SENATE—Monday, February 25, 1974

(Legislative day of Tuesday, February 19, 1974)

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

PRAYER

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

Almighty God, without whose aid nothing great or good or enduring can be achieved, we come to Thee for strength and wisdom for all who labor in this place. As our fathers trusted in Thee and met crises of the past so may we have Thy gracious assistance in these troubled times. May we so comfort ourselves as to be worthy of the Nation's trust, work so diligently and so wisely as to serve the Nation's highest needs, and be so in tune with Thee that Thy will may be done.

For all Thy goodness, we give Thee thanks and praise Thy holy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 25, 1974.

To the Senate:

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

JAMES O. EASTLAND,
President pro tempore.

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

REPORT OF A COMMITTEE SUBMITTED DURING RECESS

Under authority of the order of the Senate of February 21, 1974, Mr. WILLIAMS, from the Committee on Labor and Public Welfare, reported favorably, with amendments, on February 22, 1974, the bill (S. 2747) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate under that act, to expand the coverage of the act, and for other purposes, and submitted a report (No. 93-690) thereon, which was printed.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, February 21, 1974, be approved.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. NUNN) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare. The message is as follows:

To the Congress of the United States:

I am pleased to transmit the Eighth Annual Report of the National Endowment for the Humanities for fiscal year 1973. Training in the humanities, history, literature, and philosophy, among other disciplines, guided those who shaped the American nation and its basic documents two hundred years ago. Now, as at the beginning of our history, the ongoing enrichment of the humanities is central to the solution of those problems which challenge a nation, young or old—problems which affect the quest for a life of quality by all its citizens.

The Federal Government recognized and affirmed the importance of the humanities nine years ago with the establishment of the National Foundation on the Arts and the Humanities. It reaffirmed that importance last year with legislation extending the Foundation for another three years.

As the National Endowment for the Humanities has grown it has increasingly attracted gifts from individuals, corporations, and foundations. I am happy to note that these, for the fourth year in a row, have more than matched Federal funds appropriated for that purpose. Such public confidence in the Humanities Endowment and its work more than justifies the strong support the Endowment has received from both the legislative and executive branches and augurs well for the future development of the humanities in this country.

RICHARD NIXON.

THE WHITE HOUSE, *February 22, 1974.*

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore (Mr. NUNN) laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed 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 message also announced that the Acting Speaker (Mr. O'NEILL) affixed his signature to the enrolled bill (H.R. 12670) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The ACTING PRESIDENT pro tempore (Mr. NUNN) subsequently signed the enrolled bill.

The message further announced that the Speaker had appointed Mr. FLYNT, Mr. SIKES, Mr. DAVIS of Wisconsin, and Mr. ARMSTRONG members of the Board of Visitors to the U.S. Air Force Academy on the part of the House, pursuant to the provisions of title 10, United States Code, section 9355(a).

The message also announced that the Speaker had appointed Mr. FLOOD, Mr. STRATTON, Mr. HORTON, and Mr. EDWARDS of Alabama members of the Board of Visitors to the U.S. Naval Academy on the part of the House, pursuant to the provisions of title 10, United States Code, section 6968(a).

The message further announced that the Speaker had appointed Mr. MURPHY of New York, Mr. LONG of Maryland, Mr. MINSHALL of Ohio, and Mr. GILMAN members of the Board of Visitors to the U.S. Military Academy on the part of the House, pursuant to the provisions of title 10, United States Code, section 4355(a).

HOUSE BILL REFERRED

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, was read twice by its title and referred to the Committee on Armed Services.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

may be authorized to meet during the session of the Senate today.

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

REVISING THE BOUNDARIES OF THE ROCKY MOUNTAIN NATIONAL PARK, COLO.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 663, S. 2394.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 2394, to authorize the acquisition of certain lands for addition to Rocky Mountain National Park in the State of Colorado, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 4, after the word "described", strike out "areas" and insert "area"; in line 5, after the word "approximately", strike out "1,017.5" and insert "1,556.21"; after line 6, strike out:

Parcel 1: All that part of the east half southwest quarter and west half southeast quarter lying west of the west bank of the North Fork of the Colorado River, and west half southwest quarter of section 36, township 5 north, range 76 west; lot 6 of section 1, township 4 north, range 76 west; lot 1 and southeast quarter northeast quarter, of section 2, and that part of the southwest quarter northwest quarter of secton 1 lying west of the west bank of the North Fork of the Colorado River, all in township 4 north, range 76 west; lot 2 and southwest quarter northeast quarter of section 2, township 4 north, range 76 west;

Parcel 2: All of tracts 38, 39, and 40 in sections 25 and 36, township 5 north, range 76 west, as identified in the independent resurvey of said township approved November 22, 1932, and lying west of the Rocky Mountain National Park boundary; that part of the north half of section 36, township 5 north, range 76 west, lying west of the west bank of the North Fork of the Colorado River; the southeast quarter northeast quarter and the northeast quarter southeast quarter of section 11, those portions of the southwest quarter northwest quarter and the northwest quarter southwest quarter of section 12 lying west of the west bank of the North Fork of the Colorado River, all in township 4 north, range 76 west;

Parcel 3: All that part of the southeast quarter northwest quarter and the northeast quarter southwest quarter of section 12, township 4 north, range 76 west, lying west of the west bank of the North Fork of the Colorado River.

On page 2, after line 24, insert:

All of those lands lying west of the west bank North Fork of the Colorado River in sections 25 and 36, township 5 north, range 76 west, and in sections 1 and 12 and the east halves of sections 2 and 11, township 4 north, range 76 west.

On page 3, line 5, after the word "the", where it appears the first time, strike out "areas" and insert "area"; and, in line 15, after "Sec. 3.", strike out "There is authorized to be appropriated the sum of $1,500,000 to carry out the provisions of this Act." and insert "There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act not to exceed $2,423,740 for land acquisition and $318,000 for development."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of Rocky Mountain National Park is hereby revised to include the following described area, totaling approximately 1,556.21 acres:

SIXTH PRINCIPAL MERIDIAN, COLORADO

All of those lands lying west of the west bank of the North Fork of the Colorado River in sections 25 and 36, township 5 north, range 76 west, and in sections 1 and 12 and the east halves of sections 2 and 11, township 4 north, range 76 west.

SEC. 2. Within the area described in the first section of this Act the Secretary of the Interior is authorized to acquire lands, waters, and interests therein by donation, purchase, or exchange, except that any property owned by the State of Colorado or any political subdivision thereof may be acquired only by donation. Lands, waters, and interests therein acquired pursuant to this Act shall become a part of the Rocky Mountain National Park, and shall be administered by the Secretary of the Interior subject to the laws and regulations applicable to such park.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act not to exceed $2,423,740 for land acquisition and $318,000 for development.

The amendments were agreed to.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business at the conclusion of the morning hour?

The ACTING PRESIDENT pro tempore. When the Senate finishes routine morning business and the previous orders, S. 1017 will be the pending business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 1017 be returned to the calendar and that the pending business at the conclusion of morning business be Calendar No. 652, S. 2957, a bill relating to the activities of the Overseas Private Investment Corporation.

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

Mr. HUGH SCOTT. Mr. President, I ask unanimous consent, following the first part of the morning hour, during the time allotted to Senators, that of the time allotted to the distinguished Senator from Michigan (Mr. GRIFFIN), 5 minutes be transferred to the distinguished Senator from Connecticut (Mr. WEICKER) and 5 minutes to the distinguished Senator from Oklahoma (Mr. BELLMON).

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

THE FOREIGN MINISTERS' CONFERENCE IN MEXICO

Mr. HUGH SCOTT. Mr. President, the congressional delegation which accompanied Secretary of State Kissinger returned in a spirit of optimism and with a feeling of constructive achievement.

Aside from the fact that the composition of the delegation was rather senior, nearly every member of the delegation had some command of the Spanish language, and this certainly helped in our exchanges with our Latin American friends. The spirit of Tlatelolco was exemplified, I think, through the reality and the openness with which the discussions were conducted. The constructive nature of the communique indicates this also. The proposals which were offered were extremely well received and will, we expect, be reviewed for more definitive studies in April.

Many of the suggestions that were received were well taken and well received. A matter of long standing concerning the flow of the Colorado River, which is of extreme interest to Mexico, was well received.

We have signed an agreement with Panama, which the Senate will consider, and I hope favorably.

The Secretary of State resolved a dispute with Peru only 48 hours before the conference convened.

I believe we have made a good beginning. I believe this was one of the most important conferences held with Latin American countries. The spirit was extremely good. The congressional delegation was extremely anxious to be helpful and were, I believe, useful to the Secretary. The Secretary worked his usual magic and charm. He gave evidence of the desire of the United States to resolve our differences in a spirit of amity, and the U.S. delegation evidenced its desire to take action with the rest of the states of the Western Hemisphere.

Therefore, I think our meeting was made worthwhile, and I am glad that the congressional delegation was a part of it.

Mr. President, I ask unanimous consent that an editorial entitled "Dialog at Tlatelolco," published in the New York Times of today, February 25, 1974, be printed in the RECORD.

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

DIALOG AT TLATELOLCO

Secretary of State Kissingier failed to get his goal of a new "Western Hemisphere Community" into the communique at Mexico City; but he unquestionably succeeded in opening a frank and practical dialogue with the twenty-four Latin American and Caribbean foreign ministers—a development as it is overdue.

The best way to build a genuine community is to follow through on Mr. Kissinger's suggestion that the American foreign ministers meet regularly for exactly the kind of candid but informal discussions of pressing common problems that characterized the sessions just concluded. At least the Latins now know that they can air their complaints freely with Mr. Kissinger and get a sympathetic hearing, if not invariably the promise of prompt remedial action.

Mr. Kissinger had prepared for Mexico City in the most practical way possible; by resolving the longstanding Colorado River salinity dispute with Mexico; by signing with Panama an agreement laying the framework for negotiations for a new treaty that will provide for eventual Panamanian sovereignty over the Canal Zone; and by resolving a dis-

pute with Peru over compensation for nationalized American businesses.

These accomplishments gave credence to his promises of prior consultation with the Latin governments for future negotiations on multilateral trade and world monetary reform as well as for world conferences on such sensitive matters as population control, food needs and the law of the sea, especially as it affects claims of territorial waters and fishing rights.

Mr. Kissinger promised no miracles; and many of his goals were not new; a commitment to work for legislation providing tariff preferences for developing countries; a pledge to avoid new limitations on access to United States markets for Latin American exports, and undertaking to maintain economic aid at present levels. He could not immediately satisfy Latin concerns about the behavior of multinational corporations or meet pressures or a lifting of the economic and political quarantine of Cuba.

He did succeed in persuading the Latins that the United States hence forth would be open to frank exchanges on these and other sensitive issues. And on their part, to judge from the language of the communique, they are convinced of the value of his style of informal diplomacy, "devoid of all rigid formality," and wish to work at it on a regular basis.

Mr. Kissinger has made a good, if belated, beginning on a more realistic and rational United States policy for the hemisphere. The need now is to preserve in "the spirit of Tlatelolco," (as he called it, referring to the Mexico City borough in which the conference was held) at the annual General Assembly of the Organization of American States in April at Atlanta.

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

Mr. HUGH SCOTT. I am happy to yield.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished Republican leader in what he had to say, and to state that, in my opinion, we had a most fruitful meeting. The congressional delegation, both Senate and House, was of some assistance to Dr. Kissinger; but, as we all realize, he had to carry the load, as he usually does, and he did so with an exceptionally suberb, magic touch.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Michigan (Mr. GRIFFIN) is recognized for not to exceed 15 minutes, 5 minutes of which has been assigned to the Senator from Connecticut (Mr. WEICKER) and 5 minutes to the Senator from Oklahoma (Mr. BELLMON).

Mr. GRIFFIN. Mr. President, I yield 5 minutes to the distinguished Senator from Connecticut.

MANDATORY GAS RATIONING ACT

Mr. WEICKER. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors of S. 3015, the Mandatory Gas Rationing Act of 1974: The Senator from Montana, the majority leader (Mr. MANSFIELD), the Senator from New Jersey (Mr. CASE), the Senator from California (Mr. CRANSTON), the Senator from Montana (Mr. METCALF), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Vermont (Mr. STAFFORD).

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

Mr. WEICKER. Mr. President, if you still want to buy the Brooklyn Bridge—if you still want to read Clifford Irving's autobiography of Howard Hughes—if you still want to insure Joe Namath's knees.

Then go right ahead and bet the house on an early end to the gasoline shortage. Because you are being handed a pipe dream instead of a pipeline.

Months ago we were told that this was a national crisis. But as I stand here this morning, Congress and the President have yet to come up with a national solution.

Instead of passing the buck up the line, the buck has been passed down—down to the States, to the localities. And ultimately to the gasoline station owner, who must then stand out there on his own hook and tell the driver who has waited in line for 2 hours that there is no more gas.

Little wonder the station owners are so upset. They have been asked to play judge, jury, administrator, policeman, and government representative, all while Congress and the President play "hot potato" with their means of livelihood. And if the gas retailer is the next to bottom rung of the ladder, the consumer has been made the bottom rung because of our failure to act at the Federal level.

People are behaving like animals. Instead of a tiger in our tank, now we have one behind the wheel. And the target of their abuse is the man behind the pump. As I have said on a number of occasions, you cannot stop emotions at a gas station lot, town or State boundary line, any more than you can stop air pollution at a town or State boundary line.

This gasoline shortage is just too big to handle at the local or State level, and Congress is going to have to come to grips with that fact.

We are one nation, and we have one energy crisis. The Arabs did not boycott Connecticut; they boycotted the U.S.A. Any solution that works is going to require an equal sacrifice from every State and every citizen. But in return we gain the knowledge that we are working together, not neighbor against neighbor, town against town, State against State.

And while we are dwelling on the national character of the gasoline shortage, let me dredge up a phrase that has been kicked around quite a bit during the past year and a half: "National security." A lot of questionable and illegal Government acts have been justified in the name of "national security," but if anything was ever crucial to genuine "national security," it is a comprehensive Federal program to reduce energy consumption and encourage discovery of fuels old and new.

The reasons for this should be obvious. Rationing would prove to any nation that we will not be subject to economic blackmail. It will show that we are absolutely serious about eliminating our dependence on foreign oil sources. And, most important, it would strengthen Secretary Kissinger's hand in Mideast negotiations and increase the chances of a lifting of the boycott.

Rationing would render the boycott pointless and inoperative. More than any policy we could adopt, it would hasten an end to the Arab oil boycott.

The Federal Energy Act fails to include a mandatory system of gasoline rationing to reduce consumption and spread the burden.

Is the situation really serious enough to warrant rationing?

The truth is all right there on the table. You do not need any inside dope or any investigative reporting. Use the Federal Energy Office's own statistics.

They say that for the month of February there is a nationwide 14 percent shortage of gasoline. We all know it is a lot bigger in Connecticut. But, just for the sake of argument, let us accept the 14 percent figure. Do Senators know what kind of a shortage the FEO is predicting for May? Twenty percent to 25 percent.

It is obvious that what the opponents of rationing are gambling on is a quick end to the Arab oil boycott. That has been hinted at for over a month now. But even assuming for a minute that it ended tomorrow, how long would it take for more gasoline to reach the pumps? Again, we will use the statistics supplied by the Federal Energy Office. They say it would take 3 months. That would be March, April, May. If the boycott does not end until March, then we are talking about April, May, and June. By the Federal Energy Office's own calculations we have no prospect of getting a boost from Arab oil before the end of May. We have a shortage that will get at least 50 percent worse by May. And people say we still do not need rationing?

Today I would like to ask: Who is kidding who?

Even if the boycott ended tomorrow—and it will not—even if every State received its fair share and it does not—even if the distribution system were working perfectly and it is not—we still would have a national crisis on our hands.

And rationalizing is no substitute for rationing.

The main problem with the concept of rationing is its public relations image. Everybody seems to think that rationing inevitably means the coupon-type system which was used in World War II, with its enormous bureaucracy and gigantic costs.

That is not using very much imagination. There are a number of ways to institute rationing without suffering the drawbacks of the coupon system. One possible plan I have suggested is incorporated in a letter to Mr. Simon, which I ask unanimous consent to have printed in the RECORD.

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

HON. WILLIAM SIMON,
Administrator, Federal Energy Office, New Executive Office Building, Washington, D.C.

DEAR BILL: I recently introduced a bill to require nationwide gasoline rationing. Since that proposal calls for rationing to be in operation within 30 days after the bill becomes law, now is the time to prepare a plan that will be ready to go.

My bill didn't spell out a specific type of rationing, because flexibility will be needed

as the crisis changes. Nevertheless, the legislative intent is not that we automatically begin a World War II type coupon system. I mention this because the administration has published regulations for issuing coupons, and thereby created the impression among lawmakers and the public that coupons are inevitable if we go to rationing.

My purpose in writing is to encourage your office to immediately explore alternative plans.

I strongly suggest a plan that would require a sticker on every automobile, indicating one day a week that car couldn't be used. If a family owned two cars, the second car would have three stickers. A third car could not be used on five days of the week, and so forth.

There may be a better variation of this plan, and there will be a number of details to be worked out. However, an important aspect of the plan is that it is non-bureaucratic in that state Motor Vehicle departments could mail a "choice" card to every car owner and then mail an appropriate sticker in response to that choice. For flexibility, each owner could be granted three "date" changes per year.

Time is a problem as the gasoline shortage worsens, and some preparation for rationing would seem to be in order. These preparations must include alternatives to meet whatever form or degree of rationing is needed.

I appreciate your attention to this matter; and if I or my office can be of any assistance, I would encourage you to contact me.

With kindest regards,

Sincerely,

LOWELL WEICKER, Jr.,
U.S. Senator.

Mr. WEICKER. But whatever plan the FEO use, the point is: We need rationing now. All our efforts to get an equitable distribution of gasoline are pointless if we do nothing to reduce the consumption of gasoline. And we have long since passed the point where driving tips and 55-miles-an-hour limits are the answer to reduced consumption.

That is why I am introducing the Mandatory Gas Rationing Act of 1974. This legislation would leave it up to the President to pick the type of rationing system, he feels, would be most effective. But it would require him to institute that system within 30 days of passage of the bill.

Mr. President, it is late in the day, and we need hard-eyed appraisals instead of dreamy-eyed promises. Americans can conserve gasoline, and they will conserve gasoline, but they need something more to count on than another Mideast meeting. It is time for Congress to stand up and be counted.

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

Mr. WEICKER. I yield.

Mr. MANSFIELD. Mr. President, I am delighted to be a cosponsor of the Weicker proposal to make rationing mandatory.

Frankly, I think that what has been wrong is not so much a shortage, which does exist, but a distribution of the available petroleum resources throughout the United States as a whole. It is my understanding that there is a shortage, based on the fact that we are living up to our usual uses of energy, and that, of those usual uses, it is my further understanding that between 30 and 40 percent can be classed as wasted.

As the Senator says, a lifting of the boycott is not going to have any immediate effect. Over a period of time, it might; but there is also chance that the same development might occur again.

So I think that the virtue of the Weicker proposal is to establish the doctrine of equity so far as gasoline supplies are concerned and in that way do away with these long lines, which irritate people, which cause fights among people, which create a very difficult situation for politicians to contend with. The best way to face up to it is to do what Senator WEICKER has proposed: Treat all people alike. We will get rid of the lines, and we will know what we are able to get in the way of supplies. That way, a better climate will result, and people will become calm.

Mr. WEICKER. I thank the Senator from Montana. He has correctly stated what I propose. Everybody in this Nation will feel that they are going to be treated fairly, that there is nothing to fear from the next town, that there is nothing to fear from your neighbor, that there is no reason to fear that another State is ahead of yours. Rather, we will confront a crisis which exists—which we have been told exists—as one people.

QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRIFFIN. Mr. President, I yield 5 minutes to the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

(The remarks Senator BELLMON made at this point on the introduction of S. 3045 the Rural Development Health Care Services Act of 1974, are printed later in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 5 minutes.

Is there further morning business?

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

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

WHAT ARE WE GOING TO DO ABOUT IT?

Mr. MANSFIELD. Mr. President, there is a most interesting commentary in an article published in the Chicago Tribune of Monday, February 25. The article is entitled "Officials Curbing War on Narcotics." The author of the article is Bob Weidrich.

Mr. Weidrich states that the will of the Congress is being widely subverted among the war-torn hills of Laos in an apparent attempt by U.S. officials to thwart the battle being waged by American agents against Southeast Asian heroin traffic.

Mr. Wiedrich indicates that these efforts are being made throughout the so-called Golden Triangle area of Thailand, Burma, and Laos.

He also indicates that there are recurrent reports that the U.S. customs advisory team stationed in Laos was arbitrarily cut from a membership of seven to four even though they had been doing an excellent job in curbing the flow of heroin out of the Golden Triangle into other areas of Southeast and Eastern Asia for export to the United States.

I would hope that this article would be given immediate consideration by the Bureau of Narcotics, by the State Department, and by all interested parties. If there is any validity to the statements made, I hope that they will be looked into immediately to the end that enough personnel will be on the job so that this war on narcotics can be pursued fully and that everything in our power will be done to bring this matter to a successful conclusion. A successful conclusion I may say, will not mean more importation of heroin into the United States and elsewhere but a curbing of the heroin traffic.

Mr. President, I ask unanimous consent that this article be printed at this point in the RECORD.

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

OFFICIALS CURBING WAR ON NARCOTICS

(By Bob Wiedrich)

WASHINGTON.—The will of Congress is being quietly subverted among the war-torn hills of Laos in an apparent attempt by United States officials to thwart the battle being waged by American agents against the Southeast Asian heroin traffic.

That is the gist of reports reaching Capitol Hill here from sources in the Royal Laotian citadel of Vientiane and elsewhere in the Golden Triangle area of Laos, Thailand, and Burma, now the major opium-producing center of the world.

In letters smuggled out of Indochina, some of the men charged with combating the flow of deadly No. 4 Golden Triangle heroin to the United States indicate diplomats and foreign aid officials are trying to torpedo their efforts in favor of achievng political and military objectives.

At issue are reported efforts of the State Department to downgrade the narcotics war so as not to bruise the feelings of highly placed Laotian politicians, some of whom have been accused of personally enriching themselves in the heroin traffic in a land where opium is a centuries-old tradition.

The American diplomats need the good will of the Laotians in seeking to maneuver a successful Royal Laotian and Communist Pathet Lao coalition government.

They are also more interested in disguising continued intelligence-gathering operations behind a screen of foreign aid personnel than assuring an end to the smuggling of the high-grade heroin thru Laos to the American mainland, the sources have charged in their clandestine communications to Congress.

"I am writing to you as a concerned American," an overseas agent wrote earlier this month in one of the letters we read here a few days ago. "I am the father of two young children whose lives I cherish. That is why I am here in this God forsaken place.

"We must continue our efforts to stop the flow of narcotics to the U.S. And we cannot do it by reducing our efforts abroad, for this is sure to be taken by the Laotians as evidence of a lack of interest in this program's objectives."

The handwritten letter was typical of an increasing number spirited out of Indochina by dedicated Americans in an effort to circumvent censorship measures invoked on outgoing correspondence by top officials of the U.S. mission in Vientiane. The congressional informants report their personal letters have been rifled, read, and duly noted to their professional detriment, all apparently in an attempt to throttle protests against the downgrading of the war on narcotics.

Recently, congressional sources have been advised, the U.S. Customs advisory team stationed in Laos was arbitrarily cut from 7 to 4 agents, even tho the men had won the accolades of their Laotian counterparts whose training they had supervised in combating the opium caravans from the Golden Triangle.

"The Congress appropriated funds sufficient to avoid any cutbacks in the international drug effort," declares Rep. Morgan Murphy Jr., the Chicago Democrat whose investigations bared the widespread addiction of an estimated 50,000 American servicemen during the Viet Nam war.

"The administration has not returned before Congress to justify these cuts. From what I can learn, the State Department is more interested in maintaining cordial relations with these countries than stopping the flow of heroin into this country. Interfering with the drug traffic apparently makes things sticky for the diplomats.

"I can understand their objectives in attempting to prevent a Communist takeover of Southeast Asia. But if we can't have diplomatic relations with a nation without buying its dope, then I don't want their friendship."

Murphy reports he has been informed much of the pressure to ease up on the war against heroin has come from Gen. Ouan Rathikoun, the Royal Laotian armed force commander until the opium trade was outlawed in Laos two years ago. Gen. Ouan, now the National Assembly deputy from the opium-producing province of Luang Prabang, was the military strongman when Laotian air force planes ferried pure heroin to South Viet Nam for sale to American GIs. He has been repeatedly linked to the illicit opium trade since then and was being chauffeured around Vientiane in a white Mercedes-Benz belonging to a expatriate Chinese narcotics king when we were in Southeast Asia last August.

Murphy promises to demand a congressional investigation of the drug-war cutbacks if the State Department interference is not ended.

"I'm in favor of saving Indochina from Communism," he declares. "But the American people are more concerned about the heroin in their streets and what it can do to their children. The diplomats are going to have to find some way to make these two objectives compatible. Southeast Asia has already cost enough young American lives."

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. NUNN) laid before the Senate the following communication and letters, which were referred as indicated:

REPORT ON PROPOSAL FOR AN ECONOMIC ADJUSTMENT PROGRAM

A communication from the President of the United States, transmitting, pursuant to law, a report on the Proposal for an Economic Adjustment Program (with an accompanying report). Referred to the Committee on Public Works.

REPORT OF PROPOSED DISPOSAL OF CERTAIN LAND

A letter from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on the proposed disposal of certain land at the NASA Wallops Station, Va. (with an accompanying report). Referred to the Committee on Aeronautical and Space Sciences.

REPORT OF REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Office of Management and Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations had been apportioned on a basis which indicates the necessity for supplemental estimates of appropriations, for the fiscal year 1974 (with accompanying papers). Referred to the Committee on Appropriations.

REPORT ON CONSTRUCTION PROJECTS FOR THE NAVAL AND MARINE CORPS RESERVES

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report on six construction projects proposed to be undertaken for the Naval and Marine Corps Reserves (with an accompanying report). Referred to the Committee on Armed Services.

PROPOSED CONSTRUCTION PROJECTS FOR AIR FORCE RESERVE

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), reporting, pursuant to law, on five construction projects proposed to be undertaken for the Air Force Reserve (with accompanying papers). Referred to the Committee on Armed Services.

REPORT ON EXPERIMENTAL, DEVELOPMENTAL, AND RESEARCH CONTRACTS

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on experimental, developmental and research contracts of $50,000 or more, for the period July 1, 1973 through December 31, 1973 (with an accompanying report). Referred to the Committee on Armed Services.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Audit of Payments From Special Bank Account to Lockheed Aircraft Corp. for the C–5A Aircraft Program During the Quarter Ended December 31, 1973," Department of Defense, dated February 19, 1973 (with an accompanying report). Referred to the Committee on Armed Services.

PROPOSED LEGISLATION FROM ECONOMIC STABILIZATION PROGRAM COST OF LIVING COUNCIL

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 (with accompanying papers). Referred to the Committee on Banking, Housing, and Urban Affairs.

REPORT OF NATIONAL RAILROAD PASSENGER CORPORATION

A letter from the president, National Railroad Passenger Corporation (Amtrak), transmitting, pursuant to law, a report of that Corporation, for the year 1973 (with an accompanying report). Referred to the Committee on Commerce.

PROPOSED LEGISLATION FROM SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the fiscal year 1975 for certain maritime programs of the Department of Commerce (with an accompanying paper). Referred to the Committee on Commerce.

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce (with an accompanying paper). Referred to the Committee on Commerce.

REPORT OF U.S. TARIFF COMMISSION

A letter from the Chairman, U.S. Tariff Commission, transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1973 (with an accompanying report). Referred to the Committee on Finance.

PROPOSED LEGISLATION FROM DEPARTMENT OF STATE

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize appropriations for the Department of State, and for other purposes (with an accompanying paper). Referred to the Committee on Foreign Relations.

REPORT ON BUDGETARY RESERVES

A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on budgetary reserves, as of February 4, 1974 (with an accompanying report). Referred to the Committee on Government Operations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Consolidation of Reserve C–130 Airlift Squadrons Consistent With the Total-Force Concept Would Reduce Reserve Personnel Needs and Operating Costs," Department of the Air Force, dated February 20, 1974 (with an accompanying report). Referred to the Committee on Government Operations.

REPORT OF GEOLOGICAL SURVEY

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, relating to areas outside the national domain, for the period July 1 through December 31, 1973. Referred to the Committee on Interior and Insular Affairs.

REPORTS OF BOARD FOR FUNDAMENTAL EDUCATION

A letter from the Executive Director, Board for Fundamental Education, transmitting, pursuant to law, reports of that Board, for calendar years 1970 and 1971 (with accompanying reports.) Referred to the Committee on the Judiciary.

REPORT OF VETERANS OF WORLD WAR I OF THE UNITED STATES OF AMERICA, INC.

A letter from the National Quartermaster, Veterans of World War I of the United States of America, Inc., transmitting, pursuant to law, a report of that organization, dated September 30, 1973 (with accompanying papers). Referred to the Committee on the Judiciary.

FINANCIAL STATEMENT OF AMVETS

A letter from the National Executive Director, AMVETS, transmitting, pursuant to law, a financial statement of that organization, dated August 31, 1973 (with an accompanying report). Referred to the Committee on the Judiciary.

REPORTS ON THIRD AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department

of Justice, transmitting, pursuant to law, reports on third and sixth preference classifications for certain aliens (with accompanying papers). Referred to the Committee on the Judiciary.

PROPOSED LEGISLATION FROM DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 to extend the nutrition program for the elderly (with an accompanying paper). Referred to the Committee on Labor and Public Welfare.

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act, the Developmental Disabilities Services and Facilities Construction Act, and the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, Rehabilitation Act of 1970, to revise and extend programs of health services, and for other purposes (with an accompanying paper). Referred to the Committee on Labor and Public Welfare.

PROPOSED LEGISLATION FROM NATIONAL SCIENTIFIC FOUNDATION

A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation to authorize appropriations for activities of the National Science Foundation, and for other purposes (with accompanying papers). Referred to the Committee on Labor and Public Welfare.

REPORT ON POSITIONS IN GRADES GS–16, 17, AND 18

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions in Grades GS–16, 17, and 18, for the calendar year 1973 (with an accompanying report). Referred to the Committee on Post Office and Civil Service.

REPORT ON URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on Urban Area Traffic Operations Improvement programs (TOPICS), dated December, 1973 (with an accompanying report). Referred to the Committee on Public Works.

REPORT OF PACIFIC NORTHWEST REGIONAL COMMISSION

A letter from the Federal cochairman, and State Cochairman, Pacific Northwest Regional Commission, transmitting, pursuant to law, a report of that Commission, for Fiscal year 1973 (with an accompanying report). Referred to the Committee on Public Works.

PROPOSED LEGISLATION FROM SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Public Works and Economic Development Act of 1965, as amended, to extend the authorizations for a one year period, to establish an economic adjustment assistance program, and for other purposes (with accompanying papers). Referred to the Committee on Public Works.

PROPOSED LEGISLATION FROM DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "Allied Services Act of 1973" (with accompanying papers). Referred to jointly to the Committees on Finance and Labor and Public Welfare, by unanimous consent.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. NUNN):

A resolution adopted by the City of Cuyahoga Falls, Ohio, praying for the enactment of legislation relating to a massive public works program for Ohio. Referred to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McGOVERN, from the Committee on Agriculture and Forestry, without amendment:

S. Res. 289. Resolution relating to the serious nature of the supply, demand, and price situation of fertilizer (Rept. No. 93–691).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BELLMON:

S. 3045. A bill to further develop rural America by improving health care delivery and to provide incentives for health care personnel to practice in rural areas, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. METCALF (for himself, Mr. MANSFIELD, Mr. ABOUREZK, Mr. BURDICK, Mr. INOUYE, Mr. McGOVERN, Mr. MONDALE, and Mr. STEVENS):

S. 3046. A bill to amend the Social Security Act to provide for additional Federal financial participation in expenditures incurred, under State plans approved under part A of title IV of such act, in providing aid to certain Indians and other aboriginal individuals. Referred to the Committee on Finance.

By Mr. HANSEN:

S. 3047. A bill for the relief of Patrosinio Simental, Eva Simental, Adam Simental, Soledad Simental, David Simental, and Aurora Simental. Referred to the Committee on the Judiciary.

By Mr. BEALL:

S. 3048. A bill to amend section 115 of the Housing Act of 1949. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. McGEE (for himself and Mr. FONG):

S. 3049. A bill to provide a unified system of pay adjustments for civilian officers and employees of the U.S. Government. Referred to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 3050. A bill to promote the general welfare by establishing a balanced national growth and development policy and establishing an Office of Balanced National Growth and Development and certain programs to carry out such policy. Referred to the Committee on Government Operations.

By Mr. JAVITS (for himself, Mr. McGOVERN, Mr. ABOUREZK, Mr. CRANSTON, Mr. HART, Mr. HUGHES, Mr. HUMPHREY, Mr. KENNEDY, Mr. MATHIAS, Mr. METCALF, Mr. MONDALE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr. STAFFORD, and Mr. WILLIAMS):

S. 3051. A bill to amend the Economic Opportunity Act of 1964 to establish a special emphasis program of emergency energy conservation services for the poor, and for other purposes. Referred to the Committee on Labor and Public Welfare, by unanimous consent.

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

S. 3052. A bill to amend the act of October 13, 1972. Referred to the Committee on the Judiciary.

By Mr. ROBERT C. BYRD (for Mr. INOUYE):

S. 3053. A bill for the relief of Mr. Andres B. Pasion. Referred to the Committee on the Judiciary.

By Mr. BENNETT (for himself, Mr. JAVITS, Mr. PERCY, Mr. MATHIAS, Mr. ROTH, Mr. BEALL, and Mr. DOMINICK):

S. 3054. A bill to encourage and assist States and localities to develop, demonstrate, and evaluate means of improving the utilization and effectiveness of human services through integrated planning, management, and delivery of those services in order to achieve the objectives of personal independence and individual and family economic self-sufficiency. Referred, by unanimous consent, to the Committees on Finance and Labor and Public Welfare.

By Mr. ROBERT C. BYRD (for Mr. MONDALE):

S. 3055. A bill to amend the Federal Water Pollution Control Act in order to improve the program for research and demonstration of new techniques in lake pollution control. Referred to the Committee on Public Works.

By Mr. HELMS:

S.J. Res. 191. A joint resolution to designate March 17–24, 1974, "National DeMolay Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BELLMON:

S. 3045. A bill to further develop rural America by improving health care delivery and to provide incentives for health care personnel to practice in rural areas, and for other purposes. Referred to the Committee on Labor and Public Welfare.

RURAL DEVELOPMENT HEALTH CARE SERVICES ACT OF 1974

Mr. BELLMON. Mr. President, in recent years, the Congress and our Government have belatedly become alert to the reality that the roots of this Nation's serious urban problems are anchored in the outmigration of rural people from the farms and small communities across the Nation.

Millions of men and women who had been dislocated by economic changes over which they had no control have flooded into the cities. Most of them have arrived without the skills needed to become well-adjusted, productive urban residents.

Mr. President, the solution to this Nation's urban problems begins with stopping the migration from the farms to the cities. The Congress has taken important action in this direction with the passage of the Rural Development Act and in providing more adequate funding for rural development programs. However, as efforts to build up rural America proceed, a basic problem has developed. This problem relates to the

fact that unless essential services are present, there is simply no way to create the economic opportunity or the social conditions in rural America that will hold people on the farms or in small towns and stop the outmigration.

Perhaps the most basic of these essential services is health care. Currently our Government's policy is drawing physicians into cities away from the rural areas. The result is that the level of rural health care is rapidly declining because the number of physicians and other medical professionals is going down at an alarming rate. This trend must be reversed or the efforts to bring about balanced growth for rural and urban America will fail.

Over the past few years, Congress has devoted a great deal of energy to a wide range of health issues and problems. In the past, one of the major problems in the health service area has been a shortage in the supply of health manpower. To help alleviate the shortage of doctors, the Comprehensive Health Manpower Training Act of 1971 was enacted. To further reduce this critical shortage of health care personnel, the Emergency Health Personnel Act Amendments of 1972 were enacted to improve medical assistance to areas with health manpower shortages. One of the most important issues facing the Senate today is that of national health insurance. These are but few of the many pieces of health legislation that reflect the belief that we are dedicated to the principle that all Americans should have equal access to adequate medical and health care.

Yet, Mr. President, in all the uncountable hours we have spent addressing this country's health needs and in spite of the large outlay of money, complete health care in rural areas is still nonexistent. As one farmer recently stated:

I can get faster competent medical aid for my bull on the farm than I can for my hired man.

This statement demonstrates a growing concern among rural residents that the rural communities are deriving disproportionately smaller benefits from already enacted legislation than will urban communities even though great emphasis was supposedly placed on the needs of the rural community. The major reason for this concern is the failure on the part of the Federal Government to isolate and identify the health needs of rural residents and an inability to coordinate all of the existing rural health programs insuring that rural areas receive fair treatment.

Further, there appears to be no mechanism by which the rural community can determine its own needs and utilize the resources it might have to solve its own problems.

One of the major problems facing rural health today is the astonishing decline in the number of physicians in rural practice. The day of the country doctor is quickly vanishing. Many are elderly or have retired and young doctors are not replacing them in sufficient numbers to provide needed health care. Added to the problem of a diminishing number of physicians is the economic reality that many rural communities simply cannot financially support a physician or group of physicians. Often the population of small communities in need of health services is not sufficient to support competent medical staff and facilities. Although we find that throughout the United States the physician population ratio is improving, the number of physicians serving rural areas has declined six times faster than the population has increased. Also, doctors' families often refuse to live in rural areas because they feel that small communities lack the opportunity for continuing educational development and cultural activity. Yet another problem is the practice of establishing lower medicare fee schedules in rural areas than are allowed in cities. This automatically draws needed physicians away from the rural areas. These factors emphasize that the health profession is becoming increasingly urbanized. Accordingly, we are faced with a gross maldistribution of health personnel between rural communities and urban communities. Figures from a report entitled "Health Services in Rural America" furnished by the U.S. Department of Agriculture show that rural communities with a population of less than 10,000 persons, representing 2.5 percent of the total U.S. population, attracted less than 1 percent of the 1960–65 medical school graduates. Statistics with respect to dentists, nurses, and other health and medical personnel further tend to substantiate a trend away from the rural community.

