actual effect the revenue sharing program may have on the local governments' assistance programs for the elderly could be different from that indicated.

* * * * *

We do not plan to make further distribution of this report unless you agree or publicly announce its contents.

We trust the above information is responsive to your needs.

Sincerely yours,

R. F. KELLER,
Comptroller General of the United States.

AN APPEAL TO THE SENATE TO RATIFY THE GENOCIDE CONVENTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, I deeply regret that on February 5 and 6 the Senate failed to end the lengthy debate on the International Convention on the Prevention and Punishment of the Crime of Genocide. Consequently, the Senate was not able to vote on the resolution under which the Senate would advise and consent to the ratification of the convention.[1]

More than 25 years ago—on December 9, 1948—the United Nations General Assembly adopted unanimously the Genocide Convention. The convention defines genocide as the destruction, in whole or in part, of national, ethnic, racial, or religious groups. The Assembly adopted the convention in response to the Nazi atrocities of World War II in which 6 million Jews were put to death in concentration camps. On June 16, 1949, President Harry S. Truman urged the Senate to give its advice and consent to ratification which, he said, "will demonstrate that the United States is prepared to take effective action on its part to contribute to the establishment of principles of law and justice." The Senate Foreign Relations Committee, however, did not report the convention to the Senate until very recently.

Seventy-eight nations have ratified the Genocide Convention. Former Chief Justice Earl Warren has stated that—

> We as a nation should have been the first to ratify the Genocide Convention . . . instead we may well be the last.

Opponents of the convention have presented arguments which have been refuted by Senators PROXMIRE, CHURCH, JAVITS, and others during the Senate debate. The most serious concern of the opponents—that U.S. citizens would be tried in another country—should have been eliminated by the reservation which we would attach to our ratification stating that the United States would preserve the right to try its own citizens in its own tribunals on the charge of genocide, even though the alleged act occurred outside the United States.

The 78 nations which have ratified the convention have found it acceptable in terms of their own laws and judicial systems. These states-parties include Australia, Austria, Belgium, Canada, India, Israel, Italy, Lebanon, the Netherlands, Norway, Sweden, and the United Kingdom. The convention is satisfactory to these states that have judicial systems we respect. The convention is compatible with our own judicial system as well.

There are many reasons why the United States should ratify the Genocide Convention. Regrettably, the practice of genocide is not simply a phenomena of the past. Several genocidal conflicts have occurred since World War II. During the Bangladesh crisis of 1971, the Pakistan Army slaughtered several hundred thousand innocent civilians. Persons of the Hindu faith were singled out especially for victimization. In Burundi in 1972, the Government and its supporters massacred up to 250,000 Hutu tribesmen.

U.S. ratification of the convention would help to enforce the terms of the convention and discourage those governments who might be tempted to commit genocide. The United States cannot be persuasive in urging other governments to respect the terms of a convention which we have failed to ratify.

Failure to ratify the Genocide Convention has delayed the Senate's consideration of many other human rights treaties. There are, in fact, more than 20 human rights treaties adopted by the United Nations, its specialized agencies and the Organization of American States. The United States is a party to only three of them: the protocol relating to the status of refugees; the Slavery Convention; and the Supplementary Convention on the abolition of slavery, the slave trade, institutions and practices similar to slavery.

For instance, we have not ratified the International Convention on the Elimination of All Forms of Racial Discrimination. There are about 75 states-parties to that convention which came into force in 1969. A committee responsible for observing the application of the convention has been functioning for several years.

The United States, through its failure to become a party to all but three of the human rights treaties, has become increasingly isolated from the development of international human rights law. This failure impairs both our participation in the United Nations work in human rights, and our bilateral efforts to persuade governments to respect international human rights standards.

Our failure to ratify these conventions can easily be interpreted by other governments as meaning that human rights are solely matters of domestic jurisdiction. The Soviet Union, for instance, has ratified the International Covenant on Civil and Political Rights which guarantees the right of emigration. We would be in a more effective position to influence the Soviet Union to respect that right were we a state-party to that convention. Our ratification, moreover, would entitle the United States to membership on the Human Rights Committee which will be established to enforce that convention.

The Senate's failure to ratify the Genocide Convention means that we have yet to accept international legal responsibility for the most heinous of human rights violations. It jeopardizes U.S. leadership and influence in the field of international human rights.

In 1949, President Truman urged the Senate to ratify the convention and referred to the United States as "a symbol of freedom and democratic progress." I appeal to my distinguished colleagues in the Senate to reaffirm America's symbol by giving its advice and consent to ratification of the Genocide Convention.

A CUNNING CASTRO—WHO NEEDS HIM?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. CHAPPELL) is recognized for 5 minutes.

Mr. CHAPPELL. Mr. Speaker, more and more we see the everlasting do-gooders, world-shapers, and intellectual nonrealists clamoring for the recognition of Cuba by the United States. I fail to grasp the reasoning behind such a move.

Castro, the petty, boasting puppet of communism has spewed his hate over Cuba and our other neighbors to the south for some 15 years. His tyranny has driven thousands from Cuba—many to my own State of Florida. Still he has failed in his grandiose effort and must be supported by the U.S.S.R. to the tune of $1½ million each day. It is little wonder that Russia would prefer we recognize Mr. Castro's regime so that we could lift some of their load and add it to the burden of the American taxpayers—a burden that is already too heavy and certainly too heavy to include support of Mr. Castro.

The Department of State assures me that our policy of not recognizing Cuba stems from very real behavior on the part of Cuba. I quote the Department of State as follows:

> The policy of the United States of isolating Cuba economically and diplomatically has been responsive to Cuba's own attitude and behavior. It was Cuba's support of subversive and insurrectional movements in Latin America which led the members of the Organization of American States, including the United States, to develop a body of decisions and recomendations banning diplomatic, economic and consular ties with Cuba until such time as the Organization determined that Cuba was no longer a threat to the peace and security of the hemisphere.
>
> In an era when the United States has actively sought to ameliorate world tensions, Cuban behavior has remained relatively static. Cuba has not abandoned its practice of intervening in the affairs of other nations, nor has it modified its close military ties to the Soviet Union. Cuban leaders continue on numerous occasions to express their deep hostility to the United States, profound disinterest in normalizing their relations with us, and contempt for the Organization of American States.

[1] See CONGRESSIONAL RECORD: January 28, 1974, 964–974; February 4, 1974, 1927–1944; February 5, 1974, 2176–2189, 2202–2209; and February 6, 1974, 2334–2339, 2345.

On February 11, 1974, the U.S. News & World Report included an editorial, "Castro—Who Needs Him?" by Howard Fleiger. He reasons that recognition should be withheld for several reasons, one being the billions of dollars worth of American-owned property which Castro "stole when he and his little band of conspirators seized power in Cuba." Another important point Mr. Fleiger makes in his editorial is the unfairness of pulling back our sugar market from the countries that are now producing it for us to give it back to Cuba. Other points he makes:

What about anti-American subversion? Castro hasn't had much luck spreading it among his neighbors, true, but he's dedicated to that goal. He wants to get "Yankee go home" foment boiling all through this hemisphere, by fair means or foul.

Added up, Fidel Castro still doesn't strike one as the sort of person the U.S. ought to forgive and offer a helping hand.

In practical terms there is also this: Soviet Russia is keeping Castro afloat—and it is costing the Kremlin 1.5 million dollars every day of the year.

That's a lot of money. The Russians would like nothing better than for the U.S. to pick up part—or all—of that tab for maintaining a Communist Cuba.

Castro is the longest-lived failure in today's world. If ever there was a vivid display of how his brand of Communism ruins a good thing, it is on exhibition right there in Cuba.

To be realistic: Castro needs the U.S. a lot more than the U.S. needs Castro.

Let him wait 'til Havana freezes over.

Mr. Speaker, the cunning Mr. Castro would surely be grinning as he took a handout from Uncle Sam—then used it to further finance his foothold of communism in his depraved drive to overthrow capitalism—which is to say the United States. I agree with Mr. Fleiger. Who needs him?

HEARING ON BEHAVIOR MODIFICATION PROGRAMS IN THE FEDERAL BUREAU OF PRISONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, of the House Committee on the Judiciary, has scheduled an oversight hearing on the subject of behavior modification programs in the Federal Bureau of Prisons. The hearing will be held at 10 a.m., on Wednesday, February 27, 1974, in room 2226, Rayburn House Office Building. The scheduled witnesses for this hearing are Norman A. Carlson, Director, Federal Bureau of Prisons, and Dr. Martin G. Groder, Program Development Coordinator and Warden-Designate of the Federal Center for Correctional Research—formerly called the Federal Center for Behavioral Research—which is scheduled to open in Butner, N.C., later this year.

The subject of Federal involvement in the modification of an individual's personal behavior patterns raises serious legal and ethical problems. This topic has been of concern to our subcommittee for quite some time. In 1973, members of the subcommittee conducted an inspection of the START—special treatment and rehabilitative training—program conducted by the Federal Bureau of Prisons at the Medical Center for Federal Prisoners in Springfield, Mo. We were not pleased with what we saw. Fortunately, the Bureau of Prisons announced 2 weeks ago that it was discontinuing the START program for "economic reasons."

One week ago the Federal Government took another highly significant step with respect to behavior modification programs. On February 14, the Law Enforcement Assistance Administration announced it would no longer permit the use of LEAA funds for medical research, behavior modification and chemotherapy programs.

In spite of these welcome recent steps by the Federal Government, a great number of unanswered questions remain in the minds of many regarding the Government's plans for the Correctional Research Center in Butner. Rumors abound in the prisons, and on the outside, regarding plans for experimental brain surgery, drug experimentation, shock treatments, and other "Clockwork Orange" type programs.

It is my belief that these rumors are untrue and unfounded. Additionally, they do not contribute to the reasoned study and debate which is necessary to determine the proper place of the penologist in our criminal justice system and the role, if any, which personal behavior management should play in that system.

The testimony of Director Carlson and Dr. Groder will be a valuable contribution to our continuing oversight of the operations of the Federal Bureau of Prisons. We expect to learn where behavior modification programs still exist in the Federal prison system and whether or not their continuation is justified. We shall hear testimony on the research programs planned for the new research center, and on the safeguards these programs will contain to insure that inmates will participate only pursuant to their own informed and voluntary consent.

Our subcommittee considers the issue of behavior modification in the Nation's prisons to be of great significance and looks forward with interest to receiving testimony on this subject.

EXTENSION OF PRESUMPTIVE DISABILITY PERIOD UNDER SSI THROUGH DECEMBER 1974, FOR CERTAIN DISABLED RECIPIENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CORMAN) is recognized for 5 minutes.

Mr. CORMAN. Mr. Speaker, I am introducing today, for Mr. BURKE of Massachusetts and myself, legislation which will extend through December 1974 the period during which certain disabled persons may continue to receive supplemental security income benefits pending the required disability determination. This extension has been suggested by the Department of Health, Education, and Welfare and is necessary to allow for an orderly and equitable transition of approximately 300,000 disabled APTD recipients to the new supplemental security income—SSI—program.

The new SSI program that went into effect in January 1974 has increased the amonut of cash assistance many aged, blind, and disabled persons were receiving under the Federal/State OAA, AB, and APTD programs. It has also extended income support to many aged, blind, and disabled who were ineligible for benefits under the existing public assistance program. However, there were a number of aged, blind, and disabled recipients who would have been ineligible for benefits or experienced a reduction in cash benefits under the permanent provisions of the SSI program enacted in 1972.

In order to assure that no one would lose benefits under SSI, in June 1973 Congress enacted "grandfather" provisions under which all aged, blind, and disabled persons on State OAA, AB, and APTD rolls, as of December 1973, would be considered to meet SSI eligibility requirements. To assure no one would experience a reduction in benefits, States were required to supplement Federal SSI payments up to benefit payments received by aged, blind, and disabled recipients as of December 1973.

In December 1973, the "grandfather" provisions enacted in June were modified so that disabled persons on State APTD rolls would be automatically eligible for SSI benefits only if they had been on the State disabled rolls for at least 1 month prior to July 1973. Disabled persons added to State APTD rolls between June and December 1973 were required to be reviewed against the SSI disability criteria and determined to meet Federal disability standards before payments would be provided under the new SSI program. The effect of this modification has been to require the Social Security Administration to ascertain which of the individuals among the 1.3 million disabled recipients came on the APTD rolls after June 1973, and then determine which of these 300,000 or more individuals meet SSI disability standards.

The December modification of the "grandfather" provisions created a large administrative task which obviously could not be completed by the time SSI was to begin operation in January. As a result, disabled persons added to State rolls between July and December 1973 are currently receiving SSI payments under the authority of a presumptive disability payment provision while waiting to be reviewed. The legislation I am introducing today is required because payments under the presumptive disability provision cannot be continued beyond March 1974, and the Social Security Administration has informed us that it will be impossible for them to complete the required eligibility determination process for most of these disabled persons before the presumptive disability period ends.

This means that many of the disabled

persons who came onto State APTD rolls between July and December 1973 will stop receiving SSI monthly benefits after March, until they have been reviewed, unless the presumptive disability period is extended. HEW says it could be December before every disabled person has been reviewed which means that unless the period is extended many needy and deserving disabled individuals could have their SSI benefits suspended for 2, 4, 6, or as many as 9 months—not because they are ineligible for benefits, but simply because required administrative procedures have not been completed.

The legislation I am introducing today would extend through December 1974 the period during which a disabled person may receive SSI benefits while waiting to be reviewed according to Federal standards. This 9-month extension is based on the Social Security Administration's estimate of how much time they need to complete the necessary eligibility determination requirement. It is consistent with the intent of the December modifications in the "grandfather" provisions, and it is necessary to prevent an inequitable and harmful interruption of SSI payments for many disabled Americans.

RESTORING FOOD STAMP BENEFITS TO SSI RECIPIENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. HOLTZMAN) is recognized for 5 minutes.

Ms. HOLTZMAN. Mr. Speaker, today I introduced a bill which would guarantee that impoverished aged, blind, and disabled persons, formerly on public assistance, will not lose food stamp benefits by virtue of their transfer to the supplemental security income—SSI—program.

I am happy that 37 of my colleagues from New York, Massachusetts, California, and Wisconsin, the States affected by the loss of food stamps have joined me in this effort.

In New York alone, 40,000 elderly and disabled people, who were transferred from public assistance to SSI, have lost their eligibility for food stamps without receiving an increase in SSI payments to compensate for this loss. As a result, many of these people, who are already living at bare subsistence levels, have seen their incomes reduced even further.

I do not believe that Congress intended this cruel result. The "hold harmless" provision of Public Law 93-66 directed that persons formerly receiving public assistance be maintained at their former benefit levels when they entered the SSI program. This took place in States which have chosen to continue to issue food stamps to SSI recipients. New York, however, and the other States which have cashed out by giving recipients the cash bonus value of food stamps, instead of the stamps themselves, are not required to include this bonus value in their hold-harmless payments. Thus, people of these States, whom the law was intended to protect, have lost benefits.

My bill would correct this inequity by requiring cash-out States to include the bonus value of food stamps in payments to all people transferred to the SSI program. It will not affect non-cash-out States, nor will it cost the Federal Government any money. It will simply correct an omission in the original SSI Act.

Speedy action on this bill will insure that the most helpless people in New York and the other affected States—the impoverished elderly, crippled, and blind—do not suffer because of a legislative oversight.

The cosponsors are: Representatives ABZUG, ADDABBO, BADILLO, BINGHAM, CAREY, CHISHOLM, DULSKI, GILMAN, GROVER, HANLEY, KOCH, MURPHY, PEYSER, PODELL, RANGEL, REID, ROBISON and ROSENTHAL of New York; Representatives ANDERSON, BROWN, BURKE, DANIELSON, DELLUMS, EDWARDS, HANNA, HAWKINS, MCCLOSKEY, REES, ROYBAL, SISK, and STARK of California; Representative REUSS of Wisconsin; and Representatives BOLAND, DRINAN, HARRINGTON, MOAKLEY and STUDDS of Massachusetts.