Mr. President, the maldistribution of health care personnel has left a total of 140 counties in the United States totally without a physician practicing in the area of health care and the result is a threatened crisis in the rural health care that is critical now and will become even more year after year unless effective steps are taken to reverse current trends.

State and national statistics sadly demonstrate the shortcomings existing in the present health care delivery system. The rural communities of this country are truly in the midst of a national health crisis. Results of an HEW health survey indicated that rural nonfarm persons had a higher ratio of injury than either rural farm or urban residents. The accident fatality rate in farming is higher than in any other occupation except mining and construction. It is reported that over one-half of the maternal deaths in the United States occur in rural areas and small towns. The infant mortality rate is one-third higher in rural areas than in urban and in some counties the mortality rate is double that of the national average.

In the face of these enormous health needs, rural residents face an ever dwindling supply of health care services.

Mr. President, I ask unanimous consent to have printed in the RECORD a table furnished by the American Medical Association showing the counties of the United States which were without an active physician in patient care for the year ending December 31, 1972 for the purpose of showing that the problems we face today in the area of rural health care truly are of a national scope.

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

COUNTIES WITHOUT AN ACTIVE PHYSICIAN IN PATIENT CARE, LAND AREA, RESIDENT POPULATION, AND POPULATION PER SQUARE MILE

State	County, Dec. 31, 1972	Square miles	Resident population, Dec. 31, 1971	Population per square mile
Total 50 States and D.C.	3,084	3,541,702	207,486,300	59
Percent	100.0	100.0	100.0	
Total counties without a physician.	140	138,463	497,000	4
Percent	4.5	3.9	0.2	
Alabama		50,851	3,493,200	69
	Coosa	650	11,200	17
California		156,537	20,329,900	130
	Alpine	723	500	1
Colorado		103,797	2,313,900	22
	Archuletta	1,364	2,700	2
	Costilla	1,213	2,800	2
	Custer	737	1,300	2
	Dolores	1,026	1,200	1
	Elbert	1,864	4,100	2
	Hinsdale	1,054	200	(1)
	Kiowa	1,767	2,300	1
	Mineral	921	1,000	1
Florida		54,136	7,143,600	132
	Glades	753	4,100	5
	Lafayette	549	3,000	5
	Liberty	839	3,300	4
Georgia		58,197	4,694,800	81
	Atkinson	318	5,300	17
	Baker	355	3,600	10
	Brantley	447	6,500	15
	Bryan	443	7,300	16
	Dawson	211	4,000	19
	Echols	425	1,800	4
	Lee	355	7,700	22
	Long	402	3,800	9
	McIntosh	426	7,800	18
	Pike	230	7,400	32
	Quitman	171	2,500	15
	Taliaferro	195	2,600	13
	Webster	195	2,100	11
	Wheeler	306	4,300	14
Idaho		82,667	739,600	9
	Boise	1,910	2,100	1
	Clark	1,751	1,100	1
	Custer	4,929	3,200	1
	Owyhee	7,641	6,100	1
Kansas		82,056	2,261,500	28
	Elk	647	3,800	6

Footnotes at end of table.

COUNTIES WITHOUT AN ACTIVE PHYSICIAN IN PATIENT CARE, LAND AREA, RESIDENT POPULATION, AND POPULATION PER SQUARE MILE—Continued

State	County, Dec. 31, 1972	Square miles	Resident population, Dec. 31, 1971	Population per square mile
Kentucky		39,851	3,307,300	83
	Menifee	210	4,000	19
	Owsley	197	5,100	26
	Robertson	101	2,300	23
Michigan		58,817	9,045,400	159
	Keweenaw	528	2,100	4
	Montmorency	555	5,600	10
Mississippi		47,358	2,229,500	47
	Issaquena	414	2,800	7
Missouri		69,046	4,777,600	69
	Bollinger	621	9,400	15
	Carter	506	4,000	8
	Clark	506	8,600	17
	DeKalb	423	7,200	17
	Hickory	397	4,700	12
	McDonald	540	13,000	24
	Mailes	525	6,900	13
	Mercer	455	5,200	11
	Osage	608	11,200	18
	Ozark	732	5,900	8
	Putnam	518	6,200	12
	Ralls	478	7,600	16
	Reynolds	817	6,400	8
	Schuyler	306	5,100	17
	Scotland	441	5,500	12
	Shannon	999	7,700	8
Montana		145,603	713,600	5
	Golden Valley	1,176	900	1
	Judith Basin	1,880	2,600	1
	Petroleum	1,655	800	—(1)
	Prairie	1,730	1,900	1
	Treasure	985	1,000	1
	Wibaux	890	1,400	2
Nebraska		76,528	1,523,200	20
	Arthur	704	600	1
	Banner	738	1,200	2
	Blaine	710	1,200	2
	Gosper	464	2,300	5
	Grant	764	800	1
	Greeley	570	5,200	9
	Hayes	711	1,700	2
	Keya Paha	768	1,100	1
	Logan	570	1,000	2
	Loup	574	1,000	2
	McPherson	856	800	1
	Sioux	2,063	1,800	1
	Thomas	716	1,100	2
	Wheeler	576	1,000	2
Nevada		109,889	514,400	5
	Esmeralda	3,570	600	—(1)
	Storey	262	700	3
New Mexico		121,445	1,035,500	9
	Guadalupe	2,988	5,100	2
	Harding	2,134	1,200	1
North Dakota		69,280	627,800	9
	Billings	1,139	1,200	1
	Dunn	1,992	4,300	2
	La Moure	1,136	7,500	7
	Oliver	721	1,800	2
	Sargent	853	5,600	7
	Sheridan	989	3,200	3
	Slope	1,225	1,300	1
Ohio		41,014	10,830,600	264
	Vinton	411	10,100	25
Oklahoma		68,984	2,630,800	38
	Dewey	1,018	5,900	6
Oregon		96,209	2,185,400	23
	Gilliam	1,208	2,500	2
	Sherman	830	1,900	2
South Dakota		75,955	673,600	9
	Aurora	709	4,500	6
	Buffalo	482	1,900	4
	Campbell	732	3,400	5
	Clark	964	5,000	5
	Hanson	430	3,500	8
	Harding	2,682	2,000	1
	Hyde	863	2,300	3
	Jerauld	527	3,100	6
	Jones	973	1,700	2
	Mellette	1,306	2,400	2
	Sanborn	570	3,800	7
	Stanley	1,414	2,200	2
	Sully	1,004	2,700	3
	Washabaugh	1,061	1,700	2
	Ziebach	1,981	2,700	1
Tennessee		41,367	4,016,800	97
	Meigs	191	5,200	27
	Morgan	539	13,700	25
	Union	212	9,800	46
Texas		262,970	11,565,800	44
	Armstrong	907	2,100	2
	Borden	907	900	1
	Briscoe	874	2,500	3
	Carson	900	6,700	7
	Concho	1,004	2,500	2
	Glasscock	863	1,000	1
	Hartley	1,488	2,600	2
	Hudspeth	4,554	2,200	—(1)
	Irion	1,073	1,100	1
	Jeff Davis	2,259	1,500	1
	Kenedy	1,394	700	1
	Kent	880	1,300	1
	King	944	500	1
	Kinney	1,393	2,000	1
	Lipscomb	934	3,400	4
	Loving	648	300	—(1)
	McMullen	1,159	1,300	1
	Oldham	1,478	2,400	2
	Rains	219	4,000	18
	Real	622	2,200	4
	Roberts	899	1,200	1
	San Jacinto	624	6,500	10
	Sherman	916	4,100	4
	Stonewall	926	2,400	3
	Terrell	2,391	1,500	1
Utah		83,381	1,115,300	14
	Daggett	706	1,000	1
	Piute	754	1,100	1
	Rich	1,023	1,800	2
	Wayne	2,486	1,600	1
Virginia		39,838	4,740,200	119
	Charles City	184	5,900	32
	King and Queen	318	7,000	22
West Virginia		24,084	1,755,000	73
	Gilmer	339	7,300	22
Wisconsin		54,464	4,499,600	83
	Florence	487	3,300	7

(1) Less than 0.5.

Sources: U.S. Bureau of the Census, County and City Data Book, 1967 (A Statistical Abstract Supplement). Washington, D.C.: U.S. Govt. Print. Off.; 1967. Sales Management, Inc., Survey of Buying Power. July, 1972.

Mr. BELLMON. Recent statistics furnished by the Oklahoma Council for Health Careers further highlight the sad condition that exists in my own State. Of 77 counties in the State of Oklahoma, 65 have been declared health service scarcity areas. Forty-three counties report a shortage of physicians. Fifty counties report a shortage of dentists, and 54 report a shortage of nurses.

Similar conditions exist in every other rural area of the Nation. I ask unanimous consent to have printed in the RECORD a table showing the number of counties in each State of the Union needing physicians, dentists, and nurses.

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

HEALTH SERVICE SCARCITY AREAS

State	Number of counties needing— Physicians	Dentists	Nurses
Alabama	76	76	73
Alaska	7	7	7
Arizona	5	6	29
Arkansas	4	39	41
California	45	38	22
Colorado	12	10	11
Connecticut	1	1	1
Delaware			(1)
Florida	70	54	25
Georgia	46	45	40
Hawaii	5	5	5
Idaho	8	7	6
Illinois	42	42	39
Indiana	20	18	13
Iowa			(1)
Kansas			(1)
Kentucky	5	5	4
Louisiana	5	5	4
Maine	5	5	4
Maryland	9	9	8
Massachusetts	14	14	7
Michigan	9	8	5
Minnesota	9	10	8
Mississippi	6	6	6
Missouri			

State	Number of counties needing— Physicians	Dentists	Nurses
Montana	10	10	0
Nebraska	23	23	20
Nevada	23	20	19
New Hampshire	16	13	9
New Jersey	17	16	10
New Mexico	32	32	30
New York	9	8	5
North Carolina	5	3	5
North Dakota	5	5	0
Ohio	39	35	13
Oklahoma	43	50	54
Oregon	20	16	15
Pennsylvania	44	40	34
Rhode Island	12	8	3
South Carolina	33	32	33
South Dakota	5	5	3
Tennessee	93	90	82
Texas	38	30	40
Utah	12	9	8
Vermont			(1)
Virginia			(1)
Washington	28	25	20
West Virginia	40	43	33
Wisconsin	6	6	3
Wyoming	8	8	8

[1] Did not participate in survey.

Mr. BELLMON. Mr. President, it is my purpose today to offer a realistic solution to the deplorable problems existing today in the American rural health delivery system. The Rural Development Health Care Services Act of 1974 is specifically aimed at isolating community rural health problems and finding viable means of administering to these problems with a maximum utilization of rural community resources.

My bill would allow one or more towns, cities, or communities in rural areas to form Associated Rural Health Councils to secure their health service needs by contracting for the services of doctors, dentists, optometrists, or whatever health care is needed by the local community. The advantages to this plan are numerous. First, it would allow several communities in rural areas to pool their financial resources to attract the health services they need. As stated earlier, a single rural community by itself, often does not have the financial resources or the population to support a doctor or dentist. However, two or three communities with a relatively close proximity to each other, taken together, would have the necessary financial capability. As a group, these communities can solicit medical schools, dental schools, regional health centers, or the private sector to obtain needed health services. If a community or communities needs emergency medical service, they can contract for such. If a community desires a doctor or dentist, perhaps on a part-time basis, then they have the capability to secure these services. The possibilities are only limited by the different needs each community or council might have.

Recognizing that some rural communities, either singularly or together would be unable to gather sufficient financial resources, this act authorizes the Secretary to grant funds to the community councils to aid them in contracting for their needs. To insure that the rural communities first utilize their own resources, the Federal Government would establish a system of funding on a matching basis. It is hopeful that this grant would give the rural communities increased bargaining power to attract whatever health needs it desires.

Second, this act allows the community to play the major role in identifying and finding solutions to its own health care problems. The burden is on the community to determine its own needs and to act accordingly. Thus, one of the major problems existing in rural health care today—the inability of each community acting alone to secure needed medical services—is effectively dealt with by placing the resources and the responsibility at the local level.

It is hopeful that the Rural Development Health Care Services Act will provide sufficient incentive for members of the health profession to venture into rural communities. This act, therefore, allows the associated community health councils to assist students pursuing health related education by paying for part or all of their educational expenses. In return, the student would agree to serve the health needs of the councils area for a period of time to be negotiated by the student and the council. Hence, the rural community could insure itself against the dwindling supply of health care personnel, while at the same time providing needed assistance to students.

The difference in fees allowed for comparable services in rural areas as opposed to urban areas for medicare-medicaid related services is another reason for the maldistribution of health personnel. Under current medicare-medicaid policies it is simply not as attractive for doctors to practice in the rural area as in urban. Figures furnished by the Oklahoma Council for Health Careers show the following: In the rural community surrounding Tulsa, the fee allowable to a general practitioner for a routine office call is $5 while in Tulsa it is $6.10; consultation rates allowed in rural America range from $12.50 to $15 while in urban areas they are $45 to $60; for a hospital visit, fees allowable are $7.80 in the rural area and $10 in the city; and the surgical fee for a cesarean section is $350 and $450, respectively. This marked discrepancy continues to lure the physician to the metropolitan area. Similar disparities exist between rural and urban areas in every section of the Nation.

The Rural Development Health Care Services Act proposes to provide an incentive for physicians to practice in rural areas by prohibiting the Secretary from establishing higher fee schedules for comparable services in urban areas than in rural areas within the same State. Therefore, the physician practicing in the rural area is earning the same as those in urban areas. Hopefully, this will neutralize the advantage of higher fees that exist in the urban area, and encourage rural practice.

Before the Federal Government undertakes a national program, I believe it consistent with responsible fiscal policy to first test the feasibility to this approach. Therefore, this act authorizes sufficient funds to establish demonstration programs by directing the Secretary to determine health scarcity areas and encouraging those areas to engage in the programs outlined. If the operation of these programs is successful, I would unhesitantly recommend a national commitment toward this concept as a viable means to solving the problems of rural health.

Mr. President, the problems of rural health are potentially catastrophic. I urge the Senate to take quick action toward favorable consideration of this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3045

RURAL DEVELOPMENT HEALTH CARE SERVICES ACT OF 1974

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 "Rural Development Health Care Services Act of 1974".

AMENDMENT TO THE RURAL DEVELOPMENT ACT OF 1972

The Rural Development Act of 1972 is amended by adding at the end thereof the following new section:

"(1) The Secretary is authorized to identify health service scarcity areas in the rural areas of the United States and make demonstration, matching funds grants to associated community health councils for the development, utilization, organization, and financing of health care services in rural areas.

"(2) There are authorized to be appropriated to carry out the purposes of paragraph (1) $50,000,000 for the fiscal year ending June 30, 1975 and each of the next two succeeding fiscal years.

"(3) For the purposes of this subsection, the term 'associated community health councils' means two or more political subdivisions which have voluntarily joined together for the purpose of providing health care to individuals residing in their jurisdictions by contracting with direct providers of health care services for the provision of such services in rural areas.

"The responsibilities of the Associated Community Health Councils would include, but are not limited to, the contracting for needed health care services, establishing fee schedules, collecting bills, providing facilities, furnishing staff, and other duties necessary to establish and maintain adequate health services as the needs of the community dictate.

"(4) The associated community health council is further authorized to contract with medical students, dental students, and other students pursuing health care related education to pay part or all of their educational expenses as a condition for practicing in the area of the associated community health council for a certain period of time to be negotiated by the student and the Council.

"(5) For the purposes of this subsection, the term 'rural area' means an area no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget and does not contain a city whose population exceeds 50,000 persons.

"(6) The Secretary of Health, Education, and Welfare is further prohibited from establishing higher fees for comparable services in urban areas than in rural areas within the same state."

By Mr. BEALL:

S. 3048. A bill to amend section 115 of the Housing Act of 1949. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. BEALL. Mr. President, I send to the desk a bill to amend the rehabili-

tation grant section, section 115, of our housing laws.

Section 115 presently makes grants available to individuals for the purpose of rehabilitating their homes. These grants of up to $3,500 may be made to an individual homeowner with an income of $3,000 or less or to an individual homeowner whose income exceeds $3,000 if his housing expenses exceed 25 percent of his income. In the case of the latter individuals, the grant may be made "only for that portion which could not be financed by an available loan that could be amortized as part of an individual's monthly housing expenses without requiring such housing expenses to exceed 25 percent of the individual's monthly income."

Unfortunately, under the present law, the local public agency is unable to assist all of the individuals whose need would justify assistance and whose income would clearly qualify them. This is because the present law requires that the property on which the grants are made must be brought into the applicable housing codes or other requirements of the urban renewal plan of the area.

If the grant will not bring the housing unit into the total compliance, it may not be made. Thus, if the amount of money required for total rehabilitation exceeds the grant limit, the owner occupant is out of luck unless he has the means to finance the cost of the work not covered by the grant.

As Commissioner Embry of the Department of Housing and Community Development in Baltimore pointed out to me:

> This prevents the anomaly of having the more well to do among the grant applicants, because of their ability to pay for work beyond the grant limit, receive grants which are denied their poorer neighbors.

The amendment I advance today does not change the present $3,500 grant limit, but it would provide the needed flexibility in the rehabilitation program to allow the owner to do less than would be required to completely rehabilitate the house to code standards.

The grant program has provided a method whereby poorer owner occupants are permitted to remain in their homes even while they are required to improve their property. When grants cannot be provided, the property is not rehabilitated and as a result, everyone suffers. This includes not only the owner but also his neighbors who may have spent their own money and time in rehabilitating their property and yet are faced with the prospect of a permanent blight next door or across the street.

In addition, the city may have invested considerable time and resources in completing a program in the area. It is not very comforting for the city to realize that some of the homes within the improved area are in no better shape than they were when the program commenced.

Worst of all, the property owner who has had his house inspected, and who often is encouraged to make application for the rehabilitation funds, is disillusioned when he is turned down. It does not make sense to him and it does not make sense to me. Of course, if the house had severe violations, he may be required to vacate. My amendment would provide the needed flexibility for local housing authorities to award grants to homeowner occupants who cannot afford to borrow money for rehabilitating so that they may correct at least the more serious housing violations in their properties. The purpose of this amendment obviously is not to encourage widespread violations of the housing code. Property should be brought up to code standards if possible, but we also must face reality. This amendment does that and would allow a relaxation of the requirements in those cases which are legitimate hardships and in which the more serious items are corrected.

I want to personally thank Commissioner Robert C. Embry, Jr., of the Baltimore City Department of Housing and Community Development for calling this matter to my attention and strongly urge the Congress to make this needed change.

By Mr. McGEE (for himself and Mr. FONG):

S. 3049. A bill to provide a unified system of pay adjustments for civilian officers and employees of the U.S. Government. Referred to the Committee on Post Office and Civil Service.

Mr. McGEE. Mr. President, I introduce for appropriate reference a bill which would combine the two differing and conflicting procedures established by existing law to adjust the pay, on the one hand, of statutory employees of the Federal Government and, on the other hand, of officials in the executive, legislative, and judicial branches.

The pay of statutory employees, established in accordance with the pay of comparable positions outside Government, is adjusted each year. These adjustments are made in accordance with the "equal pay for equal work" comparability principle.

The pay of Cabinet and sub-Cabinet officials, the Justices and judges of the Federal judiciary, and Members of Congress, is adjusted, with the assent of Congress, every 4 years in accordance with the recommendations of a quadrennial pay commission.

The disparities in pay created by the 1-year and 4-year pay adjustment periods are wreaking havoc upon the Federal pay structure, creating pay compression and its accompanying inequities. In my view, the problem can be solved by combining the two procedures, so that the President makes his recommendations for both pay systems every year, the adjustments to become effective October 1. The bill I introduce would have that effect.

Mr. President, the Senate is currently deliberating on whether or not to approve the President's proposal on executive, legislative, and judicial pay. However that question may be decided, Members should be apprised that the problem will still be with us. The basic disparity between the pay-setting mechanisms for the two groups must be eliminated, and it would be my expectation that the Committee on Post Office and Civil Service will, later this year, ask the Senate again to take up this question when it considers the bill I introduce today.

By Mr. HUMPHREY:

S. 3050. A bill to promote the general welfare by establishing a balanced national growth and development policy and establishing an Office of Balanced National Growth and Development and certain programs to carry out such policy. Referred to the Committee on Government Operations.

THE BALANCED NATIONAL GROWTH AND DEVELOPMENT ACT OF 1974

Mr. HUMPHREY. Mr. President, I rise today to introduce one of the most important bills that I have ever introduced in this body. This particular piece of legislation has been in the making since early 1972. I first unveiled its general provisions on May 26, 1972, before the Commonwealth Club in San Francisco, Calif. Later that same year on October 11, 1972, I addressed the annual meeting of the American Institute of Planners in Boston where I again discussed the proposal and invited the professional planning community to join me in my efforts to further its development. And just 1 year ago, on February 26, 1973, my proposal for achieving balanced national growth and development was published as a committee print by the Joint Economic Committee of the Congress. Since that date over 3,000 copies of my proposal, in the form of this special committee print, have been circulated throughout the Nation.

Also, during this same period, the Congressional Research Service, at my request, prepared two important reports on national growth and development policy which have been published by the Senate. They were: First, Toward a National Growth and Development Policy: Legislative and Executive Actions in 1970 and 1971; and second, Toward a National Growth Policy: Federal and State Developments in 1972.

A third and similar report will soon be published covering 1973 happenings in this regard.

Interest in the subjects of national growth and development, long-range national policy planning, and institutional systems for establishing national goals and priorities, has been steadily growing. But at the State and local levels these past few years, action has been substituted for mere interest in these subjects. Concern about rates of growth and about environmental deterioration has moved from the meeting hall into the courts and ballot boxes.

And, of course, on the national level, Americans have these past few years been hit by a series of worsening crises, including confidence-in-Government, runaway inflation, and fuel to food crises.

We can continue along the path of haphazard growth and frequent environmental, economic and social crises, but following that path surely means national disaster. Or, we can create the machinery and processes that are required to develop policies, incentives and programs for balanced, rational coordi-

nated patterns of national growth. In that way, we can guide and control our future destiny rather than let events or fate dictate it.

Continued unplanned growth—without goals and guiding policies—will stimulate thousands, even millions, of uncoordinated individual personal and community responses to the aggravated problems of everyday living. And in an increasingly technologically complex and interdependent society, these individual decisions affect the lives of many other people and communities, and indeed the health and welfare of the Nation. For example, the decision of many millions of Americans to purchase an automobile—or two, or three—over the past several decades not only has contributed to increased air pollution, time-losses in traffic, accidents, high road construction and maintenance costs, and today's fuel and energy crisis, but it has also shaped the actual physical structure of our Nation's cities and contributed to a major migration of millions of people to those cities from our Nation's farms, and open countryside.

Now, as Americans are forced to experience personally automobile fuel shortages, many of them are learning how dominant their dependency on such a conveyance really is. Some are now wishing they had not moved from the inner-city to the suburb. Others are asking why more has not been done to date to provide for other means of transport such as mass transit. And still others are wondering how such a crisis could have hit a nation so fast and hard when it only imports about 17 percent of its total energy needs. In short, they are now being given an object lesson in the value of long-range policy planning and the need to anticipate possible changes in the future availability of resources.

I believe that a balanced national growth and development policy framework can and must be developed to maximize the positive impact of public policy on the "quality of life" of all Americans.

The questions that we face, given the expected social and economic contours of our Nation in the year 2000, are awesome when we look at the inadequacy of our current public policymaking process.

The United States is in one sense the "oldest" country in the world—we were the "first" Nation to enter the 20th century. Our society has lived the longest with

High technology;
High mobility;
High urbanization; and
High affluence.

Despite this historic advantage, we seem to have done the least among nations in developing the policymaking and planning processes required by our people and institutions to adjust to these new realities.

Most European nations have instituted policies of balanced national growth and development during the last 20 years.

These policies, incorporating population distribution goals, land use objectives, economic growth targets, and the like, have met with some success already, despite their relatively recent initiations.

During this same period in our country, anything that even sounded like national policy planning was looked upon with suspicion by a large and vocal segment of our population.

But, in recent years, some important progress has been made in making at least a start toward achieving a balanced national growth and development policy.

For example, in title IX of the Agriculture Act in 1970, Congress and the President committed themselves to a national policy of "sound balance between rural and urban America." Congress proclaimed that it "considers this balance so essential to the peace, prosperity, and welfare of all our citizens that the highest priority must be given to the revitalization and development of rural areas."

And, shortly following the declaration of that new national policy, Congress enacted the Rural Development Act of 1972, which provides the programs for implementing that policy.

A similar commitment to the balanced growth and development of rural and urban America was echoed in title VII of the Housing and Urban Development Act of 1970.

However, while these policy changes and other specific development programs are important, good and necessary for America, they are far from sufficient to help us cope with the long-term balanced growth and development problems which we face.

The problems we must address in America include:

Natural resource availability and use;
Population growth and distribution;
Regional distribution of national economic growth;
Protection of our air, water, and land;
Fuel and energy shortages;
Balanced and efficient transportation systems;
Sound use of land; and
More equitable distribution of income and opportunity; and many others.

What we do—or fail to do—today clearly commits and fixes future patterns of life in this Nation as well as on this planet Earth. We can no longer afford the luxury of approaching the future of our Nation—and its relationship to the rest of the world—haphazardly.

A few years back, we learned almost overnight that the world we live in had shrunk to such a size that men on one side of the Earth could completely destroy men on the opposite side within 30 minutes through new and devastating means of modern warfare. More recently, we have come to realize that even the natural resources of this Earth and of our Nation are indeed finite, and in many cases threatened with total depletion. Although the population of the United States today comprises only 6 percent of the world's population, our Nation consumes over 40 percent of the world's resources.

The creation of a desirable human environment requires that people be provided with the opportunity to develop life-styles and surroundings of their own choice, consistent with environmental integrity and the economic management of natural resources. In their intensifying debate, the advocates of "no growth" and "continuous growth" of our economy system are attempting to force Americans today to make a simple choice of accepting one or the other of these two positions. However, I believe they will accept neither. Rather, I believe the American people, as they look anew at what kind of future they are now creating for themselves and future generations, will begin to move more toward the goal of human relationships that is based upon the Greek idea of "balance," of moderation, of "nothing too much."

Growth is seen by many as the opposite of stability, yet both are desired. Novelty is prized, but man is overwhelmed by too much change. Technology is both feared and indispensable. Liberty versus tranquality, defense versus welfare, present versus future, are dichotomous terms that have expressed American goals since the beginning of our Republic.

Our challenge, then, is to reach out for the "balance" in human relationships that many of us believe to be attainable between conflict and cooperation, between growth and stability, between individual free choice and common good, between technology and social responsibility, between economic needs and environmental protection, between urban and rural, between the old and new and between national and local goals.

But how and through what means can we reach out for that "balance?" What mechanisms and processes do we now have that will permit and encourage us to develop the policies and plans to "create," to "design" and to "shape" our Nation's future human environment?

There are none, at least not any that are explicitly designed to deal with our Nation's long-range future on a continuous basis.

We have no institution, process, or mechanism today that is dedicated to or concerned with the consequences of the rapid and potent changes in opportunities resulting from the onrush of science and technology.

We have no national effort today concerned with the need for better techniques or measurement to help our society answer for itself the classic questions posed by Abraham Lincoln in his famous house divided speech:

> If we could first know *where* we are, and *whither* we are tending, we could then better judge *what* to do and *how* to do it.

At this critical stage in our national development we must, in my judgment, provide the means and institutional processes required to answer such questions, to identify at an early point the vital questions likely to confront our Nation as the future unfolds, so that accommodation to change can be a deliberate, conscious, and rational process instead of a violent reaction.

The institutional changes required to accomplish these ends, must include, but not necessarily be limited to, changes in the executive and legislative branches of our Federal Government. These changes must provide for orderly policy development, based upon sound information and involvement of our Nation's citizenry. The process created must involve all levels and branches of government—as it relates to all combinations of political,

economic, social, and environmental concerns.

This newly created process must help the people of this Nation to design their own future—not in the form of any master plan or blueprint, but rather to help them create the means to help them better understand, anticipate, and to bring about orderly change.

Policy planning and development is almost nonexistent in our Government today. Anyone who doubts that, let him reflect upon the crises we are faced with today concerning fuels and energy, housing, our cities and rural areas, the environment, land use, transportation; and the list goes on.

Mr. President, I believe the bill I am introducing today, entitled the "Balanced National Growth and Development Act of 1974", is designed to provide the necessary mechanisms and processes which will make it possible for both the executive and legislative branches of our Federal Government to develop long-range national policies in the future.

This bill provides for the establishment of an Office of Balanced National Growth and Development within the Office of the President to:

Develop specific national policies relating to future population settlement and distribution patterns, economic growth, environmental protection, income distribution, energy and fuels, transportation, education, health care, food and fiber production, employment, housing, recreation and cultural opportunities, communications, land use, welfare, technology assessment and transfer, and monetary and fiscal policy.

This new Office also would provide the means to develop these individual national policies in such a way as to reflect the appropriate interrelationships that obviously exist between and among such policies.

This new Office would tie together and coordinate the work of the Council of Economic Advisers, the Office of Management and Budget, and the Environmental Quality Council.

This new Office would be empowered to bring about more uniform and workable Federal assistance programs, to streamline the Federal delivery system, now involving hundreds of categorical programs that so bewilder and confuse many a State and local official.

The bill also would establish new uniform planning requirements for Federal grants-in-aid, and transfers to the new Office the comprehensive planning assistance program authorized by section 701 of the Housing Act and administered by HUD.

The bill would create a national system of multi-State regional planning and development commissions, involving both Governors and State legislatures, to help link up and facilitate proper coordination among Federal, State, and local units of governments. This nationwide regional commission structure would be directly tied to the new Office within the Office of the President, rather than to a department.

A federally funded system of national, multi-State, and State citizen councils also would be authorized by this legislation to provide for more direct citizen participation in the development and review of national policy.

In addition, this bill would create a joint congressional Committee on Balanced Growth and Development. This committee would be supported by a new congressional Office of Policy and Planning within the Library of Congress, staffed by professionals and experts on national policy matters.

New requirements pertaining to the location impact of Federal facilities, activities, and procurement are specified in the bill. We are the only developed nation in the world that continues to ignore this critical question in our private and public decisionmaking.

This bill creates a new national research institution to monitor, measure, and forecast developments and happenings in all the major sciences—soft and hard—and to report its findings, with possible alternatives that might be pursued.

It also provides for more detailed and continuous analysis of population and demographic trends, within the U.S. Bureau of the Census.

And, finally, it provides for the development of annual report by the executive branch detailing "where we are," and "whither we are tending" in our pursuit of developing and implementing national policies. That report will be made available to and assessed by Congress and the people of this Nation.

It will become a national working document for the entire Nation to reflect its concerns and desires concerning national goals, priorities, and policies.

I have asked many individuals and groups throughout the country for comments and recommendations concerning this legislative proposal. In due course, all of these suggestions will be carefully scrutinized, and changes in my proposal will undoubtedly be made. I welcome any and all additional ideas and comments.

I also would like to take this opportunity to urge my Senate colleagues to join me in sponsoring this legislation.

In these times of amazing proximity between people and nations, resulting from revolutions in communication and transportation technology:

In this age of unbelievably rapid change in virtually every facet of man's existence, from the way he constructs his office buildings to the way his children perceive "right and wrong";

We need a way for all the people of this Nation to participate in shaping their own future.

Only through an effective process of the kind I am recommending here today can we as a nation anticipate and direct change and consequently, minimize that Alvin Toffler has aptly named "future shock."

For more than 2 years my staff and I have been working on this proposal. I consider it to be the single most important piece of legislation of my 25 years of public service.

I believe this legislation goes a long way toward providing the institutional arrangement necessary to the development of a continually evolving balanced national growth and development policy in the United States.

Mr. President, before the end of this month, Congress is to receive its second biennial report from the executive branch identifying Federal actions that will strengthen the Nation's ability to deal effectively with future national growth and development issues. The first of such reports was presented to Congress in 1972. The New York Times characterized that particular report as "A mausoleum of words." For the most part, the 1972 report merely summarized the Nixon administration's domestic legislative program calling for Government reorganization, revenue sharing, and national land use policy. I certainly hope this year's report is more in accordance with what the congressional authors of title VII of the Housing and Urban Development Act of 1970 had in mind.

Mr. President, I ask unanimous consent that the complete text of my bill be printed in the RECORD following the completion of my remarks. I also ask unanimous consent that a "Proposal for Developing a Capability at the National Level for Strategic Policy Assessment," developed by the Woodrow Wilson International Center for Scholars, be printed in the RECORD, along with a statement by Archibald C. Rogers, chairman of the American Institute of Architects' National Policy Task Force, and presented before the House Interior and Insular Affairs Committee last April, in which Mr. Rogers discusses the institute's work and recommendations concerning national growth and development policy.

Finally, Mr. President, I would like to take this opportunity to pay tribute to James E. Thornton, now a member of the Senate Agriculture Committee staff, for the work and help he has provided me in developing this proposed National Growth and Development Act. He has spent much of his own off-hour time working on this proposal and related matters for me, for which I am deeply grateful and appreciative.

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

S. 3050

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Balanced National Growth and Development Act of 1974."

TITLE I—STATEMENT OF POLICY; FINDINGS; AND PURPOSE

STATEMENT OF POLICY

SEC. 101. In order to promote the general welfare and to improve the quality of life and standard of living for all the Nation's people by providing direction for the forces determining economic growth, population distribution, and environmental quality consistent with guarantees of maximum freedom and self-determination among citizens, the Congress declares that it is the continuing responsibility of the Federal Government, in concert with State and local governments, to undertake the development of a balanced national growth and development policy, which shall incorporate economic, social, environmental, and other appropriate considerations. The balanced national growth and development policy shall serve as the guide for national decisionmak-

ing and Federal assistance and cooperation with States and local governments and appropriate encouragement of cooperation by private enterprise, to effect the achievement of balanced economic growth in urban and rural areas, through optimum allocation of resources, balanced distribution of population, and environmental protection.

FINDINGS

SEC. 102. The Congress finds that there is a need for a more explicit and rational formulation of national goals and priorities, and that the Congress needs more detailed economic social, environmental, and program analysis in order to make informed priority decisions among alternative programs and courses of action to formulate policies that will bring into concert the numerous and often conflicting efforts for national improvement. The Congress also finds—

(1) that a lack of coordinated policies for Federal programs and incentives to private enterprise designed to achieve a balanced national growth has resulted in a serious decline in the quality of life of our Nation's people, and that much of this decline has been caused by a failure to properly provide for the management, use, protection, and conservation of resources essential to maintaining and improving such life quality standards;

(2) that rapid growth of population in urban areas and uneven expansion of urban development, together with a decline in rural population and slower growth in rural areas, has created imbalances between fundamental needs and resources of air, water, and land which seriously threaten the environment for quality living in many regions of the country;

(3) that the heavy concentrations of our Nation's population in only a few small areas increases their vulnerability to various social system and community service breakdowns, resource shortages, natural disasters, and even destruction by weapons of modern warfare;

(4) that there is a national and individual citizen interest to be served in a more efficient and comprehensive national system of interstate, statewide, regional, and local comprehensive planning and decisionmaking and that large-scale industrial and other economic growth conflicts in patterns of land use, fragmentation of governmental entities exercising land use regulation powers, and the increased size, scale, and impact of private actions, have created a situation in which land use and other management decisions of wide public concern often are being made on the basis of expediency, tradition, short-term economic considerations, and other factors which too frequently are unrelated or contradictory to the real concerns of a sound national land use;

(5) that costs of public services and facilities can be optimized when such services and facilities are well-planned as an integral part of national, regional, State, or local community growth and development policies and goals;

(6) that the development of a balanced and efficient multi-mode transportation system adequate to meet the current and future transportation needs of the United States is essential to the commercial life and general welfare of the people of the United States; that present transportation facilities, transportation rate structures, transportation planning, and transportation development are inadequate to meet the minimum current and future transportation needs of the people of the United States;

(7) that systematic and coordinated planning and development of balanced transportation facilities and services within and between all regions of the United States must be encouraged and vigorously pursued in order to improve the mobility of our Nation's population;

(8) that the energy needs of the Nation have been rising faster than its capacity to convert fuels into energy and that no nationwide system now exists to interlink existing electrical generating and transmission systems, the failure to implement may lead to power shortage, higher consumer costs, and other failures which endanger health and safety in the heavily populated areas of the country;

(9) that the maintenance of adequate energy and fuel supplies at reasonable price levels, the continued fiscal stability of the basic energy and fuel industries, the establishment of an adequate energy research and development program, the proper development of adequate facilities for the production, distribution, transportation, and transmission of fuel and energy resources and the proper conservation and use of fuels and energy resources consistent with the national goals of balanced economic growth are essential to the well-being of our Nation, to the quality of life of our individual citizens, and that there now exist various and sometimes conflicting laws and regulations setting forth national goals which affect fuels and energy policy and which are vital to the development and conservation of fuel and energy resources;

(10) that a lack of long-term comprehensive policies and goals regarding the production of food and fiber has exacerbated our national and international social and economic problems;

(11) that during the housing needs of our Nation, particularly in center-cities and in nonmetropolitan areas, have reached critical proportions; and that a national housing policy, accompanied by specific goals, is needed reflecting the importance of adequate housing for all citizens regardless of income status or area of residence;

(12) that there are many unmet needs for new or expanded community facilities, such as the replacement and extension of sewer and water services, for separation of storm and sanitary sewers and for new and efficient methods of solid waste disposal;

(13) that the health services and facilities of the Nation have been greatly strained and have produced the most inflationary increases in the cost of living; and that rural and center-city areas in particular suffer most severely from the lack of adequate health care services and medical personnel;

(14) that the public education systems in many areas of the country have failed to offer adequate education and training to many people to enable them to find satisfactory employment;

(15) that there is still a significant incidence of poverty, crime, malnutrition, and social maladjustment in our Nation that tends to degrade human dignity, impair people's quality of life, and divide people along lines of race, income status, and class, and to sap the vigor of our society;

(16) that fiscal and monetary policies have failed to promote balanced national development, stable economic growths, or more equitable income disbursements;

(17) that the avilability of capital and credit, at resonable rates, terms, and conditions, is inadequate to meet many of the needs of State and local government and of private industry;

(18) that fragmentation of local government in metropolitan areas and lack of consolidation of local government resources in nonmetropolitan areas has fostered uncoordinated and wasteful growth and development, and there is a need for improved coordinated management of all governmental functions at State and local levels; and

(19) that certain Federal programs affect the location of population, economic growth, income distribution, and the character of urban and rural development; that such programs frequently conflict and result in undesirable and costly patterns which adversely affect the environment and wastefully use our natural resources, and that existing and future programs must be interrelated and coordinated within a system of orderly development and established priorities consistent with a balanced national growth and development policy.

STATEMENT OF PURPOSE

SEC. 103. To promote the general welfare and to improve the quality of life and standard of living for all our Nation's citizens by properly guiding and applying the resources of the Federal Government and of our entire society in strengthening the economic and social health of all areas of the Nation; more adequately protect the physical environment; effect maximum efficiency in the allocation, utilization, and conservation of resources; and achieve a more balanced distribution of urban and rural population, consistent with the commitment made by Congress in title IX of the Agricultural Act of 1970 as amended, and the Rural Development Act of 1972, the Congress declares that the Federal Government, consistent with the responsibilities of States and local governments and the private sector, must implement the responsibility acknowledged in title VII of the Housing and Urban Development Act of 1970 for the development of a national growth policy which shall incorporate social, economic, environmental, and other factors in order to accomplish, within the framework of balanced economic growth, the following national goals:

(1) expansion of the Employment Act of 1946 to provide, in addition to the goal of reasonably full employment, the goal of income distribution that will assure an income adequate to provide acceptable levels of nutrition, health, education, housing, and cultural opportunity for all our Nation's population;

(2) a level of environmental quality, as provided in the National Environmental Policy Act of 1969, as amended, which safeguards the health and tranquillity of our Nation's residents wherever they choose to live and which prevents and avoids further pollution, and preserves our Nation's and the world's valuable natural resources;

(3) a distribution of population, through the development of appropriate policies based on the findings and recommendations of the Office of Balanced National Growth and Development in the Office of the President, the Foundation on the American Future, the National Citizens' Council on America's Future, and the Joint Congressional Committee on Balanced Natural Growth and Development, as established in this Act, and requirements of balanced economic growth;

(4) implementation of the balanced national growth and development policy through a national regional development system of multi-State regional commissions based upon comprehensive State multijurisdictional, county, metropolitan, and nonmetropolitan planning and development districts;

(5) coordinated land-use planning, regulation, and development among governments in a region to avoid duplication of facilities to facilitate balanced distribution of housing relative to employment locations, and to permit freedom of choice of residential location to citizens of all races, colors, creeds, and income status;

(6) development of an integrated and balanced national transportation system, utilizing advanced technology and planning, and incorporating rate structures consistent with the goals of balanced economic growth;

(7) development of a comprehensive and integrated national communications system to facilitate the dissemination of information conducive to an informed public and one which is designed to meet requirements of improved education, health care, the arts

and sciences, private enterprise, government, and of the employment of a more balanced national growth pattern in the United States;

(8) motivation of private enterprise to participate to its fullest possible extent in activities that will further the national growth policies that are developed in pursuance of these goals;

(9) formulation of a national fuels and energy policy based upon sound conservation and use principles, which will provide adequate supplies of energy, at reasonable prices, in all regions of the country, with minimal environmental impact, while providing consumers with reasonable choices *among alternative* forms of energy, and the encouragement and promotion of the development of a viable domestic energy industry, consistent with the goals of balanced economic growth;

(10) formulation of national food and fiber policy which will insure a fair economic return to agricultural producers which will insure adequate supplies for the American people and for those of the world who depend upon our nation for agricultural exports and which will end stability to large sectors of our economy engaged in related or dependent activities and to our international trade realtions;

(11) provision of a decent home in a suitable environment for all citizens, through *implementation* and updating of the national housing goals adopted in title XVI of the Housing and Urban Development Act of 1968;

(12) development of planned communities of optimum size from the viewpoint of costs of public services, spatial relationships between economic functions and population densities to minimize daily transportation needs and energy use and facilities movement of people and goods, and the application of advanced technology in the planning and development of expansion of existing and new communities to promote the goals of this Act;

(13) provision of adequate health care facilities and services in all regions of the country and the availability of such facilities and services to people of all income levels at costs within their economic means;

(14) provision of adequate manpower training and educational programs and institutions at all levels in all regions of the country to allow both young and older people the opportunity to develop their capacities to the fullest degree of their capabilities and willingness;

(15) provision of adequate recreation and cultural facilities to serve people of all income levels and residents of all regions of the country; and

(16) utilization of advance technology, systems planning, and computer sciences to provide energy, communications, and generally increased productive capacity to enable a growing population to enjoy a higher quality of life and a rising standard of living.

TITLE II—OFFICE OF BALANCED NATIONAL GROWTH AND DEVELOPMENT

ESTABLISHMENT OF OFFICE

SEC. 201. (a) There is established in the Executive Office of the President an Office of Balanced National Growth and Development (hereinafter referred to as the "Office"). There shall be in the Office a Council on Balanced National Growth and Development (hereinafter referred to as the "Council"). The Council shall be composed of the Attorney General; the Secretaries of Housing and Urban Development, Agriculture, Health, Education and Welfare, Interior, Commerce, Defense, Labor, Transportation, Treasury; and the Chairman of the Board of Governors of the Federal Reserve System; the Director of the Foundation on the American Future; the Chairman of the National Citizens Council on the American Future; the Chairman of the Domestic Council; the Director of the Office of Management and Budget; the Chairman of the Council of Economic Advisers; the Chairman of the Advisory Commission on Intergovernmental Relations; the Director of the Office of Economic Opportunity; the Administration of the Federal Energy Office; the Administrator of the General Services Administration; the Administrator of the Environmental Protection Agency; the Chairman of the Environmental Quality Council; the Chairmen of the Interstate Commerce Commission, the Federal Power Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Atomic Energy Commission; and the Director and Deputy Director of the Office.

(b) The Director and Deputy Director of the Office shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall receive compensation at the rate prescribed for level I of the Executive Schedule, title 5 of the United States Code, and the Deputy Director shall be compensated at the rate provided for level II in such schedule.

(c) All functions of the Office shall be carried out by the Director under the supervision and direction of the President and with the advice of the Council. The Deputy Director shall perform such duties as are assigned to him by the Director and during a vacancy in that position, shall act as Director.

(d) The Director of the Office is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for carrying out the functions of the Office under this Act, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and is authorized, subject to such provisions, to employ such other officers and employees as may be necessary for carrying out such functions and fix their compensation in accordance with the provisions of such chapter 51 and subchapter III of chapter 53.

(e) Section 5108(a) of title 5 of the United States Code is amended by inserting at the end thereof the following:

"(11) The Director of the Office of Balanced National Growth and Development, without regard to this chapter (except section 5114), may place a total of fifty positions in GS–16, 17, and 18."

FUNCTIONS OF THE OFFICE

SEC. 202. (a) The Office shall provide for—

(1) the policy direction and coordination of all Federal and federally assisted programs for planning and land use development, programs designed to improve human resources, programs designed to allocate resources, and programs designed to develop, allocate or conserve energy resources, within the departments and agencies of the Government designated by the President, the effectuation of such policy direction and coordination, and a system of standard definitions and common sources of data for such activities;

(2) the preparation of an annual report, to be known as the Annual Report on Balanced National Growth and Development, detailing the progress made in carrying out the provisions of this Act, and containing the President's evaluation and recommendations regarding future needs in this regard;

(3) such additional studies and analyses and such reports as the President and the Congress might require;

(4) the assessment of national needs, goals, and priorities;

(5) the evaluation of effects of present and proposed Federal tax incentives and State and local government tax policies upon the private industrial mix and location in the context of balanced national growth;

(6) the evaluation of all present and proposed Federal credit programs;

(7) the evaluation of the effects of fiscal and monetary policy and such other economic stabilization tools as may be adopted upon employment, changes in income, and the composition of economic production in the Nation and its regions;

(8) the evalution, or review of evaluation made within departments and agencies, of effectiveness of present and proposed programs, with respect to all benefits, costs, and incidence thereof;

(9) the assignment of goals, plans, and programs to departments and agencies generally;

(10) in coordination with the Office of Management and Budget, the development of three-, five-, and ten-year planned program projections;

(11) the evaluation of regional resources and human resources in relation to projected development or stabilization;

(12) the evaluation of available renewable and nonrenewable natural resources and management and conservation efforts relating thereto;

(13) the analysis of trade-offs in adoption of alternative national growth policies;

(14) the establishment of multi-State regional offices of the Office in order to obtain regional and State implementation and input regarding national goals and policies affecting the allocation of resources, the development of human resources, and environmental protection;

(15) the establishment, for purposes of coordinated planning and development, of representative multi-State regional bodies, and encouragement of the formation of representative multijurisdictions within States;

(16) the establishment, within the goals of balanced economic growth, of cooperative mechanisms, including appropriate taxation policies, grants, and other incentives, to achieve maximum participation of private industry in achieving the purpose of this Act;

(17) the establishment of national growth policies, approved by the President, which would require the Office to participate in the review of agency and departmental budgets after they are submitted to the President or the Office of Management and Budget, but before they are submitted to Congress;

(18) the establishment of a nationally coordinated multijurisdictional comprehensive planning process, including but not limited to the following activities:

(A) supervising and coordinating the activities of the Federal co-chairmen of the multi-State regional planning and development commissions provided for in section 403(b) of this Act;

(B) facilitating the use of common information and data bases for regional, State, and local comprehensive and functional planning, and for this purpose the Office shall collect, analyze, and disseminate through the multi-State regional planning and development commissions information, data, and projections concerning economic trends and location patterns; population characteristics, migration; direction and extent of urban and rural growth and change; employment and unemployment; social, educational, housing, health, recreational, cultural and welfare needs, government organization patterns and financial resources available within the States and political subdivisions thereof; and any other subjects deemed essential to the planning process;

(C) providing channels for and facilitating the continuing exchange and consideration of planning information among all Federal, multi-State, State, and local planning agencies relevant to the planning process for the purpose of periodic joint determination of mutually consistent, realistic, and attainable regional, State, and local growth policies;

(D) monitoring the growth and develop-

ment or stabilization of the regions, States, and localities, comparing planned with actual development or stabilization, and making adjustments in growth policies or in developmental activities, as may be indicated by such reviews, in order that the growth policies continue to serve as current and suitable guides for Federal, State, and local program decisions;

(E) reviewing proposals for federally aided programs and projects for consistency with the stated growth policies, in accordance with the provisions of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, section 401(A) of the Intergovernmental Cooperation Act of 1968, the Rural Development Act of 1972 and of this Act;

(F) reviewing the planning requirements of all existing and proposed Federal programs, and taking such steps as are necessary to insure that these planning requirements are compatible with the unified comprehensive planning system; and;

(G) periodically summarizing, for the use of both the President and the Congress, the current and foreseeable needs for various types of Federal assistance as indicated by the comprehensive planning system, taking into consideration, among other things, the relative priorities assigned to such assistance among the several regions, States, and districts in their respective plans; and

(18) an evaluation of the yearly funding of the Office, and the Foundation established in title X of this Act.

(b) The Office shall, as soon as practicable, prescribe such rules and regulations as may be necessary to implement its functions under this section and the other provisions of this Act.

ANNUAL REPORT ON BALANCED NATIONAL GROWTH AND DEVELOPMENT

SEC. 203. (a) The Annual Report on Balanced National Growth and Development shall include—

(1) information and statistics describing characteristics of national growth and development identifying significant national and regional trends;

(2) a summary of significant problems facing the United States as a result of population level and distribution trends and other developments affecting the quality of life of the Nation's citizenry;

(3) an evaluation of the progress and effectiveness of Federal efforts designed to meet such problems and to implement the policy and objectives of this Act;

(4) a review and evaluation of multi-State, State, and local government (including multicounty) planning and development efforts to determine the extent to which such activities are not consistent with the policy and goals described in sections 101 and 103, respectively, of this Act;

(5) appropriate projections and forecasts regarding future social, economic, environmental, and scientific developments affecting the growth and development of the Nation, stated in five-, ten-, and twenty-five-year time-frames;

(6) recommendations for policies and programs to further carry out the policy and objectives of this Act, including such legislation as may be deemed necessary and desirable;

(7) data and analyses regarding any existing or anticipated shortages of essential resources, with recommendations as to how such shortages might be minimized or avoided altogether;

(8) general plans regarding the implementation of the policy and objectives of this Act, including estimates of time and cost required to achieve them; and

(9) incorporate the reports required under title VII of the Housing and Urban Development Act of 1970, title I of the Airport and Airway Development Act of 1970, and title IX of the Agricultural Act of 1970, as amended, and other Acts where the President determines that incorporation of such reporting requirements into one single comprehensive report will lead to a better and more thorough understanding of both the individual reports and the interrelationships between and among such reports.

(b) Such annual report; and any reports supplementary thereto, shall, when transmitted be referred, through the Congressional Office of Policy and Planning, to the Joint Committee on National Growth and Development, the Joint Economic Committee, the Committees on Government Operations and Appropriations of each House and such other standing committees as the presiding officer of each House may designate.

EVALUATIONS BY THE COUNCIL OF ECONOMIC ADVISORS; THE COUNCIL ON ENVIRONMENTAL QUALITY; THE NATIONAL CITIZENS COUNCIL ON THE AMERICAN FUTURE, AND THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SEC. 204. The Council of Economic Advisors, the Council on Environmental Quality, the National Citizens Council on the American Future, and the Advisory Commission on Intergovernmental Relations shall review all new and modified growth and development policies and programs with respect to their economic, environmental, social, intergovernmental, and general impact, and report their recommendations to the Office within time limits prescribed by the Office.

TRANSFER OF CERTAIN DUTIES OF THE DOMESTIC COUNCIL TO THE OFFICE OF BALANCED NATIONAL GROWTH AND DEVELOPMENT

SEC. 205. (a) All functions of the Domestic Council related to national growth and development policy are transferred to the Office.

(b) This section shall be effective after one hundred and eighty days following the date of enactment.

CONSOLIDATION OF FEDERAL COMPREHENSIVE PLANNING ACTIVITIES AND PLANNING ASSISTANCE PROGRAMS

SEC. 206. (a) In order to facilitate the formation of the Office, the expeditious development of its activities, and the prevention of duplication and overlapping of its functions with other departments and agencies, the President shall transfer to the Office, in addition to the transfer provided for in section 502 of this Act, any units presently established in the executive branch of the Government and performing functions such as the collection, analysis, and dissemination of information; the administration of planning grants; or the review of proposals for federally aided projects or programs, or both, which, in his judgment, are sufficiently closely associated with the functions of the Office, as provided for in section 202, to warrant such transfer.

(b) Within one year of the date of enactment of this Act, the President shall report to the Congress which units and activities he proposes to transfer to the Office. Such transfers shall take effect after ninety days following such reports, unless otherwise provided by Act of Congress.

TITLE III—TRANSFER OF CERTAIN FUNCTIONS FROM OFFICE OF MANAGEMENT AND BUDGET WITH RESPECT TO REVIEW OF FEDERAL PROJECTS AND LIAISON WITH STATE AND LOCAL GOVERNMENTS

SEC. 301. (a) All functions of the Office of Management and Budget under the provisions of title IV of the Intergovernmental Cooperation Act of 1968, section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, and section 102(2)(C) of the National Environmental Policy Act of 1969 are transferred to the Office.

(b) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, used, held, available, or to be made available in connection with the functions transferred by this section as the Director of the Office determines shall be transferred to the Office.

(c) This section shall be effective after one year following the date of its enactment.

TITLE IV—MULTI-STATE REGIONAL PLANNING AND DEVELOPMENT COMMISSIONS

DECLARATION OF FINDINGS AND PURPOSE

SEC. 401. (a) The Congress finds that effective and equitable use of Federal resources in assisting the States and localities with their economic, social, and environmental needs requires a framework of policies for their growth, development, and stabilization which is consistent, realistic, and attainable. The Congress further finds that continuing and systematic consultation and joint decisionmaking among the Federal, State, and local governments is necessary to establish an appropriate policy framework and to keep it up to date, and that no administrative channels exist through which such continuing and systematic consultation and joint decisionmaking can take place. It is the purpose of this title to provide for consultation and joint decisionmaking through the establishment of multi-State regional planning and development commissions.

DETERMINATION OF REGIONAL BOUNDARIES

SEC. 402. (a) For purposes of this title the Nation shall be divided into a system of not less than eight, nor more than twelve, planning and development regions. The President is hereby authorized and directed to submit to Congress within two years after the date of enactment of this Act a report containing his recommendations concerning the number and the boundaries of such regions. Such recommendations shall be effective at the end of the first period of ninety calendar days of continuous session of Congress after the date on which the recommendations are submitted to it unless, between the date of submission and the end of the ninety-day period, either House passes a resolution stating in substance that that House does not favor the recommendations. For the purpose of this subsection—

(1) continuity of session is broken only by an adjournment of Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the ninety-day period.

(b) In determining regional boundaries, the President shall take into consideration recommendations made by State and local governments. He shall also take into consideration the following criteria to the maximum extent feasible:

(1) adherence to State boundaries, unless individually affected States determine otherwise;

(2) adherence to Federal executive administrative regional boundaries;

(3) inclusion of entire metropolitan areas and multi-county development districts; and

(4) inclusion of interstate areas with common economic, social, or environmental problems requiring joint effort on the part of Federal, State, and local governments.

ESTABLISHMENT OF MULTI-STATE REGIONAL PLANNING AND DEVELOPMENT COMMISSIONS

SEC. 403. (a) For each region designated pursuant to section 402, there shall be established a multi-State regional planning and development commission. Recommendations concerning the establishment of each commission shall be made by the President to Congress with the concurrence of the Governor of each State included in the region based upon an Act of the legislature of that State. The President is authorized and directed to declare the establishment of each

commission upon the approval thereof by concurrent resolution of the Congress.

(b) Each regional planning and development commission shall consist of the Governor and a State legislator, the latter of whom shall be selected by the legislature of each State included in whole or in part in the region, and a representative of the Office, who shall be appointed by the President by and with the advice and consent of the Senate. Such representative shall serve as Federal Co-Chairman, and a governor elected initially by a commission shall serve as State co-chairman. The term of the State co-chairman shall be one year, with terms provided for each of the States represented in succession.

(c) The Federal Co-Chairman shall be responsible to the President through the Office. He shall also serve, wherever practicable, as the Executive Director of the Federal Executive Administrative region within which the multi-State regional planning and development commission operates. He also shall maintain direct contact as appropriate with all regional and other offices of Federal agencies having grant-in-aid or other programs, or activities that may affect the growth and development within the region. Each Federal Co-Chairman shall be informed by each Federal department or agency of every grant, or agreement involving Federal funds made within the region. Such notice to each Federal Co-Chairman shall be given no later than the date of awarding such grant or assistance to the recipient.

(d) In addition to the Governor and a State legislator, each State shall have two State representatives, one representing the Governor and one representing the State legislature to be concerned full-time with commission activity, and who shall have authority to act as State members and to cast the State votes in the absence of the legislator and the Governor. Such State representatives and their staffs shall be supported by State funds.

(e) Each regional planning and development commission shall have an executive director, who shall serve as the general manager of the commission's program. He shall carry out his duties under the general direction of the commission, and on a day-to-day basis under the direction of the executive committee established in subsection (f).

(f) Each regional planning and development commission shall have an executive committee consisting of the Federal Co-Chairman, the State representatives of the State whose Governor and legislator are currently serving as State co-chairmen voting, and the executive director nonvoting. The executive committee shall be responsible to the commission for overall policy and management of the program.

(g) Commission decisions shall be determined by vote of the members. All decisions shall require affirmative votes by at least a majority of the States represented including the Governor and the legislator of each State affected by the decision.

(h) For the period ending on June 30 of the second full Federal fiscal year following the date of establishment of a commission, the administrative expenses of each commission as approved by the Office shall be paid by the Federal Government. Thereafter, not to exceed 50 per centum of such expenses shall be paid by the Federal Government. In determining the amount of the non-Federal share of such costs or expenses, the Office shall give due consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services.

FUNCTIONS

SEC. 404. (a) The functions of the multi-State regional planning and development commissions shall include, but not be limited to the following:

(1) establishing systems of policy formulation and planning in coordination with Federal and State governments and organizations of government officials;

(2) serving as coordinators of State comprehensive plans, including taking such steps as are necessary to assure the compatibility of such plans with each other;

(3) being responsible for interstate planning;

(4) cooperating with each other, and to the extent possible, maintaining interregional compatibility in policy and plan formulation and recommendations;

(5) serving as major continuing contributors to the formulation of national growth and development policies;

(6) advising the President through the Office of the most effective way in which to use Federal resources in the region in relation to the goals, strategies, and priorities developed through the planning system; and

(7) providing assurance that regional plans and developments are not inconsistent with balanced national growth and development policies.

(b) In order to achieve the purposes set forth in subsection (a) each multi-State regional planning and development commission shall—

(1) foster and undertake such studies of regional resources and problems as are essential to the policy and planning process;

(2) undertake a program of information exchange with the Federal Government, with other regional commissions, and with the States and districts within its own region;

(3) maintain a continuing study of the adequacy of administrative and statutory means for the coordination of plans and programs of the different Federal, State, district and local governments, agencies, and organizations of government officials; and

(4) establish an educational and research effort to assist State and local governments in improving the skills and proficiency of their officials and staff in the management and administration of Government and public services.

ADMINISTRATIVE POWERS

SEC. 405. (a) Each regional commission shall establish, after consultation with other interested entities, both Federal and non-Federal, principles, standards, and procedures for participants in the preparation, coordination, and implementation of comprehensive regional plans.

(b) To carry out its duties under this title, each regional commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions;

(2) appoint and fix the compensation of the executive director and such other personnel as may be necessary to enable the commission to carry out its functions, and no member, alternate, officer, or employee of such commission, other than the Federal Co-Chairman on the commission and his staff, and Federal employees detailed to the commission under clause (3) shall be deemed a Federal employee for any purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the commission such personnel within his administrative jurisdiction as the commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status;

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency;

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel, and the Civil Service Commission of the United States is authorized to contract with such commission for continued coverage of its personnel, and the Civil Service Commission of the United States is authorized to contract with such commission for continued coverage of commission employees, who at date of commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government;

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible, or intangible;

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation;

(8) maintain an office in the District of Columbia and establish field offices at such other places as it may deem appropriate; and

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

(c) In order to obtain information needed to carry out its duties, each regional commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute as much of its procedings and reports thereon as it may deem advisable, a co-chairman of such commission, or any member of the commission designated by the commission for the purpose, being hereby authorized to administer oaths when it is determined by the commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized, to the extent not otherwise prohibited by law) to furnish to such commission such information as may be available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection.

(d) Each regional commission may establish, and is encouraged to establish, a multi-State citizen's council in accordance with provisions specified in subsections (c), (d), and (e) of section 706 of title VII of this Act.

(e) The executive director of each regional commission shall, with the concurrence of the executive committee, appoint the personnel employed by such commission, and shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission.

ADJUSTMENTS OF BOUNDARIES OF ESTABLISHED REGIONAL COMMISSIONS

SEC. 406. (a) The Congress hereby authorizes and directs the President to adjust the operation, the administrative framework, and geographical boundaries of the multi-State regional development commissions authorized under title V of the Public Works and Economic Development Act of 1965 to conform to the operation, administrative, and geographical boundary framework provided under this title within one year after the recommendations submitted by the

President under section 402(a) of this Act become effective.

(b) The Appalachian Regional Commission, authorized by the Appalachian Regional Development Act of 1965 is hereby authorized and directed to adjust its operations to conform with sections 403 (b), (c), (d), (f), and (g) of this Act within one year after the recommendations submitted by the President under section 402(a) of this Act have become effective. It is further provided, upon the date of enactment of this Act, that no new counties will be authorized to join or become a part of the existing Appalachian Regional Commission.

(c) The President, in carrying out his responsibilities under section 402(a) of this Act, shall also include recommendations concerning what further adjustments and changes should be considered by Congress in making the operation of the Appalachian Regional Commission more consistent with the legal, administrative, and geographical boundary framework of the multi-State planning and development regional commissions provided for under this Act.

UTILIZATION OF ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SEC. 407. (a) Pursuant to the objectives of this Act, the Director of the Advisory Commission on Intergovernmental Relations is hereby authorized and directed to make available to any of the multi-State regional planning and development commissions established under this Act such services and assistance by the Advisory Commission on Intergovernmental Relations as may be appropriate and feasible.

(b) The foregoing services and assistance to any multi-State regional planning and development commission shall include all of the services and assistance which the Advisory Commission on Intergovernmental Relations is presently authorized by law to provide.

(c) Nothing in this section shall alter or modify any services or responsibilities, other than those performed for any multi-State regional planning and development commission, which the Advisory Commission on Intergovernmental Relations under law performs for or on behalf of the Congress, the executive branch, or other parties.

The Director of the Advisory Commission on Intergovernmental Relations is, however, authorized to establish within its organization such additional divisions, groups, or other organization entities as may be necessary to carry out the objectives of this Act.

(d) Services and assistance made available to any multi-State regional planning and development commission by the Advisory Commission on Intergovernmental Relations in accordance with this section may be provided with or without reimbursement from funds of any multi-State regional planning and development commission, as agreed upon by the chairman of any individual multi-State regional planning and development commission and the Director of the Advisory Commission on Intergovernmental Relations.

APPROPRIATIONS AUTHORIZED

SEC. 408. There is hereby authorized to be appropriated for the expenses of this title the sum of $10,000,000 for the fiscal year 1975, and the sum of $20,000,000 for each fiscal year thereafter. All moneys appropriated under this section shall remain available until expended.

TITLE V—COMPREHENSIVE PLANNING ASSISTANCE

DECLARATION OF FINDINGS AND PURPOSE

SEC. 501. The Congress finds that full participation by State and local governments is essential to the unified Federal-State-local comprehensive planning system provided for in this Act; that full participation by State and local governments will place additional burdens both on their planning agencies, and on their general legislative and administrative decisionmaking processes; and that to insure the successful establishment and operation of the system, assistance to offset in part the additional costs attributable to such participation should be made available by the Federal Government. The Congress further finds that such assistance should be coordinated with other planning assistance provided under section 701 of the Housing Act of 1954 as amended (82 Stat. 526; 40 U.S.C. 461); that to insure such coordination, all comprehensive planning activities authorized by that Act should be administrated by the Office; and that to achieve maximum interprogram coordination on the State and local level, as well as to eliminate duplication of effort, service agreements with State, district, and local comprehensive planning agencies should be authorized as an allowable expense in all Federal assistance programs. The purpose of this title is to transfer activities under section 701 of the Housing Act of 1954, as amended, to the Office; to provide for planning growth in furtherance of the unified comprehensive planning system; and to provide for the use of other Federal grant funds for service agreements with comprehensive planning agencies.

TRANSFER OF COMPREHENSIVE PLANNING ASSISTANCE PROGRAM TO THE OFFICE

SEC. 502. (a) The President shall transfer the administration of the planning assistance program provided for in section 701 of the Housing Act of 1954, as amended, from the Secretary of Housing and Urban Development to the Office, except for such funds and personnel as he finds to be needed to continue grants for functional planning where such planning is a requirement for other programs of Federal assistance administered by the Secretary.

(b) In order to insure that such planning assistance program is administered with maximum effectiveness, and is adequately funded, the President shall review the program and submit a report to Congress not later than twelve months after the date of enactment of this Act, setting forth his views and recommendations concerning the future of the program. The report shall include, but not be limited to, (1) the possibility of administering such program through the regional planning and development commissions established under title IV of this Act; and (2) current and foreseeable funding needs.

(c) There is hereby authorized to be appropriated the sum of $____ for the fiscal year 1975 and the sum of $____ each fiscal year thereafter, which funds shall be used specifically for the purposes set forth in subsection (j) of section 701 of the Housing Act of 1954, as amended. All funds appropriated shall remain available to the Office until they are expended.

(d) It is the intent of Congress that, consistent with the nature of a unified, comprehensive planning system, only one agency in a State or a district shall be eligible to receive a grant for statewide or districtwide comprehensive planning as designated by Governors or by State law. All other agencies eligible for comprehensive planning grants under subsection (a)(1) of section 701 of the Housing Act of 1954, as amended, and consistent with this intent shall continue to be eligible for such grants.

PLANNING SERVICE AGREEMENTS

SEC. 503. (a) In order to achieve a high level of interprogram coordination and to eliminate duplication of effort in the development of basic planning data and information, any State, regional, or local governmental agency administering or receiving funds under any Federal assistance program, may, notwithstanding any other provision of law, enter into agreements with comprehensive planning agencies for the provision of services. Such agreements may provide for payments to a comprehensive planning agency (1) in support of comprehensive planning and coordination activities; (2) for planning review and advice, technical assistance, and consultation; (3) for the provision of basic and supporting planning and development information; and (4) for other similar services facilitating the efficient administration of such Federal assistance program.

(b) The head of any Federal department or agency administering a Federal assistance program under which an agreement is made as provided in subsection (a), may approve the expenditure of functional planning funds granted under the program for payments to a comprehensive planning agency for services under the agreement under such conditions as he may deem necessary and desirable.

TITLE VI—UNIFORM PLANNING AND REQUIREMENTS FOR GRANT-IN-AID PROGRAMS

DECLARATIONS OF FINDINGS AND PURPOSE

SEC. 601. (a)(1) The Congress finds that the rapid increase in the number of Federal grant-in-aid programs has been accompanied by a comparable increase in planning requirements for such programs. These planning requirements lack uniformity, frequently fail to define clearly comprehensive or functional planning, or to identify the jurisdiction responsible for planning, and may result in a variety of overlapping and inconsistent activities related to the gathering and analysis of data.

(2) The Congress further finds that while sound, coordinated and consistent comprehensive and functional planning is essential to the accomplishment of national objectives through grant-in-aid programs, the present overlapping and inconsistent requirements limit the accomplishment of this objective.

(b) It is the purpose of this title to eliminate inconsistent and overlapping grant requirements by providing a method of identifying growth and development policy and by establishing a basis for the use of common data and information.

USE OF COMMON POLICY AND PLANNING INFORMATION

SEC. 602. Federal departments and agencies administering grant programs which require comprehensive or functional planning or require conformity to existing planning as a condition to making the grants shall require (1) that such planning be consistent with policies for regional, State, and district growth, and development which have been established by Regional Planning and Development Commissions; and (2) that such planning, unless specifically excepted, utilize the same geographic areas, time periods, social, economic, demographic and other base data, statistics and projections as are being used by the Regional Commissions, States and districts for comprehensive planning pursuant to section 404 of this Act.

STATUTORY REVISION

SEC. 603. In order to clarify further the problem of establishing uniform planning requirements for grant-in-aid programs, the President is authorized and directed to report to Congress within two years after the date of enactment of this Act on the extent and nature of inconsistencies in such requirements, and to present recommendations for revisions in the statutes establishing such grant-in-aid programs which will bring the requirements into conformity with each other.

TITLE VII—NATIONAL CITIZENS' COUNCIL ON THE AMERICAN FUTURE

ESTABLISHMENT

SEC. 701. (a) There is established a National Citizens Council on The American Future (hereinafter referred to as the "Citizens Council"). The Citizens Council shall

be composed of fifteen members consisting of (1) five members appointed by the President pro tempore of the Senate, (2) five members appointed by the Speaker of the House of Representatives, and (3) five members appointed by the President of the United States. Not more than two of the five members appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives, or the President shall be elected public official or Federal employees. Appointments shall be made with consideration to geographic, racial, occupational, sex, age, and income-class representation.

(b) The Citizens Council shall select a Chairman and a Vice Chairman from among its members.

(c) Eight members of the Citizens Council shall constitute a quorum.

(d) Any vacancies in the Citizens Council shall not affect its powers, but shall be filed in the same manner as the original appointment.

DUTIES

SEC. 702. (a) The Citizens Council shall advise the Office and Congress in the formulation, evaluation, and implementation of national growth policies and in carrying out its other activities pursuant to this Act.

(b) The Citizens Council also shall advise the Foundation on the American Future in carrying out its functions.

(c) The Citizens Council shall submit an annual report to the Joint Congressional Committee on National Growth and Development through the Congressional Office of Policy and Planning established pursuant to title VIII of this Act. Such report shall contain a review of the Citizens Councils' activities and its recommendations.

COMPENSATION OF MEMBERS

SEC. 703. Members of the Citizens Council shall receive no compensation for their services as such members, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles) and a per diem allowance in lieu of subsistence not to exceed the rates prescribed in sections 5702 and 5704 of title 5, United States Code, and other necessary expenses incurred by them in the performance of duties vested in the Citizens Council, without regard to the provisions of subchapter I, chapter 57 of title 5, United States Code, the standardized Government travel regulations, or section 5731 of title 5, United States Code.

ADMINISTRATIVE POWERS

SEC. 704. (a) (1) The Citizens Council, or at its direction any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings, sit and act at such times and places, administer such oaths, and require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Citizens Council or such subcommittee or member may deem advisable. Any member of the Citizens Council may administer oaths or affirmations to witnesses appearing before the Citizens Council or before such subcommittee or member. Subpenas may be issued under the signature of the Chairman or Vice Chairman and may be served by any person designated by the Chairman or the Vice Chairman.

(2) In the case of the contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection by any person who resides, is found, or transacts business within the jurisdiction of any district court of the United States, such court, upon application made by the Attorney General of the United States, shall have jurisdiction to issue to such person an order requiring such person to appear before the Citizens Council or a subcommittee or member thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by the court as a contempt thereof.

(b) The Citizens Council is authorized to acquire directly from the head of any Federal department or agency information deemed useful in the discharge of its duties. All departments and agencies of the Government are hereby authorized and directed to cooperate with the Citizens Council and to furnish all information requested by the Citizens Council to the extent permitted by law. All such requests shall be made by or in the name of the Chairman or Vice Chairman of the Citizens Council.

(c) The Citizens Council shall have power to appoint and fix the compensation of such personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual shall receive compensation at a rate in excess of the maximum rate authorized by the General Schedule. In addition, the Citizens Council may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not in excess of that provided for Grade 18 in such General Schedule.

(d) The Citizens Council is authorized to negotiate and enter into contracts with private organizations and educational institutions to carry out such studies and prepare such reports as the Citizens Council determines are necessary in order to carry out its duties.

UTILIZATION OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, THE FOUNDATION ON THE AMERICAN FUTURE AND OTHER GOVERNMENT DEPARTMENTS AND AGENCIES

SEC. 705. (a) Pursuant to the objectives of this Act, the Director of the Advisory Commission on Intergovernmental Relations and the Director of the Foundation on the American Future are authorized to make available to the Citizens Council such services and assistance as may be appropriate and feasible.

(b) The foregoing services and assistance to the Citizens Council shall include all of the services and assistance which the Advisory Commission on Intergovernmental Relations is now by law authorized to provide and which are authorized by this Act for the Foundation on the American Future.

(c) Nothing in this section shall alter or modify any services or responsibilities other than those performed for the Citizens Council, which the Advisory Commission on Intergovernmental Relations or the Foundation on the American Future either under law or under this Act performs for or on behalf of either the legislative or executive branches of Government. The Director of the Advisory Commission on Intergovernmental Relations and the Director of the Foundation on the American Future are, however, authorized to establish within their organizational structure such additional divisions, groups, or other organization entities as may be necessary to carry out the objectives of this Act.

(d) Services and assistance made available to the Citizens Council by either the Foundations or the Commission, or by any department or agency of the Government, which also is hereby authorized by this Act, which is in accordance with this section may be provided with or without reimbursement from funds of the Citizens Council as may be agreed upon between the Chairman or Vice Chairman of the Citizens Council and the Foundation, Commission, Department, or Agency.

FORMATION OF MULTISTATE AND STATE CITIZENS COUNCILS

SEC. 706. (a) The Office shall encourage and assist in the formation of multistate and State citizens councils or the purpose of advising any Regional Planning and Development Commission established under title IV of this Act and governments and industry with respect to multistate or State planning and development.

(b) The Office may fund the operation of any multistate or State citizens council up to, but not to exceed 90 percentum of the operating costs of such council.

(c) Any mulitstate citizens council established under this section shall be established based upon geographic boundaries which are coterminous with any Regional Commission established under title IV of this Act.

(d) The formation of any multistate citizens council provided for under this section shall be initiated by a majority vote of the members of the Regional Planning and Development Commission for the multistate region within which such citizens council is to operate.

(e) The membership, organizational structure, duties, and powers of any multistate citizens council established under this section may be similar to, but not necessarily limited to, those provided for under this Act for the National Citizens Council on the American Future, *Provided, that*: Any such multistate citizens council's membership, organizational structure, duties, and powers shall be limited to the multistate region within which it is organized and serves.

(f) The formation of any State citizens council under this section shall be initiated by the Governor of the State, with the concurrence of the State legislature. The membership, organizational structure, duties, and powers of any such State citizens council shall be determined by State law.

(g) The Office on any multistate regional planning and development commission may delegate the review and evaluation of federally-assisted planning and development programs to such multistate and State councils and such other functions as they may deem appropriate.