The text of the bill follows:

A bill to make it clear that the bonus value of food stamps is to be included in the "hold harmless" amount guaranteed to recipients of supplemental security income benefits under the Social Security Amendments of 1972, so as to assure that recipients in cash-out States do not suffer reductions in the benefits they actually receive

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212(a)(3)(B)(i) of Public Law 93-66 is amended by striking out "and" after "June 1973," and inserting in lieu thereof the following: "together with the bonus value of food stamps in such State for January 1972, as defined in section 401(b)(3) of Public Law 92-603, for which such individual was eligible, or would have been eligible had he applied, in December 1973, if, for such month, such individual resides in a State which provides State supplementary payments (I) of the type described in section 1616(a) of the Social Security Act, and (II) the level of which has been found by the Secretary of Health, Education, and Welfare to have been specifically increased so as to include the bonus value of food stamps, and".

SEC. 2. (a) The amendment made by the first section of this Act shall take effect on January 1, 1974.

(b) The Secretary of Health, Education, and Welfare is authorized to prescribe regulations for the adjustment of an individual's monthly supplemental security income payment in accordance with any increase to which such individual may be entitled under the amendment made by the first section of this Act, provided that such adjustment in monthly payment, together with the remittance of any prior unpaid increments to which such individual may be entitled under such amendment, shall be made no later than the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

PROTECTION FOR SUGAR WORKERS: THE EQUITABLE BENEFITS AMENDMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. FORD) is recognized for 5 minutes.

Mr. FORD. Mr. Speaker, nearly 40 years ago the Congress enacted the Sugar Act, an act designed to solve the production and marketing problems of our domestic sugar industry. The Sugar Act confers upon growers two major subsidies—one direct, in return for acreage and other restrictions; the other indirect, in the form of import quotas. In addition to these two major subsidies, the act provides for other benefits to the growers such as crop insurance and capitalization of acreage allotments. Ever since this act became law, our domestic sugar industry has flourished and the large corporate growers have consistently made very comfortable annual profits while providing the American consumer with an adequate supply of sugar. To this end the act appears to have worked well.

However, there is one part of the Sugar Act which has proven to be entirely inadequate. That is the part which is supposed to protect the workers—the men and women who toil long hours in the fields to produce and harvest sugarcane and sugar beets. In return for massive Government subsidies, the act requires that growers fulfill certain minimal conditions, including not employing child labor, abiding by acreage quotas set by the U.S. Department of Agriculture, and most importantly, paying sugarcane workers a "fair and reasonable" wage.

As chairman of the Subcommittee on Agricultural Labor, which has jurisdiction over the problems of agricultural workers and their dependents, a considerable amount of evidence has been brought to my attention which indicates that sugarworkers are in dire need of much more protection than the present law provides—protection in such areas as establishing wages, housing, and insurance.

In Colorado, California, Idaho, Minnesota and my own State of Michigan, thousands of migrant workers labor from sunup to sunset for poverty wages. Typically, these hardworking people leave these States at the end of the harvest in the same shameful state of poverty as when they arrived. In Louisiana, sugarworkers are bound to the plantation by debt just as they were prior to the Emancipation Proclamation. Today 15,000 fieldworkers in the State of Louisiana work for an annual income of less than $3,000 per year, a wage far below the U.S. established poverty wage, and in an industry totally controlled by the Federal Government. This is a national disgrace.

In Florida, sugar producers pay an annual wage so low that U.S. workers will not do the work in the Florida swamps for the wages offered. The fact is that the majority of the Nation's 140,000 field sugarworkers have an annual income so low that, were they not under the protective arm of the Department of Agriculture as provided by the Sugar Act, these workers would be eligible for welfare payments in most States.

In addition to low wages, there are many other examples of injustice toward and neglect of the field sugarworkers:

First, housing for workers is most often substandard and decrepit.

Second, domestic workers are often deprived of an opportunity to work by the

use of illegal aliens who are willing to work for as little as 50 cents an hour.

Third, there are no provisions for accidents or sickness.

Fourth, sugar workers are at times cheated in the deductions taken from their pay for the cost of facilities or services provided by producers or crew leaders and labor contractors.

Fifth, there is no equitable mechanism for resolving disputes between workers and their employers; no safeguards against retaliation.

Mr. Speaker, these inequities are hardly what President Roosevelt had in mind when he said to the Congress "that if the sugar industry is to receive the benefits of the quota system, then it ought to be a good employer."

Therefore, in order to remedy these terrible inequities suffered by our sugar workers, I am today introducing the equitable benefits amendments to the Sugar Act. I am joined in doing so by Mr. THOMPSON of New Jersey, Mr. O'HARA, Mr. CLAY, Mr. LEHMAN, and Mr. BROWN of California.

The equitable benefits amendments would, in summary, modify sections 301 (c), 305, 306, 404, 406, and 410 of the Sugar Act of 1948, as amended, by first, providing additional benefits and protection for sugar workers in the areas of wages, housing, illegal aliens, deductions, health, and accident insurance, and retaliations; second, establishing hearing panels representative of workers', producers', and public interests; third, specifying standards which the Secretary of Agriculture would use in determining the annual minimum wage rates; fourth, authorizing a mechanism for settling wage disputes which is reflective of workers', producers', and public interest; fifth, establishing a standardized accounting method and yearly audit of sugar production; and sixth, extending the Administrative Procedure Act right of judicial review to sugar workers and producers with respect to the conditions of payment determination made by the Secretary of Agriculture.

Following is a section-by-section analysis of the equitable benefits amendments.

SECTION-BY-SECTION ANALYSIS

Section 301(c)(1) would revise the composition of the hearing panels and would provide specific guidelines to be used by the Secretary of Agriculture to determine the minimum wages for workers employed on the farm in the production, cultivation or harvesting of sugar cane or sugar beets.

The hearing panels would be composed of elected representatives of sugar workers and producers plus the appointment of the representatives of the public interest drawn from among the Federal Administrative Law Judges attached to the United States Department of Labor. These panels would submit to the Secretary of Agriculture written findings of fact to be used as a basis for the Secretary's determination of the annual wage rates.

The criteria to be applied by the Secretary in determining wages would include a cost of living and agricultural productivity factor; adjustments for the sporadic and seasonal nature of the work; the extra expenses occasioned by the travel and living away from home; wage rates comparable to other agricultural and manufacturing operations. Basic to these guidelines is the proviso that the annual wage of the workers shall not fall below the governmentally established standard of poverty.

This legislation would permit sugar workers to keep up with the cost of living and to share in the benefits of productivity increases. This is only fair and just since the workers share in the responsibility and effort to create an ever-increasing agricultural efficiency. Piece rate compensation would increase accordingly.

HOUSING

Section 301(c)(2) would require that producers furnishing housing or causing housing to be furnished must provide or cause to be provided facilities which meet the existing Wagner-Peyser Act regulations of the U.S. Labor Department. The same requirements would be established for water and sanitary facilities in the fields.

Currently, the Wagner-Peyser Act regulations apply to those producers who recruit workers through the U.S. Employment Service (U.S.E.S.). But if a producer recruits workers without USES aid or if his State or locality enforces no farm labor housing codes, then the producers' housing for workers can be as decrepit as he likes.

The Wagner-Peyser Act regulations provide that where local or state housing standards are more stringent than the minimum standards specified in the regulations, the local or state requirements must be complied with. Section 301(c)(2) would continue this provision for sugar production, cultivation or harvesting.

ILLEGAL ALIENS

Section 301(c)(3) requires that the producer determine to his knowledge that his employees engaged in sugar production, cultivation or harvesting are either U.S. citizens or aliens legally employed in the U.S.

Currently some 1,000,000 aliens who entered the U.S. illegally and/or are working illegally are estimated to be employed in the country. Employers face no penalties now for hiring them. These workers are easily exploited since one call to the U.S. Immigration and Naturalization Service results in their jailing and expulsion from the U.S. They are often paid less than the minimum wage and have a harmful effect on the labor conditions of U.S. citizens and legally-working aliens. The employment of illegals in sugar production hurts not only other workers but also conscientious employers who hire only U.S. citizens and legal aliens.

DEDUCTIONS

Section 301(c)(4) would permit only reasonable charges to be made for furnishing workers' board, lodging or other facilities or services. A dispute over whether the charges are reasonable would be considered a wage dispute and be resolved by the procedure outlined under the heading "Disputes Settlement" below.

Numerous complaints exist that sugar workers are cheated in the deductions taken from their pay for the cost of facilities or services provided by producers or crew leaders and labor contractors. In fact, some workers argue that requiring deductions to reflect reasonable costs is more important than increasing wages because they often do not get the benefit of wage increases.

RETALIATION

Section 301(c)(5) forbids the discharge or any other discrimination against an employee because he was involved in the filing of a complaint under these Amendments, testified in a dispute or served on a committee to adjudicate disputes under these Amendments.

Sugar workers are so poverty-stricken that fear of losing work is a powerful deterrent to their seeking their rights. They have been easily intimidated in the past against asserting the few rights they do possess.

INSURANCE

Section 301(c)(6) would provide comprehensive health and accident insurance coverage. At the present time sugar workers are completely without these normal fringe benefits which workers in non-subsidized industries receive.

PENALTIES

Certain language in the currently existing Section 301(c)(1) of the Sugar Act is dropped. As a result, the penalty for violating the requirements of Section 301(c), as prescribed by the Amendments, would be the forfeiture of sugar payments.

DISPUTES SETTLEMENT

Section 305(a), as amended, would authorize the Secretary of Agriculture to utilize farmworkers organizations and representative groups in carrying out the applicable provisions of the Act.

An additional Subsection (b) to Section 305 would require the Secretary to establish in each locality a panel composed of equal representatives of sugar producers, fieldworkers and the general public to consider any dispute between a producer and a worker concerning wages or conditions of work. The conditions include the reasonable cost of board, lodging or other facilities or services which the producer provides or causes to be provided. The panel shall resolve these disputes in an impartial manner. The decisions are subject to the Secretary of Agriculture's review within 20 days after they have been made.

Currently, there is no fair and unprejudiced way for fieldworkers to have their disputes with a grower over wages or deductions resolved. Their complaints are considered by the local Agricultural Stabilization and Conservation Service Committee, which according to Department regulations, is composed solely of growers.

JUDICIAL REVIEW

Section 306, as amended, would provide that the final determination by the Secretary with respect to the conditions of payment would be subject to the judicial review provisions of the Administrative Procedure Act. Under the present Section 404 of the Sugar Act of 1948, jurisdiction has been found to review regulations when their constitutionality is questioned. The burden, however, of arguing for jurisdiction would be alleviated by the revision of Section 404 (Jurisdiction of the Courts) and by the provision in Section 306 (Finality of Determination) for judicial review.

REPORTING PROCEDURES

Section 410, as modified, would establish a a standard accounting method and procedures to be used by producers and processors in recording income and expenses and would provide for a yearly audit by the Department of Agriculture of 50% of the producers of each producing area. Such procedures are essential to insure accurate fact bases for determining sugar prices and wage rates.

THE INTERNATIONAL ENERGY CHALLENGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 5 minutes.

Mr. MORGAN. Mr. Speaker, the International Energy Conference which took place in Washington last week was a notable step toward cooperative international solutions of one of the most important needs of our time: The need of the United States and other nations for adequate supplies of energy at rea-

sonable prices in an era of growing demand.

The United States has been better off than most industrialized nations of the world in terms of energy self-sufficiency. But we recognize that the interests of all are better served by a cooperative approach rather than by go-it-alone or confrontation tactics that would cause conflict on the international scene.

Failure to deal with international energy problems in a cooperative way could add to dangerous inflationary pressures and threaten global economic depression. A cooperative framework is in the best interest of both consumers and producers.

I welcome the U.S. Government's initiatives in behalf of cooperative multination action to meet the energy crisis. I wish these initiatives had been taken earlier. If they had, they might possibly have saved us from some of the problems we are faced with today.

The communique issued at the conclusion of the Washington Energy Conference contains many paragraphs. Without endorsing every word, I welcome its overall theme of cooperative approaches to deal with the energy challenge. I believe this to be the sentiment of the House.

Therefore, Mr. Speaker, I am introducing today a simple House resolution commending our Government's initiative in seeking cooperative solutions to international energy problems and supporting the purposes set forth in the Washington Energy Conference communique, which is attached.

WASHINGTON ENERGY CONFERENCE

SUMMARY STATEMENT

1. Foreign Ministers of Belgium, Canada, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Japan, Luxembourg, The Netherlands, Norway, the United Kingdom, the United States met in Washington from Feb. 11 to 13, 1974. The European Community was represented as such by the president of the council and the president of the commission. Finance ministers, ministers with responsibility for energy affairs, economic affairs and science and technology affairs also took part in the meeting. The secretary general of the OECD also participated in the meeting. The ministers examined the international energy situation and its implications and charted a course of action to meet this challenge which requires constructive and comprehensive solutions. To this end they agreed on specific steps to provide for effective international cooperation. The ministers affirmed that solutions to the world's energy problem should be sought in consultation with producer countries and other consumers.

ANALYSIS OF SITUATION

2. They noted that during the past three decades progress in improving productivity and standards of living was greatly facilitated by the ready availability of increasing supplies of energy at fairly stable prices. They recognized that the problem of meeting growing demand existed before the current situation and that the needs of the world economy for increased energy suppliers require positive long-term solutions.

3. They concluded that the current energy situation results from an intensification of these underlying factors and from political developments.

4. They reviewed the problems created by the large rise in oil prices and agreed with the serious concern expressed by the International Monetary Fund's Committee of Twenty at its recent Rome meeting over the abrupt and significant changes in prospect for the world balance of payments structure.

5. They agreed that present petroleum prices presented the structure of world trade and finance with an unprecedented situation. They recognized that none of the consuming countries could hope to insulate itself from these developments, or expect to deal with the payments impact of oil prices by the adoption of monetary or trade measures alone. In their view, the present situation, if continued, could lead to a serious deterioration in income and employment, intensify inflationary pressures, and endanger the welfare of nations. They believed that financial measures by themselves will not be able to deal with the strains of the current situation.

6. They expressed their particular concern about the consequences of the situation for the developing countries and recognized the need for efforts by the entire international community to resolve this problem. At current oil prices the additional energy costs for developing countries will cause a serious setback to the prospect for economic development of these countries.

GENERAL CONCLUSIONS

7. They affirmed, that, in the pursuit of national policies, whether in the trade, monetary or energy fields, efforts should be made to harmonize the interests of each country on the one hand and the maintenance of the world economic system on the other. Concerted international cooperation between all the countries concerned including oil producing countries could help to accelerate an improvement in the supply and demand situation, ameliorate the adverse economic consequences of the existing situation and lay the groundwork for a more equitable and stable international energy relationship.

8. They felt that these considerations taken as a whole made it essential that there should be a substantial increase of international cooperation in all fields. Each participant in the conference stated its firm intention to do its utmost to contribute to such an aim, in close cooperation both with the other consumer countries and with the producer countries.

9. They concurred in the need for a comprehensive action program to deal with all facets of the world energy situations by cooperative measures. In so doing they will build on the work of the OECD. They recognized that they may wish to invite, as appropriate, other countries to join with them in these efforts. Such an action program of international cooperation would include, as appropriate, the sharing of means and efforts, while concerting national policies, in such areas as:

The conservation of energy and restraint of demand.

A system of allocating oil supplies in times of emergency and severe shortages.

The acceleration of development of additional energy sources so as to diversify energy supplies.