TITLE VIII—JOINT CONGRESSIONAL COMMITTEE ON BALANCED NATIONAL GROWTH AND DEVELOPMENT AND CONGRESSIONAL OFFICE ON POLICY AND PLANNING

ESTABLISHMENT OF JOINT COMMITTEE

SEC. 801. (a) There is established a joint committee of the Congress to be known as the Joint Committee on Balanced National Growth and Development.

(b) The membership of the joint committee shall consist of the chairman, or his designee, of each of the following committees of the Senate:

(1) Aeronautics and Space Sciences;
(2) Agriculture and Forestry;
(3) Appropriations;
(4) Armed Services;
(5) Banking, Housing, and Urban Affairs;
(6) Commerce;
(7) Finance;
(8) Government Operations;
(9) Interior;
(10) Labor and Public Welfare;
(11) Public Works;
(12) Veterans' Affairs; and,

each of the following committees of the House of Representatives:

(1) Agriculture;
(2) Appropriations;
(3) Armed Services;
(4) Banking and Currency;
(5) Education and Labor;
(6) Government Operations;

(7) Interior;
(8) Interstate and Foreign Commerce;
(9) Public Works;
(10) Science and Astronautics;
(11) Veterans Affairs;
(12) Ways and Means; and,

each of the following Joint Committees of the Congress:

(1) Joint Committee on Atomic Energy, and

(2) Joint Economic Committee; and

the ranking minority member, or his designee, of each of the aforementioned committees of the Senate and the House of Representatives numbered 1, 3, 5, 7, 9, and 11 during each odd numbered Congress, and of each of such committees numbered 2, 4, 6, 8, 10, and 12 during each even numbered Congress and of the aforementioned joint committee numbered 1 during each odd numbered Congress and of such joint committee numbered 2 during each even numbered Congress.

(c) The chairman of the joint committee shall be designated from among its members by the President pro tempore of the Senate in each even numbered Congress and by the Speaker of the House of Representatives in each odd numbered Congress.

(d) A majority of the members of the joint committee shall constitute a quorum thereof for the transaction of business, except that the joint committee may fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the joint committee shall not affect the authority of the remaining members to execute the functions of the joint committee.

(e) The committee may formulate and refer to the appropriate legislative committees of the Congress for their consideration such proposals or recommendations as will promote the purposes of this Act.

(f) No legislative measure shall be referred to the joint committee, and it shall have no authority to report any such measure to the Senate or the House.

(g) Each committee of the Congress to which the joint committee refers a proposal or recommendation shall endeavor to assure that such proposal or recommendation receives prompt consideration.

(h) The joint committee shall direct the activities of the Congressional Office of Policy and Planning established by section 803 of this Act.

ADMINISTRATIVE POWERS

SEC. 802. (a) (1) The Joint Committee on National Growth and Development, or any subcommittee thereof, is authorized, in its discretion (A) to make expenditures, (B) to employ personnel, (C) to adopt rules respecting its organization and procedures, (D) to hold hearings, (E) to sit and act at any time or place, (F) to subpena witnesses and documents, (G) with the prior consent of the Federal department or agency concerned, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (H) to procure printing and binding, (I) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, and to provide assistance for the training of its professional staff, in the same manner and under the same conditions as a standing committee of the Senate may procure such services and provide such assistance under subsections (1) and (j), respectively, of section 202 of the Legislative Reorganization Act of 1946, and (J) to take depositions and other testimony.

(2) Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or the joint committee, and may be served by such person as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of sections 102–104 of the Revised Statutes (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this subsection.

(b) With the consent of any standing, select, or special committee of the Senate or House, or any subcommittee thereof, the joint committee may utilize the services of any staff member of such House or Senate committee or subcommittee whenever the chairman of the joint committee determines that such services are necessary and appropriate.

(c) The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee authorized by the chairman.

(d) Members of the joint committee, and its personnel, exports, and consultants, while traveling on official business for the joint committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses if an itemized statement of such expenses is attached to the voucher.

ESTABLISHMENT OF CONGRESSIONAL OFFICE OF POLICY AND PLANNING

SEC. 803. (a) There is established a Congressional Office of Policy and Planning (hereinafter referred to as the "Congressional Office"), which shall conduct a continuing, non-partisan analysis of national goals, priorities, and urban, rural, and national growth policies and shall provide the Congress with the information, data, and analyses necessary for enlightened decisions with respect to such matters.

(b) There shall be in the Congressional Office a director and deputy director, each of whom shall be appointed jointly by the President pro tempore of the Senate and the Speaker of the House of Representatives. The Congressional Office shall have a seal adopted by the Director. The Deputy Director shall perform such duties as may be assigned to him by the Director, and during a vacancy in that position, shall act as the Director.

(c) The annual compensation of the Director shall be equal to the annual compensation of the Comptroller General of the United States. The annual compensation of the Deputy Director shall be equal to that of the Assistant Comptroller General of the United States.

(d) The terms of office of the Director and the Deputy Director first appointed shall expire on January 31, 1976. The terms of office of Directors and Deputy Directors subsequently appointed shall expire on January 31 every four years thereafter.

(e) The Director or Deputy Director may be removed at any time by a resolution of the Senate or the House of Representatives. A vacancy occurring during the term of the Director or Deputy Director shall be filled by appointment, as provided in this section, for the remainder of the unexpired term.

FUNCTIONS

SEC. 804. In carrying out the general purpose expressed in section 803(a), the Congressional Office shall—

(a) make such studies as it deems necessary for the purpose of this Act with primary emphasis on supplying such analysis as will be most useful to the Congress in voting on the measures and appropriations which come before it, and on providing the framework and over-view of priority and growth policy considerations within which a meaningful consideration of individual measures can be undertaken;

(b) maintain a continuing review of the activities of the Office, the National Citizens Council on the American Future, and the Foundation on the American Future; and

(c) review the implementation of all legislation relating to national policy, planning and development, growth, and national goals and priorities, conduct studies in areas which will promote the purpose of this Act, and request the Foundation on the American Future, the Agency for Population and Demographic Analysis through the Secretary of Commerce, the National Citizens Council on the American Future, and the Advisory Commission on Intergovernmental Relations to make such studies as will promote the purposes of this Act;

(d) submit to the Congress on the first day of March of each year a "Balanced National Goals, Priorities, and Growth Policy Report." The report shall include, but not be limited to—

(1) an analysis, in terms of national goals, priorities, and growth policies, of the annual budget submitted by the President and the Economic Report of the President;

(2) an analysis of the President's Balanced National Growth and Development Report following its submission to Congress each year;

(3) an examination of resources available to the Nation, the foreseeable costs and expected benefits of existing and proposed Federal programs, and the resource and cost implications of alternative sets of national goals, priorities, and growth policies, and

(4) recommendations concerning pending priorities among Federal programs and courses of action, including the identification of those programs and courses of action which should be given greatest priority and those which could more properly be deferred.

(e) in addition to the "Balanced National Goals, Priorities, and Growth Policy Report" and other reports and studies which the Congressional Office submits to the Congress, the Congressional Office shall provide upon request to any committee or Member of the Congress further information, data, or analyses relevant to an informed determination of national goals, priorities, and growth policies.

UTILIZATION OF THE LIBRARY OF CONGRESS

SEC. 805. (a) Pursuant to the objectives of this Act, the Librarian of Congress is authorized to make available to the Congressional Office such services and assistance by the Congressional Research Service as may be appropriate and feasible.

(b) The foregoing services and assistance to the Congressional Office shall include all of the services and assistance which the Congressional Research Service is presently authorized to provide to the Congress.

(c) Nothing in this section shall alter or modify any services or responsibilities, other than those performed for the Congressional Office which the Congressional Research Service under law performs for or on behalf of the Congress. The Librarian is, however, authorized to establish within the Congressional Research Service such additional divisions, groups, or other organization entities as may be necessary to carry out the objectives of this Act.

(d) Services and assistance made available to the Congressional Office by the Congressional Research Service in accordance with this section may be provided with or without reimbursement from funds of the Congressional Office, as agreed upon by the Director of the Congressional Office and the Librarian of Congress.

UTILIZATION OF THE FOUNDATION OF THE AMERICAN FUTURE

SEC. 806. (a) Pursuant to the objectives of this Act, the Director of the Foundation on the American Future in this section (hereinafter referred to as the "Foundation") is authorized to make available to the Con-

gressional Office such services and assistance by the Foundation as may be appropriate and feasible.

(b) The foregoing services and assistance to the Congressional Office shall include all of the services and assistance which the Foundation is authorized to provide by this Act.

(c) Nothing in this section shall alter or modify any services or responsibilities, other than those performed for the Congressional Office, which the Foundation under this Act is authorized to perform for or on behalf of itself, the Executive or the Congress. The Director is, however, authorized to establish *within the* Foundation, such additional divisions, groups, or other organizational entities as may be necessary to carry out the objectives of this Act.

(d) Services and assistance made available to the Congressional Office by the Foundation in accordance with this section may be provided with or without reimbursement from funds of the Congressional Office, as agreed upon by the Director of the Congressional Office and the Director of the Foundation.

COORDINATION WITH THE OFFICE OF TECHNOLOGY ASSESSMENT

SEC. 807. (a) The Congressional Office shall maintain a continuing and close liaison with the Office of Technology Assessment with respect to—

(1) activities, studies, policies, grants, and contracts formulated or initiated by the Office of Technology Assessment which are for the purpose of assessing the impact of technology on the future growth and development of the United States and on the future quality of life of its citizens; and

(2) the promotion of coordination in areas affecting the formulation of a balanced national growth and development policy for the United States and the avoidance of unnecessary duplication or overlapping of research activities in the development of such a policy or program or activities designed to implement such a policy.

(b) Section 3(d) of the Technology Assessment Act of 1972 (Public Law 92–484) is amended by striking items (2) and (3) under that subsection and inserting in lieu thereof the following:

"(2) the Director of the Congressional Office of Policy and Planning; (3) the Board; or (4) the Director, in consultation with the Board."

COORDINATION WITH THE NATIONAL SCIENCE FOUNDATION

SEC. 808. (a) The Congressional Office shall maintain a continuing liaison with the National Science Foundation with respect to—

(1) grants and contracts formulated or activated by the National Science Foundation which are for purposes of understanding, assessing, or determining the impact that certain social, environmental, economic, or scientific developments may have on the future growth and development of the United States and on the future quality of life of its citizens; and

(2) the promotion of coordination of a balanced national growth and development policy in the United States and the avoidance of unnecessary duplication or overlapping of research activities in the development of such a policy or programs or activities designed to implement such a policy.

(b) Section 3(b) of the National Science Foundation Act of 1950, as amended, is amended further by inserting "The Congressional Office of Policy and Planning and the Foundation on the American Future," immediately following the phrase "Office of Technology Assessment."

ADMINISTRATIVE POWERS OF THE CONGRESSIONAL OFFICE

SEC. 809. (a) In the performance of its functions under this title, the Congressional Office is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of the operations of the Congressional Office;

(2) to employ and fix the compensation of such employees, and purchase or otherwise acquire such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the Congressional Office and as may be appropriated for by Congress;

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed that provided for Grade 18 of the General Schedule in such title; and

(4) to use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed, to the extent permitted by law, to furnish to the Congressional Office, upon request, made by the Director, such information as the Director considers necessary to carry out the functions of the Congressional Office.

(c) Section 2107 of title 5, United States Code, is amended by—

(1) striking out "and" at the end of paragraph (8);

(2) striking the period at the end of paragraph (9) and inserting in lieu thereof a semicolon and the word "and"; and

(3) adding at the end thereof the following new paragraph:

"(9) the Director, Deputy Director, and employees of the Congressional Office of Policy and Planning."

UTILIZATION OF THE GENERAL ACCOUNTING OFFICE

SEC. 810. (a) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) and such other services as may be appropriate may be provided by the General Accounting Office.

(b) Such services and assistance to the Congressional Office may include, but not be limited to, all of the services and assistance which the General Accounting Office is otherwise authorized to provide to the Congress.

(c) Nothing in this section shall alter or modify any services or responsibilities, other than those performed for the Congressional Office, which the General Accounting Office under law performs for or on behalf of the Congress.

(d) Services and assistance made available to the Congressional Office by the General Accounting Office in accordance with this section may be provided with or without reimbursement from funds of the Congressional Office, as agreed upon by the Director of the Congressional Office and the Comptroller General.

TITLE IX—REQUIREMENTS WITH RESPECT TO THE LOCATION IMPACT OF FEDERAL FACILITIES, ACTIVITIES, AND FEDERAL PROCUREMENT

LOCATION OF FEDERAL FACILITIES AND ACTIVITIES

SEC. 901. (a) The Congress authorizes and directs that to the fullest extent possible:

(1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and

(2) all departments and agencies of the Federal Government shall include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the growth of the United States a detailed statement by the responsible official on—

(A) the population distribution impact of such proposed action as to—

(i) the necessary additional supportive human services required to support such action;

(ii) the cost of such action;

(iii) the time implementation of both the action and the supportive services;

(iv) the economic and social cost effects on the population; and

(v) the positive and adverse effects on scale, services, environment, life style, employment opportunities, and on the general quality of life of the people affected by such action;

(B) alternatives to the proposed action which are not inconsistent with national growth and development policy; and

(C) any irreversible and irretrievable commitment of resources which would be involved if the proposed action should be implemented.

(b) Each department or agency of the Federal Government shall, prior to the location or construction of any new, or relocation of any existing, Federal facility, structure, or installation, or the initiation of any activity which will have any economic or environmental impact, file a report with the Office with respect to—

(1) its consistency with balanced national growth and development policies;

(2) its regional and local environmental impact;

(3) its national, regional, and local economic impact;

(4) its general effect on balanced regional development; and

(5) the Federal capital and operating costs involved.

(c) The Office through its multistate regional representative shall give prompt consideration to such reports, and may recommend disapproval of such facility or activity, and the reasons therefor, to the head of the department or agency submitting such report and to the Administrator of the General Services Administration. Any such recommendation shall also be submitted to the President, and the Joint Committee on Balanced National Growth and Development through the Congressional Offices on Policy and Planning. No such action shall go into effect until it has been specifically approved by the President.

(d) The Office shall promulgate such rules and regulations as it determines to be necessary for the effective implementation of section 901(b) of title IX of the Agricultural Act of 1970 as amended.

(e) The provisions of this section shall be effective on such date as is established in regulations prescribed by the Office for the purposes of this section.

FEDERAL PROCUREMENT POLICIES

SEC. 902. (a) The Office shall promulgate through the Office of Management and Budget in the Office of the President, such regulations as are necessary to assure that in all procurement costing in excess of prescribed amounts by Federal departments and agencies, including the award of contracts for research or development, and in any cooperative agreement signed between the Federal Government and State or local government, or with private profit, or nonprofit entities, proper consideration is given to—

(1) balanced national growth and development policies;

(2) environmental impact;

(3) balanced regional development;

(4) Federal cost; and

(5) State and local economic and social impact.

Such regulations shall provide for the use of alternative sources in such procurement, if costs are not excessive in order to promote the purposes of this Act, and shall establish criteria for determining all considerations for the purpose of this section. In applying the provisions of this section to the award of research and development contracts

and in applying cooperative agreements, due considerations shall be given to the balanced national growth purpose to be served.

(b) Regulations pursuant to this section shall not be promulgated until proposals therefor have been submitted to the Joint Committee on Balanced National Growth and Development through the Congressional Office with an adequate time, not to exceed 90 days, for such committee to consider such proposals prior to promulgation.

TITLE X—FOUNDATION ON THE AMERICAN FUTURE

ESTABLISHMENT OF FOUNDATION

SEC. 1001. (a) There is established an independent agency of the Federal Government to be known as the Foundation on the American Future (hereinafter in this title referred to as the Foundation).

(b) The Foundation shall be subject to the supervision and direction of a Board of Trustees. The Board shall be composed of nineteen members, nine of whom shall be appointed by the President by and with the advice and consent of the Senate, two of whom shall be appointed by the President pro tempore of the Senate, two of whom shall be appointed by the Speaker of the House. The nine members appointed by the President shall be appointed from among individuals who are engaged in educational, research, or other scholarly or scientific activity relating to developments (economic, environmental, demographic, or social) affecting the quality of life in the United States, and the two members appointed by the President pro tempore of the Senate and the two members appointed by the Speaker of the House shall be appointed from among individuals from the general public and who by virtue of their residence, interest, or vocation, are specially qualified to serve on the Board. In making these appointments, the President, the President pro tempore of the Senate and the Speaker of the House are requested to give due consideration to the appointment of individuals who, collectively, will provide appropriate regional, interest, organization, age, sex, and political balance on the board.

(c) The term of office of each appointed trustee of the Foundation shall be six years; except that (1) the members first taking office appointed by the President shall serve as designated by him, five for terms of two years and four for terms of four years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member may serve for a period in excess of eight years.

(d) Members of the Board who are not regular full-time employees of the United States shall, while serving on business of the Foundation, be entitled to receive compensation at rates fixed by the President, but not exceeding the rate prescribed for GS–18 of the General Schedule under title 5 of the United States Code, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistance, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The Director of the Office, the Director of the Congressional Office, the Director of the Office of Technology Assessment, the Director of the National Science Foundation, the Chairman of the National Citizens Council, and the Chairman of the Advisory Commission in Intergovernmental Relations shall serve as regular members of the Board, but none of whom shall be permitted to serve as Chairman or Vice Chairman of the Board.

(f) The Vice President shall call the first meeting of the Board, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve one year after the date of their appointment. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect an individual from among the members of the Board to fill such vacancy.

(g)(1) A majority of the trustees of the Foundation shall constitute a quorum.

(2) The Board shall meet at least four times a year.

OFFICERS

SEC. 1002. There shall be a Director and a Deputy Director of the Foundation who shall be appointed by the Board. Under the direction of the Board, the Director shall be responsible for carrying out the functions of the Foundation, and shall have authority and control over all personnel and activities thereof. The Deputy Director shall perform such functions as the Director, with the approval of the Foundation, may prescribe, and be acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director. The Director and the Deputy Director shall each serve for a term of six years unless previously removed by the Board. The Director shall be compensated at a rate equal to the rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The Deputy Director shall be compensated at a rate equal to the rate prescribed for level V of the Executive Schedule.

PURPOSE OF FOUNDATION

SEC. 1003. (a) The purpose of the Foundation shall be to conduct projects, studies, investigations, and forecasts to determine the interactions, social benefits and costs, rates of national change, and present and likely future patterns of important scientific, social, and economic programs and activities; to evaluate the effects of national development policy, or its lack, on these interactions, social benefits and costs, rates of national change, and patterns; and to determine and formulate alternative future national growth patterns, and development of policy recommendations which can bring them into existence.

FUNCTIONS OF THE FOUNDATION

SEC. 1004. (a) The Foundation shall develop and review and update an agenda and budget to carry out the purposes of the Foundation in consultation with the Office, the Congressional Office, the Citizens Council, the National Science Foundation, the Office of Technology Assessment, and the Advisory Commission on Intergovernmental Relations outlining research and forecasts which are being and will be undertaken by the Foundation.

ANNUAL REPORT

SEC. 1005. (a) The Foundation shall prepare as soon as practicable, but not to exceed ninety days following the end of each fiscal year, a summary report of the findings and results of all major or significant studies, and investigations conducted by, or caused to be conducted by the Foundation during the preceding fiscal year. This report shall be submitted to the Office, the Congressional Office, the National Citizens Council, the Advisory Commission on Intergovernmental Relations and made availabe to the general public.

ADMINISTRATIVE POWERS

SEC. 1006. (a) In addition to any authority vested in it by other provisions of this title, the Foundation, in carrying out its functions, is authorized to—

(4) establish such facilities as it deems necessary to be operated by the personnel of the Foundation. With a view to obtaining additional scientific and intellectual resources available, the Director shall, whenever feasible, enter into contracts with public or private profit or nonprofit educational or research institutions for the purpose of undertaking any particular study or research project authorized by this title.

(2) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(3) receive money and other property donated, bequested, or devised, without condition or restriction other than that it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(4) at the discretion of the Foundation, receive (and use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to the Foundation with a condition or restriction, including a condition that the Foundation use other funds of the Foundation for the purposes of the gift;

(5) appoint one or more advisory committees composed of such private citizens and officials of Federal, State, and local governments as deemed desirable to advise the Foundation with respect to its functions under this title;

(6) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no more than three individuals so appointed shall receive compensation in excess of the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code;

(7) Obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code;

(8) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 6, United States Code;

(9) enter into contracts, grants, or other arrangements, or modifications thereof to carry out the provisions of this title, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(10) provide for the making of such reports (including fund accounting reports) and the filing of such applications in such form and containing such information as the Director may reasonably require;

(11) make advances, progress, and other payments which the Board deems necessary under this title without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(12) make other necessary expenditures.

(b) Each member of a committee appointed pursuant to clause (5) of subsection (a) of this section who is not an officer or employee of the Federal Government shall receive an amount equal to the maximum daily rate prescribed for GS–18 under title 5 of the United States Code, for each day he is engaged in the actual performance of his duties (including traveltime) as a member of a committee. All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

COORDINATION WITH THE NATIONAL SCIENCE FOUNDATION AND OTHER AGENCIES AND INSTITUTIONS

SEC. 1007. (a) The Foundation shall maintain a continuing and close liaison with the National Science Foundation with respect to—

(1) grants, contracts, and projects, formulated or activated by or through the National Science Foundation which are for purposes of understanding, assessing, or determining the long-range impact that certain social, environmental, economic, or scientific developments may have on the future growth and development of the United States and on the future quality of life of our Nation's citizens; and

(2) the promotion of coordination in areas that may affect the formulation of a balanced national growth and development policy in the United States and the avoidance of unnecessary duplication or overlapping of research activities in the development of such a policy or programs or activities designed to implement such a policy.

(b) The Board of Trustees of the Foundation through its Director, and the National Science Board through the Director of the National Science Foundation, are hereby authorized and directed to conduct a joint study of all research activities by the executive branch and by other agencies, organizations, or institutions receiving Federal funding assistance which research activities have among its purposes understanding, assessing, or deterring the long-range impact that certain social, environmental economic, governmental, or scientific developments may have on the future growth and development of the United States and on the future quality of life of our Nation's citizens. This study shall contain recommendations as to which of these research activities either in whole or in part, should be transferred to the Foundation on the American Future for the purpose of carrying out the purposes of this Act. These recommendations shall be submitted to the Congress, through the Congressional Office of Policy and Planning within two years after the date of enactment of this Act. Such recommendations shall be effective at the end of the first period of ninety calendar days of continuous session of Congress after the date on which the recommendations are submitted to it unless, between the date of submission and the end of the ninety-day period, either House passes a resolution stating in substance that that House does not favor the recommendations. For the purpose of this subsection—

(1) continuity of session is broken only by adjournment of Congress sine die; and

(2) the days of which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the ninety-day period.

TITLE XI—ESTABLISHMENT OF AGENCY FOR POPULATION AND DEMOGRAPHIC ANALYSIS WITHIN THE BUREAU OF CENSUS, DEPARTMENT OF COMMERCE

ESTABLISHMENT OF AGENCY

SEC. 1101. (a) The Secretary of Commerce shall establish within the Bureau of Census an Agency for Population and Demographic Analysis. Such Agency shall be headed by a Deputy Director for National Population and Demographic Analysis.

(b) Such Agency shall include—

(1) the existing office headed by the Associate Director for Demographic Fields;

(2) the existing office headed by the Associate Director for Resereach and Methodology, and

(3) a new office which shall be established by the Secretary and shall include Divisions of Demographic Analysis, Economic and Social Analysis, and Political and Fiscal Analysis.

(c) In addition to carrying out the functions placed within it pursuant to clauses (1) and (2) of subsection (b) such Agency is hereby authorized and directed to carry out programs to—

(1) provide an analysis of population level and distribution trends and governing forces, including the likely future impact that changing population levels and distribution patterns may have on public programs and private activities;

(2) analyze existing and proposed incentives for influencing population distribution;

(3) analyze the impact of existing and proposed population control methods and trends to determine their impact on the economic, environmental, and social impact on the future growth or stabilization, and development of the Nation; and

(4) assist the Office, the Congressional Office, the National Citizens Council, the Foundation, and the Advisory Commission on Intergovernmental Relations in carrying out the purposes of this Act and includes, but not necessarily limited to, assistance—

(A) to determine the economic, environmental, and social impacts of existing and alternative Federal policies, programs, and tax incentives affecting population distribution;

(B) in analyzing Federal, State, and selected local government costs of public services to determine economies and diseconomies of scale, both as they relate to per capita costs and quality of such services; and

(C) to assess Federal, State, and selected local government tax resources and expenditure requirements under existing and alternative population levels and distribution patterns.

TITLE XII—AUTHORIZATION FOR APPROPRIATIONS AUTHORIZATION

SEC. 1201. In addition to specific authorizations in this Act, there are authorized to be appropriated such other amounts as are necessary to carry out the provisions of this Act.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS,
Washington, D.C., August 9, 1973.

A PROPOSAL FOR DEVELOPING A CAPABILITY AT THE NATIONAL LEVEL FOR STRATEGIC POLICY ASSESSMENTS

"There is every reason why a state should make use of forethought. A century is as nothing in its life, and yet how many acts do legislatures, congresses and parliaments pass for the benefit of coming ages? We seem willing that the earth should be largely used up in a generation or two."—J. B. Clark.

INTRODUCTORY NOTE

This paper argues for developing a Strategic Policy Assessment function within the Executive and Legislative Branches and presents a proposal for organizing staffs within each Branch to undertake this function.

The paper has its genesis in a Government Policy Forum held at the Woodrow Wilson Center on May 10. A working group from among the participants of that Forum met on three occasions to engage the issue and, in due course, a paper was prepared to serve as a focus for a subsequent Government Policy Forum which met on July 30. The discussion and the proposals below reflect the sense of the working group and is responsive to many of the views expressed at the larger meetings of May 10 and July 30.

Annex I contains a brief exposition of an alternative institutional approach discussed, but not adopted, by the working group as a whole. Annex II contains the list of the participants of the May 10 and July 30 Forums (Members of the working group are identified by an asterisk).

Both the proposal and Annex I, of course, reflect the personal views of the working group members and are in no sense departmental, agency or Woodrow Wilson Center positions.

* * *

THE PROBLEM

The United States (and other industrially advanced countries, as well) is confronting a wide range of problems, some already acute and some evoking the proverbial cloud that is "no bigger than a man's hand," some known in detail and some whose dimensions are still only vaguely perceived. As will become apparent, these problems have three distinctive characteristics: they call for a long-range perspective; they call for interdisciplinary analysis; they call for inter-departmental action. This is not necessarily a new phenomenon. We now see with the clarity of hindsight that problems of this nature have been confronting us for many decades. But our society has become increasingly complex and interdependent. There is now a growing recognition that problems with long-term implications and broad dimensions cannot continue to be dealt with on a day-to-day, ad hoc, piecemeal basis.

It is fair to say that, despite the plethora of "planning staffs" scattered throughout the Federal structure and despite certain formal or informal mechanisms established for inter-agency discussion, no arrangements for systematic, integrated, long-range planning exist within the United States Government—nor, except in times of great crisis, have they ever existed. Rather, for reasons of inertia, jurisdictional jealousies, the demands of our four-year election cycle, and perhaps even an innate suspicion of the planning process itself, Americans have typically waited until a warning signal evolved into a problem and then escalated to crisis proportions before undertaking remedial measures. Quick fixes, crisis management, and damage limitation have been the operative concepts. Our current energy "crunch" is a dramatic case in point.

EXISTING ARRANGEMENTS

We should acknowledge that our policy process is not dominated by a capricious, mindless, wishful approach to the present and the future. The Mr. Micawbers rarely reach positions of responsibility in our society; our system of government is neither atomistic nor strait-jacketed. Able and farsighted officials are served by highly professional researchers, planners and statisticians. Many elements of the government (the Department of Agriculture, the Federal Highway Administration, the National Park Service, the Census Bureau to name a handful) have long been engaged in long-range projections and planning. A Federal Council Committee on Forecasting Models was established in 1972 to monitor the quality of forecasting throughout the government. A new responsibility for science and technology policy has recently been given to the National Science Foundation. The new Energy Bill provides for long-range research and development in this critical area. And, of course, there are a host of inter-agency task forces and committees to say nothing of the President's Domestic Council, CEQ and CEA, Cabinet meetings and informal communications among administrators and analysts.

Congress, for its part, recently established the Office of Technology Assessment and has before it, or has in preparation, a host of relevant legislation including bills by Senators Jackson, Humphrey, Mondale, and Hartke and Congressman Dingell.

But having made these genuflections in the direction of the worthy efforts long extant or now in train, it remains the lugubrious case that no systematic inter-agency, long-range planning with respect to major national domestic problems is taking place. It is to this proposition that the following discussion is addressed.

A STRATEGIC POLICY ASSESSMENT STAFF FOR THE EXECUTIVE BRANCH AND FOR CONGRESS

The basic objective of an Office of Strategic Policy Assessments[1] ("OSPA"?) in the

[1] The term "Strategic Policy Assessments" rather than "Long Range Planning" has been selected for two reasons—one frankly tactical, the other substantive. There is a long-standing and probably justifiable popular

Executive Branch and its counterpart in Congress should be to improve national decision-making as it relates to longterm policies. More specifically, these groups should endeavor to identify emerging long-term trends and problems, formulate and evaluate alternative courses of action to deal with them, and evaluate the effects of actions that have been put in train. This objective presupposes, of course, a continued assessment of social values and preferences.

The specific types of problems that call for Strategic Policy Assessment have several things in common:

They involve actions which although taken now, will bear results only after a substantial period of time, or actions which, although taken now, limit the range of actions which can be taken in the future. The time focus will normally be in the five to twenty-five year range.

They are multi-faceted and interrelated national issues of consequential domestic importance which require an integrated (e.g., interagency) approach for their analysis and solution as distinct from those amenable to narrow disciplinary or departmental analysis and action.

They involve a wide, but not an indiscriminate array of domestic issues of significance to broad segments of the American society as opposed to narrow sectoral or local questions.

Although they are primarily domestic issues, they may be, in the last analysis, created or at least exaggerated by international events or trends and their resolution may have important international implications.

SOME EXAMPLES

(a) Water resources. There is need for "strategic assessment" of the long-term water resource problem. Water resource policy is directly related to growth and environmental policies and, to a lesser degree, urban land use (e.g., use of flood plains), agriculture (e.g., irrigation), transportation (e.g., waterways), recreation, etc. There is even an international dimension in terms of American relations with Canada and Mexico.

(b) Forests. A "strategic assessment" of forests would examine long-term needs for wilderness and recreation compared to the commercial need for lumber both for domestic and export purposes. It would also examine the potential productivity of private and public land, opportunities for increased productivity on the best lands, technology changes (e.g., use of hardwoods to replace soft-wood uses), increased costs if supply lags behind demand, substitution potentials, foreign trade and environmental implications of various choices.

(c) Agriculture. The issues here, as in other examples, are complex in character and long-term in implication. Environmental considerations, overall growth policy, demographic trends, research and development with respect to production as well as distribution and consumption, energy use, population distribution, water availability, metropolitan growth policy (and thus transportation), foreign trade, international monetary issues, foreign aid and overall foreign policy issues must be addressed.

(d) Energy. Perhaps the most dramatic current example of a long-range issue calling for the kind of analysis and evaluation we have in mind is the energy problem. The energy issue involves not only technological, research and development policies, but a mix of environmental, economic, social and foreign policy considerations.

(e) Economic Growth. This would involve a "strategic assessment" of the mix of probable future demands for energy and selected raw materials, population growth, private and public services, foreign and domestic, fiscal and economic policy, and other factors affecting and affected by changing patterns and rates of economic growth.

(f) Growth of Metropolitan Areas. A policy for planned growth of metropolitan areas should examine the carrying capacity of various environments across the country in an effort to determine whether a more optimum population distribution is desirable and feasible. If it were determined that a metropolitan growth strategy is desirable, an assessment should be made of such tools as preference for Federal contracts, water resource projects, transportation facilities, and the like.

(g) Housing. A "strategic assessment" of long-range housing policy choices would involve, inter alia, an examination of the relationships among urban and inter-urban transportation programs, forest policy, new technologies, labor issues, demographic trends, recreational facilities, and social programs. It would also entail close dove-tailing with policies relating to economic growth and growth of Metropolitan areas.

(h) Transportation. The development of a long-range strategic transportation policy obviously entails an examination of the appropriate mix of various urban, inter-urban and long distance approaches to the movement of passengers and freight. In addition, long-range pollution and energy issues must be factored in as well as considerations of national economic growth, the long-term development of new communities, and the problems of existing metropolitan areas.

(i) Social Programs. Clearly there is a need here for "strategic assessment." Crime prevention, recreation, health services, education, housing, demographic trends, growth issues, the challenge of more leisure time all affect the choice evaluations.

(j) Changing work patterns. A "strategic assessment" would examine the implications of a greater amount of leisure time as a result of a shorter work week and earlier retirement. Effects on the work force and the full employment doctrine, and requirements for recreational facilities, health services, and educational programs must be considered.

Where the Strategic Policy Assessment function should be placed within the Executive Branch and within the Legislative structure is by no means a trivial bureaucratic issue. Two alternative arrangements in the Executive Office and a suggested arrangement for Congress are presented below.

WITHIN THE EXECUTIVE BRANCH

The Office of Strategic Policy Assessments should be placed in the Executive Office by the President. Whichever of the two following organizational options is selected, the internal structure of OSPA would be generally the same.

It would be premature and possibly even presumptious to attempt in this brief compass and at this preliminary stage to spell out in detail the internal organization of OSPA. On the other hand, some discussion of the recommended size and composition of the group may provide a sense of how the organization will carry out its functions and a feel for its operative style and thrust. What is contemplated is a lean, high quality staff with an overall annual budget of approximately $10 million and with an additional $2.5–$5 million annual budget for external research and consultants.

Since OSPA will address selected important problems from an interdisciplinary, or at least a multi-disciplinary approach, its leadership and its staff should be drawn from a broad mix of quantitative and qualitative backgrounds. Technologists, sociologists, economists, social accounting specialists, political scientists, environmentalists, systems analysts and perhaps many more types of experts will all play important roles. The Office should be headed by a respected expert in one of these fields who, obviously, is also familiar with the intricacies of the Washington policy formulation process. He should have as his principal deputies, two or three outstanding and broad-gauged representatives from the relevant fields (assuring a good balance between the "hard" and the "soft" disciplines).

The staff should be small (more than 30 but less than 50) comprising an appropriate mix of substantative expertise. The staff would function primarily as managers of policy-oriented research projects carried on by personnel in appropriate government agencies and/or outside contractors. As part of its regular responsibilities and as a way of maximizing its impact on emerging policy problems and issues it should have an opportunity to review and comment on the President's budget as well as the longer term implications of resource allocation decisions, major Presidential policy statements (e.g., the Energy Message and the Economic Message), and legislation which has significant long-term policy implications (e.g., the Clean Air Act and the Land Use Bill).

There are two alternative organizational arrangements within the Executive Office which seem to hold promise: Placing OSPA within the Office of Management and Budget; or creating a new independent Agency within the Executive Office of the President.[2]

Within OMB

The rationale for placing OSPA within OMB is that OMB has responsibilities for resource allocation, legislative clearance and departmental coordination. The close organizational tie between these functions and the function of strategic assessment would probably increase the effectiveness of OMB in its decision-making role. Certain changes within OMB would, of course, be necessary if the strategic assessment function was assigned there. For example, since Congressional and public interest groups should play an important role in the strategic choice assessment process,[3] OMB would have to be restructured to insure that this communication is encouraged. Presumably, the strategic assessment function would be organized as a separate group within OMB, but possibly located physically away from the high pressure atmosphere of the Office.

An independent agency within the Executive Office

As noted above, the organizational structure for OSPA would probably be the same whether it was placed within OMB or functioned as an independent agency. Aside from more flexibility, the principal argument for organizing a separate entity is that the identification of emerging problems and the formulation of policy options might best be conducted by a staff removed from day-to-day decision-making responsibilities and by an official with direct access to the President. The OMB Director, for example, might find it difficult to devote adequate attention to longer-term problems given the pressure for near-term budget and management decisions.

The trade-offs

Putting OSPA into OMB would provide it with direct access to the important related budget and legislaive processes. But the strategic assessment function might become a

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suspicion attached to national "planning"; it appears to evoke an image of a centralized ordering of American life much in the way it occurs in countries that have "planned economies." More importantly, what is conceived of here is not the development of detailed tactics and closely adhered-to targets, but rather a more analytical and conceptual process.

[2] But see, also Annex I for a third option suggested by one member of the Working Group.

[3] This is discussed in fuller detail in a later section.

residual claimant for the time and attention of the Director and his principal subordinates.

The creation of a new separate agency has, on the face of it, certain obvious disadvantages. Moreover, there is a danger that the group might become isolated from the gut-aspects of decision-making and from the decision-makers themselves—the "ivory tower" syndrome. (This should also be reckoned with if the group is placed within OMB but physically located outside of Washington.) But there would be a significant merit in having the strategic assessment function become the sole responsibility of a prestigious "Council" whose head reported directly to the President.

RESEARCH AND ANALYSIS SUPPORT

Whichever organizational arrangement is selected, it is clear that a group of the size contemplated would be unable to undertake a major research effort on its own. Indeed, it is doubtful whether this would be appropriate. OSPA should, rather, stimulate and sponsor supporting research and analysis from organizations and institutions within and outside the Federal government. (We have already noted that OSPA should have a budget ranging from $2.5 to $5 million for such purposes.)

Substantial facilities for research within the public and private sectors already exist and some of the necessary research activity is already going on. The RANN Program of NSF, the Institute of Education, the research programs sponsored by HEW and other government agencies might prove fruitful.

What is needed is focus and direction of current and new research. This implies an organized and interrelated network of research and analysis institutions, covering each major broad area (land use, resources, environment, transportation, health, etc.). OSPA would have as one of its major tasks the encouragement, possibly even the development of such a research capability outside the government structure.

In addition to supporting research focussed on the problems entailed in strategic assessment, there is a need for close contact with analytical efforts being undertaken elsewhere in the government. The effectiveness of a strategic assessment function at the Executive Office level would be increased with the establishment of departmental and agency assessment staffs with responsibility for identifying emerging problems and policy alternatives within the jurisdiction of their own organizations. These groups could feed their analyses and findings up to OSPA as well as to their own departmental superiors.

ORGANIZING A STRATEGIC ASSESSMENT FUNCTION IN CONGRESS

The very nature of the problems addressed here implies a close partnership between the Executive and the Legislative Branches. However the assessment function is organized within the Executive Branch, a companion organization should be established to serve the requirements of Congress.

Since Congress is, if anything, more fragmented than the Executive Branch, and since the professional capabilities of Congressional Committees need substantial upgrading, the strategic assessment function should not be grafted on to any of the existing Congressional Committees. A possible exception here would be the Joint Economic Committee whose charter could be broadened and staff strengthened for this purpose.

A new Committee along the lines of Senator Humphrey's proposal,[4] a "Joint Committee on Balanced National Growth and Development," might be the answer. On balance, however, it would seem preferable to assign the assessment function to the new Office of Technology Assessment. OTA, although its direction is not yet clear, includes within its mandate not only technological, but also many of the social concerns contemplated in the term "strategic assessment." For a variety of historical and other reasons, neither the Congressional Research Service nor the General Accounting Office, the other central staffs of Congress, seems as suitable a base.

It is likely that the OTA will employ a combination of direct staffing and contract operations which could give it access to a broad range of analyses bearing on long-term strategic choice. The Office will function under a statutory Board of Technology Assessment composed entirely of members of the House and Senate; the Board is essentially a joint committee. Thus the work of the Office will be fed into the direct operations fo Congress through a board of serving members, an arrangement which could prove a highly constructive link between the research community and the decision-making community.

The establishment of a strategic assessment staff as a distinct entity within OTA and operating, preferably, under its own Deputy Director could provide a logical focus for overseeing and filtering the output of a parallel group in the Executive Branch. Such a group could disseminate its assessments, and its evaluations of other agencies' assessments, to Congress at large. In addition, since OTA's Board members represent a cross section of important legislative interests, its analyses would probably be widely circulated among a number of Congressional committees.

As the first new information arm of Congress in half a century, the OTA affords a rare opportunity to invest the strategic assessment function in an institution with symmetrical objectives and substantail resources.

The complexity of the matters at issue will exceed the research and analysis capabilities of any Congressional Committee staff and even those of a highly professional Office of Technology Assessment. And so OSPA's Congressional counterpart, like OSPA itself, will need outside substantive support. An annual budget (in the range of $2.5 to $5 million previously suggested for OSPA) for external research and for consultants would be required if Congress is to be as well-served in this area as the Executive Branch under either of the options presented above.

The effectiveness of an Assessment Office in the Executive Office of the President and of a counterpart staff on Capitol Hill will depend, in large part, on close and frequent consultation between the two. One important link might take the form of an annual Presidential Message on Growth and Development along the lines suggested in Senator Humphrey's Bill. Such a Message would contain specific legislative proposals discussed in advance between the strategic assessment staffs of both Branches of government. On a more routine, day-to-day basis, there might be a joint "watch tower" effort to identfy emerging problems. A joint approach to contracting outside research might be another device to insure close cooperation between the assessment staffs.

BROADENING THE BASE OF STRATEGIC ASSESSMENT

Whether OSPA is located within OMB or takes the form of a separate new entity, and whether the strategic assessment function is performed in Congress by OTA or a special committee, rigorous efforts must be made to avoid an inconoclastic, "elitist" mode of operation—"OSPA (or OTA) knows best." Although there is no substitute for the determination of senior officials and staff members to seek guidance and share their wisdom widely throughout the government and the private sectors, certain arrangements might help to stimulate and institutionalize this kind of communication. What follows is primarily directed toward a strategic assessment function within the Executive Office, but similar arrangements with appropriate modifications could apply to Congress, as well,.

The establishment of a Federal Advisory Board, consisting of senior representatives from relevant Departments and Agencies, would help to prevent OSPA from becoming isolated from the rest of the government and would provide a high-level, two-way channel for the flow of guidance and information. In addition, a Public Advisory Board would assure communication with the world outside of Washington. Such a Board should consist of representatives from universities, foundations, industry, environmental groups, labor, and other relevant groups.

Aside from the more formal contacts with advisory groups, it is essential that the strategic assessment staff be aware of the interests, aspirations, activities and writings of representative groups in the world outside the bureaucracy and Capitol Hill. For this reason, both OSPA and its Congressional counterpart should maintain close links with state and local governments and with such non-government sectors as industry, labor, consumer and environmental groups.

Finally, both OSPA and the Congressional staff, but especially the former, should keep apprised of the activities of long-range assessment functions being performed in other industrially-advanced countries. Aside from the usefulness of exchanges with respect to methodology and substance, it will be prudent to exchange advance warnings of major new shifts in long-range national economic and social policies.

ANNEX I

PROPOSED ORGANIZATIONAL PLACEMENT OF "STRATEGIC CHOICE ASSESSMENT GROUP"

Considering the objectives and functions of the "Strategic Choice Assessment Group" it is vital that organizational arrangements for such a group meet the following criteria:

1. The group should be isolated from political pressures but sensitive to differing political views in arriving at proposals for alternative policies and actions.

2. The group should not be identified solely with one particular branch of Government or segment of the public. (i.e. Executive and legislative branch, industry, universities, State and local governments, etc.)

3. The group should be housed in a parent organization which has continuity beyond the term of the incumbent President or Congress.

4. The group—through its parent organization—must have "clout" whereby its proposals for alternative policies and actions will be seriously weighed in the executive and legislative branch of Government. Such "clout" is enhanced if the organization is strong and is directed by prestigious individuals.

5. The group must have access to information on strategic choices being developed in the various Federal departments and agencies and outside the Government.

Commission on National Policy Choices

The group should be placed under an independent commission whose membership would reflect broad representation from various sectors. The members would be comprised of the following:

Executive Branch

Chairman, Council of Economic Advisers.
Director, Office of Management and Budget.
Executive Director, Domestic Council.

Legislative Branch

Chairman, Joint Economic Committee.
Ranking Minority Member, Joint Economic Committee.

[4] A Proposal for Achieving Balanced National Growth and Development, a proposal submitted to the Sub-Committee on Economic Progress of the Joint Economic Committee, Congress of the United States, Feb. 26, 1973. U.S.G.P.O. 1973.

Comptroller General of the United States (who would serve both as the head of GAO and as a member of the Technology Assessment Advisory Board).

Other Groups

Five representatives from:
Industry.
Universities.
Labor.
Consumer groups.
Non-Federal governments (e.g. Council of Governments).

The President would appoint the five members from outside the Federal Government for a term of 6 years.

The Commission would prescribe broad policies to be followed by the group and provide guidance and advice to it. The Commission would be required to publish such staff reports on policy and action choices as are periodically developed by the group and may append its views as it considers appropriate to such reports. An annual report is to be made by the Commission to the President and the Congress.

Legislation establishing the Commission would authorize and direct Federal departments and agencies to assist the Commission. The President would be required to report annually to the Congress on actions taken with respect to the group's proposals for alternative policies and actions.

ANNEX II(a)

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS,
Washington, D.C.

PROJECT ON SUSTAINABLE GROWTH—DINNER FORUM, MAY 10, 1973

GUEST LIST

Speaker: Honorable Russell Train, Chairman, Council on Environmental Quality.

Mr. Alvin Alm*, Staff Director, Council on Environmental Quality.

Dr. Gerald Barney, Third Century in America, New York.

Mr. Wallace Bowman, Chief, Environmental Policy Division, Library of Congress.

Mr. David Beckler*, Office of Science and Technology.

Mr. Richard Carpenter, Executive Director, Environmental Studies Program, National Academy of Sciences.

Mr. Pilander Claxton, Special Assistant to the Secretary for Population Matters, Department of State.

Mr. Charles J. di Bona, Special Consultant to the President.

Congressman John D. Dingell of Michigan.

Mr. Henry Eschwege*, Director, Resources and Economics Division, Comptroller General's Office.

Dr. Stanley Greenfield, Assistant Administrator, Office of Research and Monitoring, Environmental Protection Agency.

Mr. Richard Gerson, Research & Development Incentives, National Science Foundation.

Mr. Ken Gray, Administrative Assistant to Senator H. H. Humphrey.

Senator Philip A. Hart.

Mr. Dean Hinton, Deputy Executive Director, Council of International Economic Policy, The White House.

Senator Hubert H. Humphrey.

Dr. George Jaszi*, Director, Bureau of Economic Analysis, Dept. of Commerce.

Mr. Roger LeGassie, Deputy Director, Office of Planning and Analysis, Atomic Energy Commission.

Mr. Ellis Motur, Office of Technology Assessment.

Mr. Bernard Nagelvoort, Administrative Assistant to Congressman Guy Vander Jagt of Michigan.

Mr. Neal Peterson, Attorney at Law (after dinner).

Mr. Frank Potter, Subcommittee of Fisheries and Wildlife Conservation and the Environment.

Mr. John Sawhill,* Office of Management & Budget.

Mr. Gary Seevers, Special Assistant to Herbert Stein, Council of Economic Advisors.

Mr. Julius Shiskin, Office of Management & Budget.

Congressman Alan Steelman of Texas.

Mr. Arnold Steinberg, Special Assistant to Senator James L. Buckley of New York.

Mr. James Thornton, Subcommittee on Agriculture & Forestry (after dinner).

Dr. William A. Vogley, Director, Office of Economic Analysis, Department of Interior.

Mr. Maurice Williams, Deputy Administrator, Agency for International Development.

Woodrow Wilson Center Staff

Mr. Albert Meisel, Acting Director.

Mr. William M. Dunn, Administrative Officer.

Woodrow Wilson Center Fellows

Mr. Harry Blaney,* Foreign Service Officer, was Special Assistant to Chairman, Council on Environmental Quality.

Mr. Chester L. Cooper,* Coordinator, WWICS Growth Study Program, former government official, research administrator, author.

Mr. C. Alton Frye,* political scientist, arms control specialist. Legislative context of American foreign policy.

Mr. Lincoln Gordon,* political economist, former Professor of International Economic Relations, Harvard University, former Ambassador to Brazil.

Mr. Robert H. Walker, Professor of American Civilization, George Washington University.

WWICS growth project staff

Mrs. Judith Corson* Research Assistant.
Miss Anne Gault, Research Assistant.
Mrs. Sue Gerson, Administrative Assistant.

*Members of the Working Group.

ANNEX II(b)

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Washington, D.C.

PROJECT ON SUSTAINABLE GROWTH—GOVERNMENT FORUM DINNER—JULY 30, 1973

Chairman: Chester L. Cooper,* Coordinator of the Sustainable Growth Project and Fellow of the Woodrow Wilson Center.

Mr. Alvin Alm,* Environmental Protection Agency.

Mr. Jack Alterman, Assistant Commissioner, Economic Trends and Labor Conditions, Department of Labor.

Mr. Tim Barnacle, Legislative Assistant to Senator Humphrey.

Mr. John Barnum, Undersecretary, Department of Transportation.

Mr. David Z. Beckler.*

Mr. Harry Blaney,* Member, Planning and Coordination Staff, Department of State.

Mr. Wallace Bowman, Chief, Environmental Policy Division, Library of Congress.

Mr. Richard Carpenter, Executive Director, Environmental Studies Program, National Academy of Sciences.

Mr. Charles di Bona, Special Consultant to the President.

Congressman John D. Dingell of Michigan.

Mr. Henry Eschwege,* Director, Resources and Economics Division, Comptroller General's Office.

Mr. Richard Gerson, Research and Development Incentives, National Science Foundation.

Mr. Gerald Grady, Select Committee on Committees, House of Representatives.

Dr. Stanley Greenfield, Assistant Administrator, Office of Research and Development, Environmental Protection Agency.

Mr. Dean Hinton, Deputy Executive Director, Council of International Economic Policy, The White House.

Dr. Peter House, Environmental Protection Agency.

Senator Hubert H. Humphrey of Minnesota.

Mr. William B. Irwin, Assistant Secretary of Agriculture for Rural Development.

Dr. George Jaszil,* Director, Bureau of Economic Analysis, Department of Commerce.

Dr. Sidney Jones, Assistant Secretary for Economic Affairs, Dept. of Commerce.

Mr. Roger LeGassie, Deputy Director, Office of Planning and Analysis, Atomic Energy Commission.

Dr. Lawrence E. Lynn, Jr., Assistant Secretary for Program Development and Budget, Department of Interior.

Mr. Dudley Mecum, Assistant Director, Office of Management and Budget.

Mr. Ellis Motur, Office of Technology Assessment.

Mr. Bernard Nagelvoort, Administrative Assistant to Congressman Guy Vander Jagt of Michigan.

Dr. Mancur Olson, Department of Economics, University of Maryland.

Mr. Frank Potter, Subcommittee of Fisheries and Wildlife Conservation and the Environment.

Mr. Barry Riordan, Staff Member, Council on Environmental Quality.

Mr. Claus Ruser, Deputy Director for Policy Analysis and Resources, Department of State.

Mr. John Sawhill,* Office of Management and Budget.

Mr. David Scheffer, Intern, Council on Environmental Quality.

Mr. Elmer Staats, Comptroller General of the United States.

Dr. H. Guyford Stever, Director, National Science Foundation.

Mr. James Thornton, Subcommittee on Agriculture & Forestry.

Mr. Maurice Williams, Deputy Administrator, Agency for International Development.

Woodrow Wilson Center Staff

Mr. William M. Dunn, Administrative Officer.

Woodrow Wilson Center Follows

Mr. S. Alton Frye,* political scientist, arms control specialist. Legislative context of American foreign policy.

Mr. Robert H. Walker, Professor of American Civilization, George Washington University.

WWICS Growth Project Staff

Mrs. Judith Corson,* Research Assistant.
Miss Anne Gault, Research Assistant.
Mrs. Sue Gerson, Administrative Assistant.

THE LAND USE POLICY AND PLANNING ASSISTANCE ACT OF 1973

(By Archibald C. Rogers, FAIA, First Vice President, the American Institute of Architects)

Mr. Chairman. I am Archibald C. Rogers, FAIA, First Vice President of The American Institute of Architects, Chairman of its National Policy Task Force, and a practicing architect and urban planner in Baltimore, Maryland. Accompanying me are Michael Barker, Administrator of the Institute's Department of Environment and Design, and Tom Bennett, Director of Congressional Liaison.

Today, The American Institute of Architects, the national society for the architectural profession representing 24,000 licensed architects, wishes to express its views on the subject of national land use policy and planning, with emphasis on the bills currently pending before the Committee, H.R. 91, H.R. 2942, and H.R. 4862.

We believe that the legislation resulting

from these hearings can be an important step toward a national commitment to sound land use planning within the context of a national growth policy. Declining central cities surrounded by affluent suburbs, deteriorating rural areas, ugly strip development and sprawl, the shortage of housing, the lack of public transportation, pollution of air and water, and the mismanagement of our priceless natural resources are but symptoms of the present lack of this commitment. For examples of what nations can do to control the quality of the human environment, we, the wealthiest democratic nation in the world, must look to other less affluent nations for leadership.

The many American architects, planners, *engineers, and developers*, and indeed, Members of Congress, who have visited Eastern and Western Europe are impressed by examples of orderly and well-planned new town development and natural resource management. In the course of the deliberations of the AIA's National Policy Task Force, one of the Task Force members visited national capitals abroad to determine the role that other national governments play in the management of national and urban growth and natural environments. He found that there was a significant role played by the national governments, especially in those countries with very good records in preserving the human environment such as the Netherlands, Great Britain, and Finland.

Based on this and other research, the National Policy Task Force of The American Institute of Architects strongly recommends that our Federal Government respond to increasing citizen demand for a higher quality of life by developing a national growth policy, coupled with a strategy and the necessary mechanisms to implement such a policy.

Over the past five years The American Institute of Architects has worked to develop a national growth policy and strategy for its implementation. While the focus of this hearing is much narrower in scope than the national growth question *in toto*, we would like to submit for the record AIA's Plan for Urban Growth, "America at the Growing Edge: A Strategy for Building a Better America." In brief, the new policies recommended in this report would change the "ground rules" that now shape, and distort the shape, of American communities; create a new and useful scale for planning and building in urban areas; and commit the nation to a major land acquisition policy to guide development in and around key urban centers. We will not discuss the entire report at this time, but will use it to set the context for our testimony.

Drawing from our report, we recommend the following steps to meet the objectives of the pending legislation:

1. the creation of a policy board on national growth within the Executive Office of the President;

2. the establishment of legislative committees to deal with national growth policy in both the House of Representatives and the Senate;

3. the adoption of state land use and development plans and programs as a matter of national policy;

4. the creation of new governmental institutions and mechanisms to implement state land use and development programs, as elements of a national growth policy;

5. the use of Federal incentives and sanctions as essential ingredients to stimulate the preparation of state land use and development plans and programs and their successful implementation; and

6. the provision for adequate public participation in state land use and development plan-making through the distribution of information and potential alternatives well in advance of public hearings and subsequent decision-making.

NATIONAL GROWTH POLICY BOARD

In the past three or four years the need for a growth policy council or board at the national level has been recognized through two major pieces of enacted legislation. The first, the National Environmental Policy Act of 1969, created a Council on Environmental Quality in the Executive Office of the President. The second, Title VII of the 1970 Housing and Urban Development Act, required the President to prepare a biennial report to Congress covering legislative and administrative aspects of implementing an urban growth policy and established an identifiable unit of the Domestic Council to develop such a report and policy. In the pending land use bills, we see that a "National Advisory Board on Land Use Policy" is proposed to assist in the coordination of state land use and developmental plans and programs.

Reading the legislative charges to the Council on Environmental Quality, to the Urban Growth Unit of the Domestic Council, and to this proposed National Advisory Board on Land Use Policy, one cannot help but note the similarities of their responsibilities. Yet none of them has adequate scope and authority to discharge the full responsibilities with which they are charged. We envision a more broadly based national growth policy board that would absorb and combine the responsibilities of the Council on Environmental Quality and the Urban Growth Unit of the Domestic Council and most certainly include the functions of the proposed National Advisory Board on Land Use Policy. Specifically, we recommend that a National Growth Policy Board be established with the following functions:

1. Establishment of National Development Goals. The Board would be an extension of the Executive Office of the President and would be the focus of the President's legislative and administrative plans for establishing and meeting national development goals. The Board would be the Administration's spokesman for its policies and proposals before Congress and the nation on these issues.

2. Coordination of Federal Programs. The Board would be charged with coordinating and reviewing Federal programs affecting state and local land use. This function would be similar to the Section 102 requirements of the National Environmental Policy Act of 1969 except that the definition of "environment" would be expanded to include the social and economic issues inherent in urbanization, and which are now of secondary importance to the Council on Environmental Quality.

3. Review of State Plans and Programs. The Board would have the responsibility for reviewing state land use and development plans and programs on a regular basis to insure that they were compatible with national policy. While programs providing assistance to state and local governments would continue to be administered in the various Federal agencies, the policy board would have an overall coordinative function within the Executive Office of the President.

4. Coordination of Incentives and Sanctions. The Board would have the responsibility for applying both incentives and sanctions to encourage states to develop and implement land use and development plans and programs.

Thirty years ago this nation experimented with a national growth policy board in the form of the National Resources Planning Board. It went out of existence in 1943. We see this, the NRPB, as a pertinent historical example. A child of the Depression, it studied our natural resource problems, our urban growth and economic problems, and our social problems. But it was ahead of its time and died prematurely after ten years of useful and promising work. Perhaps the reason for its demise was that it was not built adequately into the administrative structure of the Federal Government. Its power to influence administrative decisionmaking was minimal. Our proposal for a National Growth Policy Board would remedy this lack of involvement in decision-making by giving the Board authority for Federal program coordination, state plan and program review, and the coordination of incentives and sanctions.

CONGRESSIONAL COMMITTEES

As a professional society seriously concerned with the quality of the environment, one of our major problems has been the distribution of concern for these issues among several Congressional Committees. We see duplication, lack of coordination, and piecemeal approaches to complicated, interrelated problems which must be dealt with as a whole.

In 1971 the Senate and the House approved separate resolutions to create a Joint Congressional Committee on the Environment. Even though the Joint Committee was never established, it represented a step in the right direction. However, we believe that these issues could be dealt with more effectively if there were one committee in each Branch of Congress with jurisdiction over environment and national growth policy. We hope that the House of Representatives will act on this matter in conjunction with their current review of Committee jurisdiction and operation and that the Senate will follow suit.

STATE LAND USE AND DEVELOPMENT PROGRAMS

The American Institute of Architects strongly supports the creation of land use and development programs at the state and metropolitan level. Here is where the primary responsibility and constitutional authority for land use planning and management exist. It is government close to the people. It can be responsive to the needs of its citizens. It should be pointed out, however, that there are national policies enacted by Congress in the fields of housing, environmental quality, and civil rights, as well as others, and these should be taken into account in any state or metropolitan land use and development programs.

We believe that state programs should provide for the following:

1. the protection of areas of critical environmental concern;

2. the planning for areas impacted by key facilities;

3. the planning for development and land use of regional significance;

4. the planning for large-scale subdivisions and other large-scale development;

5. the creation of mechanisms to assure compliance with standards and regulations relating to air and water quality, solid waste disposal, and resource recovery;

6. the creation of mechanisms to assure compliance with planning housing, public facilities, growth, and development objectives in existing housing and urban development statutes;

7. the creation of mechanisms to assure equal social, educational, and economic opportunities for all citizens;

8. the conservation and preservation of natural, historical, and scenic resources;

9. the conservation of agricultural land of high productivity;

10. the restriction of use of wetlands, watersheds, and flood plains;

11. the planning for open spaces and recreation;

12. the planning for transportation systems;

13. the planning for power and water supply;

14. the determination of desirable locations of centers of economic development;

15. the planning for balanced population distribution.

The definition in each of the bills of "areas of critical environmental concern," is excellent but has a serious omission. There is no reference to the problems of the

central cities or metropolitan areas. A state land use and development program can not ignore central city problems. We believe state programs should address themselves to land conversion on the edges of metropolitan areas as well as the rebuilding of central cities. We recommend that the language of the bill be amended to reflect this concern.

NEW INSTITUTIONS AND MECHANISMS

The Federal Government cannot and should not prescribe methods for shaping growth on the state and local level because it is too far removed from state and local problems. The most creative solutions must and will come from the cities and states themselves. These can be aided by state and local institutions serving as prime mechanisms for implementing state land use and development programs. For example:

1. The state and local capital budgetary process should be closely tied to state programs so that the state expenditures are consistent with land use and development goals. Indeed, public infrastructure which controls and shapes growth should be located and installed as a conscious public decision which reflects state and local development objectives. Capital infrastructures such as utilities, roads, social services, educational and recreational facilities should be installed in advance of urbanization to control and shape urban form and services.

2. State chartered development corporations with the power of eminent domain, and public borrowing authority should be encouraged. Such institutions are the New York State Urban Development Corporation and the seven-county Minneapolis-St. Paul Metropolitan Council. We are interested in what George Romney has dubbed "the real city" and what public institutions can do to control and shape growth.

3. An elected metropolitan planning and development agency should be encouraged to plan and control the patterns of urban development.

4. Aggregation of the scale of development should be encouraged. Section 303(a) of H.R. 2942 calls for state land use programs which assure "that any large-scale subdivisions and other proposed large-scale development within the state of more than local significance in its impact on the environment is not inconsistent with state land use programs." We would like to go beyond this matching of large-scale development to state plans, which we believe is essential, to another more significant point. We believe that a basic state planning process should include programs, both public and private, to aggregate the scale of community development. In the First Report of our National Policy Task Force we call for the creation of urban growth units as a new mode for urbanization. For too long we have been trying to deal with the quality of urban growth in a piecemeal, uncoordinated and haphazard series of arrangements between public agencies and private developers. We would like to see the restraints to the aggregation of the scale of development removed, and incentives added to encourage the building of neighborhoods rather than simply houses.

5. The unearned increments in land value due to public investment should be returned to the public. Section 303(f) of H.R. 2942 states "any person having a legal interest in land of which a state has prohibited or restricted the full use and enjoyment thereof may petition a court of competent jurisdiction to determine whether the prohibition diminishes the use of the property so as to require compensation to be awarded therefore." We believe this language covers only one side of the ledger; that is, the side where public actions constrain the free use of private property, in effect, the taking of some development or use right. The other side of the ledger, where public investments create significant benefits to private property owners, should also be considered. We recommend that the state planning process should study and find means to capture unearned increments in the value of land accruing to private property owers due to public investments on or near their properties. We believe that if the public is to capture some of the unearned increments or the so-called windfall profits from private owners, these profits must be clearly related to specific public investments such as freeways, interchanges, rapid transit stations, major recreation facilities, water and sewer systems.

The Douglas Commission in Urban Problems studied this question in 1967. They found that 72 billion dollars worth of real estate changed hands in 1967. Twenty-four billion dollars of that value was in the capital gains category, due in fact to both public and private investment. Twenty billion dollars was in the appreciation of raw land. The Federal Government, using the capital gains tax approach, was able to capture one billion dollars in capital gains tax receipts. We believe methods could be worked out whereby the public could recover a greater proportion of the value it creates through its investments in public infrastructure. We hope that the state planning process would address itself to this question and seek creative solutions.

FEDERAL INCENTIVES AND SANCTIONS

We fully appreciate the difficulties that this legislation may impose in view of the difference in state capabilities to (1) develop a planning process, (2) prepare a land use program, and (3) create the mechanisms to implement the program. Consequently, we recommend that during the first five-year period all states be funded on an equal per capita basis. Hopefully those that find themselves with larger tasks will have an opportunity to catch up. The Federal Government should continue to support program development, which is a useful activity in and of itself, separate from implementation. However, those states which concentrate solely on the creation of plans should progress at a rate proportionate to their capabilities.

The authorization of 40 million dollars for each of the first two years and 30 million dollars a year for the following three fiscal years seems low when compared to the Department of Housing and Urban Development's Section 701 Comprehensive Planning Assistance Program. It expended about 100 million dollars per year for the last three years in providing planning assistance for state, regional, and local governments. And this did not keep pace with the demand for Section 701 funds.

To adequately fund this land use planning effort, we would suggest the 100 million dollar annual authorization contained in the Senate Committee-approved bill least year, with up to a 90% Federal share available to assist states to develop their land use planning capacity and prepare and implement their land use programs.

We recommend that the legislation be revised to make it mandatory for all states to prepare state land use and development programs in order for them to continue to be eligible for Federal assistance in program areas which significantly affect land use patterns.

As H.R. 2942 is presently written, the only sanction for a state is ineligibility for the land use planning and management grants provided by the legislation. States will develop land use planning processes and land use programs if they realize that the flow of other Federal funds may be stopped if they do not.

Several of the categorical assistance programs to state and local governments may be replaced by proposed revenue sharing and block grants. Therefore, we suggest that the program-making requirements of this legislation be a condition for continued state eligibility for special forms of revenue sharing, particularly rural and urban development.

In addition, we support the approach contained in the 1972 House Committee-approved bill and endorsed by the Administration to highway, aviation, and land and water conservation fund sanctions. After the initial five-year period is over, states which have not produced an effective land use program and which have not moved toward creating the mechanisms necessary to carry out plans should be penalized by Federal withholding of 7% of each of the following Federal programs: water and sewer, highways, aviation, and land and water conservation funds to a cumulative total of a maximum 21% of each. In essence, the Federal Government will inform the states that unless they provide for the planning and control of their growth, it will reduce the amount of Federal money being provided to that state in programs which sustain and encourage growth (i.e., water and sewer and transportation). This is a realistic way to interest the states in preparing the plans and in creating the implementary mechanisms.

PUBLIC PARTICIPATION

Our final recommendation deals with informed citizen participation in the development and implementation of state land use planning processes and programs. We strongly recommend public disclosure of the information pertinent to the development of the state land use planning process and programs, including potential alternatives. The disclosure should be well in advance of any hearings or decision-making. It should be in a form easily understood by the general public and be widely publicized. In this fashion, the public will have an opportunity to consider and analyze the options available and present informed positions during public hearings. Public participation after government officials have already made tenative or binding decisions is meaningless. In addition, an appeals procedure is needed for reviewing objections and reservations after the initial state plan is prepared. We do, however, recognize that the responsible public body must be the one that makes the final decision.

We recognize that the land use legislation now pending before Congress has already traveled down a long road and has many obstacles yet to overcome before it can be enacted into law. The American Institute of Architects believes that land use and national growth are two of the most vital issues facing our nation today and are ones that must be dealt with comprehensively. To do less will not achieve a lasting solution. For this reason we trust that Congress will thorough our review recommendations and act favorably on them. Thank you.

By Mr. JAVITS (for himself, Mr. McGOVERN, Mr. ABOUREZK, Mr. CRANSTON, Mr. HART, Mr. HUGHES, Mr. HUMPHREY, Mr. KENNEDY, Mr. MATHIAS, Mr. METCALF, Mr. MONDALE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr. STAFFORD, and Mr. WILLIAMS).

S. 3051. A bill to amend the Economic Opportunity Act of 1964 to establish a special emphasis program of emergency energy conservation services for the poor, and for other purposes. Referred to the Committee on Labor and Public Welfare, by unanimous consent.

EMERGENCY ENERGY CONSERVATION ECONOMIC OPPORTUNITY AMENDMENTS OF 1974

Mr. JAVITS. Mr. President, I introduce for myself and Senator McGOVERN and 14 sponsors, including Senators ABOUR-

EZK, CRANSTON, HART, HUGHES, HUMPHREY, KENNEDY, MATHIAS, METCALF, MONDALE, NELSON, PELL, RANDOLPH, RIBICOFF, STAFFORD, and WILLIAMS, "the Emergency Energy Conservation Economic Opportunity Amendments of 1974," a bill to amend the Economic Opportunity Act of 1964 to establish a "special emphasis" program designed to enable low-income individuals and families, including the elderly and the near poor, to participate in energy conservation to lessen the impact of the energy crisis on such persons.

Mr. President, I ask unanimous consent that this measure be referred to the Committee on Labor and Public Welfare.

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

Mr. JAVITS. Mr. President, under this new authority the Director of the Office of Economic Opportunity is authorized to provide assistance to Community Action Agencies, State Economic Opportunity Offices, Community Development Corporations, and other public and private nonprofit organizations and agencies for a range of programs and activities to deal with special problems facing the poor as a result of the energy crisis.

These efforts would include energy conservation efforts such as winterization of old or substandard dwellings; emergency loans, grants, and revolving funds to deal with increased housing expenses relating to the energy crisis; alternative transportation activities designed to save fuel and assure continued access to training, education and employment; outreach efforts, including the establishment of energy crisis centers; supportive services and a number of related activities; for these purposes "such sums" are authorized for this fiscal year, 1974.

Mr. President, while all citizens are affected by the energy crisis, the poor face a number of special hardships due to their lack of an adequate income, thus further aggravating the poverty syndrome.

Hearings before Senator MCGOVERN's Select Committee on Nutrition and Human Needs, held on January 22 and 23, document dramatically the situation in which the poor and the elderly find themselves as a result of the energy crisis. Among the highlights of the testimony were the following findings:

Of the 8 million single family dwellings occupied by the poor, 4 million have no insulation and about 5 million have no storm windows or doors. One-fourth, or 2 million of the homes are in the coldest or moderately cold climate zones where temperatures regularly go below freezing in the winter months.

The poor's access to fuel is being limited because of a reluctance of suppliers to extend credit for small orders.

Increases in gasoline prices may make it impossible for the poor, especially migrant workers, to travel to and from work.

The need for legal services has increased in order to deal with special housing, employment and other questions resulting from the energy crisis.

Mr. President, the Office of Economic Opportunity has taken a number of significant steps under existing general demonstration authority to deal with the particular problems of the poor occasioned by the energy crisis, including the "Operation Fuel" program in Maine, and a similar project in Vermont.

But these promising efforts—funded at a level of less than $1 million in the aggregate—reach only a fraction of those in need throughout the Nation. Through this bill, the sponsors seek to prompt a duplication nationally of such efforts at the earliest moment.

I am pleased to note that officials of the administration have already indicated an interest in this proposal:

Appearing before the Select Committee on Nutrition and Human Needs on January 22, John W. Sawhill, Deputy Administrator for the Federal Energy Office, acknowledged that social services programs should be created for persons in hardship situations and that this specific proposal should be given careful consideration.

The following day, in testimony before the Select Committee, Alvin J. Arnett, Director of the Office of Economic Opportunity, testified that $100 million would be necessary to install the winterization aspects of the Maine program in cold or moderately cold climates across the Nation; it is also interesting to note his statement that if all the one-family homes or poor households that heat with fuel oil were insulated—about 33 trillion Btu's, approximately 10,815,000 gallons of fuel oil—could be saved in heating in a year.

Then on January 28, Mr. Sawhill testified before the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations, that he generally approved the idea of replicating the Maine project across the Nation, at approximately the $100 million level indicated by Mr. Arnett.

As this measure is considered by the Subcommittee on Employment, Poverty, and Migratory Labor of the Senate Committee on Labor and Public Welfare, we shall seek additional estimates on appropriate funding levels and shall include a "ceiling" in any legislation that may result.

It is particularly significant to note that H. S. Perry, Director of the Office of Economic Opportunity in the State of Maine, testified before the select committee, based on the actual experience in that State, that if the program were expanded in other States, it could be carried out very quickly. He points out that the Maine program was announced on December 12, 1973, and was well underway by the end of that month.

Mr. President, of course, there are many other steps that may be taken under existing law involving other departments of the Federal Government to help alleviate the effect of the fuel crisis on the poor, including relaxation of certain welfare requirements, housing laws, and of course, input of the poor themselves into the actions and proposals of the Federal Energy Office.

To prompt action on these aspects, as well, the bill requires the Director, the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Secretary of Housing and Urban Development, the Director of Action—the volunteer agency and the Administrator of the Federal Energy Office to establish procedures and take other appropriate action necessary to insure that these matters are taken into account.

Mr. President, this is the second bill that I have introduced to deal with the human aspects of the energy crisis—elements that I hope the administration will not overlook while meeting our legitimate concerns with allocations, rationing, oil exploration and other vital matters.

S. 2993, the Emergency Energy Employment Assistance Act of 1974, which I introduced on February 8, with Senator NELSON and eight cosponsors, would authorize $4 billion over a 2-year period to create 500,000 public service jobs. Once funds were appropriated, they could be made available pursuant to a determination by the President, by concurrent resolution of the Congress, or in any event if the national rate of unemployment exceeds 6 percent for 3 consecutive months.

Jobs are key, but along with job creation efforts, we need to provide the kinds of services contemplated under this bill to avoid hardships on a day to day basis in terms of other essential living conditions.

Mr. President, I hope that the administration will see fit to support this legislation and we can move very speedily on it, as it affects this fiscal year; of course, similar provisions will have to be made for future years, but we should not wish to impede the chances of immediate action on this measure by raising the overall question of the continuation of the Office of Economic Opportunity and antipoverty legislation beyond the expiration of the authorizations of appropriations under the Economic Opportunity Act of 1964 this June—a continuation which I urge.

I ask unanimous consent that there be printed in the RECORD the text of the bill and a copy of an excellent comment which appeared in the New York Times of Saturday, February 9, by Vernon Jordan, executive director of the National Urban League, entitled "The Energy Crisis: For Blacks, a Disproportionate Burden," which relates to the human aspects of the energy crisis.

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

S. 3051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act might be cited as "The Emergency Energy Conservation Economic Opportunity Amendments of 1974".

SEC. 2. Section 222(a) of the Economic Opportunity Act of 1964 is amended by inserting at the end thereof the following:

"(12) A program to be known as "Emergency Energy Conservation Services" designed to enable low-income individuals and families, including the elderly and the near poor, to participate in energy conservation programs designed to lessen the impact of the energy crisis on such individuals and families. The Director is authorized to provide financial and other assistance for programs and activities, including, but not limited to, winterization of old or substandard dwellings; emergency loans, grants, and revolving funds to deal with increased housing expenses relating to the energy crisis; alter-

native fuel supplies, special fuel voucher or stamp programs; alternative transportation activities designed to save fuel and assure continued access to training, education and employment; outreach efforts, including the establishment of energy crisis centers; furnishing personnel to act as coordinators, providing legal or technical assistance or otherwise representing the interests of the poor in efforts relating to the energy crisis; fuel conservation education; nutrition, health and other supportive services in emergency cases; and evaluation of programs and activities under this paragraph. Such assistance may be provided as a supplement to any other assistance extended under the provisions of this Act or under other provisions of Federal law. The Director, the Secretary of Health, Education and Welfare, the Secretary of Labor, the Secretary of Housing and Urban Development, the Director of Action, and the Administrator of the Federal Energy Office shall establish procedures and take other appropriate action necessary to ensure that the effects of the energy crisis on low-income persons, the elderly and the near poor are taken into account in the formulation and administration of programs relating to the energy crisis."

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of paragraph (12) of section 222(a) of the Economic Opportunity Act of 1964 for the fiscal year ending June 30, 1974.

THE ENERGY CRISIS: FOR BLACKS, A DISPROPORTIONATE BURDEN

(By Vernon E. Jordan, Jr.)

About the only certainty in the energy crisis situation is that black people will bear a disproprotionate burden of the sacrifices and penalties. We will suffer this latest crisis disproportionately because we are disproportionately poor, because we are concentrated in the most vulnerable sectors of the labor force and because there is little concern or planning for lessening the impact of the energy shortage on poor people and black people.

Such planning as exists—and it seems confined to press releases—appears to have as its main concerns the establishment of higher prices for oil and gas and the easing of discomforts of middle-class Americans.

The primary negative impact of the crisis on black people is most likely to be on the the job front. Estimates of unemployment in 1974 start at 6 per cent and climb upward thus making even optimists pessimists.