The acceleration of energy research and development programs through international cooperative efforts.

(France does not accept Point 9 in its entirety.)

10. With respect to monetary and economic questions, they decided to intensify their cooperation and to give impetus to the work being undertaken in the IMF, the World Bank and the OECD on the economic and monetary consequences of the current energy situation, in particular to deal with balance of payments disequilibria. They agreed that:

In dealing with the balance of payments impact of oil prices they stressed the importance of avoiding competitive depreciation and the escalation of restrictions on trade and payments or disruptive actions in external borrowing.*

While financial cooperation can only partially alleviate the problems which have recently arisen for the international economic system, they will intensify work on short-term financial measures tend possible longer term mechanisms to reinforce existing official and market credit facilities.*

They will pursue domestic economic policies which will reduce as much as possible the difficulties resulting from the current energy cost levels.

They will make strenuous efforts to maintain and enlarge the flow of development aid bilaterally and through multilateral institutions, on the basis of international solidarity embracing all countries with appropriate resources.

(In point 10, France does not accept paragraphs cited with asterisks.)

11. Further, they have agreed to accelerate wherever practicable their own national programs of new energy sources and technology which will help the overall worldwide supply and demand situation.

12. They agreed to examine in detail the role of international oil companies.

13. They stressed the continued importance of maintaining and improving the natural environment as part of developing energy sources and agreed to make this an important goal of their activity.

14. They further agreed that there was need to develop a cooperative multilateral relationship with producing countries, and consuming countries that takes into account the long-term interests of all. They are ready to exchange technical information with these countries on the problem of stabilizing energy supplies with regard to quantity and prices.

15. They welcomed the initiatives in the U.N. to deal with the larger issues of energy and primary products at a worldwide level and in particular for a special session of the U.N. General Assembly.

COORDINATING GROUP

16. They agreed to establish a coordinating group headed by senior officials to direct and to coordinate the development of the actions referred to above. The coordinating group shall decide how best to organize its work. It should:

Monitor and give focus to the tasks that might be addressed in existing organizations.

Establish such ad hoc working groups as may be necessary to undertake tasks for which there are presently no suitable bodies;

Direct preparations of a conference of consumer and producer countries which will be held at the earliest possible opportunity and which, if necessary, will be preceded by a fourth meeting of consumer countries.*

17. They agreed that the preparations for such meetings should involve consultations with developing countries and other consumer and producer countries.*

PANAMA CANAL: SECRETARY KISSINGER OPENS BOX OF PANDORA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, the Secretary of State of the United States is attending the meeting of American foreign ministers now in session in Mexico. One of the items on its agenda is the Panama Canal, which for many years has been

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*France does not accept points 16 and 17 in their entirety.

a focus of power politics aimed at wresting its control from the United States.

In previous addresses in the Congress, I have repeatedly stressed that the canal is the strategic center of the Americas and that its control by the United States is indispensable for hemispheric security and interoceanic commerce. Not only that, its maintenance, operation, sanitation, and protection is a long-range commitment of the United States under the Hay-Pauncefote Treaty with Great Britain the principles of which have been accepted by canal users that pay transit tolls. In addition, the United States has solemn obligations to Colombia, the sovereign of the Isthmus before November 3, 1903, which has important treaty interests in the canal's continued efficient operation by the United States.

The Colombian Government since the canal sovereignty question became a public issue has been following the subject closely and collecting authoritative books and documents. Thus it is not surprising to learn that Colombia is considering making a formal protest to the Secretary of State at the foreign ministers' meeting in Mexico City.

In the negotiations with Panama, the treaty interests of Colombia have so far been ignored with the result that Colombian international law and diplomatic authorities are charging that Colombia has a "perfect treaty" with the United States, that this treaty gives Colombia rights "not limited by time" and that the United States "cannot give away what does not belong to it." The treaty in question is the Thomson-Urrutia Treaty of 1914–22, in which Colombia recognized the title to the Panama Canal as vested "entirely and absolutely" in the United States and the latter granted Colombia important treaty rights for the use of both the Canal and Panama Railroad.

The dangers involved in the Kissinger "statement of principles" to govern the negotiation of the proposed treaty with Panama that was signed by Secretary Kissinger in February have been recognized by thoughtful experienced scholars in the United States who, on February 19, 1974, addressed the following telegram to the Secretary of State:

Hon. HENRY KISSINGER,
Secretary of State,
Department of State,
Washington, D.C.,
United States Embassy,
Mexico City, Mexico:

No statement by you regarding your announced plans for surrender at Panama should be made to the foreign ministers of American states now meeting in Mexico without informing them at the same time that said plans are opposed by the people of the United States and that any treaty embodying the "statement of principles" signed by you in Panama on February 7 will be rejected by the peoples' representatives in Congress, if offered for ratification.

FRANCIS G. WILSON,
President, Committee for Constitutional Integrity.

One of the best recent commentaries on the current canal situation was that by James J. Kilpatrick, distinguished author, editor and student of the U.S. Constitution. In this he stressed that it is folly to abrogate the 1903 Canal Treaty and summarized the "eight principles" signed by Secretary Kissinger on February 7.

In this connection, these principles, which are nothing but a program for surrender to Panama, as disclosed by a recent UPI news story from Bogotá, ignore the treaty rights of Colombia. This story together with the February 19 telegram to Secretary Kissinger and the Kilpatrick article clearly show what a Box of Pandora that Secretary Kissinger is opening.

The UPI dispatch from Bogotá and the Kilpatrick article follow:

[From the Miami Herald, Feb. 13, 1974]

MUST U.S.-PANAMA TREATY CONSIDER COLOMBIA?

BOGOTÁ, COLOMBIA.—Colombian experts in international law contend that any new Panama Canal treaty betwen the United States and Panama will be illegal if it doesn't take into account Colombia's Canal rights.

The legal experts, many of them present or former government officials have urged the Colombian administration to lodge a formal protest with U.S. Secretary of State Henry A. Kissinger at the Western Hemisphere foreign ministers meeting in Mexico City that starts Feb. 21.

In a declaration of principles Kissinger last week signed in Panama City, the United States promised to turn the canal and the rights to charge tolls over to Panama eventually.

Colombia, however, enjoys permanent free passage through the canal and free transport on the Panamanian railroad crossing through the Canal Zone under a separate treaty—the Urrutia-Thompson treaty—with the United States signed in 1914.

Construction of the Panama Canal began early in the 20th century when Panama was not yet an independent country. The area was then part of Colombia.

A former Colombian foreign minister said that Colombia will not be "judicially or morally" bound by any new U.S.-Panama Canal treaty which does not recognize Colombian rights to Canal passage.

Diego Uribe Vargas, a Colombia international law professor, said, "The United States cannot give away what does not belong to it."

Carlos Holguin, former Colombian ambassador to the Organization of American States, said Colombia's position is "perfectly clear because it has a perfect treaty with the United States, ratified by both countries, which is an obligatory norm under international law and gives Colombia rights which are not limited by time.

"Colombia has repeatedly expressed its opinion that Colombian rights must be taken into account in any negotiations between the United States and Panama," Holguin said.

[From the Sun, Feb. 17, 1974]

IT'S FOLLY TO ABROGATE THE PANAMA CANAL TREATY

(By James J. Kilpatrick)

WASHINGTON.—Formal negotiations will get under way in the next few weeks or months between the United States and Panama, looking to the drafting of a new treaty that would put an end to U.S. possession and control of the Panama Canal. By the end of this year, a State Department spokesman has said, an agreement should be ready to present to the Senate.

But if the Nixon administration succeeds in marching this treaty to ratificatiion, it will be over the dead body, metaphorically speaking, of Pennsylvania Representative Daniel J. Flood. The Democrat from Wilkes-Barre has been sounding Catonian warnings on this matter for the last 15 years. He has a couple of hundred allies in the House and a substantial number of senators who agree with his view: Abrogation of the treaty of 1903 would be folly.

In my own view, Mr. Flood and his cohorts are precisely right. A dozen sound reasons can be advanced for leaving the treaty undisturbed. The only argument in favor of abrogation was put forward by Senator Edward M. Kennedy (D., Mass.) in a recent speech. The present treaty, he said, has embittered our relations with Panama and been an affront to every developing nation around the world. Mr. Kennedy describes the treaty of 1903 an "an embarrassing anachronism."

The senator embarrasses easily. Under the treaty of 1903, by which the United States acquired rights "in perpetuity" to the Canal Zone, our nation has poured billions of dollars into Panama. Since the canal was opened to traffic in 1914, it has been operated and maintained with scrupulous fidelity as an international waterway, freely available to the ships of the world. Doubtless a new treaty would have some advantage for Panama. What possible advantage would it have for us?

The eight principles that would underlie a new treaty were set forward in the agreement signed in Panama February 7 by Henry A. Kissinger, the Secretary of State. These begin with outright abrogation of the 1903 treaty. The concept of perpetuity would be eliminated. At the end of some fixed period of years, all U.S. jurisdiction would be terminated, and Panama would assume total responsibility for operation of the canal. Meanwhile, Panama would participate in administration of the canal, and the U.S., now and hereafter, would continue to pay the expenses of maintenance and operation.

These are principles—for what? In Mr. Flood's view, they spell sellout and surrender. In return for its enormous investment, the United States gets nothing. In place of the canal's stable and orderly administration over these past 60 years, the United States wins the prospect of Communist domination.

To be sure, if the proposed new treaty were ratified, Panama no longer would be embarrassed. That is delightful, is it not? The people of Panama would be happy. Their leftist dictatorship would be pleased. The Soviet Union, now the first naval power in the world, would be ecstatic. But how in the name of common sense did these felicitous objectives come to be policies of the Nixon administration?

Great powers, if they would remain great powers, have to accept a measure of unpopularity. They cannot survive as everybody's chum. Senator Kennedy imagines that in today's world "nations relate to each other on a basis of equality." It is not so. Such equality may exist in the kindergartens of the United Nations, where everyone plays make-believe, but it is no part of the real world.

It seems highly unlikely that two-thirds of the Senate could be mustered to consent to a treaty of sellout. The House itself may have to be reckoned with; it shares with the Senate the power "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." It will be some time before the canal changes hands. Meanwhile, suppose we look to the canal's defenses and keep the old powder dry.

CHEMICAL WEAPONS—BUDGET FOR THE BINARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, I know that there are times when we wonder whether the small towns and villages of our Na-

tion are really concerned about national policies of somewhat distant concern. We become accustomed to devoting our reading attention to the larger nationally syndicated journals and newspapers and, except as we are immediately concerned with our own districts, we tend to overlook the fact that other eyes of the Nation are upon us in all our deliberations. As you know, I am quite concerned about the U.S. Army's proposals to revamp our nerve gas stockpiles and I have directed the attention of other members to the editorials of several of our large newspapers which have considered this Army proposal.

Today, I would like to invite the attention of the Members to another editorial which demonstrates that this concern about chemical warfare is indeed a particularly sensitive issue to all of our citizens. With your approval, I would like to have included in the RECORD at this point a copy of an editorial published in the Providence Journal on December 12, 1973:

SAFER NERVE GAS?

As a weapon, nerve gas is some kind of ultimate. It is silent and invisible. It can be carried by bombs, mines or artillery shells. It acts quickly, usually within seconds. Even in small doses, it is lethal.

The United States Army is planning to spend 200 million dollars to develop a new kind of nerve gas. The Army says it is doing this to promote safety: the "improved" gas will not become lethal until its two components are mixed together once the shell or other container is fired. The gas, which the Army sees as a "significant improvement in modernizing" its chemical-warfare capability, will be safer in theory to handle, transport and store.

Perhaps the nation shoud be grateful that the Army is so considerate of the public's health. After all, it was only five years ago that a nerve gas test in Utah went astray. Six thousand sheep were killed in that episode. Now, we are being asked to finance a new generation of nerve gas so that we can be safer when it is moved around the country.

If there is a more specious piece of military reasoning in recent months, it does not come to mind. The official rationale for the Army's maintaining a nerve gas arsenal is to deter the Soviet Union from engaging in chemical warfare. The United States will manufacture a new kind of deadly gas to prevent its adversary from using such a weapon first. We are told that our government needs this new gas as a deterrent—as an insurance policy, one might say. In any event, the country presumably should not be alarmed because the new gas won't be as dangerous—until, that is, the gas is put to use.

There are also a few trifling matters, such as the Army's evident plan to test the new gas out-of-doors. Army Secretary Howard H. Callaway has said this is needed "because it seemed to be far more reliable to have an open-air test than a test you might have in some closed environment." The Pentagon seems to have rejected this thinking, but the possibility is still present.

The Army's plan to develop a new nerve gas arsenal is a particularly repellent example of conventional, narrow-minded military thinking, overwhelming what should be the larger concern of humanity and common sense. To suggest that the United States would resort to such measures as nerve gas in an armed conflict is to show contempt for our pledges of decency and restraint in the international arena.

The Army plans to dispose of its present nerve gas stocks and to replace them with its new "safe" kind of gas. The first part of this plan is desirable, but there is no argument compelling enough to justify going ahead with replacement nerve gas production, regardless of how "safe" the new gas can be made to appear. Gas warfare is a particularly hideous and sinister form of armed conflict. The United States should renounce all use of chemical weapons, as it did four years ago with biological weapons, and as most other nations long since have done, and eradicate its nerve gas arsenal once and for all.

Mr. Speaker, of immediate relevance to the comments in this editorial is the budget request which the Army has submitted to the Congress for approval for fiscal year 1975. I have now been informed that the Army has included a request for $5.8 million in the fiscal year 1975 budget to begin construction of the facilities at Pine Bluff Arsenal in Arkansas, which will be required to produce the binary nerve agent munition. Although this production facility will be directed at the binary system in artillery shells, there is no doubt that if approval to adopt the system is granted, eventually the entire stockpile will be converted to the binary concept.

I have been pointing out to the Members that this is the year when the Congress must make a decision with regard to our Nation's chemical warfare policies. If we approve the Army's request for this beginning sum to develop production facilities we will be essentially acknowledging our approval of a continuing need to maintain a chemical munitions stockpile. In my opinion, this is not a decision which we should make lightly or without the full review which I and my cosponsors have been asking for in the legislation pending before the House Foreign Affairs Committee. We do not have much more time to make this decision.

I ask that you become familiar with this issue and make known your views with regard to this particular aspect of the defense budget request. Congressional support of the production of the binary munitions system should only be provided with a full understanding of all of the domestic and international implications of such a program.

CAN THE PENTAGON RESPOND TO THE INDIVIDUAL?

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to bring to the attention of the House the case of an individual who has been snared in the bureaucracy of the Department of the Navy. Igor Bobrowsky wants to serve his country as a military officer, but he has been rejected in his application to the Marine Corps' Officers Candidates School because of his admission of a one-time use of marihuana. I appealed this case to the Secretary of the Navy, but he, like Gen. Robert E. Cushman of the Marine Corps, could not see his way clear of the corps' sweeping regulation that apparently automatically disqualifies a candidate if he admits to any form of drug use. General Cushman was unable to accept Mr. Bobrowsky even though he served with distinction in the Marine Corps in Vietnam, voluntarily extended his tour of duty in Vietnam, received numerous citations for his service and recommendations from his superiors, and graduated cum laude from college in an accelerated 3-year program after his honorable discharge from service. I might add that Mr. Bobrowsky is also married and the father of two children.

I believe this is the kind of person we want in our officer candidates schools. Therefore, I have appealed to Secretary of Defense James R. Schlesinger for his personal review of this case. I realize that to deal with the great number of people it does, the military must establish basic criteria to follow. But, like any institution dealing with people, it also must have the flexibility to respond to the unique situations presented by the individual. I hope that Secretary Schlesinger can provide this. I also hope that he will take this case and look at the example it provides for the necessity of reviewing the Department's treatment of marihuana use.