But black unemployment has always been double the white rate. A nationwide unemployment rate of about 6 per cent is likely to mean a black rate of 15 per cent or more. And the impact is even greater, for we talk about the official unemployment rate, which excludes discouraged job-seekers, involuntary part-time employes, and the vast army of the underemployed—those working but for less than a living wage.

"This "hidden" unemployment is already astronomical. In some black neighborhoods it includes a majority of the population. An induced recession will make those figures still worse, long before the official unemployment rates disclose the true nature of the job crisis, since layoffs are preceded by hiring freezes and dismisals of part-time workers.

So the energy crisis is likely to increase black joblessness, and at the same time it will result in inflationary higher prices that will pinch already strained family budgets. Dollar-a-gallon gas and dollar-a-loaf bread may be in the offing, as some economists have predicted, or they may not, as President Nixon has confidently stated. But both gas and bread prices have climbed, and the higher prices of fuel and its derivatives will mean higher prices for industrial and agricultural goods in the coming months.

Again, this is something blacks will suffer disproportionately since our median family income is little more than half that for whites, and is even less than what the Government itself defines as a decent living standard. And since a greater proportion of black families than white are dependent for their meager family incomes on more than one wage earner, the constriction of the marginal job markets that will shrink employment of women and teen-agers will have a major impact on black family income in an inflationary period.

Higher gas prices hit low income groups hardest. White commuters still get to center-city offices on time, but factory jobs are generally in fringe locations that make black workers dependent on their automobiles. The indifference with which skyrocketing gas prices is met by Washington is not matched by workers whose already too-small paychecks will be further reduced at the gas pump.

Beyond the immediate economic impact is the more insidious use of the energy shortage as the all-purpose alibi to justify further erosion of black rights. Although school busing for desegregation uses up something like one-one-hundred-thousandth of all gas used in the country, some Congressmen want to end school busing as an energy-saving measure!

Landlords and city officials will be using this "God-given" alibi to avoid supplying adequate heat to the older, less heat-efficient buildings, primarily occupied by the poor and minorities.

But despite the tremendous impact the energy crisis is likely to have on black people and poor people, the high-level committees dealing with the crisis are lily-white. Not only are blacks effectively excluded from the decision-making process in an area that affects them deeply, but Federal agencies primarily concerned with employment, health and housing and poverty have no role in them either.

If the President expects black people to accept his rosy optimism about the energy crisis, he will have to move swiftly to assure us that its impact will be fairly distributed and, especially, that the precious job gains made by blacks in recent years will not be swept aside.

Top priority ought to go to creation of a national full-employment policy that will assure everyone able to work a job at a decent wage. That idea has been gaining ground even among conservatives, and the predicted recession makes it an urgent priority. Price controls, a leaky sieve, ought to be tightened to prevent the use of the energy alibi to increase profits. Representatives of blacks, minorities and the poor should have a voice in energy decisions at the national level, while local groups should coalesce on the local level to monitor energy use and enforcement.

It is clear that the energy crisis will work a terrible hardship on black people and poor people. About the only consolation we have is the knowledge, earned through years of adversity and hardship, that we will survive and endure.

Life has always been difficult for us. While some people smilingly lower their thermostats and put on sweaters, masses of black people this winter are doing what they have done every winter—huddling in their overcoats as far from the cardboard-papered broken window as they can get and waiting for a brighter, better day.

But it need not be so. When we consider the stark indifference to the plight of poor people evidenced by this Administration, we see that the real energy crisis of our times has less to do with gasoline than with the moral energy needed to reshape our nation along more humane lines.

By Mr. HRUSKA (for himself, Mr. BURDICK, Mr. GURNEY, and Mr. MCCLELLAN):

S. 3052. A bill to amend the Act of October 13, 1972. Referred to the Committee on the Judiciary.

COMMISSION ON REVISION OF THE FEDERAL COURT APPELLATE SYSTEM

Mr. HRUSKA. Mr. President, I rise to introduce a bill on behalf of myself and my colleagues on the Commission on Revision of the Federal Court Appellate System as named, to extend the final date for the report of that Commission by 9 months and to increase its appropriation authorization.

BACKGROUND

The Congress, in creating the Commission on Revision of the Federal Court Appellate System, specified that it was to undertake two major assignments, each with its own timetable.

In phase I, the Commission was to study the geographical boundaries of the several judicial circuits and make recommendations for change. This phase of the work was to be completed within 180 days.

In phase II, the Commission was to study "the structure and internal procedures of the Federal courts of appeal system" and prepare recommendations for change in those broad areas as well. Under the terms of the governing statute (Public Law 92–489), this second assignment was to be completed and a report filed no later than September 21, 1974.

The phase I report on circuit realinement was filed in timely fashion on December 18, 1973.

The Commission, however, voted to request a 9-month extension of the date for filing of the second report. If the extension is granted, the final report of the Commission would be filed in June 1975, rather than this September. Concurrent with the request for an extension of time, the Commission also voted to request an increase in the authorization of funding for the Commission's operations, asking that the total figure for the full life of the Commission be fixed at $1 million. The original authorization was $270,000; hence, the additional authorization sought is $730,000.

In making these recommendations, the Commission acted on the unanimous recommendation of its Executive Committee and with the full support of all members of the Commission who participated in the deliberations.

The Commission was established in response to a longfelt need. Numerous judges and court observers have addressed themselves in the past decade to the crisis which has been confronting the Courts of Appeals. Many commentators have voiced the concern that an ever-increasing load of cases, if unabated, will lead to a "breakdown" of these courts as we now know them.

Perhaps the statistics of the workload of the Courts of Appeals, dry as they may appear to be, tell the tale with greatest eloquence. During the period beginning

at the turn of the last decade, the Courts of Appeals have experienced an increase in caseloads unprecedented in magnitude.

In fiscal year 1960, a total of 3,899 appeals were filed in all eleven circuits; with 69 authorized judgeships, the average was 57 per judgeship.

In 1973 the filings had soared to 15,629; with 97 authorized judgeships, the average per judgeship was 161, almost three times the figure for 1960. The filings themselves increased 301 percent during the same period, compared with an increase of only 58 percent in district court cases.

This floodtide of appellate filings has given rise to changes in internal procedures. Without passing judgment on any of these procedures, suffice it to say that they present questions which merit careful study. These procedures have the attention of lawyers and judges and have served to focus their interest on the Commission and its assignment.

PREVIEW OF PHASE II

In phase II, the Commission will address the existing and proposed procedures relating to the structure and procedures of the Courts of Appeals. In drawing up its agenda for this final phase, the Commission has identified a number of specific problem areas which should be studied and for which solutions must be found. Briefly, these areas include such subjects as: First, assuring the finality of criminal convictions; second, widespread denial of oral argument (in one circuit oral argument is denied in almost 60 percent of the cases); third, a more efficient mechanism for avoiding conflicting decisions between circuits; fourth, widespread decision of cases without opinions; fifth, substituting "leave to appeal" for the right to appeal; sixth, jurisdiction of patent appeals; and seventh, optimum size of Courts of Appeals.

The American Bar Association, at its midwinter meeting earlier this month, adopted a resolution recommending creation of "a national division of the United States Court of Appeals" for the purpose of alleviating a number of these problems and authorized its President to present testimony to the Commission on Revision of the Federal Court Appellate System in support of this position. That proposal, which speaks only in the most general terms, will require painstaking study and evaluation.

From the beginning, the Commission has devoted substantial time to the problems with which it must deal in its second report. Changes in structure were urged as an alternative to the creation of new circuits; changes in internal procedures already effected by courts inundated with appellate filings, were sharply attacked and vigorously defended, all in the context of circuit realinement.

The net effect of the process has been to make the Commission keenly aware of the complexities of the issues with which it will be obliged to grapple in phase II; of the diversity of points of view among judges, scholars, and practicing lawyers; and of the multiplicity of alternatives already developed and remaining to be developed in order to assure the continued vitality of the intermediate appellate courts.

The experience of the first 6 months also yielded two important lessons concerning operating procedure.

BROAD-BASED INTEREST

First, the Commission circulated a preliminary report on realignment, inviting comment, criticism and suggestions from the bench, the bar and other interested citizens. Hundreds of responses were received and these figured in the deliberations of the Commission as it prepared the recommendations. The number of respondents and the reasoned quality of the comments were gratifying. Understandably, the Commission would like to follow the same procedure with respect to its report on the second phase of its assignment, but with one important difference. In circulating its preliminary report on realinement, the Commission was able to allow very little time for response, a procedure necessitated by the congressionally-imposed deadline on the filing of the Commission's report. Such stringency with respect to the second report could not help but be counterproductive. Compared to the subtleties and complexities involved in structure and internal procedures, realinement appears relatively simple.

New proposals with respect to specialized courts, devices for resolving intercircuit conflicts, national panels, mechanisms for assuring the finality of criminal convictions, both State and Federal—all of these require thoughtful consideration.

Moreover, there is particular need to consider carefully the potential effects of any proposal for change. This is difficult enough with respect to effects which are foreseen; only the widest possible exposure of new ideas to the scrutiny of of a concerned and knowledgeable public can minimize the risks of the unforeseen. A preliminary circulation of proposals being considered by the Commission can do much to clarify the intent of the proponents, to refine and amend the suggested solutions, to allow the unfamiliar to become familiar—in short, to allow the recommendations to be tested, however preliminarily, in the crucible of public debate.

ONSITE HEARINGS

The second of the procedural lessons during the Commission's first 6 months was from the experience involving public hearings. The wisdom of onsite public hearings was clearly demonstrated.

The Commission held hearings on realinement in 10 cities from the Far Northwest to the Deep South. Literally scores of witnesses appeared. The transcripts of their testimony are proving valuable for a better understanding of the courts and the judicial process. Additional hearings appear highly desirable, if not essential, but these must be scheduled with ample time for witnesses to prepare adequately and to focus sharply on the particular concerns of the Commission. In one sense, the hearings during the first phase served to focus on the problems facing the court of appeals; the coming hearings must focus on solutions, on their relative merits and drawbacks. Once again, adequate time is essential for optimal results.

BUDGET PROPOSAL

Increasing the sum authorized to be appropriated for the work of the Commission is, of course, but a preliminary step which in itself provides the Commission with no funds. To be effective, it must be followed by an appropriation. A detailed statement of the precise amounts requested, by category of expenditure, would be provided in the usual manner in connection with a specific proposal for a supplemental appropriation. In this regard, I ask unanimous consent that a preliminary proposed 2-year budget be reprinted in the RECORD immediately following these remarks. This proposal has been considered in some detail by the Commission and will be submitted at the appropriate time subject, of course, to possible modification.

It might be appropriate at this point to give some indication of the broad categories for which additional funds would be utilized.

There is need to supplement the present staff of the Commission, which in addition to the Executive Director, and his deputy, includes only one junior staff attorney full time.

Mention has already been made of the hearings of the Commission on the first phase. Significant interest has been shown in the publication of the transcripts of these hearings because of the valuable material which they contain. Future hearings will require substantial expenditures. The enabling legislation provides for services both by the Administrative Office of the U.S. Courts and the Federal Judicial Center on a reimbursable basis. Substantial additional funds are needed for this purpose. Finally, the opportunity for major and significant research relevant to the present operation of the Courts of Appeals, and necessary for the evaluation of proposals for change, should not be lost for lack of funding. The cost of such research has been rising in recent months and a high proportion of any supplemental appropriation is likely to be allocated to this area.

The total requested, $1 million, would cover the full 2-year life of the Commission and is entirely consistent with the level of authorization for similar undertakings.

SUMMARY

In summary, the time schedule required now by the statute is not realistic, in view of the profound and massive proposals for change. Because they do deal with long established and fundamental institutions and procedures, there would tend to arise a negative attitude toward change, not because of any lack of merit, but due to inadequate time in which to familiarize one's self with the propositions involved. An extension of time would go far to correct this.

The present final report date is September 1974, which would call for wide circulation of a preliminary report by June. In spite of our diligent efforts, this would not be feasible.

A preliminary report can be fashioned

only after due deliberation which itself must follow not only the hearings but the digesting of the material of the hearings. These in turn would be most productive if they were scheduled after completion of at least some of the research which the Commission would like to undertake. There simply does not appear to be sufficient time or funding to accomplish that much within the period available under the act as it now stands.

I ask unanimous consent that the text of my bill and a supporting memorandum also be included in the RECORD at this point, along with the proposed budget which I referred to earlier in my remarks.

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

S. 3052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 13, 1972 (86 Stat. 807) is amended as follows:

SEC. 1. Subsection (2) of Section 6 of such Act is amended by striking out "fifteen months" and inserting in lieu thereof "twenty-four months".

SEC. 2. Section 7 of such Act is amended by striking out "not more than $270,000" and inserting in lieu thereof "not more than $1,000,000".

EXTENSION OF TIME AND INCREASE IN AUTHORIZATION FOR FUNDING OF THE COMMISSION ON REVISION OF THE FEDERAL COURT APPELLATE SYSTEM

I. REQUEST

The Commission requests a nine-month extension for the filing of its final report and an increase in authorization for funding to $1,000,000.

II. THE LEGISLATIVE MANDATE

A. The Commission was charged by the Congress (P.L. 92-489) with filing a report on circuit realignment within 180 days of the appointment of its ninth member. That report was filed, in timely fashion, on December 18, 1973.

B. The Commission is to study and make recommendations concerning "the structure and internal procedures of the Federal courts of appeal system." That report is presently due September 21, 1974. If the request of the Commission is approved, it would be due no later than June 21, 1975.

III. BACKGROUND: THE DIMENSION OF THE PROBLEM

A. The Courts of Appeal have, during recent years, experienced an increase in caseloads unprecedented in magnitude. Filings in Fiscal Year 1973 were more than four times what they were in Fiscal 1960. The percentage increase was five times as great as that for the District Courts.

B. The judges themselves have characterized the situation as involving "grave and immediate danger" and a "state of crisis."

IV. AREAS IDENTIFIED FOR STUDY

A. The Commission has identified a large number of specific problems which must be studied and for which solutions must be found.

These include such subjects as:

1. assuring the finality of criminal convictions;

2. widespread denial of oral argument (in one circuit oral argument is denied in almost 60% of the cases);

3. a more efficient mechanism for avoiding conflicting decisions between circuits;

4. widespread decision of cases without opinions;

5. substituting "leave to appeal" for the right to appeal;

6. jurisdiction of patent appeals.

B. The American Bar Association, at its mid-winter meeting earlier this month, adopted a resolution recommending creation of "a national division of the United States Court of Appeals" for the purpose of alleviating a number of these problems and authorized its President to present testimony to the Commission on Revision of the Federal Court Appellate System in support of this position. That proposal, which speaks only in the most general terms, will require painstaking study and evaluation.

V. AUTHORIZATION FOR ADDITIONAL FUNDING

Additional funding would be necessary for:

A. Hearings (Eleven days of hearings governing the first phase of the Commission's work proved exceedingly valuable.)

B. Research projects

C. Consultants

D. Proper reimbursement of the Federal Judicial Center and Administrative Office of the United States Courts for services rendered, as required by statute, and augmenting the Commission staff by at least one professional.

E. Additional meetings of the Commission throughout the period of extension; operation of the Commission's office during the same period.

VI. CONCLUSION

The Commission seeks both the time and the financial support to discharge its obligations to the President, the Congress and the Chief Justice in a manner appropriate to the magnitude of the problems besetting the federal judicial system and the importance of the judiciary to the well-being of the nation.

Personnel Compensation:	
Commissioners:	
Through December 1973	$5,400
Hearings (15 x 4)	6,000
Meeting (15 x 8)	12,000
Additional Time	4,000
Total	27,400
Staff:	
Through December 1973	43,400
Exec. Director ($36,000)	
Two Staff Attornies ($42,000)	153,000
Administrative Secretary ($11,700)	
2 Secretaries ($16,100)	
Additional Part-Time Staff ($3,300)	46,500
(Vacancies plus cost-of-living increases viewed as cancelling out)	24,000
Total	266,900
Experts and Consultants:	
Through December 1973	6,300
General Assistants (Incl. Sheehan)	15,000
Projects-High Priority	130,000
Additional Projects	45,000
Total	196,300
Personnel Benefits: (Government's contributions for retirement, life insurance, health insurance, and FICA taxes)	24,100
Travel:	
Through December 1973	11,100
Meeting (15 x 1600)	24,000
Hearings (15 x 1600)	24,000
Staff (conferences with consultants)	4,000
Committee Meetings	$6,000
Total	69,100
Rent and Communications:	
Telephone, Through December 1973	1,100
	3,800
Total	4,900
Postage, Through December 1973	1,700
	4,400
Total	6,100
Copying Equipment, Through December 1973	1,100
	3,600
	2,000
Total	6,700
Total	17,700
Printing and reproduction:	
Through December 1973 (transcripts)	4,800
Transcripts	6,600
Printing transcripts	105,000
Printing reports	4,000
Printing of studies	22,000
Total	142,400
Other services:	
AO and FJC reimbursable services through December 1973	5,900
AO	18,000
FJC	45,000
Additional support services	41,000
Total	109,900
Supplies and materials:	
Through December 1975	500
Stationery, etc	3,000
Total	3,500
Equipment:	
Through December 1973	1,500
	3,000
Total	4,500
Total	861,800
Less appropriation	−235,000
Total	626,800

By Mr. BENNETT (for himself, Mr. JAVITS, Mr. PERCY, Mr. MATHIAS, Mr. ROTH, Mr. BEALL, and Mr. DOMINICK):

S. 3054. A bill to encourage and assist States and localities to develop, demonstrate, and evaluate means of improving the utilization and effectiveness of human services through integrated planning, management, and delivery of those services in order to achieve the objectives of personal independence and individual and family economic self-sufficiency. Referred, by unanimous consent, to the Committees on Finance and Labor and Public Welfare.

ALLIED SERVICES ACT OF 1974

Mr. BENNETT. Mr. President, on behalf of my colleague Mr. JAVITS and five other Senators and myself, I am today reintroducing the Allied Services Act, which is designed to assist State and local governments in achieving a coordinated and integrated system for the de-

livery of the broad range of human service programs financed by the Federal Government.

Last year my colleagues and I introduced the Allied Services Act in an attempt to focus attention on the ever-increasing problem of human service coordination and integration of a multiplicity of programs at the State and local level. During the past 20 years, the Federal Government has created a vast system of categorical programs designed to meet the increasing demands of social problems. They have been aimed at the elimination of such problems as drug abuse, inadequate educational opportunity, mental retardation, alcoholism, inadequate health care, vocational rehabilitation, nutrition, family counseling, programs for older Americans, and the list goes on and on, totaling well over 300 individual programs at HEW alone.

It can be accurately said that there is a Federal program designed to deal with virtually every social problem in this country. The fact that vast problems still exist points out two things: first, there is much which has yet to be done, and second, that there is a question about whether or not there is the necessary coordination between programs to allow the delivery of services in a way which will be responsive to the human needs they are designed to serve.

The fact that more than 80 percent of the Department of Health, Education, and Welfare's clients require more than one service points out the increasing need for a sensible service delivery system that can offer a central location for the distribution of both information and assistance. It is unfortunate, but true that a majority of those individuals who need more than one service never reach the second service agency, and those who do, find that there are no shared case histories, no coordinated approach to the providing of assistance. Having to go through the painful retracing of individual case histories before receiving aid is demoralizing to the individual whom the programs are designed to assist, and it is also a waste of time, energy, and the taxpayer's money.

The President has proposed a number of initiatives which, taken together, are designed to eliminate many of the basic faults in the present system. General revenue sharing returns to the States and localities a significant amount of Federal money to be used by State and local officials in accordance with their local needs. Decentralization of the Federal Government will bring Government closer to the people and will make it more responsive to their needs and more attuned to their problems. Grant consolidation, block grants, single application forms and the like are all positive steps to assist States and localities in bringing about more responsive and comprehensive delivery systems.

Mr. President, in an effort to see to it that there is a continuation of the philosophy of increased responsiveness and coordination, I am again sponsoring the Allied Services Act. I am confident that the passage of the act will create the capacity at State and local levels to discern problem areas, to eliminate duplication, and to fill existing voids in the broad range of human services that are now offered through the host of categorical grant-in-aid programs.

I am also sponsoring the Allied Services Act because I believe that we must maximize the effect of the programs and eliminate unnecessary administrative costs so that more services to people can be supported. This bill is designed to achieve that goal. If resources are pooled, administrative costs must go down. It is wasteful to have more than 300 HEW categorical grant-in-aid programs administered at the State and local level by separate structures which do not pool resources, which have separate administrative and accounting procedures, which file an inordinate amount of differing forms with the Federal Government and which require different planning effort, separate caseworkers, and separate facilities. The Allied Services Act is designed to reduce this extraordinary duplication by allowing the Governor to pool the planning resources and funds from the various human service categories, by allowing the Secretary of HEW to waive some of the administrative guidelines and regulations which require administrative duplication and duplicated costs, and by allowing a voluntary transfer of funds of up to 30 percent from one of the participating programs to another in order to reduce duplication and to fill existing voids.

Mr. President, I am sure that this is the beginning of a reform which we all have known has been needed for some time. Governors and mayors who have struggled for years in an effort to coordinate and participate in the vast range of human services available in their areas, I am certain, will be pleased to see this as the first major step in the badly needed process of reform.

Mr. President, I urge prompt and careful consideration of this bill and ask unanimous consent that the summary of the proposed ASA of 1973 be printed in the RECORD.

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

THE ALLIED SERVICES ACT OF 1974

BACKGROUND

The Department of Health, Education, and Welfare presently has more than 300 categorical grant programs, administered by scores of different state and local agencies.

This kind of programmatic specialization has all but obscured the concept of responding to a human being as a whole person whose needs are interrelated. Now, government leaders, social service professionals, taxpaying citizens, and social service clients are asking for a change—a change toward helping people in a planned, efficient way which responds to their whole range of needs.

The Allied Services Act of 1974 would provide technical and monetary assistance to states, enabling them to plan and deliver services to clients more effectively. This bill is a major part of the Department's efforts to coordinate human service programs, assisting individuals and families attain personal independence and economic self-sufficiency.

The Act would authorize demonstration planning grants to states and would permit states with approved plans to transfer up to 30 percent of Federal categorical funds to related service programs included in their plans. Administrative and technical barriers currently associated with categorical programs could be waived by the Secretary of HEW when they impede the integration of services. Special "implementation grants" would also be available to states and localities to help cover start-up costs.

THE ALLIED SERVICES ACT: HOW IT WORKS

A. Key Allied Services Act Provisions

The Act contains five fundamental authorities which collectively would provide the administrative tools necessary to develop, demonstrate and evaluate integrated delivery of human services at the local level.

1. It would provide planning assistance to participating States, and through them, to localities. After the work plan is initiated, the participating programs' planning authorities could be consolidated.

2. It would provide, once the plan is approved, implementation grants for up to three years to States and localities to cover the costs of installing comprehensive, integrated support systems. Included under these grants are management information systems which require additional monies initially but which, once in place would reduce the amount of categorical funds spent on independent, partial information systems within each participating agency.

3. It would authorize the transfer of up to 30 percent of the funds from any participating program to any other related program purpose contained within the work plan. Exempted from this provision are Titles I, VI, X, XIV, XVI, XIX and Part A of Title IV of the Social Security Act, the WIN Program, and grants to State or local educational agencies under Title I of the Elementary and Secondary Education Act of 1965. (These exclusions are made basically because these are means-tested programs; the Allied Services Act is not a vehicle for transfer of funds from programs servicing the most needy.)

4. It authorizes administrative, regulatory, and technical waivers when the work plan demonstrates that existing requirements impede the logical integration of services functions.

5. It enables joint funding across agency lines to maximize resources and reduce duplication.

These provisions are dependent upon State compliance with minimum Federal standards and guidelines and upon regular evaluations of State performance.

B. KEY ELEMENTS OF ASA PROCESS

The operation of ASA rests on four key elements:

1. *Work Plan Development and Approval Process.* The ASA planning process involves Federal, State, and local participation. However, the major responsibility rests with the Governor. At the outset, the Governor would designate (a) appropriate planning and service districts within the State and (b) local agencies which have agreed to participate within each district to be responsible for development and implementation of local plans. Upon designation, local agencies would develop local "allied services" plans based upon comprehensive need assessments, services inventories and input from interested agencies, organizations, and individuals. Upon receiving these local plans, the Governor (or his designated State agency) would prepare a statewide work plan for submission to HEW for review and approval. HEW Regional Offices will participate in the preliminary review and approval, as well as the monitoring and evaluation of individual State plans. Consultation with, and review by, other Federal departments or agencies would occur where State plans include service programs outside the jurisdiction of HEW.

2. *Program Inclusions.* States are required to include, at a minimum, Parts A and B of Title IV, and Titles I, VI, X, XIV, and XVI of the Social Security Act, and a minimum of

three additional HEW human services programs. The long-range intention of the Act is to integrate all human services.

3. *Evaluation Reports.* States must provide evaluation reports, as specified by the Secretary, assessing the impact of integration and consolidation on client conditions.

4. *Support Service Standards.* Basic support services (e.g., information systems, intake and referral procedures, etc.) must comply with minimum Federal specifications.

Federal standards will be established by the Department of Health, Education, and Welfare in conjunction with public and private organizations and will be the basis on which the Department approves or denies a States request for Federal assistance.

EXCERPTS FROM PRESIDENT NIXON'S MESSAGE TO CONGRESS: MAY 18, 1972

The Allied Services Act . . . would give state and local officials authority to consolidate the planning and implementation of the many separate social service programs into streamlined, comprehensive plans—each custom-designed for a particular area.

As I stated in my State of the Union Message this year, "We need a new approach to the delivery of social services—one which is built around people and not around programs. We need an approach which treats a person as a whole and which treats the family as a unit."

[Social Service clients] are not the only victims of fragmented services—others include the taxpayers, and the public officials and government seeking to operate these diverse programs. Vast amounts of time, money and energy are expended in administrative procedures which overlap and duplicate—rather than being efficiently organized to help people.

The Allied Service Act would give state and local governments greater legal freedom and planning tools needed for the long-overdue job of modernizing the delivery of social services into consolidated programs. This process would begin at the option of elected state and local officials and would be highly responsive to their needs.

The Allied Services Act charts a new course for the delivery of social services. It is a complex reform proposal with many major ramifications for many established groups—government and private—on the Federal, state and local levels.

The consideration and eventual passage of this legislation by the Congress would only be a start. At the same time, human service delivery reform would have to be debated all across the country by affected governments and groups, in order to decide how they would make best use of the proposed freedoms and incentives in their particular areas.

This is one more effort by my Administration to make government more sensible, more responsive and more effective at the local level—where most citizens actually meet the practical impact of government.

[State and local government] would be freed—and thus would be challenged—to direct the development of customized, comprehensive social services plans to treat the special needs, resources and desires of their particular areas.

Such efforts would result in government built for people, geared for across-the-board performance, and designed for results rather than bureaucratic ritual.

If we bring this about, we shall not only be providing better social services—we shall be taking a giant step toward the restoration of the people's confidence in the common sense performance of their government.

RICHARD NIXON.

THE WHITE HOUSE.

STATEMENT BY CASPAR W. WEINBERGER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A revised Allied Services Bill has been introduced in the Congress. I strongly support it, and urge its enactment.

This legislation is designed to help streamline an uncoordinated bureaucratic jungle that the Federal government unwittingly created in its zeal to provide a vast array of social services to citizens in need.

The present system of hundreds of separate human services, operating independently of each other at the local level, baffles and shortchanges many citizens in need. The unintended administrative snarl frustrates efforts to treat an individual as a whole person and a family as a unit. And it wastes the taxpayers' money.

In the years since World War II, particularly in the decade of the 1960's, a compassionate government set up a host of assistance programs designed to meet a wide variety of human needs.

These hundreds of programs, however, were established one-by-one over a considerable number of years. Each individual social problem was looked at separately, and a program to alleviate each problem was devised in isolation—without regard to programs developed for allied problems.

The result is something of which Rube Goldberg would have been justly proud.

Our human service programs were set up to help citizens with such things as services for mental health, vocational rehabilitation, manpower training, food and nutrition, special programs for the aged, education, juvenile counseling, alcoholism and drug abuse, housing and health.

Each program is a little world of its own—with its own rules, application forms, administrative procedures, staff, office location and geographical area of eligibility. One knows little, if anything about the others.

For the citizen in need, the present fragmented system can become a nightmare of confusion, inconvenience and red tape.

Since most people in need require more than one service, they now must trudge from office to office, filling out form after form, in order to get all the help they need. The most obvious result, of course, is that they do not get all the services they need, or they just give up in understandable frustration.

The Allied Services Act is designed to end situations in which a father is helped by one program at one location, his daughter by another elsewhere, and his elderly parents by still another program at still another location. An individual goes to one place for nutritional help, to another for health services, and to yet another for educational counseling. A complex welfare case can require as much as a dozen separate services—provided by as many separate programs.

And eligibility most times is based on residence—but the areas included vary. One agency accepts only the residents of a city, another accepts only the residents of a district within the city, and still another accepts only the residents of a neighborhood within the district.

The immediate need is not for new services to be added on top of those which now exist, but systematic planning.

The Allied Services Bill would provide funds for developing an alliance of services within selected geographic areas.

It would permit the Department of Health, Education, and Welfare to award $20 million to States which elect to tackle the problem of unifying and coordinating—and packaging if you will—services in a way designed to yield successful outcomes.

It would permit the Secretary to waive program requirements which would hamper the integration of services.

It would provide for the transfer of HEW funds from one program to another in order to respond to local needs and local priorities.

It would allow local agencies to pool management and information functions for a more efficient delivery of services to people in need.

Only through planning can wasted motion be replaced with effective results. Only through planning can administration become efficient.

It is my hope that the Allied Services Act will mean the wiser use of professional talent, savings in tax dollars and voluntary contributions, and above all the preservation of independence and the restoration of human dignity.

It is time for a large dose of common sense to be injected into our human services—and the Allied Services Act would do precisely that.

SUMMARY OF THE PROPOSED "ALLIED SERVICES ACT OF 1973"

The proposed "Allied Services Act of 1974" is intended to develop, demonstrate, and evaluate various mechanisms by which States and localities could coordinate the provision of human services to individuals and families in ways that will assist them in attaining the greatest feasible degree of personal independence and economic self-sufficiency, or will prevent individuals and families from becoming increasingly dependent upon public and private programs for both financial support and personal care.

The Act would define various key terms. For instance, the term "human services" includes any services provided to achieve or maintain personal and economic independence. The "allied delivery of services" means the provision of human services needed by individuals and families, in such a coordinated way as to (1) facilitate access to and use of the services, (2) improve the effectiveness of the services, and (3) use service resources more efficiently and with minimal duplication. These definitions help to restate the goals of the Act in clear terms—to develop the means by which dependency may be lessened through more effective service delivery.

Title I of the bill provides authority for the Secretary to make grants which may be needed by States and localities to develop plans for the allied delivery of services. These grants may not be made to any grantee for more than two years and no initial grant may be made after three years following enactment.

This title also describes the State and local allied services programs contemplated under this Act. Section 102(a) describes the steps which must be taken by the Governor as conditions precedent to the submission of a State allied delivery of services plan. First, he must divide the State into service areas (within which human services programs will be allied), after taking into consideration factors such as the distribution throughout the State of service needs and service resources, the boundaries of existing planning areas or areas for the delivery of individual service programs, and the location of units of general purpose local government. In the process of delineating service areas, he must inform units of general purpose local government of his plans and consider their comments and recommendations. The service areas must conform to the geographic areas established for other planning purposes consistent with criteria prescribed by the Office of Management and Budget, unless the Secretary determines otherwise. Second, he must determine, after consultation with the various public and private service agencies, whether a local allied services plan will be developed for any given service area. In the event that it is, then the Governor designates, with its consent, a local agency to take the lead in developing and assuring implementation of the local plan. Third, the Governor must designate a State agency which is under his direction and which will have responsibility for developing a State allied delivery of services plan which incorporates local plans and for supervising and reviewing its administration.

Section 102(b) provides that to be designated as described above a local agency must be an office or agency of a unit of general purpose local government (or combination

of such units) which has been chosen to act in this capacity by the chief elected official (or officials) of the unit (or units), or of a public or nonprofit private agency (which, for this purpose, is under the direction of the designated State agency), which can plan for and provide a broad range of human services, and must give assurance, satisfactory to the Governor, that it has the necessary ability to develop and carry out the local plan. The Governor may designate a public or nonprofit agency, other than an office or agency chosen by a unit (or units) of general purpose local government, only if he finds that there is no such office or agency which has the capacity to carry out a local allied delivery of services plan.

The local allied delivery of services plan must be approved by the State agency and incorporated into the State plan before any of the forms of Federal assistance described below can accrue. The plan must be designed to serve as a demonstration or evaluation of means to substantially improve the allying and consolidation of human services planning and delivery.

Prior to submission of its local plan to the State agency, the local agency must afford a reasonable opportunity to interested agencies, organizations, or individuals to present their views and comments on the proposed plan. The local plan must specify the agencies and organizations which have agreed to participate in the coordination effort, describe the service needs and resources within the service area, enumerate the programs to be included under the plan, and provide reasonable assurance that progress will be made in allying the delivery of services. This assurance is to be provided by describing the specific functions and services to be allied, the benefits to individuals, and the administrative efficiencies to be achieved by the allied delivery of services.

The local plan must also specify procedures which assure that interested agencies, organizations, and individuals will have their views taken into consideration with respect to the carrying out of the plan. It is the intent of this bill to have the active and continuous involvement of voluntary organizations, client groups, service consumers, and local social service providers in the planning and administrative processes of the program.

Section 103(a) prescribes the requirements applicable to a State allied delivery of services plan. An approvable plan must (1) be designed to serve as a demonstration and evaluation of means to substantially improve, the allying and consolidating of human services delivery, (2) through a brief summary of the incorporated local plans, describe the *current status* of the allied delivery of services, and the steps which will be taken to achieve a greater degree of human services coordination, (3) provide assurance that under each local plan services under the assistance titles of the Social Security Act will be allied with services under at least three other human services programs (regardless of whether those programs are receiving Federal support), (4) provide for the use of such methods of administration as are necessary for the proper and efficient administration of the plan, (5) establish objectives, consistent with the purposes of the Act, toward which activities under the plan will be directed, identify obstacles to the attainment of those objectives, and indicate how it proposes to overcome those obstacles, (6) be designed to achieve expansion of its coverage to other services and other service areas on a reasonable basis, (7) provide that the State agency will conduct periodic evaluations of activities carried out under the State plan, and (8) provide that the State agency will provide any other relevant information which the Secretary may request.

Subsection (b) directs that an opportunity to review and comment upon a State plan submitted for approval be afforded to the head of any Federal department or agency which is extending assistance to a program included within that plan.

Subsection (c) permits the Secretary to approve a State plan only if he finds that (1) the Governor has complied with the preliminary organization requirements prescribed in section 102, and (2) the plan meets all the specified requirements.

Subsection (d) provides certain penalties if the Secretary finds failure to comply substantially with the provisions of an approved State plan (or included local plan). He may in his discretion apply these penalties to the entire State plan or only those part of the State or local plan or service areas affected by the noncompliance. In such instances, the subsection would provide: no Federal planning funds may be consolidated or intermingled with other such funds for human services planning, no Federal funds may be transferred among programs, no requirements may be waived, and no further payments or grants may be made (in the fiscal year for which the plan is approved) for so long as the failure to comply continues.

Title II of the bill authorizes the Secretary to make discretionary grants to meet initial costs of allying or consolidating administrative support services and management functions necessary to facilitate the allied delivery of human services if those costs cannot be met from other available funds. The State must indicate how it plans to allocate the funds applied for among the various designated local agencies with approved plans. These grants are not to be used to meet the non-Federal share requirements of any Federally-assisted program and may not be made to any grantee for more than three years. No initial grant may be made after three years following enactment.

Title III of the bill contains several special authorities to facilitate the allied delivery of services. First, authority would be given both the Secretary and State and local governments with approved allied services plans to consolidate planning funds extended by the Department of Health, Education, and Welfare. Thus, the Secretary may make a single, consolidated grant to States of HEW funds available for planning at the State level for or under any program included in the approved State plan or to local governments of HEW funds available to them for planning for or under any program included in the local allied service plan. As a corollary, a State or a unit of general purpose local government, with an approved allied services plan, may use planning funds provided by the Department of Health, Education, and Welfare and available for any program included in its plan, for planning in connection with the provision of human services under any other included program.

Second, a State or local agency with an approved plan would be able to transfer up to 30% of the Federal assistance available for use under any HEW-assisted program included in the plan to be expended in carrying out any other included programs. Assistance transferred under this authority carries with it the matching rate established under the program for which it was originally appropriated, so that no incentive to transfer will be created merely by disparities in matching rates which exist among the included programs. Transfers of grants would not be permitted, however, in the case of assistance programs under the Social Security Act or in the case of Title I of the Elementary and Secondary Education Act.

Third, the Secretary would be authorized to waive requirements of Statewide applicability, administration by a single or specified State or local agency, or technical or administrative requirements imposed in connection with any included program which, at the Federal level, is administered by the Secretary and which the State or local agency certifies impedes implementation of its allied services plan. Thus, it would not affect the basic protections provided by the Civil Rights Act of 1964 or any other generally applicable legislation; nor would it apply to programs administered by other Federal departments or agencies.

Title III also provides point funding authority. It is almost identical to that contained in the juvenile delinquency law, the Economic Opportunity Act, the Older Americans Act, and the Law Enforcement Assistance Act. It goes somewhat further than those statutes in two respects: (1) it would permit joint funding of several grants made by the same agency, and (2) it would permit waiver of technical grant or contract requirements imposed by statute as well as by regulation.

Also, Title III of the Act would authorize the Secretary to evaluate, directly or by grant or contract, the programs established under the Act and to provide technical assistance for planning or implementing a specific allied delivery of services program. In addition to any salary and expense money he may wish to devote to these activities, the Secretary may also use for this purpose amounts not in excess of 5% of the amounts appropriated to carry out the Act.

Finally, Title III would require the Secretary to report to the Congress five years after passage of the Act on the activities carried out under the Act, his evaluation of those activities, and recommendations with respect to appropriate legislation in the area of allied service delivery.

ALLIED SERVICES ACT OF 1974—SUMMARY OF CHANGES FROM ALLIED SERVICES ACT OF 1972

1. LONG TITLE AND FINDINGS AND PURPOSE (SECTION 2)

These have been reworded in order to stress the developmental and demonstration nature of the bill.

2. DEFINITIONS

The term "coordinated provision of services" in last year's bill has been changed to "allied delivery of services."

3. STRUCTURE

The various grant and administrative authorities in the bill have been regrouped under three titles, instead of the two titles used last year. This change is intended to highlight the specific forms of Federal assistance available under the Act and the progression and purpose of the activities to be undertaken.

4. STATE PLAN PROVISION

Five new requirements have been added to the State plan provision (section 103). They call for (1) the plan to be designed to serve as a demonstration and evaluation of means to substantially improve the allying and consolidating of human services planning and delivery, (2) the use of such methods of administration as are necessary for the proper and efficient administration of the plan, (3) the establishment of objectives, consistent with the purpose of the Act, toward which activities under the plan will be directed, the identification of obstacles to the overcoming of those objectives and proposals for over-coming those obstacles, (4) evaluations of activities carried out under the State plan, and (5) reasonable expansion of the plan's coverage, both with respect to the number of service areas participating and the programs, functions and services included.

5. GRANTS FOR ADMINISTRATIVE SUPPORT SERVICES

Last year's bill limited the grants for administrative costs to two years. The revision extends the time limitation to three years. No new grants could be made under either

this section or the planning grant section (101) after 3 years.

6. FUND TRANSFER

Last year's bill limited the fund transfer authority to 25% of the Federal assistance extended by HEW for any human service program. The revision increases this limit to 30%.

7. DISSEMINATION, TA, AND EVALUATION

Last year's bill authorized the Secretary to reserve not more than 1% of the appropriation under the bill for evaluation. This year's bill permits him to reserve not more than 5% for dissemination, technical assistance, and evaluation in the field of allied delivery of services.

8. LOCAL SERVICE AREAS

The ASA requires that the service areas into which the State is divided shall conform, except as the Secretary may provide by regulation, to geographic areas established for other planning purposes consistent with criteria prescribed by the Office of Management and Budget.

9. REPORT

Five years after the date of enactment of this Act the Secretary shall make a report to the Congress on the activities that have been carried out under this Act including his evaluation of those activities and his recommendations with respect to appropriate legislation.

LETTER OF TRANSMITTAL TO CONGRESS

JANUARY 21, 1974.

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

DEAR MR. SPEAKER: Enclosed for the consideration of the Congress is a draft bill to provide for development, demonstration, and evaluation of means of improving the delivery of human services. I am also enclosing a brief summary of the bill. This bill is similar to H.R. 15856, introduced for the Administration during the second session of the 92nd Congress, and would carry out the recommendations of the President in his May 18, 1972, Message on the Allied Services Act.

Throughout the country, numerous individuals find themselves in various degrees of economic and social dependency. Some are institutionalized. Others, not capable of self-care, are in community-based alternative care facilities. Some, capable of self-support, are living at home but are not able to obtain employment and become self-supporting. There are numerous Federal, State, local, and private programs which provide services addressed to some part of the causes of these conditions: health and mental health care, alcoholism, and drug addiction treatment, education, manpower training, vocational rehabilitation, child care, and juvenile delinquency prevention services.

Usually, however, there is no mechanism for combining the services provided under these programs through joint planning and coordinated operations to reduce or eliminate these various, interrelated conditions of dependency. Accordingly, the Allied Services Act is being proposed to help develop, demonstrate, and evaluate selective efforts at the State and local levels to provide such a mechanism.

The Allied Services Act will encourage joint efforts towards this goal. It will provide for the following:

a. grants to States and local governments for a maximum of two years to develop plans for programs to demonstrate the coordination of the delivery of services;

b. authority in States and local governments with approved allied services plans to transfer up to 30% of their funds from one Federal program to another;

c. grants to States and local governments for a maximum of three years to cover the administrative costs of implementing plans for the allied delivery of human services;

d. authority in the Secretary of HEW to waive statutory and regulatory constraints of a technical or administrative nature which impede the development of allied human services programs.

Since this proposal is essentially a demonstration effort, all initial grants will be made by the third year after enactment. At the end of five years, the Secretary will report on the results with recommendations.

An annual budget level of $20 million is anticipated under this legislation.

We are advised by the Office of Management and Budget that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,

———— ————,
Secretary.

HUMAN SERVICES COVERED BY ALLIED SERVICES

The HEW programs eligible to be integrated under the Allied Services Act include categorical programs from areas of health, social service and education. The Allied Services Act would cover the following programs. This list is not exhaustive of all Departmental programs potentially eligible:

MANDATED FOR INCLUSION*

Program

Titles IV A and IV B of the Social Security Act.

Description

Child care services, foster care, family planning, homemaking and housing services, protective services for children, preventive health and child welfare services, child abuse and neglect services, emergency assistance services.

Program

Titles I, VI, X, XIV, and XVI of the Social Security Act.

Description

Old age rehabilitative services, services to retain capability for self care, rehabilitative services to the blind and disabled.

OPTIONAL FOR INCLUSION

Program

Section 314(d) of the Public Health Service Act.

Description

Comprehensive public health services and training of personnel.

Program

Title V of the Social Scurity Act.

Description

Maternal and child health services, crippled children services, dental health, training of personnel.

Program

Rehabilitation Act of 1973.

Description

Rehabilitative services to the disabled, menally retarded, blind, and deaf.

Program

Titles III and VII of the Older Americans Act.

Description

Community planning and coordination of aging programs, training of special personnel to carry out aging programs, transportation services, information referral and counseling services, recreational and leisure activities, home maintenance, adult education and nutrition services.

Program

Titles I and III of the Juvenile Delinquency Prevention Act of 1968.

Description

Diagnostic, rehabilitative and preventive services to youth.

Program

Title XIX of the Social Security Act.

Description

Medical and rehabilitative services to AFCD families and the aged, blind and disabled eligible for Medicaid benefits.

Program

Parts C and D of the Developmental Disabilities Services and Facilities Construction Act.

Description

Planning and operation of facilities for the mentally retarded and other persons with developmental disabilities, personnel staffing.

Program

The Adult Education Act.

Description

Education services to adults.

Program

Drug Abuse.

Description

Outreach, treatment, and rehabilitative services to narcotic addicts, drug abusers, and drug dependent persons through a wide range of community-based services in order to restore them to health as useful members of society.

*Excluded from 30% transfer authority.

Mr. JAVITS. Mr. President, I am pleased to join with Senator BENNETT and five other cosponsors in introducing the administration's proposed Allied Services Act of 1974.

This measure is to be referred sequentially to the Committee on Labor and Public Welfare and the Committee on Finance, in that order, as it would affect a number of social services programs under the respective jurisdiction of these two committees. Senator BENNETT is the ranking minority member of the Committee on Finance and I am the ranking minority member of the Committee on Labor and Public Welfare.

While joining in introduction of this bill on behalf of the administration as the ranking minority member of the Labor and Public Welfare Committee, I note reservations about certain of its provisions. Among these are the authority to transfer up to 30 percent of funds from one Federal program to another; and, the authority to waive certain constraints enacted by the Congress in authorizing statutes. However, I feel that the objective of the legislation—to coordinate and improve the delivery of human services—is a commendable one and merits careful consideration by the Congress. This bill serves as a vehicle for that consideration and, hopefully, after an opportunity to hear all viewpoints and after deliberation, an effective measure can be evolved and I shall join in the effort accordingly.

The purpose of the act as outlined by Senator BENNETT, is to provide the administrative tools necessary to develop, demonstrate and evaluate integrated delivery of human services at the local level.

Among the tools provided by the act are:

Planning assistance.

Implementation grants for up to 3 years to cover the costs of installing comprehensive, integrated support systems.

An authorization to permit the transfer of up to 30 percent of State and local government funds from one Federal program to another.

An authorization for administrative, regulatory, and technical waivers in respect to Federal programs.

Joint funding duplication.

The programs eligible to be integrated under the new act include categorical programs in the areas of health, social services, and education, for example, child care services, old age rehabilitation services, comprehensive public health services, and education services under the Adult Education Act.

Mr. President, I ask unanimous consent that this bill as well as a communication from the Department of Health, Education, and Welfare on Allied Services Act, be jointly referred to the Committees on Finance and Labor and Public Welfare. I am informed by the staff that that has been worked out by the Senator from Utah (Mr. BENNETT).

The PRESIDING OFFICER (Mr. HUDDLESTON). Without objection, it is so ordered.

By Mr. ROBERT C. BYRD (for Mr. MONDALE):

S. 3055. A bill to amend the Federal Water Pollution Control Act in order to improve the program for research and demonstration of new techniques in lake pollution control. Referred to the Committee on Public Works.

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Minnesota (Mr. MONDALE), I introduce a bill, and I ask unanimous consent that a statement prepared by him in connection with the bill, together with the text of the bill, be printed in the RECORD.

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

STATEMENT BY SENATOR MONDALE

I am today introducing a bill to provide for an expanded program of research to demonstrate and evaluate techniques for lake pollution control and restoration.

This proposal would authorize up to $60 million over the next 4 years for projects to demonstrate lake pollution control methods, such as point source nutrient control, in-water nutrient reduction, nutrient diversion, and advanced wastewater diversion. It would also make funds available to carry out and evaluate restoration techniques including nutrient inactivation, aeration, sediment dredging and drying, and biological and chemical control of plant growth in lakes.

Recent studies have shown that hundreds of lakes in states across the Nation are endangered by pollution, sedimentation and accelerated eutrophication. A state-by-state survey conducted in 1971 identified 376 lakes in 33 States as polluted and in need of restoration. A more comprehensive analysis is currently underway by the Environmental Protection Agency. The preliminary findings of this study, provided to me last May by the E.P.A., revealed the following:

"A total of 242 lakes were sampled by our helicopter team in the ten-state area from Maine to Minnesota. The majority of these lakes are subject to potential accelerated eutrophication because they receive effluent from municipal sources. Preliminary results for these 242 lakes indicate that 64 lakes (26 percent) have algae problems, 29 lakes (12 percent) have nuisance weed problems, 54 additional lakes (22 percent) have both algae and weed problems, and 10 lakes (4 percent) have potential near-term algae or weed problems. Twelve lakes (5 percent) were found to be free from both algae and weed problems. The status of the remaining 73 lakes has not been established at this time. In terms of water quality as determined from chemical analyses of lake samples, it currently is estimated that 13 of the 242 survey lakes are oligotrophic (very pure), 25 are mesotrophic (good condition), 15 are mesoeutrophic (starting to go bad), 139 are eutrophic (bad condition), and 50 are hypereutrophic (going dead)."

On the basis of analyses like the foregoing, we know that many lakes throughout the United States are in urgent need of help. Nevertheless, lake reclamation has in a sense been the step-child of federal efforts to safeguard and restore our environment.

Congress in 1970 recognized the need to begin work in the critical area of lake restoration. A modest program was created under Section 104(h) of the Federal Water Pollution Control Act, providing funds for developing and demonstrating methods for the prevention, removal, reduction and elimination of pollution in lakes. Over the past four fiscal years, the Environmental Protection Agency has spent approximately $8 million on research designed to provide a better understanding of the process of accelerated eutrophication, to develop predictive models of the eutrophication process and to develop nutrient control techniques.

In its report on "Research and Demonstration Programs Needed to Achieve Water Quality Goals," dated January 16, 1974, the General Accounting Office found that projects funded under Section 104(h) have provided useful information about the aquatic environment; nevertheless, a substantial amount of research has yet to be done.

With the information currently available to the Environmental Protection Agency and to the States, there is an ample basis upon which to begin a program to protect and restore lakes that are already known to be endangered. Congress authorized such a program under Section 314 of the Federal Water Pollution Control Act. To date, the Administration has requested, and the Environmental Protection Agency has received, no funds to carry out this important program although the G.A.O. reports that the E.P.A. plans to begin it during fiscal 1974. I believe that we can afford to delay no longer in implementing the clean lakes program, and I intend to press for prompt Congressional approval of the necessary funding to carry it out.

The bill I introduce today is designed to provide for additional research and development to support the Section 314 clean lakes program. It would provide $15 million per year to meet the principal research needs identified by the General Accounting Office in its January 16th report.

Mr. President, I am hopeful of early approval of my proposal by the Congress.

S. 3055

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(h) of the Federal Water Pollution Control Act is amended by inserting "(1)" after "(h)" and by inserting at the end thereof the following:

"(2) For the four fiscal years beginning with the fiscal year ending June 30, 1975, not less than $10,000,000 of the amount authorized for the purpose of this subsection for each such year shall be for demonstration programs demonstrating and evaluating techniques for—

"(A) point source nutrient control, in-water nutrient reduction, and nonconventional methods of lake restoration;

"(B) nutrient diversion, advanced waste water diversion, nutrient inactivation, aeration, and sediment dredging and drying; and

"(C) biological and chemical control of algae and plant growth in lakes."

SEC. 2. Section 104(u) of the Federal Water Pollution Control Act is amended by striking out "and" before "(6)", and by inserting before the period at the end thereof a comma and the following: "and not to exceed $15,000,000 for the fiscal year ending June 30, 1975, and for each of the three succeeding fiscal years for carrying out the provisions of subsection (h)".

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 335

At the request of Mr. CHURCH, the Senator from Wyoming (Mr. MCGEE) was added as a cosponsor of S. 335, the Community Schools Act.

S. 821

At the request of Mr. BAYH, the Senator from Tennessee (Mr. BROCK) was added as a cosponsor of S. 821, a bill to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes.

S. 1688

At the request of Mr. ERVIN, the Senator from Maryland (Mr. MATHIAS) was added as a cosponsor of S. 1688, a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

S. 2488

At the request of Mr. KENNEDY, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 2488, a bill to extend title VII of the Older Americans Act of 1965, the nutrition for the elderly program.

S. 2710

At the request of Mr. HARTKE, the Senator from Rhode Island (Mr. PASTORE) and the Senator from Alaska (Mr. GRAVEL) were added as cosponsors of S. 2710, a bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans, and for other purposes.

S. 2733

At the request of Mr. HARTKE, the Senator from Louisiana (Mr. JOHNSTON), the Senator from California (Mr. TUNNEY), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Alaska (Mr. GRAVEL), and the Senator from New York (Mr. JAVITS) were added as cosponsors of S. 2733, a bill to provide for the embossing of paper money.

S. 2784

At the request of Mr. HARTKE, the Senator from North Dakota (Mr. BURDICK) and the Senator from Arkansas (Mr. FULBRIGHT) were added as cosponsors of S. 2784, a bill to amend title 38, United States Code, to increase the vocational rehabilitation subsistence allowance, education assistance allowances, and the special training allowances paid to eligible veterans and persons under chapters 31, 34, and 35 of such title; to improve and expand the special programs for educationally disadvantaged veterans and servicemen under chapter 34 of such title; to improve and expand the

veteran-student services program; to establish a veterans education loan program for veterans eligible for benefits under chapter 34 of such title; to promote the employment of veterans and the wives and widows of certain veterans by improving and expanding the provisions governing the operation of the Veterans' Employment Service and by providing for an action plan for the employment of disabled and Vietnam era veterans; to make improvements in the educational assistance program; to recodify and expand veterans' reemployment rights; to make improvements in the administration of educational benefits; and for other purposes.

S. 2789

At the request of Mr. INOUYE, the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Nebraska (Mr. CURTIS) were added as cosponsors of S. 2789, a bill to establish a Vietnam Era Veterans Communication Center and a Vietnam Era Advisory Committee.

S. 2814

At the request of Mr. ROBERT C. BYRD (for Mr. MONDALE), the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 2814, a bill to provide for increases in the readjustment allowances paid to Peace Corps volunteers and volunteer leaders, and to provide for the handling of such allowances.

S. 2933

At the request of Mr. MANSFIELD (for Mr. EASTLAND), the Senator from New York (Mr. BUCKLEY), the Senator from New Hampshire (Mr. COTTON), and the Senator from North Dakota (Mr. YOUNG) were added as cosponsors of S. 2933, a bill to provide greater security for the U.S. passport.

S. 3006

At the request of Mr. PROXMIRE, the Senator from Idaho (Mr. MCCLURE) and the Senator from Georgia (Mr. TALMADGE) were added as cosponsors of S. 3006, a bill to require that certain bills and joint resolutions introduced in the Senate or received by the Senate from the House of Represenatives be printed with a fiscal note.

S. 3015

At the request of Mr. WEICKER, the Senator from Montana (Mr. MANSFIELD), the Senator from New Jersey (Mr. CASE), the Senator from California (Mr. CRANSTON), the Senator from Montana (Mr. METCALF), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Vermont (Mr. STAFFORD) were added as cosponsors of S. 3015, the Mandatory Gas Rationing Act of 1974.

SENATE RESOLUTION 289—SUBMISSION OF A RESOLUTION RELATING TO THE SERIOUS NATURE OF THE SUPPLY, DEMAND, AND PRICE SITUATION OF FERTILIZER

(Placed on the calendar.)

Mr. MCGOVERN (for himself, Mr. AIKEN, Mr. ALLEN, Mr. BELLMON, Mr. CLARK, Mr. CURTIS, Mr. DOLE, Mr. EASTLAND, Mr. HELMS, Mr. HUDDLESTON, Mr. HUMPHREY, Mr. TALMADGE, and Mr. YOUNG) submitted the following resolution:

S. RES. 289

Resolution relating to the serious nature of the supply, demand, and price situation of fertilizer

Whereas a substantial amount of the 1974–75 food and fiber supply for the world and the United States is either planted or about to be planted; and

Whereas nearly 30 per centum of the production of food and fiber in the United States is directly attributable to the application of fertilizer; and

Whereas the 1974 agricultural production goals of the United States cannot be achieved unless sufficient quantities of fertilizer are made available; and

Whereas the current productive capacity of the Nation's fertilizer industry is insufficient to meet existing and future demands; and

Whereas some of the current productive capacity of the Nation's fertilizer industry is being unrealized due to limited availabilities of natural gas and other liquid and middle-distillate fuels; and

Whereas these factors are contributing to a supply of fertilizers this year short of what farmers want and need for application on increased acreage; and

Whereas such shortages are not only limiting the farmers' ability to produce food and fiber in 1974 at maximum levels, but also are contributing to further escalation of prices paid by farmers for fertilizer: Now, therefore, be it

Resolved, That it is hereby declared to be the sense of the Senate that—

(1) All agencies of the Federal Government, which have any responsibility for establishing priorities for the allocation of materials and facilities utilized in the production or distribution of fertilizer, give the highest priority to the fertilizer industry regarding the allocation of such materials and facilities. The fertilizer industry, in turn, is urged to do its utmost in making these essential fertilizer supplies available to farmers in a timely and equitable manner, and at reasonable price levels;

(2) The Federal Power Commission and appropriate State regulatory agencies do everything within their power, in the establishment of priorities for the allocation of natural gas (including gas sold under interruptible contracts), to insure producers of nitrogen with supplies of natural gas sufficient to maintain *maximum* production levels;

(3) The Federal Energy Office include all of the energy and fuel requirements of the fertilizer industry—including local dealer requirements—in its highest priority category regarding allocation of gasoline, middle-distillates, and other liquid fuels utilized by this industry in the production, distribution, and application of fertilizer supplies;

(4) The Cost of Living Council and the Departments of Agriculture and Commerce continue their monitoring and reporting of fertilizer supply availabilities, wholesale and retail prices, and export shipments; and

(5) The Cost of Living Council establish an investigatory program through the field offices of the Internal Revenue Service to monitor and analyze any reports of fertilizer price gouging at either wholesale or retail levels, and any changes in manufacturer marketing operations or relationships between manufacturers and local dealers and between local dealers and their customers which may affect continued availability or pricing of fertilizer supplies to farmers.

SENATE RESOLUTION 290—SUBMISSION OF A RESOLUTION DISAPPROVING PAY RECOMMENDATIONS OF THE PRESIDENT

(Referred to the Committee on Post Office and Civil Service.)

Mr. TOWER. Mr. President, I am today introducing a resolution to disapprove the recommendations for pay increases with respect to executive and legislative salaries that the President recommended in his fiscal year 1975 budget request. This resolution would, therefore, allow the recommended increases for the judiciary to go into effect.

I am a sponsor of Senate Resolution 275, submitted by Senator DOMINICK to disapprove the recommended salary adjustments for all three branches of Government. I am introducing this resolution today so that the Senate might be in a position to review an alternative to an across-the-board disapproval.

Mr. President, I have stated previously that there are compelling reasons on both sides of this salary increase question. I have sponsored Senator DOMINICK's resolution because I believe that those in public life must sacrifice certain personal luxuries, such as a raise in salary, while inflation continues to play havoc with our economy. However, I have concluded that there are reasons for allowing the judicial salary increase to go into effect that do not pertain to the questions concerning executive and congressional personnel.

It is a simple fact of life that the rate of salary is having a large influence on lawyers who otherwise would quickly grasp the opportunity for serving on the Federal bench. Additionally, a few Federal judges have recently resigned, citing financial considerations as one reason for their decision. There are additional considerations that come into play with regard to Federal judges that do not exist in the other categories under discussion.

Since the foundation of our judicial system rests upon the competence of those serving it and since I am convinced that the Nation cannot afford to have these positions filled by individuals other than the best of what the legal profession has to offer, I feel that the Senate might want to consider this alternative.

The resolution (S. Res. 290) reads as follows:

Resolved, That the Senate disapproves the recommendations of the President with respect to rates of pay for legislative and executive salaries that were transmitted to the Congress during February 1974, pursuant to Section 225(h) of the Federal Salary Act of 1967.

ADDITIONAL COSPONSORS OF RESOLUTIONS

SENATE RESOLUTION 271

At the request of Mr. CHURCH, the Senator from Connecticut (Mr. RIBICOFF) was added as a cosponsor of Senate Resolution 271, a resolution to disapprove the President's recommendations for salary increases pursuant to section 225(h) of the Federal Salary Act of 1967.

SENATE RESOLUTION 276

At the request of Mr. DOMINICK, the Senator from South Dakota (Mr. ABOUREZK) and the Senator from Oklahoma (Mr. BELLMON) were added as cosponsors of Senate Resolution 276, disapproving the pay raise.

SENATE RESOLUTION 281

At the request of Mr. ROBERT C. BYRD (for Mr. INOUYE), the Senator from Georgia (Mr. NUNN) was added as a co-

sponsor of Senate Resolution 281, relating to the allocation of energy resources for tourism.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION 52

At the request of Mr. CURTIS, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of Senate Concurrent Resolution 52, expressing the sense of Congress relative to friendship with the Republic of China.

SENATE CONCURRENT RESOLUTION 66

At the request of Mr. PERCY, the Senator from Tennessee (Mr. BROCK), the Senator from New York (Mr. JAVITS), and the Senator from Connecticut (Mr. RIBICOFF) were added as cosponsors of Senate Concurrent Resolution 66, to urge the release from prison of Simas Kudirka, the Lithuanian seaman.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1973—AMENDMENT

AMENDMENT NO. 966

(Referred to the Committee on Veterans' Affairs.)

Mr. STEVENS. Mr. President, I am submitting a proposed amendment today to S. 2784, the Vietnam Era Veterans' Readjustment Assistance Act of 1973, which, if passed, would take into account the higher cost of living encountered by veterans pursuing their higher education in Alaska, Hawaii, Guam, or the Virgin Islands.

I know many Alaska veterans would like to return home to Alaska for college, but enroll in colleges outside the State because the cost of living is lower. While the cost of living is from 20 to 75 percent higher in Alaska than many areas of the continental United States, the allowances and loan limits remain fixed. Mr. President, the people in Alaska would like to see these Alaska veterans come home to complete their education; many of them have already been out of the State too long.

There is ample precedent for this type of cost-of-living adjustment:

First. 5 U.S.C. 5941—Provides for special pay and allowances based on living costs for Federal employees working in Alaska, Hawaii, and Guam.

Second. 26 U.S.C. 912—Excludes from income tax the cost-of-living allowances of civilian officers or employees of the Government stationed outside the continental United States.

Third. 31 U.S.C. 1225—Sets forth a special method for allocation of funds to noncontiguous States—Alaska and Hawaii—under revenue sharing when the computation for such allocation is based partly on Federal employees' allowances based on living costs.

Fourth. 37 U.S.C. 305—Provides special pay allowances for members of the uniformed services while on duty outside the 48 contiguous States.

Fifth. 12 U.S.C. 1713—Exempts Alaska and Guam from mortgage limitations under the National Housing Act.

Sixth. 12 U.S.C. 1715d—Increase the maximum mortgage insurance for housing projects under the National Housing Act for Alaska, Hawaii, and Guam.

Seventh. 42 U.S.C. 3371—Authorizes, under the demonstration cities and metropolitan development program, loans and grants to the State of Alaska to assist in the provision of housing for Alaska residents.

Eighth. 5 U.S.C. 5724a—Allows an extended period of residency in temporary quarters for Federal employees transferred to Alaska, Hawaii, and Guam.

Ninth. 42 U.S.C. 4013—Increases the maximum aggregate liability for residences in the States of Alaska and Hawaii, and in the Virgin Islands and Guam under the national flood insurance program.

Mr. President, I would also like to point out that the Department of Agriculture has set higher maximum monthly allowable income standards for Alaska and Hawaii for the food stamp program.

I feel that these aforementioned facts demonstrate the need and precedent for a cost-of-living adjustment for veterans pursuing their higher education in the States of Alaska, Hawaii, or in the Virgin Islands or Guam.

Mr. President, I ask unanimous consent that the text of my amendment to S. 2784 be printed in the RECORD.

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

AMENDMENT NO. 966

On page 2, line 8, insert "(a)" immediately after "SEC. 101.".

On page 3, after the table in line 2, insert the following:

(b) Section 1504 of such title is amended by adding at the end thereof a new subsection as follows:

"(e) The amount of any subsistence allowance to which any veteran-trainee receiving training in the States of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 3, line 5, insert "(a)" immediately after "(1)".

On page 3, line 7, after subsection (1), insert the following:

(1) (a) Section 1677 of such title is amended by adding at the end thereof a new sentence as follows: "The amount of any flight training allowance to which any veteran-trainee receiving training in the States of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 5, line 1, after the table insert the following: (5) Section 1682 of such title is amended by adding at the end thereof a new subsection as follows: "(d) the amount of any education assistance allowance authorized in subsections (a), (b) r (c) of Section 1682 to which any veteran-trainee receiving training in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 5, line 1, insert "(6)" in the place of "(5)".

On page 5, line 3 insert the following: (7) Section 1696(b) of such title is amended by adding after "lesser," a new sentence as follows: "The amount of any educational assistance allowances to which any eligible person pursuing education or training in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 5, line 3, insert "(a)" immediately after "SEC. 103.".

On page 6, line 7 insert the following: (b) Sections 1732 and 1742 of such title are amended by adding a new section at the end of subchapter VI of said chapter as follows: "Section 1769. The amount of any educational assistance allowance to which any eligible person receiving educational instruction, or special training allowance a parent or guardian of said person receiving instruction in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 8, line 16 strike "(d)(1)" and add "(e)(1)".

On page 9, line 9 immediately after "applicable." add the following: "Except that a veteran pursuing the aforementioned training in the State of Alaska, Hawaii, in the Virgin Islands, or Guam shall have the educational assistance allowance he is otherwise entitled increased by an amount equal to 25 per centum."

On page 10, after the conclusion of (3) add a new subsection as follows: (4) Section 1685 of such title is amended by adding at the end thereof a new subsection as follows: "(e) the hourly ratio amount of work-study allowance that a veteran-student attending an educational institution in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum per hour."

On page 10, line 17, insert "(a)" immediately after "SEC. 207.".

On page 10, line 25, insert the following:

(b) Section 1692 of such title is amended by adding at the end thereof a new subsection as follows:

"(c) the amount of any tutorial assistance allowance to which any eligible veteran receiving such assistance in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled shall be increased by an amount equal to 25 per centum."

On page 12, line 17, insert the following:

(3) Section 1732 of such title is amended by adding at the end thereof a new subsection as follows:

"(C)(2) The amount of the educational assistance allowance to which any eligible person receiving training under a farm cooperative program in the State of Alaska, Hawaii, in the Virgin Islands, of Guam is otherwise entitled shall be increased by an amount equal to 25 per centum.

On page 14, line 1, add a "." immediately after "$270".

On page 14, line 2, add the following after "$270.":

Section 1786(2) of such title is amended by adding at the end thereof the following sentence:

"Except that any eligible person pursuing any program of education exclusively by correspondence while residing in the State of Alaska, Hawaii, in the Virgin Islands or Guam shall be charged with one month at a rate 25 per centum higher than those eligible persons not residing in the aforementioned locations."

On page 15, before "SEC. 213." insert the following:

(4) Section 1787 of such title is amended by adding at the end thereof a new subsection as follows:

"(d) the amount of any monthly training assistance allowance an eligible person in the State of Alaska, Hawaii, in the Virgin Islands or Guam is otherwise entitled under subsection (a) shall be increased by an amount equal to 25 per centum."

On page 18, after the end of the sentence in line 22, insert the following:

"The aggregate of the amounts to which any veteran pursuing his education in the State

of Alaska, Hawaii, in the Virgin Islands or Guam may otherwise borrow under this subchapter shall be increased by an amount equal to 25 per centum."

DISAPPROVAL OF PAY RECOMMENDATIONS OF THE PRESIDENT—AMENDMENT

AMENDMENT NO. 967

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

Mr. PROXMIRE. Mr. President, I send to the desk an amendment to Senate Resolution 276 and ask that it be printed.

The purpose of my amendment is to stop the pay raise recommended by the President for Congressmen and Senators.

WHY CONGRESS SHOULD NOT RAISE ITS OWN PAY

First, $42,500 is a lot of money. That is about four times higher than the average income of a family of four in the United States. I believe that the pay of Members of the House and Senate should not be so far above that of the average family that they lose sight of the needs of the citizens of the country.

Second, very few people run for the House or Senate for the pay involved. They run for other reasons—because they believe in issues, because they want to serve the public, or because they get a great deal of psychic income from the fact that they are a public figure. We do not need to raise the pay in order to attract people to run for these offices.

For these reasons I see no justification for increasing our own salaries even though we have not had a pay increase for several years while the price indexes have risen and while inflation has been rampaging.

OTHERS WOULD RECEIVE RAISE

The amendment I have introduced would, however, allow the pay raise to go to others in the legislative, judicial, and executive branch who are covered by the President's recommendations under the law.

The Federal judges would get the increase.

The executive branch employees would get the increase.

And almost all of those in the legislative branch would get the increase, except for those whose salaries are now at the ceiling—generally administrative assistants and staff directors for committees—and who are not provided for specifically in the law.

FREAK IN THE LAW

I would be happy to include them as well, but there is no way I can do that. Because of a provision in the law which ties their salaries to the salaries of the Level 5 executive branch officers, these loyal legislative employees cannot get a pay raise—even if this raise goes through—until next fall at the earliest.

The reason is that the President proposed a salary for Level 5 which is lower than the amount needed to trigger pay raises for those at the ceiling in the legislative branch. Not until the President pro tempore of the Senate issues an additional order or until Congress changes the law, perhaps on an appropriation bill, can these employees receive a raise.

JUDICIAL NEEDS

I have heard from the Federal judges serving in my State who have pointed out that under the law it is possible to stop the raise for Congressmen without stopping it for everyone else. I think they need a raise. They have served loyally. They can receive no outside income from any possible conflicting source. And they have given up law practices to serve as judges through which they could earn many times the salary of a Federal judge.

For all these reasons I am happy to introduce this amendment today.

AMENDMENT OF SOCIAL SECURITY ACT—AMENDMENT

AMENDMENT NO. 968

(Ordered to be printed and referred to the Committee on Finance.)

Mr. HARTKE submitted an amendment intended to be proposed by him to the bill (S. 444) to amend the Social Security Act to provide for medical, hospital, and dental care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities.

MAXIMUM INDIAN PARTICIPATION IN THE GOVERNMENT—AMENDMENT

AMENDMENT NO. 969

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

Mr. HATHAWAY submitted an amendment intended to be proposed by him to the bill (S. 1017) to promote maximum Indian participation in the government and education of the Indian people; to provide for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and to encourage the development of the human resources of the Indian people; to establish and carry out a national Indian education program; and for other purposes.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 941

At the request of Mr. KENNEDY, the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of amendment No. 941, intended to be proposed to the bill (H.R. 8214) to modify the tax treatment of members of the Armed Forces of the United States and civilian employees who are prisoners of war or missing in action, and for other purposes.

ANNOUNCEMENT OF HEARINGS ON SENATE JOINT RESOLUTION 119 AND SENATE JOINT RESOLUTION 130

Mr. BAYH. Mr. President, the Senate Subcommittee on Constitutional Amendments is scheduling the beginning of hearings on two proposed amendments to the Constitution: Senate Joint Resolution 119, for the protection of unborn children and other persons, and Senate Joint Resolution 130, to guarantee the right of life to the unborn, the ill, the aged, or the incapacitated. The first 2 days of these hearings will be held on Wednesday, March 6, in room 2228, Dirksen, at 10 a.m. and on Thursday, March 7, in room 1202, Dirksen, at 10 a.m.

Any persons wishing to submit statements for the hearing record should contact the Subcommittee on Constitutional Amendments, room 300, Russell Building, Washington, D.C. 20510.

NOTICE OF HEARINGS ON THE NOMINATION OF ARTHUR FLEMMING AS MEMBER AND DESIGNATED CHAIRMAN OF THE U.S. COMMISSION ON CIVIL RIGHTS

Mr. ERVIN. Mr. President, as chairman of a special subcommittee on the Committee on the Judiciary, I wish to announce that a hearing will be held by the subcommittee on the nomination of Dr. Arthur Flemming as member and designated Chairman of the U.S. Commission on Civil Rights.

The hearing is scheduled for February 28, at 10 a.m., in room 1114 of the Dirksen Senate Office Building. Any person who wishes to testify or submit statements pertaining to this nomination should send the request or prepared statement to the subcommittee, room 102-B, Russell Senate Office Building, telephone 225–8191.

NOTICE OF HEARINGS ON FEDERAL COAL LEASING PROGRAM

Mr. METCALF. Mr. President, I wish to inform Senators and all interested persons that the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs has scheduled oversight hearings on March 13 on the Department of the Interior's future leasing program for the Federal coal resources of the Northern Great Plains.

The subcommittee is aware that many members of the energy industry have expressed great interest in development of the low-sulfur coal deposits of the region. We have applauded the administration's establishment of the Northern Great Plains resources program to consider the environmental, social, and economic impacts of proposed coal development. We are aware that the Department is also developing an energy minerals allocation recommendation system which will be used as an aid to future leasing decisions.

However, the subcommittee is concerned about the possibility that the current energy situation will lead to premature decisions to proceed with large-scale coal leasing when the impacts of such action are not fully understood. We are particularly concerned that the issuance of leases would, for all practical purposes, commit the land, water, and air resources of the area to development

of surface mines, coal gasification plants, water impoundments, and new communities without adequate consideration of other energy alternatives and environmental, social, and economic impacts.

We have asked the Departments of Interior and Agriculture and the Environmental Protection Agency to testify on March 11. We have requested that they address a list of questions about the future coal leasing program. I ask unanimous consent that the questions be printed in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. METCALF. Mr. President, the subcommittee intends to hold additional hearings on this subject both here in Washington and in the field. At those hearings we will hear from representatives from the coal industry, the State governments involved, and the general public. We will announce the dates of those hearings when they have been scheduled.

The March 13 hearing will begin at 10 a.m., in room 3110, Dirksen Senate Office Building.

EXHIBIT 1

QUESTIONS FOR MARCH 11 HEARING ON COAL LEASING IN NORTHERN GREAT PLAINS

1. What is the current status of the Northern Great Plains Resources Program (NGPR)? How much is done and what else needs to be done to provide an adequate basis for decisions? When will it be complete?

2. What is the current status of the Energy Minerals Allocation Recommendation System (EMARS)? Describe the system and indicate when it will be put into operation.

3. What is the status of other Federal studies or programs which are also looking at the coal resources of the Northern Great Plains such as SEAM, RALLI, and the North Central Power Study?

4. What is the status of the proposed five-year coal leasing schedule and the environmental impact statement on it? When will a draft EIS be released? Will the Department allow more than 45 days for public review?

5. To what extent are all the work items referred to in questions 1–4 coordinated with each other?

6. What is the status of the environmental impact statement currently being prepared by the Bureau of Land Management, Geological Survey, Forest Service and the Interstate Commerce Commission on development of seven coal mines and a railroad line in the Powder River Basin? Are this EIS and the decisions it is designed to analyze coordinated with the programmatic EIS, the NGPRP, and all the other coal-related actions already discussed?

7. What is the status of the lawsuit brought against the Department by the Natural Resources Defense Council and others to enjoin further coal development?

8. Is it correct that the basic underlying assumption of the NGPRP is that the strippable reserves of low sulfur coal in the northern plains will be developed to meet the energy needs of the country? Who is looking at alternatives (other than different levels of coal development) such as energy conservation and efficiency and deep mining of low sulfur coal reserves? To what extent will these alternatives be evaluated and completely investigated?

9. Would northern plains coal be considered essential for the solution of this nation's energy problems if that coal could only be deep mined? Is it perhaps only the fact that this coal can be "cheaply" strip-mined that makes it so "essential" for the national energy situation? How would the country solve its energy problems if it didn't have the possibility of stripmined coal from the northern plains?

10. Will large-scale on-site development of northern plains coal have the effect of postponing intensive research and development in the most efficient use of energy and the production of renewable, less disruptive forms of energy?

11. Will a major coal development in the West lead to reduction of coal mining in the Midwest and Appalachia? Will there be shifts of industrial plant locations closer to the major sources of energy?