My correspondence on this matter follows:

NOVEMBER 20, 1973

Hon. EDWARD I. KOCH,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I am writing to you on the advice of several Marine Officers and friends involved in this matter in the hope that you may find my case to be worth some of your time and effort. Prior to my writing to you I have tried working exclusively through Marine Corps channels but processing has come to a point now where none of the officers outside of Head Quarters Marine Corps that I've been involved with, can be of much further help. Thus sir I turn to you as a last resort to ask that you might use whatever influence is at your disposal to help me in my efforts to obtain a chance for an impartial review of my qualifications and a commission in the United States Marine Corps.

Within a few months after my release from active duty I contacted O.S.O. in New York regarding the possibilities of obtaining a commission after college. At that time (1969–70) the age limit was twenty-seven, which meant that in order to qualify I would have to finish school in three years. With this in mind I went to school day and night and every summer graduating cum laude in three years in January 1973.

Within a few weeks of graduation I was again in touch with O.S.O.N.Y. regarding application for Officers Candidate School. After an initial delay, processing went along smoothly, all the more so since the screening N.C.O. was my former D.I. from Parris Island, until I was sworn in and given form #1130 to complete. At this point I answered question #23 with the same casual honesty which I assumed to be the basis of any bond and was met with surprise at my naivete, sympathy, awkwardness at the lack of, "preliminary counseling" that had been afforded me (it was thought that, volunteering a second time, I needed none)—and the news that regardless of qualifications, prior service, examination results etc. my chances of even being considered for O.C.S. had gone down the drain. Since then I've received a good deal more of sympathy, unofficial advice and support from within the Marine Corps—but all of it based on an underlying certainty of ultimate failure.

Were my rejection based on mental deficiency, physical unacceptability, alcoholism, drug addiction or moral instability the reasons for a negative decision would be self-evident. But to be arbitrarily rejected solely

on the basis of a long past meaningless incident, without any regard for all other qualifications seems a travesty of reason and a mockery of justice. For this reason I have not accepted as an accomplished fact the inevitable failure of my application and have pursued it with all the means at my disposal—first through the Marine Corps and now, hopefully, through you.

When my appeal confronts the letter of the standing statute at H.Q.M.C. there will be no one in the Marine Corps with a voice strong enough to be heard in my behalf—regardless of their personal opinions, past and present support, advice, and belated counsel.

I do not feel I should be stigmatized for life and kept from reaching my goals for straying for a moment—as all but a very few do at some time in their lives. I feel this meaningless incident has no bearing on me as a man and no effect on my qualifications or potential. I feel that if this one incident can bear more weight than my aspirations and accomplishments, my medals, awards, prior military service, scholarships and scholastic abilities—then America must really judge its men cheaply and much of what we have been taught about this country and its ideals is a cynical sad joke on those who were naive enough to believe.

I ask you, sir, that you examine all the enclosed papers and form your judgments on the basis of what you find in them and what I've explained briefly in this letter. If you then find that you can help me—I ask that you help in any and all ways you can. As things stand now I am scheduled to go to O.C.S. Class #86 in January—if I miss it I'll be over-age for any future classes (the age limit is now twenty-eight).

Thank you.

Respectfully yours,

IGOR BOBROWSKY.

Ref.: Examination of Applicant by Recruiting Officer (1130).

Re item No. 23 (remarks).

DEAR SIRS: Since early childhood I have had instilled in me a respect for the military profession. Since youth I have wanted to be an officer, and sought to develop those traits which I imagined to be the marks of one: candor, physical fitness, intellectual awareness. I have come to love history, geography, languages, and political science, as well as competition in sports. Needless to say, I have fallen short of my aspirations in these fields at times.

Despite the fact that I graduated at the top of my class in public school, a poor choice of high schools put not only Annapolis and West Point beyond my reach, but made the possibilities of getting into any college but the poorest, and of graduating within any reasonable time, out of the question. Consequently, I decided to join the Marine Corps to examine at first hand the facets of military life and opportunities offered by it.

My service in the Marine Corps strengthened my preconceptions; I liked the diversity it called for, the responsibilities it placed on one, and the feeling of a demanding job, rewarded by the knowledge of its having been well done. As an enlisted man, I served well, accepting responsibility resolutely, as can be verified by my S.R.B. I first volunteered for Vietnam duty in 1966, but was held over, and served on Okinawa instead. In 1967, on an extension of overseas tour, I volunteered for, and was sent to Vietnam. In March of 1968, I voluntarily extended my Vietnam tour for an additional six months.

While in Vietnam, I served initially as a rifleman, f/t leader and sqd. ldr. in D. Co. 1/5, and was subsequently selected for service with CAP where I served as sqd. ldr./plt. com. of CAP Delta 1. When 4th CAG was initiated along the DMZ, I was one of the NCOs selected from a pool of all CAP personnel to form the nucleus of 4th CAG. Prior to leaving RVN I filled the billet of NCOIC of 4th CAG's MTT Unit, responsible for the lives and welfare of some fifty Marines and assorted RFs, PFs, and RDs. All this may be verified in my SRB.

Months after my release from active duty, and coincidentally with my starting college, I began checking options open to me for reentry into the Marines as an officer. At the time, 1969, I was told that the age-ceiling was 27, which meant that I would have to finish school within three years. I finished in the required time, graduating cum laude, with major and double minor indices of 3.5+. After graduation I immediately contacted OSO NYC regarding application for OCS.

Up until the present time the only problem in processing was a delay in swearing in due to the non-resolution of a pending decision by a previously contacted government agency. Once this had been resolved, processing resumed up to the point of swearing in at which time I was given form 1130 to complete. This form I filled out in the same spirit of good faith in which I believed it to be given. My voluntary admission to exposure to marijuana (at most some half dozen times, while in the MC, in the latter part of 1967), was given on the assumption that honesty must be the basis of any agreement between the USMC and its potential future officers. However, subsequent to this disclosure, I have met with surprise, sympathy, some awkwardness at the lack of "preliminary counseling" that had been offered me (it was apparently considered that I needed none), admiration for my honesty and incredulity at my naivete, summed up best perhaps in one officer's comment that "truth is like candy—too much and you get sick". Furthermore, I have been informed now that regardless of any mitigating circumstances or qualifications it is a virtual certainty that my chances for acceptance for OCS are nil. It seems a general consensus of opinion that I have inadvertantly and inevitably dug my own grave insofar as not only obtaining a commission, but even in being considered for my scheduled class.

While *every* NCO and officer I have spoken to has voiced a personal and unofficial opinion that question #23 is both irrelevant and futile, the fact that I answered it honestly seems to point directly to an ultimately negative response to my application once it reaches the highest decision-making levels of USMC.

While it has been pointed out to me, the option of telling the truth or not, is left to the individual, it has also been the admission of *every* officer and NCO I have spoken to that men, particularly coming out of the society we have now, "bend the truth" and then go on from there either to be found out or not. This seems a gross injustice when, on the other hand, a man who freely and in good faith believing honesty to be the basis of a relationship, tells the truth, and in return, cannot even have his application reviewed, much less be afforded the opportunity of proving himself one way or the other. It would seem almost to be the case that the appearance of a virtue is preferred over the reality.

In the USMC that is looking for "a few good men" this policy as it stands seems an inversion of logic which affords one willing to compromise his conscience possibly for the sake of future goals more of an opportunity than to one who is not. This ultimately sanctions a thought process in which ends justify means. Thus, a man of strong motivation can bend the truth at the very start, if he so desires, and can ultimately be justified or damned on the basis of his actions within USMC—actions which can lead to discharge or conceivably to appointment as Commandant. At the same time, a man who tells the truth at the outset, hasn't even the opportunity afforded him to be tried and tested, an opportunity denied him by a check in an inappropriate box. For anyone who has lived in anything but a monastic vacuum prior to applying for a commission, this ruling offers almost an incentive award for the ability to compromise with one's conscience.

Returning to my own particular case, by way of explanation, the exposure to marijuana in 1967 was so trivial then and so infinitely more meaningless now, that I feel no reason at all for having to comment on it one way or another in a serious job application. In 1967 it was a simple matter of availability and fellowship. In the initial hours after an operation, marijuana would be produced and smoked for a variety of reasons. The half dozen times I smoked it were the result of my being too tired to write or read or for the sake of companionship with the men I had served with. In the CAP units to which I subsequently went, I never smoked, nor did I permit anyone else to smoke, or drink in excess, or rape, or indulge in any of the other abuses available. This then was the extent of my marijuana experience, while its consequences are yet to emerge.

I wish to point out also that all this occurred over six years ago, years in which I served our country and our Corps faithfully, years in which I completed my education, years in which I took eighteen to twenty-one credits a semester, went to school day and night and every summer. The brief experience with marijuana obviously had no effect at all on my achievement. It comes to mind that there is even a statute of limitations on convicted Nazi war criminals—can it be that there is none for admitting to the truth? Must I, regardless of all other qualifications, aspirations and motivations, be judged and condemned solely on the basis of having put a check where conscience directed that I should, rather than where perhaps reason should have directed that I shouldn't? Would I be a better man then—a "good man" and worthy of your trust if I had kept my peace and gone on in silence?

Dear sirs, reading this now in your positions of judgment, you must have once dedicated yourselves to some ideal—there are easier, safer, more lucrative, and more rewarded jobs than being Marine officers. I ask that you keep those ideals in mind when judging my application and weighing my merits against my shortcomings in your consciences. I ask that you find me to be no more or less than the kind of person that you seek and that you afford me the opportunity to prove it.

Respectfully,

IGOR BOBROWSKY.

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 26, 1973.

Gen. ROBERT E. CUSHMAN, Jr.,
Commandant of the Marine Corps,
Washington, D.C.

DEAR GENERAL CUSHMAN: I have received the enclosed letter from Igor Brobowsky, a former Marine enlisted man, who advises me that he was rejected from Marine Officer Candidate School because he admitted having smoked marihuana on one occasion more than six years ago. I do not know if this was the ground for the rejection, but if it was, may I suggest you review the matter from the point of view of ascertaining whether he is currently a user of marihuana. If he is not, then may I suggest you review his case if he is otherwise qualified, since the National Commission on Marihuana and Drug Abuse (the Shafer Commission) estimated that 44% of American college students have experimented at least once with marihuana. Surely you would not bar all such students. It may be that there are other reasons why you may want to reject Mr. Bobrowsky. If so, please do advises me. But if he is otherwise qualified

I would hope a single use of marihuana should not in itself be a bar to his OCS candidacy.

I would appreciate your comments on this matter.

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF THE NAVY,
HEADQUARTERS U.S. MARINE CORPS,
Washington, D.C., January 8, 1974.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This is in reply to your letter of 26 November 1973, regarding Mr. Igor Bobrowsky, a former Marine, social security number 116 36 45 44.

As a result of your inquiry, Mr. Bobrowsky's application for the Officer Candidate Course Program was forwarded to this Headquarters from the 1st Marine Corps District. Upon review, it was noted that Mr. Bobrowsky admitted to the use of marijuana on the NAVMC 136 form (Examination of Applicant by Recruiting Officer). The Officer Selection Officer inquired into this voluntary admission and learned that Mr. Bobrowsky admitted to periodic use of marijuna while serving in Vietnam. Whether Mr. Bobrowsky currently utilizes marijuna is not considered pertinent or the crucial factor in the final determination.

At the time of this initial discovery, no further admistrative action or processing was warranted. However considering his previous Marine Corps service, the Officer Selection Officer forwarded the application to the Director, 1st Marine Corps District for review by the District Screening Board. Mr. Bobrowsky was notified on 9 October 1973 that current policy precludes his enlistment or commissioning in the Marine Corps.

This application was also reviewed by the Officer Selection Board convened at this Headquarters. The Board noted his use of marijuana and that his age was near the maximum limit and a dependency waiver was required. The Board unanimously concluded that the use of marijuana and his other limitations made Mr. Bobrowsky not as highly qualified as other applicants for the limited vacancies in this program.

This Headquarters has no information to dispute the Shafer Commission's statistical estimate of the number of college students utilizing marijuana. Officer Selection Officers who visit over 1900 colleges and universities are enrolling sufficient applicants who meet existing standards to fulfill requirements, thereby making the waiver or lowering of standards neither warranted nor appropriate.

Senators James L. Buckley and Jacob K. Javits have also expressed an interest in this case.

It is regretted that a more favorable reply cannot be provided, but it was a pleasure to serve you.

Sincerely,

R. E. CUSHMAN, Jr.,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

Ref.—MMSC—5G/rto.
R. E. CUSHMAN, Jr.,
General, U.S.M.C., Commandant of the Marine Corps.

DEAR SIR: Through the office of Congressman Koch, I have obtained a copy of your reply, (dated January 8) to my appeal. Except for the references to age and dependency waivers, that have entered the picture only since the 6th of January, (and which, considering the blanket nature of your ruling on marijuana use are, in any case, as superfluous now as they were irrelevant previously)—I found nothing of substance regarding the issue at hand (precisely, the validity and equity of your standing directive), except for yet another reiteration of existing policy. It is obvious to me that asking you to change your own directive or attempting to convince you of its arbitrary and inequitable nature, would be an exercise in futility on a par with attempting to obtain a commission in the Marine Corps, having given a positive answer to question #23 NACMC #136. Therefore, on the verbal advice of your Office, I am taking this issue to the Secretary of the Navy.

Regarding your letter specifically, I wish to comment briefly on some of the statements contained in it to avoid misunderstanding or confusion of issues at some future time.

In para. 2, I wish to note that your use of the word "periodic" implies much more than *was* the fact. Please refer to my initial statement to the OSO and my appeal statements as to the specifics.

Paragraphs 2 and 3 recount the initial and appeal procedures and bring in the seemingly additional factors of age and dependency waivers. If one takes these at face value, age was not a factor until January 6 had come and gone and a dependency waiver, (I was told, prior to my answering question #23) considering my past service and scholastic records, would have been a minimal factor.

However, the fact remains that the two above cited factors have no bearing on the issue at hand or on my rejection or acceptance into OCS. The fact remains that were I perfect in every way my answer to question # 23 immediately disqualified me from *any* chance of becoming an officer under current regulations—and thus all talk of waivers, age, etc., has as little meaning in this matter as talk of prior service, qualifications, scholarship, etc. As I stated earlier in this letter, considering your directive concerning question # 23, talk of waivers, qualifications, limitations and abilities is utterly superfluous and serves only to evade and becloud the issue at hand. Your directive as it now stands forces a man of the highes qualifications, if he has *even once* had any experience with marijuana, to choose between self-incrimination and willful deception. An answer incompatible with your current ruling disqualifies him out of hand—thus making, not ability, qualifications and merit the final criteria, but an arbitrary, largely ineffective ruling which, given knowledge of its implications, serves only to perpetuate the bending of truth.

As to your statement about my not being as "highly qualified as other applicants"—it not only contradicts and ignores statements of former and current M.C. officers (including some of your own O.S.O.'s) but again has nothing to do with the problem at hand. For were I the most qualified of the most qualified—your directive would still keep me out because I put a check in the wrong box of NAVMC # 136—where, perhaps wrongly, good faith and conscience rather than reason dictated that I should (your own officers have said as much—though I feel that to have to lie about such a meaningless triviality of seven years ago is not worth the ridiculous self-degradation.)

And finally, Sir, allow me to say—that your conclusion about "making waivers or lowering standards neither warranted nor appropriate" indicates to me the isolation of your office—whether self-imposed or not, or whether it comes naturally along with the job. Sir, you have Captain Wilkenloh's statement about a "generation of officers with secrets"—other statements to this effect are forthcoming. Your own aids have spoken of this issue as "a torpedo in the right place." Your own O.S.O.'s have voiced personal opinions on the futility and ultimate meaninglessness of your directive (considering there are not checks) and some have voiced personal support to efforts to change the ruling. Your own officers admit that "precounseling" eliminates the danger of most blunders such as mine surfacing and that once an officer candidate reaches Quantico, his past is left behind and only his present ability and future potential are judged, which is as it should be. The irony is that in telling the truth men are eliminated from having a chance to be tested and proven where a momentary omission, slight bending, or willful deception, opens all roads.

Sir, this policy as it stands now will not, if unchanged, "develop a generation of officers with secrets"—that generation already exists. It is because such a generation should not now or at some time later date exist because of something as meaningless as a puff of smoke that I am pressing the matter to the extent that I am. When a country loses some of its potential human wealth through calamity or natural catastrophe, it is very sad—but when a country turns its back to it, or carelessly throws it away, then it is a tragedy.

Respectfully yours,

IGOR BOBROWSKY.

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 28, 1974.

Hon. JOHN WILLIAM WARNER,
Secretary of the Navy,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: You will find enclosed a letter of appeal from Mr. Igor Bobrowsky of the decision by General Cushman to deny him entrance to the Officers Candidate School on the basis that he admitted to having used marihuana at one time. Also enclosed are letters of recommendation from fellow officers, former commanding officers, material relating to his background and achievements and other material which may be of help in the analysis of his case.

Mr. Bobrowsky was denied entrance solely on the basis of his admission to the use of marihuana. It has also been mentioned in the January 8th letter to me by the Commandant, that his age is near the maximum limit and that a waiver was required. I would like to note that at the time for his application for entrance in the class commencing in January, he would not have been required to have applied for the waiver. This factor should have been considered in his application. It has also been noted that a dependency would be required. Mr. Bobrowsky does have two children. In the class of January, 3.8% of the men, in a class of 209, have more than one child.

As the Commandant states in his letter to me of January 8th, "At the time of this initial discovery, no further administrative action or processing was warranted. *However, considering his previous Marine Corps service,* the Officer Selection Officer forwarded the application to the Director, 1st Marine Corps District for review by the District Screening Board." (the emphasis is my own). It is not a debatable point, in my view and I think now in yours, that this man's record and dedication to the goal of becoming a Marine Officer is exemplary. You can see from his record of military service and his educational schedule of studies, that the years intervening from the time of his discharge from the service, have been directed solely towards admission into OCS.

The questionnaire which Mr. Bobrowsky filled out after his conditional acceptance was form 1130. This form asks the individual to answer yes or no to a number of questions. Question number 23 reads as follows: "Have you ever used LSD (acid), marijuana (pot, hash, joints), opiates (heroin, horse, smack), peyote (moon buttons, mesc), sniffed glue, paint, turp, or used dope DMT, "68" or other hallucinogens, hypnotics, stimulants (amphetamines, crystals, uppers, speed, bennies), depressants (downers, barbs, whites, goof balls, blue devils, red devils) or other known harmful or habit-forming drugs and/or chemicals?" It is distressing to me that an individual should be expected to answer yes

or no to the entire contents of this question with no opportunity to indicate whether he had used a particular substance on one occasion, or all of them repeatedly. Mr. Bobrowsky honestly circled marijuana (which is not an opportunity given in specifying what drug is in question). It is my feeling that to group marihuana, which is now considered merely a civil offense under the state laws of Oregon, and which the National Commission on Marihuana and Drug Abuse suggested be decriminalized, with drugs which can be used on a prescription basis, or with illegal and habit forming drugs such as heroin, is not within the purview of current attitudes or legislative considerations. In a recent study made by the National Commission, it was found that of all Vietnam veterans in August, 1971, 29% had used marihuana in service, and 10% had used hashish. In terms of the frequency of use, those veterans who had used either substance once or twice numbered 28%, occasionally 41%, and regularly, 31% for marihuana; while for hashish, the respective percentages were 18%, 55%, and 27%.

When one of my staff assistants talked with Captain Kammeier of the Commandant's office, Captain Kammeier indicated that the Marine Corps sensed the need to review its policy relating to marihuana and that a case such as Mr. Bobrowsky's was another to shake "the boughs of the existing policy".

In light of Mr. Bobrowsky's qualifications which have been lauded by officers and the Marine Corps itself, his commitment to making a career in the Marine Corps, and even his scrupulous honesty in answering this question that most would have dismissed, I urge you to give careful scrutiny and consideration to his appeal. It is also my hope that you will consider a review of your policy as it pertains to marijuana so that you will not find the Marine Corps disqualifying capable men who would otherwise be assets to the service.

I appreciate your every consideration of this matter and I look forward to your comments and decision.

Sincerely,

EDWARD I. KOCH.

SECRETARY OF THE NAVY:
Washington, D.C.

DEAR MR. SECRETARY: I am writing to you on the advice of Congressman Koch, on the recommendation of present and former Marine Corps officers and friends, and in accordance with the direction of the Office of the Commandant of the Marine Corps. Initially, I attempted working exclusively through Marine Corps channels. But when these were exhausted, I turned to my congressman and senators, and now, since it has become obvious that the Commandant will not face or will not act on the issue at hand, I am appealing to you.

Attached you will find all pertinent information and copies of correspondence dealing with this matter. The initial letter to Congressman Koch should provide you with an adequate brief summary of the events that prompted my preceding actions and my present appeal to you. The other papers speak for themselves and serve to substantiate the facts as outlined in my first letter to Congressman Koch.

The last letter received from the Commandant of the Marine Corps (three days after the start of my scheduled class and one and a half months after initial Congressional involvement in this matter) and my reply are attached to this cover letter and bring the whole matter before you up to date. You will note that since the 6th of January other factors have seemingly entered the picture, as a result of which, even should I succeed in obtaining a favorable decision on the issue raised by Form NAVMC #136 question #23, and the Commandant's blanket ruling regarding it, my chances of obtaining a commission seem very unlikely. Indeed, considering the advice of some Marine Corps officers, even were the opportunity of attending O.C.S. offered to me at this point, I would have to think long and hard about accepting.

Of course the factors brought out in the last letter from C.M.C. have nothing to do with the issue at stake. The fact is that once I had put a mark in the wrong box of NAVMC #136, all that preceded it became irrelevant and all that occurred subsequently was superfluous. The crucial point in this matter, as I see it, is that men, not only myself, have been condemned and rejected from a chance to strive for their goals—for telling the truth where a lie would have opened all roads.

The issue is that the Commandant's blanket ruling forces a man of even the highest qualifications and greatest potential, if he has *even once* had any experience with marijuana, to choose between self-incrimination and thus, rejection, or willful deception—thus deciding his fate on the basis of the most trivial of criteria. The sorrow lies in that the final verdict on a man's life thus is not rendered on the basis of any considerations of qualifications, abilities, intellect, drive, merit, past service, and future potential—but *solely* on the basis of an arbitrary ruling which is of such blanket, all-encompassing nature, as to allow no possibility of exception and so final that it precludes any hope of redress through appeal.

Although I doubt that anything can be done for me personally by my appeal to you at this point, I am writing in the hope that someone else, striving to achieve the same goals to which I aspired, will not be denied even *the chance* for success because of an incidental form. As a kind of backhanded consolation, Col. Solazzo wrote that "other qualified applicants" have been denied the opportunity of becoming Marine Corps officers for similar reasons. In my eyes, this only magnifies the scope of this injustice. If this ruling is allowed to stand in the future as it has stood in the past—and is allowed to measure men's lives and abilities by puffs of smoke—then Justice's blindness must really have become malignant, and made a dark void of her mind.

In conclusion, I would like to mention the practical help and moral support I have received from past and current Marine Corps officers. It is only through their good will and tacit support that this issue even got past the local O.S.O. office. You have the statements of both Captain Wilkenloh and now Captain Kirkpatrick (my C.O. at the time of the half dozen instances and now an O.S.O. himself.) Other officers and O.S.O.'s have voiced their *personal* opinions on the futility and meaninglessness of this directive. Officers admit that "precounseling" eliminates the surfacing of most blunders such as mine. Even an aid to the Commandant regarded the raising of this as "a torpedo in the right place."

Sir, this policy, as rigid as it is senseless, is an injustice of the cruelest and most arbitrary nature to the men it has struck down in the past. If it remains to strike down others in the future, it will be an insult to much of what we have been taught about our country.

Respectfully,

IGOR BOBROWSKY.

DEPARTMENT OF THE NAVY,
Washington, D.C., February 13, 1974.
Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Thank you for your letter of January 28, 1974, regarding Mr. Igor Bobrowsky, a former Marine, social security number [redacted], and his application to attend Officer Candidate School.

After reviewing the correspondence forwarded to my office concerning Mr. Bobrowsky's plea and the resulting Marine Corps decision, it has been determined that further action would not be appropriate. The Marine Corps has established a policy that precludes enlistment of any individual with admitted usage of drugs. For me to intervene in this case would set a precedent detrimental to that Marine Corps policy.

Each branch of the Armed Forces possesses their own policies regarding enlistments and requests for additional service. They are in the best position to determine what standards should be required, and in which instances to authorize waivers. As each service has various personnel requirements, doctrinal policies of a general nature are established by the Department of Defense, with the maximum amount of autonomy allowed to each respective branch.

It is a pleasure to be of service to you.

Sincerely yours,

JOSEPH T. MCCULLEN, Jr.,
Assistant Secretary of the Navy (Manpower and Reserve Affairs).

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 16, 1974.
Hon. JAMES R. SCHLESINGER,
Secretary, Department of Defense, the Pentagon, Washington, D.C.

DEAR MR. SECRETARY: I would like to bring your attention to a case of an individual seeking a military career who is being disqualified because he is "falling through the cracks" of military regulations. His candidacy for the Marine Corps Officers Training School has been snared in the web of military policies and regulations which undoubtedly are effective in properly evaluating the majority of applicants, but when applied to thousands inevitably fail to properly judge some individuals.

The candidate is Mr. Igor Bobrowsky (SS # [redacted]). I would appreciate your personally examining his case because I am sure that you are concerned as I that our military have as its leaders the finest young Americans it can attract. I have met Mr. Bobrowsky and I believe that he is an individual of high character and integrity.

Mr. Bobrowsky, who has served in the Marine Corps, was rejected by General Cushman on January 8th for enrollment in the Marine Corps Officer Candidate School. He was rejected because of his admitted one time use of marihuana in filling out the Marine Corps Form 1130. Most applicants probably would have conveniently forgotten this flirtation with a substance that the National Marihuana Commission has determined is not addictive; but because Mr. Bobrowsky is so scrupulously honest, he admitted to its use.

It is important to note that in the case of Mr. Bobrowsky the military is not dealing with an unknown quantity. Mr. Bobrowsky served in the Marines in Vietnam and he voluntarily extended his Vietnam tour of duty. For his service he received numerous citations including: the Purple Heart, Vietnam Campaign Medal, National Defense Medal, Vietnam Service Medal, Good Conduct Medal, and the P.U.C. Medal. In applying for OCS he had recommendations from Captain R. H. Kirkpatrick Jr. and former Captain William C. Wilkenloh. Furthermore, it is particularly noteworthy that he was so committed to his goal of a career in the Marine Corps that he completed college in three years instead of four so that he could meet the age requirement for enrollment in OCS. Even in his accelerated program, he graduated cum laude from Hunter College with a major and a double minor. Mr. Bobrowsky is married and has two children. I think that your files on Mr. Bobrowsky will show that he is indeed an outstanding candidate.

Mr. Bobrowsky was conditionally accepted in the OCS and then was asked to fill out Form 1130. This form asks the individual to answer yes or no to a number of questions. Question number 23 reads as follows: "Have you ever used LSD (acid), marihuana (pot, hash, joints), opiates (heroin, horse, smack), peyote (moon buttons, mesc.), sniffed glue, paint, turp, or used dope DMT, "68" or other hallucinogens, hypnotics, stimulants (amphetamines, crystals, uppers, speed, bennies), depressants (downers, barbs, whites, goofballs, blue devils, red devils) or other known harmful or habit-forming drugs and/or chemicals?" It is distressing to me that an individual should be expected to answer yes or no to the entire contents of this question with no opportunity to indicate whether he had used a particular substance on one occasion, or all of them repeatedly.

I would hope that your examination of this case will be two-fold. First, of course I hope that you will enable Mr. Igor Bobrowsky to enroll in OCS. I realize that a certain amount of autonomy is given to each branch of service to establish qualifications for its officers. At the same time, the Defense Department surely has an overall responsibility for the quality and character of its military officers. Second, I would hope that you will look at this case in the example it provides for the necessity of reviewing the Department's treatment of marihuana use. Again, each branch of service may issue its own forms and ask what questions it may, but the Department of Defense must be concerned that none is unfairly prejudicial to a candidate, outdated, or improperly construed so as to fail to meet the overall objectives and policies of the Defense Department. Indeed, I understand that changes in Form 1130 require DOD approval, establishing the Department's ultimate responsibility.

Marihuana surely should not be grouped with heroin, LSD, hallucinogens, and other such drugs. While you might wish to ask if marihuana has been used, this should not automatically disqualify a candidate, particularly if it was a past, one-time venture.

I know that the military must have its rules and regulations. But, I would urge that ultimately, like any institutions dealing with people, it must have the flexibility to respond to the particular situations of an individual. This is a deserving case and I hope this will be done.

Sincerely,

EDWARD I. KOCH.

NATIONAL HUNTING AND FISHING DAY

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it has been my pleasure to sponsor legislation in the House for the past 2 years designating the fourth Saturday of September "National Hunting and Fishing Day." I was joined by 53 cosponsors in 1972 and 61 in 1973. I am introducing the bill again today and I am very pleased that 106 Members have joined as cosponsors to date. I invite others to join with us.

National Hunting and Fishing Day has been very popular with the American people and I feel that it should be continued. This event has significant meaning to the more than 55 million hunters and fishermen who have contributed so greatly to conservation and the improvement of outdoor recreation in this country. From the first observance in 1972, it became clear that NHF Day was to achieve a level of support and accomplishment far beyond the hopes of its most optimistic supporters. In all 50 States, proclamations were issued by the Governors or resolutions were approved by the legislatures urging public involvement in the day. The first NHF Day was highlighted by some 3,000 observances across the country with 4 million Americans joining together in the cause of conservation.

The second NHF Day celebrated last year on September 22 was much more impressive. As a result of hundreds of superprograms held at shopping centers, State fairs, schools, military installations, and scores of other facilities, public involvement increased nearly fourfold with an exciting total of 14 million Americans taking part in the celebration. The idea spread to Europe where our Armed Forces personnel organized programs in which 27,000 participated. I am told that plans are now being made for similar programs even in South America for the third NHF Day observance.

The success of NHF Day may be attributed to the sportsmen—our first conservationists. Long before Earth Day and long before ecology became a household word, this Nation's hunters and fishermen had begun their conservation efforts. It was over 75 years ago that these sportsmen decried the rape of our fields, forests, and streams and provided the moneys to fight environmental destruction. In those 75 years, hunters and fishermen have provided nearly $2.5 billion for conservation.

Hunting and fishing is big business in America. Each year more than 15 million hunting licenses and 24 million fishing licenses are sold. And each year the ranks grow larger. Each year more than $250 million is taken in from the sale of licenses, tags, permits, and stamps. The funds from these sources are used to protect and improve wildlife habitat and fishing areas, thus fish and game populations are managed on a scientific basis. Even endangered species receive benefits from the effort of these dedicated conservationists—the enlightened hunters and fishermen who want to see their natural heritage preserved. Professional conservationists will tell you that it is the sportsmen who are most responsible for the healthy populations of wildlife now abounding in many States. They will also tell you that the sportsman and his conservation dollars, have made possible a 20-fold increase in the number of deer in the United States; a 5-fold increase in the population of Elk and Antelope; and a 10-fold increase in the number of wild turkeys. These numbers may surprise you as they surprised the millions who learned these facts at National Hunting and Fishing Day programs in 1972 and 1973. But they do not surprise the professional conservationists who work along with hunters and fishermen to make these increases possible. It is not the hunters and fishermen who are wiping out the endangered species in this country. The greatest threat is from loss of habitat and from environmental degradation such as pollution. As human population increases, along with its modern-age technology, the pressure on wild species also increases. Some species are literally squeezed out of existence—not killed off by the hunter.

Mr. Speaker, we must continue our crusade to protect our wildlife and we should increase our efforts to alert the public on environmental problems. The observance of "National Hunting and Fishing Day" is one of the best ways of helping to achieve this goal. I urge my colleagues to lend their support to this resolution.

MORE PUSH FOR PAY RAISES PREDICTED

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, of interest to me and, I feel, to most of our colleagues who are concerned with the Nation's energy shortage is Hobart Rowen's column in the business and finance section of today's Washington Post.

Mr. Rowen reports that two prominent economists—George Perry, a senior fellow at the Brookings Institution, and Prof. Hendrik S. Houthakker, of Harvard University and a former member of the Council of Economic Advisers—both agreed during hearings before the Joint Economic Committee yesterday that the present petroleum allocation system has been a dismal failure.

Such a disclosure, of course, comes as no surprise to those of us here who opposed the allocation system when it was considered in the House, as the record of debate on this issue will reflect. It was warned at that time that we would be creating new problems by instituting this system and that the energy shortages would increase. We apparently have still not learned our lesson; and unless we do, the situation will worsen before it gets better.

MORE PUSH FOR PAY RAISES PREDICTED

(By Hobart Rowen)

A panel of prominent economists told a Joint Economic Committee hearing yesterday that pressures for wage increases in 1974 will be greatly increased this year, but disagreed on how to handle the problem.

George Perry, a senior fellow at the Brookings Institution here, advocated a "social contract for wage moderation" by which the government would substitute a tax cut for a wage increase that would fully catch up with past price increases.

"Wages cannot make up for ground lost to food and fuel between 1973 and 1974 without starting a chain of wage-price hikes that would raise prices an average of 25 percent economy-wide," Perry said.

Harvard Professor Hendrik S. Houthakker, a former member of the Nixon Council of Economic Advisers, said he is "sympathetic" with the idea of a tax cut, even though "there is not an iron-clad case for it."

But Houthakker would not go along with Perry's conclusion that it would be "a great mistake" to abandon wage-price controls entirely on April 30, when the current stabilization act expires. "The time has come," Houthakker testified, "to admit that inflation cannot be held down by passing laws against high prices."

A third member of the panel, former CEA Chairman Gardner Ackley, said "It is not clear to me that additional fiscal stimulus is desirable." And while Ackley concluded

that wage-price controls "have had some effect" in slowing inflation, he indicated he had reservations about continuing the authority past April 30.

Perry said that a recession in the first six months of 1974 "is as near to a sure thing as anything in economic forecasting can be," although a recovery later in 1974 "is by no means assured."

He calculated that rising food prices in 1973 took away about $15 billion in consumer purchasing power, and that a rise in average petroleum prices—which he put at 50 per cent by this summer—"Will cut consumer purchasing power by $18 to $20 billion more."

Perry suggested that the "attempt to raise incomes via the tax table rather than via the bargaining table" would help contain a new round of wage-push inflation, and also serve "the cause of equity."

Sen. William Proxmire (D-Wisc.), vice chairman of the committee—who conducted the hearing alone—observed that "I don't see how labor can stand still year after year in the face of the kind of inflation we've had." But he was noncommital on Perry's tax-cut proposal.

Perry and Houthakker also agreed that the present petroleum allocation system is not working and that either a formal rationing system or a substantial gasoline price increase ought to be put into effect.

They suggested that a price of 75 to 80 cents a gallon would eliminate gasoline lines and cut consumption. Perry, who would prefer rationing, would resort to a tax of 30 cents a gallon, coupled with a tax rebate.

Both were caustic about the present "chaos" created by federal government regulations. "Someone whose time is worth $4 an hour is already paying $1.20 a gallon when he waits an hour in line," said Perry. "We are using pain to clear markets today. Using either price or coupons would be better."

TAX RELIEF FOR THE DISABLED

(Mr. BINGHAM asked and as given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, today I am introducing legislation which would provide new and needed Federal income tax relief for taxpayers burdened with the enormous cost of providing special care for the physically or mentally disabled.

My bill, which was first introduced in the 92d Congress, would amend the Internal Revenue Code to provide a $750 income tax exemption for each disabled member of the taxpayer's family.

This legislation is urgently needed. The dollar squeeze each and every American family is experiencing because of the administration's mishandling of the economy has caused even greater hardships for families providing special education, rehabilitative services, job training, and medical care for handicapped loved ones.

Every American has the right to an education, and that includes citizens with special educational needs. Every American seeks to develop his talents to the fullest, but some need special help to achieve their potential. The rights of the disabled American should not be lost because of rising costs and an unsympathetic ear in Washington. As we aid families of the blind with a special tax exemption, we should aid families of those with other handicaps as well.

Under present law, if a taxpayer is to be able to deduct the cost of special care required for a handicapped member of his family he must itemize his deductions. But this deduction only covers those expenses in excess of 3 percent of the taxpayers adjusted gross income. In addition, it completely ignores the cost of custodial care. My proposal would for the first time provide direct tax assistance to lower income families who now lose the benefit of the medical deductions because they do not itemize their deductions.

A reasonable program of tax relief for the families of the handicapped would go a long way to stem the tragic tide of disabled children abandoned to public institutions by their families because they are unable to pay the cost of required care.

When I introduced the Commuters' Tax Act, H.R. 11992, in December 1973, to provide a tax credit or deduction for certain transportation expenses incurred by the handicapped traveling to and from work, I said that the bill was designed to equalize the expenses of such travel so that the handicapped worker would be able to compete with everyone else. The same policy is built into the bill I have introduced today. This legislation would simply provide assistance in the form of a tax exemption, so that families that choose to care for handicapped members of their family would not be penalized for the desire to keep the family together.

SCHOOL LUNCHES THREATENED

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, since the early 1930's the Food Commodity Distribution program has been an effective way to serve many people—children, the needy, and victims of natural disasters. By offering available foods to any State that has a food donation program, the U.S. Department of Agriculture has helped meet the nutritional needs of youngsters in nonprofit school lunch programs, of poor families, and of children and adults in camps and other nonprofit institutions.

In the past the USDA has bought surplus foods from the farmer and donated them to the States when it was requested. Surplus foods were purchased in three ways: First, under section 6 of the National School Lunch Act; second, under surplus removal programs as authorized by section 32 of Public Law 74–320, and third, through price support obligations. The USDA paid for processing, packaging, and transporting the foods to locations chosen by the State, and each State then distributed them through local city agencies.

Although in recent years the supply of surplus foods has diminished, section 4 (a) of Public Law 93–86 provides that food can still be purchased at market prices if necessary, then be distributed in similar fashion through fiscal year 1974. Until recently it was assumed that the necessary steps would be taken to extend this service further into the future. However, according to a memo written by Assistant Secretary Clayton Yeutter to Agriculture Secretary Butz, this program is in danger of being phased out unless appropriate legislation is enacted. In the memo, Assistant Secretary Yeutter urged that:

Distribution to institutions should be phased down as much as possible, thereby minimizing the flak that will be received if and when complete termination takes place. Distribution to the schools should be reduced dramatically.

While needy families may receive the benefit of food stamps to compensate for a lack of food surplus commodities, the nutrition programs of nonprofit institutions will face disaster. Many of our country's schools and institutions are already confronted with enormous financial problems. The elimination of surplus food commodities would create severe budgetary strains and perhaps even threaten the existence of these programs.

Presently, the Department of Agriculture is required by law to make cash payments to schools equivalent to the food commodities if and when these commodities are not available. However, schools cannot replace the same foods at the same price since they would have to buy on the open market, nor do they have the benefit of buying in the same bulk quantity as the Federal Government. Julius Jacobs of New York City's Bureau of School Lunches says that city schools currently receive $3.5 million worth of Federal surplus foods. The same foods bought on the open market would cost the city 25 percent more or approximately $4.4 million in all.

Charitable programs do not even receive cash payments to make up for the lack of surplus supplies. When the surplus food distribution service ends on July 1, 1974, institutions such as orphanages will have to adjust their budgets to the tune of over $20 million worth of food supplies. The American Red Cross will face an additional expense of at least $1 million. The estimated cost to New York City institutions alone is more than $1 million.

I can see no logical reason for the termination of this program; therefore, I have introduced a bill today which would give the USDA indefinite purchasing authority to buy commodities for maintaining the present level of aid for food assistance programs, including but not limited to school lunch, nonprofit institutions, supplemental feeding, and disaster relief. Funds for this program are derived in large part from import duties on food—section 32 of Public Law 74–320, as amended.

An article of February 13, 1974, by John Lang of the New York Post explains in some detail the problems that the elimination of this food program would present. I urge my colleagues to join me in supporting the extension of this important program.

The article follows:

SCHOOL LUNCHES THREATENED

(By John S. Lang)

WASHINGTON.—An Agriculture Dept. plan to phase out the commodity food distribution program could cost American schools, orphan

homes and charities nearly a quarter of a billion dollars.

Officials of agencies which depend on the supplies to feed poor children and disaster victims say that phasing out the program would have "disastrous" effects.

"This is a punch in the guts you don't see coming," says Julius Jacobs of New York City's Bureau of School Lunches, which depends on the commodities to feed 520,000 children daily in the free school lunch program.

Jacobs says city schools annually get federal surplus foods worth $3.5 million—and it would cost the city 25 per cent more if it had to replace that supply by making purchases on the open market.

A spokesman for Mayor Beame says it is too early to determine whether losing the free foods would end the free school lunch program, but he said, "it would be a serious problem."

The Agriculture Dept. proposal to stop the commodity food distribution program was disclosed today by Sen. George McGovern (D-S.D.), who made public a memo to Agriculture Secretary Butz from Assist. Secretary Clayton Yeutter.

NOT GREAT

Yeutter wrote that an evaluation of the program indicated "that benefits to producers have not been great.

"Distribution to institutions should be phased down as much as possible, thereby minimizing the flak that will be received if and when complete termination takes place. Distribution to the schools should be reduced dramatically."

The commodity program already was in trouble because this year, for the first time, there is no surplus of farm products available for agriculture to distribute. And the department's authority to purchase the supplies on the open market is scheduled to expire June 30.

McGovern, chairman of the Senate Select Committee on Nutrition and Human Needs, has introduced a bill to extend the department's authority to make these purchases indefinitely.

But Yeutter's memo recommends "all our opposition to the McGovern legislation. If it should pass, we'll be in the commodity procurement business forever."

McGovern criticized the memo as "the final step in the Administration's hope to vanish as a factor in the farm and food economy. So-called free market boom or bust economics may be a windfall to a few market manipulators but it is a long-range disaster for the farmers and the consumers."

Currently, the Agriculture Dept. provides $260 million worth of commodities to the nation's schools, $20 million worth to institutions such as orphanages and $1 million worth to the Red Cross.

Existing law requires the department to provide the schools with a dollar equivalent of the commodities now given. But Senate nutrition experts estimate it would cost the schools another $200 million to replace the program since they would have to buy on the open market.

There is no provision in the law for the department to make dollar payments to the Red Cross and other institutions if the commodity program is killed. And McGovern's staff estimates it would cost the organizations $49 million to replace the commodities they now receive. The total to those groups and school would be $249 million.

Proposals to "phase out" the commodity program have brought anguished protests from recipients.

Edwin S. Pfeiffer of the Connecticut Dept. of Finance and Control advised McGovern's staff that "within the state of Connecticut we feel that this would be catastrophic."

"I feel that this will cause the dropping of many school lunch programs and child nutrition programs resulting in not being able to serve the children who most need this means which is the mainstay of their daily nutritional values."

3 MILLION POUNDS

Dick Reed of New York's Bureau of School Food Management said in an interview that the state received federal commodities worth $20 million to provide free school lunches. Reed said he felt the state could provide better lunches if it purchased the commodities locally—but he estimated the cost to New York at $30 million.

The American Red Cross said it was heavily dependent on surplus commodities for disaster relief. In past years the commodity program has provided the Red Cross with 3 million pounds of food annually.

"If we don't have this resource available to us," said a Red Cross spokesman, "we'll have to make up for it somehow with donations. We'll have to buy these supplies commercially and that will be much, more expensive. It's a serious problem."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BURGENER) to revise and extend their remarks and include extraneous matter:)

Mr. GILMAN, for 10 minutes, today.

Mr. MILLER, for 5 minutes, today.

(The following Members (at the request of Mr. THORNTON) to revise and extend their remarks and include extraneous matter:)

Mr. LONG of Louisiana, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Ms. ABZUG, for 5 minutes, today.

Mr. BRADEMAS, for 5 minutes, today.

Mr. FRASER, for 5 minutes, today.

Mr. CHAPPELL, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. CORMAN, for 5 minutes, today.

Ms. HOLTZMAN, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. MORGAN, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. MEEDS, for 60 minutes, on March 5.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KOCH and to include extraneous matter, notwithstanding the fact it exceeds 3½ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $731.50.

(The following Members (at the request of Mr. BURGENER) and to include extraneous matter:)

Mr. COUGHLIN.

Mr. FISH.

Mr. DERWINSKI in four instances.

Mr. QUIE.

Mr. MCCLOSKEY.

Mr. CONTE.

Mr. BROYHILL of Virginia in two instances.

Mr. DU PONT.

Mr. HUBER in four instances.

Mr. ARMSTRONG in two instances.

Mr. DEL CLAWSON.

Mr. FROEHLICH.

Mr. WYMAN in two instances.

Mr. DON H. CLAUSEN in three instances.

Mr. BOB WILSON in two instances.

Mr. ARCHER.

Mr. SYMMS in two instances.

Mr. TOWELL of Nevada.

Mr. MCCOLLISTER in six instances.

Mr. TAYLOR of Missouri in two instances.

Mr. HUDNUT.

Mr. GUDE.

Mr. CARTER.

Mr. SANDMAN.

Mr. HOSMER in two instances.

Mr. LUJAN in two instances.

Mr. MINSHALL of Ohio.

Mr. CRANE in five instances.

Mr. PRICE of Texas.

Mrs. HECKLER of Massachusetts.

Mr. CAMP.

Mrs. HOLT.

Mr. ASHBROOK in five instances.

Mr. SHUSTER.

Mr. STEIGER of Wisconsin.

Mr. BURKE of Florida.

Mr. CHAMBERLAIN in two instances.

(The following Members (at the request of Mr. THORNTON) and to include extraneous matter:)

Mr. EDWARDS of California in two instances.

Mr. YOUNG of Georgia in six instances.

Mr. ROSTENKOWSKI in three instances.

Mrs. MINK in two instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. BURLISON of Missouri.

Mr. RONCALIO of Wyoming in 10 instances.

Mr. ROONEY of New York.

Mr. DRINAN in five instances.

Mrs. GRIFFITHS.

Mr. BADILLO in three instances.

Mr. LONG of Louisiana in five instances.

Mr. EILBERG in 10 instances.

Mr. RANGEL in 10 instances.

Mr. MOAKLEY in 10 instances.

Mr. CHAPPELL.

Mr. SEIBERLING in 10 instances.

Mr. HARRINGTON.

Mr. SLACK.

Mr. FORD.

Ms. ABZUG in 10 instances.

Mrs. SULLIVAN in two instances.

Mr. MURPHY of New York.

Mr. HUNGATE in two instances.

Ms. SCHROEDER in 10 instances.

Mr. DAN DANIEL.

Mr. DENT.

Mr. DELLUMS in 10 instances.

Mr. ST GERMAIN.

Mr. ANDERSON of California in three instances.

Mr. DENHOLM in two instances.

Mr. DAVIS of Georgia in 10 instances.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10203. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

ADJOURNMENT

Mr. THORNTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, February 25, 1974, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1918. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that appropriations to various Departments and agencies have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations for fiscal year 1974 in order to cover pay increases, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1919. A letter from the Secretary of the Army, transmitting a report on the first year of the Volunteer Army; to the Committee on Armed Services.

1920. A letter from the Secretary of the Air Force, transmitting the report of Air Force experimental, developmental, and research contracts of $50,000 or more, covering the 6 months ended December 31, 1973, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1921. A letter from the Secretary of Transportation, transmitting the third annual report of capital assistance, technical studies, and relocation grants under the Urban Mass Transportation Administration for the year 1973, pursuant to section 4 of the Urban Mass Transportation Act of 1964, as amended by Public Law 93-87; to the Committee on Banking and Currency.

1922. A letter from the Chairman, Cost of Living Council, transmitting a draft of proposed legislation to extend and amend the Economic Stabilization Act of 1970 to provide for the orderly transition from mandatory economic controls and continued monitoring of the economy and for other purposes; to the Committee on Banking and Currency.

1923. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication, "Statistics of Interstate Natural Gas Pipeline Co., 1972"; to the Committee on Interstate and Foreign Commerce.

1924. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to prescribe regulations to govern the arrival, entry, clearance, and related movements of vessels and vehicles, and for other purposes; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1925. A letter from the Comptroller General of the United States, transmitting a report on the inconsistency of the staffing and equipment structure of the reserve C-130 airlift program of the U.S. Air Force; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 69. A bill to extend and amend the Elementary and Secondary Education Act of 1965, and for other purposes; with amendment (Rept. No. 93-805). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 901. Resolution providing for the consideration of the conference report on S. 2589. An act to declare by congressional action a nationwide energy emergency; to authorize the President to immediately undertake specific actions to conserve scarce fuels and increase supply; to invite the development of local, State, national, and international contingency plans; to assure the continuation of vital public services; and for other purposes. (Rept. No. 93-806). Referred to the House Calendar.

Mr. ULLMAN: Committee on Ways and Means. H.R. 12855. A bill to amend the Internal Revenue Code of 1954 to provide pension reform. (Rept. No. 93-807). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DENHOLM:

H.R. 12940. A bill to amend the Public Health Service Act to extend for 1 fiscal year the authority for grants for 2-year medical schools intending to become schools capable of granting medical degrees; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.R. 12941. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. BLATNIK (for himself, Mr. HARSHA, Mr. HAMMERSCHMIDT, and Mr. HANRAHAN):

H.R. 12942. A bill to amend the Public Works and Economic Development Act of 1965, as amended, to extend the authorizations for a 1-year period, to establish an economic adjustment assistance program, and for other purposes; to the Committee on Public Works.

By Mrs. BOGGS:

H.R. 12943. A bill to amend the Public Health Service Act so as to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance a national attack on arthritis; to the Committee on Interstate and Foreign Commerce.

H.R. 12944. A bill to provide a tax incentive for installation to certain buildings of fire sprinklers and other fire prevention or extinguishment apparatus; to the Committee on Ways and Means.

By Mr. BROWN of Michigan (for himself and Mr. WIDNALL):

H.R. 12945. A bill to amend the Urban Mass Transportation Act of 1964 to increase the amounts authorized for capital grants, to establish an urban transportation formula grant program, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROYHILL of Virginia (for himself, Mr. REES, Mr. GUDE, Mr. PARRIS, and Mr. FAUNTROY):

H.R. 12946. A bill to amend the National Capital Transportation Act of 1969 with respect to the amount of the net project cost paid by the United States; to the Committee on the District of Columbia.

By Mr. BURKE of Massachusetts (for himself, Mr. BINGHAM, Ms. BURKE of California, Mr. CLAY, Mr. CONYERS, Mr. DELLUMS, Mr. DENT, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mr. GUNTER, Mr. HAWKINS, Mr. KYROS, Mr. MCCORMACK, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MOORHEAD of Pennsylvania, Mr. ROSE, Mr. ST GERMAIN, Mr. SANDMAN, Mr. SARBANES, Ms. SCHROEDER, Mr. STOKES, Mr. YATRON, and Mr. YOUNG of Georgia):

H.R. 12947. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide for Federal participation in the costs of the social security program, with a substantial increase in the contribution and benefit base and with appropriate reductions in social security taxes to reflect the Federal Government's participation in such costs; to the Committee on Ways and Means.

By Mr. BURLESON of Texas (for himself, Mr. POAGE, and Mr. DOMINICK V. DANIELS):

H.R. 12948. A bill to suspend the duty on natural graphite for 5 years; to the Committee on Ways and Means.

By Mr. CAREY of New York (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BENNETT, Mr. BEVILL, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BROWN of California, Mr. BUCHANAN, Ms. BURKE of California, Mr. CARNEY of Ohio, Ms. CHISHOLM, Mr. DELLUMS, Mr. DE LUGO, Mr. DENHOLM, Mr. DERWINSKI, Mr. DRINAN, Mr. DUNCAN, Mr. EILBERG, Mr. ESCH, Mr. ESHLEMAN, Mr. FAUNTROY, and Mr. FISH):

H.R. 12949. A bill to amend title II of the Social Security Act to provide that increases in monthly insurance benefits thereunder (whether occurring by reason of increases in the cost of living or enacted by law) shall not be considered as annual income for purposes of certain other benefit programs; to the Committee on Ways and Means.

By Mr. CAREY of New York (for himself, Mr. FRASER, Mr. FUQUA, Mr. GAYDOS, Mr. GIAIMO, Mr. GREEN of Pennsylvania, Mr. GROVER, Mr. GUYER, Mr. HAMILTON, Mr. HARSHA, Mr. HAWKINS, Mr. HELSTOSKI, Mr. HORTON, Mr. HUNGATE, Mr. ICHORD, Mr. JOHNSON of California, Mr. JONES of North Carolina, Mr. KOCH, Mr. LEGGETT, Mr. LOTT, Mr. MCCLOSKEY, Mr. MCCORMACK, Mr. MARTIN of North Carolina, Mr. MEZVINSKY, and Mr. MITCHELL of New York):

H.R. 12950. A bill to amend title II of the Social Security Act to provide that increases in monthly insurance benefits thereunder (whether occurring by reason of increases in the cost of living or enacted by law) shall not be considered as annual income for purposes of certain other benefit programs; to the Committee on Ways and Means.

By Mr. CAREY of New York (for himself, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MORGAN, Mr. MOSS, Mr. NICHOLS, Mr. NIX, Mr. PIKE, Mr. PODELL, Mr. PREYER, Mr. RANDALL, Mr. REUSS, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. ROUSH, Mr. ROYBAL, Mr. RYAN, Mr. ST GERMAIN, Mr. SANDMAN, Mr. SARBANES, Mr. SEIBERLING, Mr. SPENCE, and Mr. SYMINGTON):

H.R. 12951. A bill to amend title II of the Social Security Act to provide that increases in monthly insurance benefits thereunder (whether occurring by reason of increases in the cost of living or enacted by law) shall not be considered as annual income for purposes of certain other benefit programs; to the Committee on Ways and Means.

By Mr. CAREY of New York (for himself, Mr. TAYLOR of North Carolina,

Mr. TIERNAN, Mr. THOMPSON of New Jersey, Mr. VAN DEERLIN, Mr. WALDIE, Mr. WAMPLER, Mr. CHARLES WILSON of Texas, Mr. WON PAT, Mr. WRIGHT, Mr. YATRON, Mr. YOUNG of Georgia, Ms. HOLTZMAN, and Mr. JONES of Oklahoma):

H.R. 12952. A bill to amend title II of the Social Security Act to provide that increases in monthly insurance benefits thereunder (whether occurring by reason of increases in the cost of living or enacted by law) shall not be considered as annual income for purposes of certain other benefit programs; to the Committee on Ways and Means.

By Mr. CARNEY of Ohio:

H.R. 12953. A bill to amend the Social Security Act to establish a program of food allowance for older Americans; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, and Mr. BURKE of Massachusetts):

H.R. 12954. A bill to extend through December 1974 the period during which benefits under the supplemental security income program on the basis of disability may be paid without interruption pending the required disability determination, in the case of individuals who received public assistance under State plans on the basis of disability for December 1973 but not for any month before July 1973; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 12955. A bill to amend section 4124 of title 18 of the United States Code to eliminate the mandatory purchase of prison-made products by Federal departments; to the Committee on the Judiciary.

By Mr. FROEHLICH:

H.R. 12956. A bill to direct the Chief of the Forest Service to permit certain communities to continue to use the Nicolet National Forest, Wis., for solid waste disposal; to the Committee on Interstate and Foreign Commerce.

By Mrs. GREEN of Oregon:

H.R. 12957. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

By Mr. GUNTER (for himself, Mr. HALEY, and Mr. PEPPER):

H.R. 12958. A bill to provide for the termination of certain oil and gas leases granted with respect to land located in the Ocala National Forest; to the Committee on Interior and Insular Affairs.

By Mr. LANDGREBE (for himself and Mr. BENNETT):

H.R. 12959. A bill to provide that pay recommendations of the President transmitted to Congress in the Budget under section 225 of the Federal Salary Act of 1967 shall not become effective unless the budget indicates that Government outlays (including pay increase costs) will not exceed Government revenues; to the Committee on Post Office and Civil Service.

By Mr. LATTA:

H.R. 12960. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LITTON (for himself, Mr. BREAUX, Mr. PEPPER, Mr. YATRON, Mr. BRASCO, Mr. PODELL, Mrs. GRASSO, Mr. WON PAT, Mr. DELLUMS, Mr. STARK, Mr. LEHMAN, Mr. GUNTER, Mr. FROEHLICH, Mr. WOLFF, Ms. BURKE of California, Mr. KETCHUM, Mr. EILBERG, Mr. ST GERMAIN, and Ms. HOLTZMAN):

H.R. 12961. A bill to prohibit the use of U.S. fuel to train commercial airline and military pilots who are nationals of any foreign country which places an embargo on its shipment of petroleum products to the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTON (for himself, Ms. HOLTZMAN, Mr. ROSENTHAL, and Mr. PREYER):

H.R. 12962. A bill to provide an excise tax on every new automobile in an amount relating to the portion of such automobile's fuel consumption rate which falls below certain standards, to provide an Energy Research and Development Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. MATHIAS of California (for himself and Mr. RYAN):

H.R. 12963. A bill to provide for the establishment of the California Desert National Conservation Area; to the Committee on Interior and Insular Affairs.

By Mr. MELCHER:

H.R. 12964. A bill to amend section 127 of title 23 of the United States Code relating to vehicle weights; to the Committee on Public Works.

By Mr. MOAKLEY (for himself and Mr. RANGEL):

H.R. 12965. A bill to provide assistance and full-time employment to persons who are unemployed or underemployed as a result of the energy crisis; to the Committee on Education and Labor.

By Mr. OBEY (for himself, Mr. BROWN of California, Mr. CLAY, Mr. MOSS, Mr. SIKES, Mr. EILBERG, Mr. THOMPSON of New Jersey, Mr. LITTON, Mr. ROSENTHAL, Mr. BADILLO, Mr. KETCHUM, Ms. ABZUG, Mr. HUBER, Mr. YATES, Mr. MITCHELL of Maryland, Mr. BUCHANAN, Mr. RYAN, Mr. FAUNTROY, Mrs. CHISHOLM, Mr. VEYSEY, Mr. ECKHARDT, Mr. CARNEY of Ohio, and Mrs. COLLINS of Illinois):

H.R. 12966. A bill to amend the Internal Revenue Code of 1954 to provide that interest shall be paid to individual taxpayers on the calendar-year basis who file their returns before March 1 if the refund check is not mailed out within 30 days after the return is filed, and to require the Internal Revenue Service to give certain information when making refunds; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 12967. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage the States to develop smaller correctional institutions in urban areas; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 12968. A bill to remove Members of Congress from the purview of section 225 of the Federal Salary Act of 1967, relating to the Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Texas:

H.R. 12969. A bill to increase the limits on Farmers Home Administration real estate and operating loans; to the Committee on Agriculture.

By Mr. ROUSH (for himself, Mr. ANNUNZIO, Mr. BRADEMAS, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. DINGELL, Mr. EDWARDS of California, Mr. HAMILTON, Mr. HECHLER of West Virginia, Mr. MADDEN, Mr. MELCHER, Mr. METCALFE, Mr. MURPHY of Illinois, Mr. NEDZI, Mr. O'BRIEN, Mr. O'HARA, Mr. REUSS, Mr. RIEGLE, Mr. SEIBERLING, Mr. SHIPLEY, Mr. YATES, and Mr. UDALL):

H.R. 12970. A bill to amend the act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 12971. A bill to amend the Internal Revenue Code of 1954 to increase the execution allowance for gain from the sale or exchange of a residence in the case of individuals 65 and over; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 12972. A bill to amend the act of June 30, 1944, an act "To provide for the establishment of the Harpers Ferry National Monument," and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR of Missouri (for himself, Mr. HAMMERSCHMIDT, Mr. MCSPADDEN, Mr. BROWN of California, Mr. ANDREWS of North Dakota, Mr. MAYNE, Mr. FISHER, Mr. BRAY, Mr. BEVILL, Mr. LITTON, Mr ICHORD, Mr. RANDALL, and Mr. CHARLES WILSON of Texas):

H.R. 12973. A bill to amend the Emergency Petroleum Allocation Act of 1973 to roll back the price of propane gas; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Missouri (for himself, Mr. J. WILLIAM STANTON, Mr. ROBISON of New York, Mr. HAMILTON, Mr. DUNCAN, Mr. DRINAN, Mr. FLYNT, Mr. MOLLOHAN, Mr. MITCHELL of New York, Mr. ROONEY of Pennsylvania, Mr. MYERS, Mr. HELSTOSKI, Mr. MOSHER, and Mr. ROE):

H.R. 12974. A bill to amend the Emergency Petroleum Allocation Act of 1973 to roll back the price of propane gas; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT (for himself, Mr. FRENZEL, Mr. STARK, Mr. FRASER, and Mr. BLATNIK):

H.R. 12975. A bill to authorize the Secretary of Agriculture to make grants to cities and park districts to encourage the increased planting of trees and shrubs and to encourage other urban forestry programs; to the Committee on Agriculture.

By Mr. YATRON (for himself, Mr. KYROS, Mr. MOAKLEY, Mr. ANDERSON of California, Mr. SYMMS, Mr. HANLEY, Mr. CHAPPELL, Mr. RINALDO, Mr. HICKS, Mr. HEINZ, and Mr. WALDIE):

H.R. 12976. A bill to direct the Comptroller General of the United States to conduct a study of the burden of reporting requirements of Federal regulatory programs on independent business establishments, and for other purposes; to the Committee on Government Operations.

By Mr. ABDNOR:

H.R. 12977. A bill to amend the Public Health Service Act to extend for 2 fiscal years the authority for grants for 2-year medical schools intending to become schools capable of granting medical degrees; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS of North Dakota:

H.R. 12978. A bill to provide that certain land shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BINGHAM:

H.R. 12979. A bill to amend section 4(a) of the Agriculture and Consumer Protection Act of 1973, and for other purposes; to the Committee on Agriculture.

H.R. 12980. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer, his spouse, or his dependent, who is disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina:

H.R. 12981. A bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Georgia (for himself and Mr. SYMINGTON):

H.R. 12982. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. DELANEY (for himself and Mr. STEELE):

H.R. 12983. A bill to amend the Internal

Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 12984. A bill to authorize the Secretary of the Interior to acquire certain property located within the Governor's Land Archeological District, James City County, Va., for inclusion in the Colonial National Historical Park; to the Committee on Interior and Insular Affairs.

H.R. 12985. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

H.R. 12986. A bill to amend the act which created the U.S. Olympic Committee to require such committee to hold public proceedings before it may alter its constitution, to require arbitration of certain amateur athletic disputes, and for other purposes; to the Committee on the Judiciary.

H.R. 12987. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on the amounts paid for communication services shall not apply to the amount of the State and local taxes paid for such services; to the Committee on Ways and Means.

By Mr. FORD (for himself, Mr. THOMPSON of New Jersey, Mr. O'HARA, Mr. CLAY, Mr. LEHMAN, and Mr. BROWN of California):

H.R. 12988. A bill to amend the Sugar Act of 1948 to prescribe minimum wages and conditions of employment for farmworkers, and for other purposes; to the Committee on Agriculture.

By Mr. HARRINGTON:

H.R. 12989. A bill to amend the Handgun Control Act of 1965; to the Committee on the Judiciary.

By Ms. HOLTZMAN (for herself, Ms. ABZUG, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BADILLO, Mr. BINGHAM, Mr. BOLAND, Mr. BROWN of California, Ms. BURKE of California, Mr. CAREY of New York, Mrs. CHISHOLM, Mr. DELLUMS, Mr. DRINAN, Mr. DULSKI, Mr. EDWARDS of California, Mr. GROVER, Mr. HANLEY, Mr. HANNA, Mr. HARRINGTON, Mr. HAWKINS, and Mr. KOCH):

H.R. 12990. A bill to make it clear that the bonus value of food stamps is to be included in the "hold harmless" amount guaranteed to recipients of supplemental security income benefits under the Social Security Amendments of 1972, so as to assure that recipients in cash-out States do not suffer reductions in the benefits they actually receive; to the Committee on Ways and Means.

By Ms. HOLTZMAN (for herself, Mr. MCCLOSKEY, Mr. MOAKLEY, Mr. PEYSER, Mr. PODELL, Mr. RANGEL, Mr. REES, Mr. REID, Mr. REUSS, Mr. ROBISON of New York, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SISK, Mr. STARK, Mr. STUDDS, Mr. GILMAN, Mr. DANIELSON, and Mr. MURPHY of New York):

H.R. 12991. A bill to make it clear that the bonus value of food stamps is to be included in the "hold harmless" amount guaranteed to recipients of supplemental security income benefits under the Social Security Amendments of 1972, so as to assure that recipients in cash-out States do not suffer reductions in the benefits they actually receive; to the Committee on Ways and Means.

By Ms. JORDAN (for herself, Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mr. BROWN of California, Mrs. BURKE of California, Ms. CHISHOLM, Mr. CONYERS, Mr. DELLUMS, Mr. ECKHARDT, Mr. EILBERG, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HUBER, Mr. LUJAN, Mr. MITCHELL of Maryland, Mr. MOSS, Mr. NIX, Mr. OWENS, Mr. PREYER, Mr. SARBANES, Mr. CHARLES WILSON of Texas, and Mr. WON PAT):

H.R. 12992. A bill to amend the Internal Revenue Code of 1954 so as to reduce by 8 percent the amount of individual income tax withheld at the source; to the Committee on Ways and Means.

By Mr. MACDONALD (for himself, Mr. ROONEY of Pennsylvania, Mr. FREY, Mr. COLLINS of Texas, Mr. BROWN of Ohio, Mr. VAN DEERLIN, Mr. BYRON, Mr. MURPHY of New York, Mr. GOLDWATER, and Mr. BROYHILL of North Carolina):

H.R. 12993. A bill to amend the Communications Act of 1934 to provide that licenses for the operation of broadcasting stations may be issued and renewed for terms of 4 years, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MCFALL:

H.R. 12994. A bill to amend chapter 2 of title 16 of the United States Code (respecting national forests) to provide a share of timber receipts to States for schools and roads; to the Committee on Agriculture.

By Mr. MELCHER (for himself, Mr. MCCLOSKEY, Mr. MOORHEAD of California, and Mr. STARK):

H.R. 12995. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. OBEY:

H.R. 12996. A bill to provide relief from shore damages attributable to high water levels in the Great Lakes, and for other purposes; to the Committee on Public Works.

By Mr. OBEY (for himself, Mr. HARRINGTON, and Mr. WARE):

H.R. 12997. A bill to amend the Internal Revenue Code of 1954 to provide that interest shall be paid to individual taxpayers on the calendar-year basis who file their returns before March 1 if the refund check is not mailed out within 30 days after the return is filed, and to require the Internal Revenue Service to give certain information when making refunds; to the Committee on Ways and Means.

By Mr. O'BRIEN:

H.R. 12998. A bill to amend title II of the Social Security Act to provide that a beneficiary who dies shall (if he is otherwise qualified and it would not reduce total family benefits) be entitled to a prorated benefit for the month of his death; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 12999. A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Colorado River in the State of Utah for study as a potential component of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. OWENS:

H.R. 13000. A bill to divorce the businesses of production, refining, and transporting of petroleum products from that of marketing petroleum products; to the Committee on the Judiciary.

By Mr. ROBISON of New York:

H.R. 13001. A bill to amend title 18, United States Code, to provide for the conditional suspension of the application of certain penal provisions of law; to the Committee on the Judiciary.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, Mr. HUDNUT, Mr. GUNTER, and Mr. ROBISON of New York):

H.R. 13002. A bill to amend the Public Health Service Act to assure that the public is provided with safe drinking water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 13003. A bill to amend the Tariff Act of 1930 in order to increase the maximum aggregate value of imported merchandise which may be informally entered into the United States from $250 to $500; to the Committee on Ways and Means.

By Mr. WHITEHURST (for himself, Ms. ABZUG, Mrs. BOGGS, Mr. DENT, Mr. DUNCAN, Mr. EILBERG, Mr. GUNTER, Mr. HARRINGTON, Mr. HANSEN of Idaho, Mr. JOHNSON of Pennsylvania, Mr. KETCHUM, Mr. MCDADE, Mr. MCKINNEY, Mr. MITCHELL of New York, Mr. PEPPER, Mr. RODINO, Mr. SARBANES, Mr. SYMINGTON, Mr. WILLIAMS, Mr. WON PAT, and Mr. WYATT):

H.R. 13004. A bill to provide assistance to zoos and aquariums, to establish standards of accreditation for such facilities, and to establish a Federal Zoological and Aquarium Board, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DON H. CLAUSEN:

H.J. Res. 909. Joint resolution to protect U.S. fishermen, their vessels, and gear from unlawful harassment on the high seas adjacent to the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES (for himself, Mr. EDWARDS of California, Mr. ULLMAN, Mr. ROBERTS, Mr. DENHOLM, Mr. THOMSON of Wisconsin, Mr. JONES of North Carolina, Mr. BROYHILL of North Carolina, Mr. MCDADE, Mr. PEPPER, Mr. RARICK, Mr. STUBBLEFIELD, Mr. WON PAT, Mr. SEBELIUS, Mr. ABDNOR, Mr. QUIE, Mr. FORSYTHE, Mr. WAGGONNER, Mr. DENT, Mr. SYMINGTON, Mrs. HANSEN of Washington, Mr. LEGGETT, Mr. LOTT, Mr. ANDERSON of California, and Mr. BRINKLEY):

H.J. Res. 910. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. CASEY of Texas, Mr. FORD, Mr. FRENZEL, Mr. PERKINS, Mr. DAN DANIEL, Mrs. GRASSO, Mr. NIX, Mr. CAMP, Mr. CHARLES H. WILSON of California, Mr. ROE, Mr. DINGELL, Mr. FUQUA, Mr. ROBINSON of Virginia, Mr. BURGENER, Mr. WALSH, Mr. MOORHEAD of California, Mr. YOUNG of Florida, Mr. CLEVELAND, Mr. WHITEHURST, Mr. MANN, Mr. MURPHY of New York, Mr. CHARLES WILSON of Texas, Mr. DAVIS of South Carolina, and Mr. MELCHER):

H.J. Res. 911. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. HANLEY, Mr. WYMAN, Mr. ESHLEMAN, Mr. MITCHELL of New York, Mr. FISHER, Mr. GIBBONS, Mr. DONOHUE, Mr. BAFALIS, Mr. GUNTER, Mr. MOSS, Mr. FLOWERS, Mr. EILBERG, Mr. JOHNSON of California, Mr. WILLIAMS, Mr. RUPPE, Mr. ROY, Mr. YATRON, Mr. SCHERLE, Mr. TREEN, Mr. BEVILL, Mr. LATTA, Mr. MINSHALL of Ohio, Mr. CORMAN, and Mr. BREAUX):

H.J. Res. 912. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. DORN, Mr. GAYDOS, Mr. CHAPPELL, Mr. WHALEN, Mr. FASCELL, Mr. FULTON, Mr. MILFORD, Mr. PIKE, Mr. ALEXANDER, Mr. HORTON, Mr. LENT, Mr. MIZELL, Mr. FISH, Mr. HUNT, Mr. ZWACH, Mr. PREYER, Mr. KETCHUM, Mr. HALEY, Mr. DERWINSKI, Mr. PICKLE, Mr. ADDABBO, Mr. NICHOLS, Mr. PRICE of Illinois, and Mr. STUCKEY):

H.J. Res. 913. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

Mr. SIKES (for himself, Mr. LEHMAN, Mr. BAUMAN, Mr. DICKINSON, Mr. FREY, Mr. CARNEY of Ohio, Mr. PARRIS, Mr. DOWNING, Mr. GOODLING, Mr. ECKHARDT, and Mr. VANDER JAGT):

H.J. Res. 914. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. LOTT (for himself, Mr. DAN DANIEL, Mr. DAVIS of South Carolina, Mr. YOUNG of Florida, Mr. BAUMAN, Mr. MCCLORY, Mr. FRENZEL, Mr. FROEHLICH, Mr. YOUNG of Illinois, Mr. CONABLE, Mr. O'BRIEN, Mr. RANDALL, Mr. THONE, Mr. SARASIN, Mr. WALSH, Mr. MILLER, Mr. DENT, Mr. GINN, Mr. MATHIAS of California, Mr. PASSMAN, Mr. YATRON, and Mr. STRATTON):

H. Con. Res. 434. Concurrent resolution providing for continued close relations with the Republic of China; to the Committee on Foreign Affairs.

By Mr. GROSS:

H. Res. 900. Resolution relative to consideration of House Resolution 807; to the Committee on Rules.

By Mr. BRAY:

H. Res. 902. Resolution relative to consideration of House Resolution 807; to the Committee on Rules.

By Mr. BURGENER:

H. Res. 903. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

By Mr. DON H. CLAUSEN:

H. Res. 904. Resolution to declare U.S. sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

H. Res. 905. Resolution providing for the disapproval of the recommendation of the President of the United States with respect to the rates of pay of offices and positions within the purview of the Federal Salary Act of 1967 (81 Stat. 643; Public Law 90-206) transmitted by the President to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H. Res. 906. Resolution relative to consideration of House Resolution 807; to the Committee on Rules.

By Mr. HILLIS (for himself, Mr. REGULA, Mr. BYRON, Mr. MILLER, Mr. ROE, Mr. ROBINSON of Virginia, Mr. WALDIE, Mr. BURGENER, Mr. TIERNAN, Mr. ROBERT W. DANIEL, JR., Mr. WON PAT, Mr. PODELL, Mr. MOAKLEY, Mr. ANDERSON of California, Mr. GUDE, Mrs. COLLINS of Illinois, Mr. HARRINGTON, Mr. RIEGLE, Mr. SANDMAN, Mr. CLEVELAND, Mr. HUNGATE, and Mr. MITCHELL of New York):

H. Res. 907. Resolution creating a select committee to conduct a full and complete investigation and study of shortages of materials and natural resources affecting the United States; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 908. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

By Mr. LATTA:

H. Res. 909. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

By Mr. McDADE:

H. Res. 910. Resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress and legislative officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

By Mr. MAYNE:

H. Res. 911. Resolution relative to consideration of House Resolution 826; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 912. Resolution to commend U.S. initiatives in seeking international cooperative solutions to the oil crisis; to the Committee on Foreign Affairs.

By Mr. PICKLE:

H. Res. 913. Resolution disapproving the recommendations of the President with respect to rates of pay of Members of Congress transmitted to the Congress in the appendix to the budget for the fiscal year 1975, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H. Res. 914. Resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress transmitted to the Congress in the appendix to the budget for the fiscal year 1975, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SISK:

H. Res. 915. Resolution providing for the consideration of the joint resolution (Senate Joint Res. 176) to authorize and direct the development of and the production of petroleum from naval petroleum reserve No. 1, and to direct the exploration of naval petroleum reserves No. 1 and 4, and for other purposes; to the Committee on Rules.

By Mr. STAGGERS:

H. Res. 916. Resolution providing funds for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

352. The SPEAKER presented a memorial of the Legislature of the State of Rhode Island and Providence Plantations, relative to emergency generators in housing for the elderly to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 13005. A bill to authorize the President to appoint Capt. Ferdinand Mendenhall, U.S. Navy Reserves, retired, to the grade of rear admiral on the Reserves retired list; to the Committee on Armed Services.

By Mr. GOLDWATER:

H.R. 13006. A bill to authorize the President to appoint Capt. Ferdinand Mendenhall, U.S. Navy Reserves, retired, to the grade of rear admiral on the Reserves retired list; to the Committee on Armed Services.

By Mr. LEGGETT:

H.R. 13007. A bill for the relief of S. Sgt. Archer C. Ford, Jr.; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE PANAMA CANAL

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, February 21, 1974

Mr. HARRY F. BYRD, JR. Mr. President, the January 28 edition of the Lynchburg News included a thoughtful editorial regarding the potential surrender by the United States of its sovereignty over the Panama Canal.

The editorial discusses the historical background of the creation of the canal and concludes that historical right and strategic necessity demand that the United States maintain its control over this vital waterway.

I deplore the recent action of Secretary of State Kissinger in committing the United States to prompt conclusion of negotiations with Panama leading to our surrender of sovereignty. I shall oppose any pact incorporating such a surrender when it is submitted to the Senate.

I ask unanimous consent that the editorial, "Trite But Important," be printed in the Extensions of Remarks.

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

[From the Lynchburg (Va.) News, Jan. 28, 1974]

TRITE BUT IMPORTANT

Comparatively little public attention is given to the efforts of Panama to take over the Panama Canal, and the increasingly acquiescent attitude of the United States' current Administration toward the Panamanian effort. It is virtually a trite news item to many, but it is nevertheless very important, and requires a powerful public negation of the trend toward turning the canal over to the Panamanian government. It absolutely must not be done, even though the present Leftist government should shift to a Central or Rightist one.

There are still a few of us around who recall how the canal came into being. First consideration was given to building a canal across Nicaragua. France was the first proponent and shifted to Panama, a part of Colombia, and actually began construction resulting in excavation of 78,000,000 cubic yards before costs and disease stopped the project.

When the United States later decided to go ahead they had trouble with Colombia and as a result aided Panama in setting up as an independent Republic and went to work on the canal. The United States then built the canal and with new weapons against tropical diseases also made the strip adequately healthful for the workers and the native people.

It was at the time considered to be the creation of first, United States Marines, second, engineering skill, and dominating all else health measures that removed the health obstacles that more than all else had made such a project almost impossible.

Only the Left movements of the last few decades, now stronger in the Western Hemisphere, have produced the insistence by Panama of taking over the Panama Canal though they are in no way in a position to finance, operate and protect.