12. What limitations does the availability of water resources place on coal development in the northern great plains? Is there sufficient water for mined land reclamation, gasification, etc.? Will water have to be diverted from existing uses?

13. What are the anticipated effects on air and water quality in the northern plains region of coal development?

14. At what point of development will the northern plains be committed to full scale development (i.e. when a system of reservoirs and aqueducts has been built, etc.)? At what point are options foreclosed? For example, if an extensive water delivery system is built to strippable areas, will strip mining be halted if reclamation proves unsatisfactory?

15. If agencies want to make decisions in 1974, what kind of decision can be made based on the information that will be available by that time? For example, is the information adequate for issuing individual leases or for large-scale leasing?

16. How many acres are under federal lease in Montana, Wyoming, North Dakota, South Dakota and Nebraska? Who has leased Federal lands? What about Indian, State, and private leases? How many acres are under lease on these lands? Is there any estimate of the amount of coal reserve presently under federal lease? Under other lands? How do these reserves relate to anticipated demands and past production?

17. What reclamation standards and procedures does the Department intend to put into any new coal leases or impose on existing leases? Is reclamation feasible in most of the lands in the northern plains?

18. Does the Department intend to require development on the existing coal leases? On new leases? Describe the proposed requirements.

19. Is new legislation needed to assure prompt and careful development on existing and future leases?

20. What levels of staffing and appropriations are needed to prepare the necessary environmental impact statements and other information needed to decide whether to issue any lease and to supervise operations under any lease in the manner necessary to assure compliance with the requirements of the law, the regulation and the lease? What are the current staffing and appropriation levels and those proposed for FY 1975?

21. What are the future research needs of the NGPRP? What specific areas need more study? How much time would be required for these future needs?

22. How does the Administration view the northern plains coal in relationship to Project Independence? What role could northern plains coal play in this Project? Does the Administration view Western coal as the primary new supply?

23. What was the initial timeframe for the NGPRP? Has it been shortened? Is this timeframe adequate to generate *new field* information?

24. What has been the Administration policy for funding of the NGPRP? Has the funding been adequate to reach the "objectives" of the original Program outline?

25. To what extent have the States participated in the NGPRP? The citizens of the region? Has the Program afforded maximum input from the States and the citizens of the region?

26. Have the Indian Tribes of the Northern Plains been involved in NGPRP? What has been the extent of their involvement? When was their active patricipation solicited? How is the Program tailored to meet their needs?

27. Should the NGPRP be continued? Under what structure? How much would it cost to continue the Program?

ANNOUNCEMENT OF HEARINGS: TRANSPORTATION AND THE ELDERLY: PROBLEMS AND PROGRESS

Mr. CHURCH. Mr. President, as chairman of the Senate Special Committee on Aging, I would like to announce that the committee will hold hearings on "Transportation and the Elderly: Problems and Progress," February 25, 27, and 28, beginning at 10 a.m. each day in room 1318, Dirksen Office Building.

Testimony will explore recent legislative enactments which should provide resources useful in improving mobility of older Americans. Testimony on the effects of the energy crisis upon programs serving the elderly will also be sought, and the President's new transit proposals will be considered.

ADDITIONAL STATEMENTS

BICENTENNIAL

Mr. HUGH SCOTT. Mr. President, an article in yesterday's Washington Post points out what we Philadelphians have known for a long time—that as the focal point for the Nation's Bicentennial celebration, Philadelphia is a natural.

I ask unanimous consent that this article by John Koenig, Jr., be printed in the RECORD.

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

ALL THINGS CONSIDERED: APPRECIATING PHILADELPHIA

(By John Koenig, Jr.)

PHILADELPHIA.—America's most historic city, turning an eye to the future, is quietly renewing itself—that is, if you can say that construction workers and restoration experts move quietly. But the old Quaker City's approach to everything has always been rather subdued. No great blowing of one's horn here. It's not necessary, the true Philadelphian figures, for if the outlanders don't know and appreciate Philadelphia, that's *their* misfortune.

However, Philadelphians, old and nouveau, are now taking a new look at themselves and their city and how it appears in the eyes of the nation and the world. For 1976 will be the 200th birthday of the United States. And where was the United States founded? Why, "in Philadelphia, of course."

For the Bicentennial there will be no world's fair, no international exposition attempting to glorify American—and Philadelphia—history. Perhaps the day of the world's fair is over, many Philadelphians figure. They note also that some fairs held elsewhere in recent years have been financial flops.

Anyway, business and political leaders who did want to bring another world's fair to Philadelphia in 1976 lost a hard-fought bat-

tle. Residents of the city's northeast area, the first proposed site for the exposition, didn't want the congestion it would bring. A largely undeveloped area southwest of the city's airport was proposed later, but construction was deemed too costly and by that time it was getting too late to start.

But the old city, with its two million residents, plus nearly three million in the suburbs and nearby towns, still wants to do something big for 1976. Its Centennial Exposition of 1876, marking 100 years of American independence, was America's—and perhaps the world's—first great and successful world's fair. The Sesquicentennial Exposition of 1926, scene of the first Dempsey-Tunney fight and for which a giant stadium was built—the location each year of the Army-Navy football fracas before 100,000 fans—was another landmark in world's fair history.

It is theorized here that in this day of rapid communication, people no longer need a giant, costly exposition to make them aware of the wonders accomplished in the scientific, industrial and social spheres. But exposition or no, Philadelphia expects to be the central focus point of the United States' 200th birthday celebration in 1976.

Plans for the observance were made some time ago, hence the hammer and saw, the bulldozer, the construction crane and the laying of brick and stone that you see all over central Philadelphia. The observance of the Bicentennial is pointed not just at bricks and mortar, nor even at formal ceremonies marking the occasion. It involves, rather, the cooperative effort of the entire city to demonstrate what an old community can do, within the periphery of American democratic society, to renew itself and to continue to provide its inhabitants with the good life in the future,

Philadelphians are, in many ways, a breed all to themselves. They exalt their neighborhoods, their local high and prep schools and their many universities and colleges. And rightly so, for local pride has kept in good repair many of the 50 or so neighborhoods, once independent towns and villages, that surround the central city nucleus.

The nasal Philadelphia accent (an Indianan I once knew who had lived in Philadelphia for a time said "everyone had adenoids") can be heard cheering the city's "Big Five" college basketball teams. And where else, as Sports Illustrated magazine once asked, do you hear all the citizens call a sorrel-topped player "Reds" instead of "Red"?

A visiting British journalist some years ago termed Philadelphia the "most British of American cities." Maybe so, if you consider the city's pride in its history, its wariness of hurried change, and its love for the sports of rowing and soccer (even cricket, years ago), fostered by large-scale immigration in earlier times of English and Scottish factory workers.

From the beginning there has been a polyglot population, but always subject to the early Quaker pattern of tolerance and absorption. William Penn's original English and Welsh Quakers were joined in 1683 by the first Germans, invited by Penn himself. An open society attracted people from many other countries. South Philadelphia is known for its large "Little Italy." Today there is a large black population, from whose ranks have come such diverse individuals as concert singer Marian Anderson, heavyweight boxing champion Joe Frazier, and Chubby Checker, who popularized the "twist."

Although many sections of the city, such as Germantown, Chestnut Hill, Olney, Frankford, West Philadelphia and South Philadelphia, have their own community life and well-established restaurants and clubs, the predominant business, entertainment and night life world is in center city.

Among restaurants, Bookbinder's is known across the country. Philadelphia has long claimed to be the best theater center outside New York. Of Ethel Merman's 13 hit Broadway musicals, 11 opened in Philadelphia. It would take more than Chicago to challenge the exalted position of the Philadelphia Orchestra in the music world.

For what passes as "night life" at a time when large night clubs have vanished from just about every major city in the country, Philadelphia has its share. The emphasis, as always, has been on intimate little music bars and discotheques on the small side streets of midcity. They're more fun than the big ones of former days in New York.

Formally, there will be three centers of attention in the Quaker City's observance of the Bicentennial, which will come just a few years before the Tricentennial of the founding of Philadelphia.

First and foremost will be the observances around Independence National Historical Park, the site of Independence Hall and the Liberty Bell. Completion of the park is to include the rebuilding of Benjamin Franklin's home and printing plant and of the Graff House, the rooming house where Thomas Jefferson wrote his draft of the Declaration of Independence.

Removal of the old wholesale fruit and produce center on Dock Street to a new location with modern facilities at the far end of South Philadelphia cleared the way for redevelopment and restoration of Philadelphia's new famed Society Hill area. This occurred during what was regarded as the enlightened and forward-looking administrations of Mayors Joseph S. Clark and Richardson Dilworth in the 1950s.

Society Hill, it must be pointed out, originally had nothing to do with what might be called "High Society," nor is it a hill. It derives its name from the Society of Free Traders, an early commercial group that owned property near the Delaware River waterfront. This section did indeed become the center of 18th century Philadelphia life. By the early 20th century, however, much of it was blighted.

A happy combination of urban renewal, the Old Philadelphia Development Corporation and private investment resulted in a greatly improved and blended mixture of restored streets and historic homes beside new town houses and high-rise apartment buildings. Needless to say, property values rose meteorically.

A second focal point for 1976 will be along the Delaware River waterfront, still one of America's greatest seaports. This will be Penn's Landing, a unique development to cost $70 million. It will feature a marina, hotel, restaurants, docks and replicas of vessels from the 17th century to the present that will be open to the public, landscaped recreation areas, harbor tours and night spots with live entertainment to supplement those in the commercial city center.

The third focus will be on the city's cultural institutions, including the Philadelphia Orchestra, and opera and dance groups with a year-long series of premieres. Major national sports championship events also will be featured.

Thirteen new hotels and motor inns are projected for the city by 1976, adding another 5,000 rooms to the 13,000 now available in the city and on its fringes. Close to 400 conventions already are booked for 1976.

But it is the very life of the city itself—in its giant new office buildings, in its restored residential sections—that will strongly mark Philadelphia's observance of the nation's 200th birthday. That life—the good living in Philadelphia—goes on right now. You don't have to wait until 1976 and the Bicentennial to see and experience it.

The city's active Convention and Visitors Bureau recently held a series of "booster" receptions in Washington, New York and Chicago, the three cities outside Philadelphia in which it believes most decisions are made on where to hold national conventions and meetings. To these receptions came sales representatives of Philadelphia hotels and the city's entertainment world, armed with literature pointing up what a great convention center the old Quaker City is. One of the obstacles they must overcome, they say, is the attitude in some places that Philadelphia is staid, stuffy and typified by the old gag: "I went there for a weekend once, and it was closed."

"This attitude, of course, is nonsense," said one spokesman at the Washington meeting. "It was promoted probably by places with nothing to offer on their own. We face this sort of thing by telling the facts—the great attractions of Philadelphia in theaters, music, business, historic sites, education, and expanding night life. This is a city where people are coming back downtown to live."

For Washington—area residents, a visit to Philadelphia can be particularly meaningful, regardless of what interest they may have in the preparations for the 1976 Bicentennial. For, in a sense, Philadelphia is the parent of Washington. And, fortunately, whatever restrictions may be placed on the use of automobiles during the gasoline shortage, the city will be easy to reach and get around in. Train service to Philadelphia, via Amtrak, is excellent, and within the city there is a topnotch subway, commuter train and bus network.

It was this city that served for 10 years as the temporary capital of the United States and the home of Congress while the first government buildings were being planned and built in the District of Columbia. George Washington spent his eight years as the nation's first President in Philadelphia, and here the new nation first received the diplomatic representatives of other nations.

But the chief claim of Philadelphia to being the focal point of the Bicentennial is the fact that in this city, the largest in the American colonies and second only to London in the 18th century British Empire, the founders of the nation wrote and signed both the Declaration of Independence and the U.S. Constitution.

At that time, the Philadelphia area already had been settled for roughly 150 years. The Dutch and the Swedes came first, in the 1620s and 1630s, and a few thousand of their descendants were living along the Deleware and Schuylkill Rivers when William Penn, under a land grant from Charles II of England, formally founded Philadelphia and the province of Pennsylvania in 1682.

The heritage left by William Penn and his Quaker Commonwealth is evident everywhere—representative government, tolerance of religious differences, and social betterment. Penn's views helped form not only Philadelphia's but the entire American way of life.

Today, William Penn still stands at the head of the city—atop City Hall tower, 547 feet in the air. When completed in 1901, this tower, including its monumental statue of Penn, was the world's tallest building. It remains Philadelphia's highest, for under city ordinance no other building is permitted to top it. For generations Philadelphians have either admired or hated that gray stone City Hall building. Ornate as only a Victorian structure can be, it stands in the middle of town—at the intersection of Broad and Market Streets. But love it or lump it, the visitor cannot help but be impressed with it as a landmark.

An elevator takes the public up the tower to the foot of the 37-foot-high William Penn statue for a magnificent view of the city and right across the Delaware River to the south Jersey suburbs. The mayor's sumptuous reception chamber and other parts of City Hall also are open to the public.

This is, in fact, a good starting point for a sightseeing tour of the city. Immediately

adjacent to City Hall is the Philadelphia Convention and Visitors Bureau, a low-rise, modern, circular structure housing a cooperative staff with ready-at-hand information. Here the visiting Washingtonian can pick up the schedule of Philadelphia's Cultural Loop Bus. This I found to be another Philadelphia "first," comparable in its way to the multitude of other Philadelphia "firsts," including America's first lending library, hospital, insurance company, savings bank, botanical garden, zoological garden, university and academy of fine arts. There are plans now for a Night Life Loop Bus.

Philadelphia's cultural loop bus connects the 18th century historic area of the city, around Independence Hall in downtown east, with City Hall, the Benjamin Franklin Parkway, the famed Franklin Institute and Fels Planetarium, the Philadelphia Museum of Art—one of the world's greatest—and the zoological garden in Fairmount Park. The bus fare is only 50 cents for all way, and you may stay as long as you want at any one institution because your ticket is still good on any later bus.

Moving around town on your own, by automobile or taxi, there are three areas in which to concentrate your attention. The first, of course, is the Independence Square-Society Hill area, the heart of 18th century Philadelphia, where restoration of old homes has been moving at a record clip. Congress Hall, Carpenters Hall (where the first Continental Congress met) and the American Philosophical Society all are here.

The second general area for the visitor to see centers around City Hall. In many of these city blocks there is evidence that Philadelphia is among the nation's leaders in rebuilding a business center. This can be seen in the Penn Center development on the former site of the old Pennsylvania Railroad terminal and its "Chinese Wall" railroad tracks, and in the massive new office buildings rising on Market Street which dwarf any of the new structures in Washington.

A third exploratory tour of the old city should be made by auto—out Benjamin Franklin Parkway, from City Hall, to the Philadelphia Museum of Art. Pause a while at the entrance to the museum and look back toward City Hall for the most photographed view of downtown Philadelphia's skyline.

Continue along East River Drive beside the Schuylkill River. You are now in Fairmount Park, which covers 4,110 acres. On the wooded hilltops above the river drive are historic houses open to the public. These were the "country" homes of 18th century Philadelphians. Benedict Arnold, marrying into the Shippen family, owned one of them—Mt. Pleasant.

Germantown is but one of the many neighborhoods in the city of Philadelphia. Once they were villages surrounding the heart of colonial Philadelphia. Germantown dates back to 1683, when the first German settlers invited by William Penn arrived. The city expanded its borders to the north and the west as the decades ticked away. Memories still linger on in the old neighborhoods. In the streets of North Philadelphia, W. C. Fields juggled apples and oranges as a boy helping his father sell them. Some of the Dukenfields (the true family name) are still around. In an interview not many years ago, Leroy, a younger brother of the great comic, disclosed that his name for W. C. always was "Big Nose."

At West Philadelphia High School, they've never forgotten that Jeannette Macdonald went to school here. Her great movie singing partner, Nelson Eddy, once was a reporter in the church and school department of the Evening Bulletin, Singers? South Philadelphia has produced many of them—Mario Lanza and Eddie Fisher, to name two.

But the central city of William Penn and Ben Franklin still is the heartbeat of Philadelphia.

WILLIAM F. KNOWLAND

Mr. STENNIS. Mr. President, my service in the Senate embraced most of the Senate career of the late William F. Knowland. He was appointed to the Senate while he was serving as a civil affairs officer with the U.S. Army in Europe.

I knew him to be a man of deep conviction and great determination. He was a great party man, always, but he was always ready to break with the positions of his party when he felt strongly that his own conflicting position was right.

He came to serve as majority leader for the Republicans in the Senate during a part of the Eisenhower administration, and he devoted his great energy and devotion to that job.

I recall that while he was serving as majority leader the Senate became evenly divided as between the two major parties. Senator Knowland remarked, "I am the only man who has served as majority leader without a majority."

He was always a vigorous and articulate spokesman for his State.

A few of us still remember him fondly, striding down this Senate aisle with his giant steps, as if there was always more to be accomplished than we knew about. He served our country and the Senate well indeed.

Those of us here in the Senate were sometimes inclined to forget that his distinguished family published one of the principal newspapers in the West, and of course he was publisher of that paper, the Oakland Tribune, at the time of his death.

I regret his passing and will cherish his memory.

Mrs. Stennis and I want to extend our deepest sympathy to his family in their earthly loss.

TUSSOCK MOTH AND DDT

Mr. McCLURE. Mr. President, a decision is due soon from the Environmental Protection Agency on the application by the Forest Service for the emergency use of DDT in the control of the tussock moth attack on Northwest forests. Today I introduce into the CONGRESSIONAL RECORD two items for your thoughtful study. The first is an article from the Potlatch Story, a quarterly publication by the Potlatch Corp., a highly respected forest products business firm with plants in Idaho and other places throughout the Nation.

The second constitutes my remarks given at an Environmental Protection Agency public hearing held in Washington, D.C., on February 1. I am hopeful these contributions will help in understanding this tragic attack on our forest environment and the necessary alternatives that must be faced to protect it.

I ask unanimous consent to have these two items printed in the RECORD.

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

DISASTER IN THE NORTHWEST

A tiny caterpillar with a taste for fir trees is laying waste to a 1,200 square mile area of coniferous forestlands in Oregon, Washington and Idaho in an epidemic that, experts estimate, has set back forest management in the region 30 to 60 years.

In an unprecedented population explosion, the tussock moth has destroyed close to a billion board feet of mature Douglas and white fir trees since the epidemic began in 1971, and threatens to upset the economy of the entire area.

Thus far, the only known means of stopping the devastation is through aerial application of DDT, which is presently illegal. There are many who feel that losses due to the tussock moth are far more disastrous than any possible effects of DDT, and many feel that Congress may have to step in and stop the needless, senseless destruction.

Speaking before the Forest Subcommittee of the House Agricultural Committee recently, Royce Cox, Potlatch's Western Division environmental forestry manager, said in support of the emergency use of DDT: ". . . the environmental hazards of DDT, in my opinion, have been greatly exaggerated. DDT, in spite of its persistency, is still one of the safest pesticides with respect to human exposure, and the effects on wildlife and air can be eliminated or minimized through proper application."

Legislation was introduced this fall in both the House and Senate to make DDT available on a standby basis in case it is needed next spring to halt the epidemic.

Two years ago the tussock moth level in the Northwest was undetectible. But by the end of 1972 it had ballooned to nearly 200,000 acres.

Fearing a continued explosion of the infestation, the states of Oregon and Washington joined with the Forest Service in asking the Environmental Protection Agency for permission to use DDT on an "if needed" basis to halt the devastation.

However, former EPA Administrator William Ruckelshaus denied the requests in April, 1973, saying that "the benefits do not outweigh the risks." He based his refusal largely on EPA decisions that the infestation would not do significant additional damage and would collapse in 1973 due to a virus that attacks and eventually destroys most tussock moth flareups.

But the epidemic did not collapse. Instead, the area of infestation trebled during the summer and spread into Idaho.

The infestation now covers nearly one million acres in the three states—an area comparable in size to Rhode Island. The Forest Service reports that this is already the largest tussock moth epidemic ever recorded, and no end is in sight.

When Secretary of Agriculture Earl Butz visited the area in September, he said the damage was far worse than he had ever imagined and pledged his support to have DDT made available in case it is needed.

A final decision must wait until after the eggs hatch next spring and the natural virus levels in the emerging larvae are determined.

If the virus has not sufficiently materialized, the only alternative is DDT. The Forest Service has been testing four alternative chemicals and two biological agents. None have worked well enough to control the epidemic next summer.

The damage to the trees is done by tiny caterpillars that hatch from eggs in late May and early June. They eat continuously during the next two months of their growth cycles, stripping entire trees of needles. In late July the larvae start spinning cocoons, emerging about two weeks later as moths that mate, lay eggs and then die.

The consequences of this infestation are widespread and complicated. Foremost in the minds of thousands of residents who make their livelihood from the forests and of the Forest Service officials, is how to control the moth and prevent further destruction of the West's most valuable resources.

The outbreak of the moth was dramatic, and can be traced to the Okanogan Valley

of Washington in 1971 when the moth appeared that summer on 2,400 acres while seriously damaging 250 acres.

In 1972, the normal "second" year of infestation, the population exploded. About 197,000 acres became infested with the pest that summer, mostly in the La Grande, Oregon area.

Usually during the third year of infestation a natural virus reaches a peak build up infecting the moth population and lowering it to a normal endemic scale. However, some infestations on record have lasted up to seven years; and only about 70 percent of the time do they peak out after three.

During the first years of infestation, the moth larvae are strong and hardy enough to resist the ever-present natural virus. During a normal three-year cycle, however, the third-generation larvae have a difficult time finding sufficient food, and they become starved enough to eat bushes, shrubs and other vegetation. During this starvation period, their natural defenses weaken, paving the way for the virus to infect and kill the moths.

The virus is part of the "balance of nature," which could be compared to a clock pendulum. But in this case, the balance has been upset; and it is obvious, to groups like the Forest Service, the Oregon and Washington departments of forestry, and private businesses, that the current outbreak is not a normal three-year cycle. Riding winds, the larvae have spread to other areas, thus starting new local infestations that in the beginning are relatively free from the deadly virus and other predators.

The moth may be stopped by natural barriers such as open land. Severe weather conditions also may stop the spread. However, only when the moth becomes weakened can the virus build up to the lethal level needed to reduce the moth population.

An evaluation of the infestations is underway, but preliminary reports tell of staggering losses, which will have an impact on the region for years to come.

Besides an estimated 300-million board-foot timber growth reduction and mortality in Oregon alone, valued at an estimated $10 million, the infestation has caused a reduction in wildlife cover, reduction in land development values, impaired recreation and scenic management areas, increased fire hazard, and destroyed the seed-bearing portion of the true Fir trees. It has also created a health problem resulting from allergenic reaction to contact with hair from the discarded skins molted by the moth larvae.

Salvage operations are underway as lumber companies hurry to move the moth-killed timber into sawmills before it rots, and mills are working at full capacity to handle the influx. But the quantities are so great, and about a third of it inaccessible that most of the timber may not be salvaged in time. White fir, for instance, which makes up the majority of the present kill, must be salvaged within 18 months after dying.

A major loss in the infested areas is "cone loss." The cones bear the seeds of the true Firs, and grow on the upper crown of the tree. With defoliation of the trees, the seeds are lost; and, as a result, natural reforestation cannot occur. In this case, man will have to assist nature by reseeding the blighted areas, assuming a sufficient source of seeds can be found.

Another problem connected with the moth is the public health. Many people are allergic to the larvae's body hairs, and the Oregon State Industrial Accident Commission has reported that workers employed to harvest damaged trees have suffered reactions ranging from hives to breathing difficulties. Based on the majority of those interviewed by physicians, human reaction to the hairs is manifested by welts or an itching rash on the face, arms, legs, and torso, and is similar to that caused by poison ivy or poison oak.

Understandably, it has become increasingly difficult for lumber companies to hire the large number of workers needed in salvage operations.

Mortality of trees below merchantable size is expected to affect future yields of commercial forest stands, and it is this aspect that has many people in the La Grande area worried. After salvage operations end, what then? The town is dependent on the lumber industry for its livelihood, and the destruction of young trees that would not normally be harvested for several decades poses a very serious threat to its economic well-being. Even should reseeding of the destroyed forestlands begin immediately, it would take another 40 to 60 years before a new crop of timber would be ready for harvesting.

Thus, faced with the loss of their economy, residents of La Grande and other communities are beginning to insist on the use of DDT to halt the infestation.

One group, called the Tussock Moth Control Association of La Grande, was organized last August to protest the EPA's ban on DDT. By mid-October they had obtained more than 45,000 signatures on petitions requesting the ban be lifted. Their schedule called for the petitions to be circulated until November 15, at which time the original petitions were to be sent to President Nixon with copies to the EPT.

In the meantime, other voices have been raised in support of the controlled use of DDT. One such is that of Glenn Parsons, a Boise Cascade Corporation forester, who believes there is no alternative to the use of DDT in controlling the tussock moth.

"Can it be that the moth hasn't read the research data and doesn't know how to behave?" says Parsons. "Considering that the virus didn't collapse the (moth) population; and that the epidemic has possibly doubled in size. . . . during 1973; and the scientists haven't revised their predictions of a general collapse, we wonder if it is the third year of the infestations. Maybe it is only the second year. Perhaps there are one-year outbreaks.

"What a horrible thought. After all of the field surveys have been concluded, will we have to wait anxiously a research lab report in March, 1974, to advise us if the virus will effectively control this epidemic early next year?

"If the virus incidence is low again, what then? . . . We have a lot of questions, but no one has acceptable answers at this time. In the meantime the moth epidemic continues destroying the forests of Oregon, Washington and Idaho."

STATEMENT OF U.S. SENATOR JAMES A. MCCLURE BEFORE THE ENVIRONMENTAL PROTECTION AGENCY: PUBLIC HEARINGS ON EMERGENCY USE OF DDT AGAINST THE TUSSOCK MOTH, FEBRUARY 1, 1974

Almost a year ago, I made a strong case in favor of the highly controlled and prudent use of DDT against the Tussock Moth infestation threatening Northwest forests. Those of us who asked for a temporary variance in the ban against DDT lost the argument. We lost, but the environment lost. The nation lost.

In April, following a cost benefit study, the Environmental Protection Agency decided against the emergency use of DDT—then, as now, the only known control effective against this insect plague. That decision was a shocking error—a misjudgment of staggering proportions. It cost the nation $83-million in loss of marketable timber; $240-million in income and employment lost; and unmeasurable losses in terms of watershed and game habitat damaged.

When that decision was made, the moth devastation touched only a total 200,000 acres in Oregon and Washington. Now, the infestation has reached a million acres and has taken hold in Idaho and Montana and Nevada. Timber mortality and growth loss is 1.8-million board feet—enough lumber and potential timber to build 180,000 homes.

The nation cannot afford to see that terrible error in judgment compounded by another season of unbridled devastation. We need a decision now, and with the evidence of a year without effective weapons, there can be no question as to what that decision must be—a careful and limited lifting of the DDT ban.

But if the decision to prohibit DDT use is repeated, we will be witnessing a classic example of fanaticism—a redoubling of efforts while original goals are forgotten.

The goals of the National Environmental Policy Act of 1969 were simple and balanced.

To declare a national policy which will encourage productive and enjoyable harmony between Man and his environment.

To promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of Man.

To enrich the understanding of ecological systems and natural resources important to the nation.

And to establish a Council on Environmental Quality.

Those were the goals. But in policies we now pursue, the balance of the goals has been lost.

In none of those lofty principles do we see reason for continuing the ban on DDT at the expense of the very environments we are pledged to protect. On the contrary we see the best possible arguments for limited and tightly-controlled use of DDT in this case.

The alternative, as we have all witnessed is more uncontrolled destruction of forest lands. Certainly preventing judicious use of the only weapon against a natural disaster we have, is not encouraging productive and enjoyable harmony between Man and his environment; nor does it stimulate the health and welfare of Man.

Certainly, there are dangers inherent in the widespread and uncontrolled use of DDT. But, that is not what we are talking about. Whatever minimal dangers are involved in extremely careful application of DDT to select areas of forest land must be weighed against the dangers of not making that prudent use of the chemical.

After a year of unchecked devastation, we have a study hammered out not by the guesswork and wishful thinking that bred the April decision—but a study built on fact, hard uncontestable statistics of a natural disaster.

Those on the extreme of environmental philosophy will argue that all that is natural is a fantasy. It just isn't so. Apply the argument to a plague on humans rather than a plague on trees, and the lack of logic crystallizes. Bubonic plagues is natural. Typhus, typhoid, polio, cholera, diphtheria, yellow fever are all occurrences of nature.

And for some diseases that strike down human populations, we are talking about DDT as a prevention. Deaths from malaria in India have been cut from 100,000 a year to 1,500 a year through the use of DDT. A dreaded chemical—*maybe*, if it is terribly misused. A tool to promote the health and welfare of man—yes, if used properly. Again, the key is to weigh the dangers involved.

Man seems to have become the forgotten part of the environmental equation.

In NEPA, part of the responsibility mandated EPA by the Congress is to "fulfill the social, economic and other requirements of present and future generations of Americans."

In no way can it be argued that the continued inflexible ban on DDT when an emergency exists fulfills any of those criteria.

One thing must be remembered above all

in this debate: few are arguing that DDT is ineffective against the epidemic. And by the same token, there is not now any other suitable effective agent that will stop the infestation.

In tests throughout the late Spring and summer, there were hopeful indications that a workable alternative to DDT would be found. Unfortunately, it was not.

Zectran, a short-lived pesticide was tried and tested, along with other chemical agents. None proved effective. To stop destruction of the trees there must be a 95 percent-plus kill.

A biological weapon—a virus that kills the moth larvae—was tried, and it proved to work very effectively. But there is not the capability to manufacture enough of the virus to cover any appreciable area.

In short, there is still no alternative, and there is no time left. We need the weapon by the time the larvae emerge from egg mass this spring. If we don't have the weapon ready by then, the battle is lost, and the war spreads for another year.

There were predictions last year at this time that the infestation would collapse from natural causes. That collapse of the population did not happen. As we now know, the opposite happened. It grew.

We *must* continue research efforts with all possible speed, but work in the laboratory must not and cannot be considered a substitute stopping the epidemic in the field. We must use the weapons we have.

To deal with the kind of situation we are now facing, the Congress added a clause to the Federal Insecticide, Fungicide, and Rodenticide Act in hopes of cutting red tape. Very simply, the Congress gave the decision making power to one agency—EPA—in order to cut required involvement of other agencies.

Unfortunately, it hasn't worked that way, instead, EPA, rather than making decisions based on advice, information and input from field agencies, has steadfastly refused to consider outside experience. We now have a chaotic situation where those agencies responsible for the care of Federal forests have called for careful use of DDT, but where the agency responsible for administering DDT use has turned a deaf ear.

The lack of proper response in meeting a terrible and natural enemy to the environment is being noticed in the Congress, and if decisions are not forthcoming, laws may well be changed and inter-agency power struggles ended—ended in favor of sound, sane decisions for the welfare of the American public.

The people of the Northwest see a terrible clash between the reality of what is happening to their forests and livelihoods and the environmental fantasy of EPA bureaucrats in Washington, They know, and we know the environment in this case is not being preserved by EPA. Rather, it is being destroyed. Idaho's epidemic is about two years behind those in the states of Washington and Oregon. And without DDT, what we have seen there, we will certainly see in Idaho.

DISADVANTAGED STUDENTS

Mr. BAYH. Mr. President, for many years the problems and need of physically handicapped students and students from disadvantaged environments have been a major concern of Congress.

I recently received a draft of a report regarding a project sponsored by Vincennes University which explored the educational needs of disadvantaged youth. The study began in 1970 through the effort of Dr. Isaac K. Beckes, president of Vincennes University and was conducted over a period of nearly 4 years. Through conferences and workshops with educators throughout Indiana, the project developed guidelines for action programs directed toward disadvantaged students in the schools and communities.

The action programs were then implemented; refined, and further studied. The final followup study of the project will soon be printed and available, along with other materials, at Vincennes University and I believe it should be of interest to Members of Congress as well as educators across the land. I wish to congratulate Dr. Beckes, Mr. J. Fred Murphy, the project director, and others who participated in the program for their service to the State of Indiana and their contribution to the field of education. I ask unanimous consent that a portion of the draft followup study be printed in the RECORD.

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

PROBLEMS AND PROGRAMS FOR DISADVANTAGED AND PHYSICALLY HANDICAPPED STUDENTS FROM DISADVANTAGED ENVIRONMENTS, 1970–1974

SUMMARY

This is the report of a special project designed primarily to assist the elementary schools, junior high schools and high schools of Indiana to develop or significantly improve programs for students with special needs. These students are generally characterized as those who come from disadvantaged environments, those who are physically handicapped and those who for one of many reasons are not able to achieve maximumly in the school program. Over a three-year period, from 1970 to 1973, the project made it possible for approximately 600 teachers, counselors, specialized workers and principals to attend from one to three workshops where practical guidelines were developed for action programs in the schools and communities. The project was sponsored by Vincennes University, Vincennes, Indiana 47591 and funded through the Vocational Education Division of the Indiana State Department of Public Instruction with assistance from the North Central Association of Colleges and Secondary Schools in the publication of guidelines and desired outcomes.

This report presents a summary of the responses of 154 participants to a detailed follow-up inquiry form during the fall of 1973. Respondents were asked to evaluate the project in terms of helpfulness, to indicate the problems they encountered in developing programs for students with special needs, and to outline their suggestions for improving the program. In addition, they listed the most effective procedures developed in their schools for meeting each of fourteen specific objectives. An important part of the inquiry was a brief statement of action programs which have been developed or improved due, at least in part, to participation in the project.

The results of the follow-up survey appear to support the following conclusions:

1. Even though most of the respondents had attended only one conference or workshop and, for many, it was held two or three years ago, they reported, almost without exception, that participation in the project was helpful. The sessions were informal, with much opportunity for discussion. The importance of informal discussion is reflected in the fact that, by far, the most helpful aspect of the workshops and conferences was reported to be the opportunity to share ideas and experience with other professional people and with similar interests.

2. The three most important problems encountered in developing action programs in the schools are the unwillingness or inability of many teachers to work with students who have special needs, the lack of understanding and support from parents and community, and inadequate funds for the program. In the responses of participants to many other questions in the survey, these same problems were mentioned. It is difficult to escape the conclusion that the future development of programs for students with special needs will depend to a large extent upon acceptance by teachers, parents and the community and upon the willingness of those responsible for the financial affairs of the schools to supply needed funds.

3. The 154 respondents reported a total of 72 action programs which have been developed or improved, at least in part, due to participation in the project. These programs are of many kinds. They include expanded vocational offerings, reading, tutoring, additional classes for students with special needs, reductions in teaching load, modular scheduling, an employment service for drop-outs, additional equipment, special learning materials and a new elementary learning center. Without doubt, there has been a considerable amount of carry-over from project participation to the development and improvement of action programs in the schools. Furthermore, the interest, commitment and enthusiasm of these participants seems likely to continue.

4. The hundreds of procedures listed by respondents as most effective in meeting the objectives of the program for students with special needs can be generally classified as follows:

Improving the effectiveness of the teachers through special in-service training programs and workshops.

More counseling and greater use of counselors and other specially trained personnel not only to help students, but to work with teachers, parents, and community leaders.

Much more direct contact with parents including visits to the home and parent involvement in planning the educational program of students.

Greater community support and understanding including community advisory committees.

A broader curriculum including a greater variety of formal and informal learning activities and more vocational education and career related programs.

Special help and individualized attention in the regular classes.

Special classes, programs and facilities as required.

Strong administrative leadership and support by the board of education.

Special learning materials including programmed instruction and learning laboratories.

Adequate funds.

It seems clear that the major concerns of those who responded to the follow-up inquiry relate to the ten procedures listed above. Most often mentioned were the need for better qualified teachers, more counseling, and more contact with parents and with others in the community.

5. Recommended next steps for improving the program for students with special needs reflect a desire for improved vocational education programs including opportunity for work-study experience and career related emphasis in the classroom. In one way or another in a large number of responses, the importance of vocational education and training for jobs was stressed as a way of meeting more adequately the needs of students from disadvantaged environments and others who do not achieve in the more formal educational programs of the school.

6. An evaluation of the project by those participants who responded to the follow-up inquiry indicates clearly that the purposes of the project were achieved to a marked degree. Through the project they focused attention

on the development of action programs in their schools. There is evidence that programs in their schools are actually being developed or improved and that participation in the project was helpful.

WILLA CATHER

Mr. MATHIAS. Mr. President, the women's liberation movement has generated many worthwhile changes in America and has dramatized the achievement of American women. It would be a mistake, however, to assume that it was only since and through the "lib" movement that American women had contributed to the mainstream of American progress. There is no more solid testimony of the substantial contribution of American women than the fact that we are now observing the 100th anniversary of Willa Cather's birth.

In an age when it was admittedly harder for women to participate, she did make a vigorous and a unique contribution to American literature. She became a part of the American tradition. From her pen came some of the best and earliest indications that America would be the land of the free for all Americans, including American women. I think the impact of Willa Cather's career is important in assessing the movement of social forces in our own time and I, therefore, ask unanimous consent that an article entitled "The Physical World of Willa Cather," by Eudora Welty, one of America's great literary figures in her own right, which appeared in the New York Times Book Review of January 27, 1974, be printed in the RECORD.

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

THE PHYSICAL WORLD OF WILLA CATHER

To mark the 100th anniversary of the birth of Willa Cather, the University of Nebraska—where she had been a student in the final decade of the last century—is sponsoring a year-long series of events, Alfred Knopf has issued a centennial edition of her 1923 novel, "A Lost Lady," and the University of Nebraska Press has published "Uncle Valentine and Other Stories: Willa Cather's Uncollected Short Fiction, 1915–1929." On Oct. 25, the College of Arts and Sciences at Lincoln launched the festivities with a 3-day International Seminar on "The Art of Willa Cather." Among the distinguished speakers who reevaluated Miss Cather's fiction for contemporary readers was the noted novelist and short-story writer, Eudora Welty. The following is her own distillation of the talk she gave.

(By Eudora Welty)

"More than anything else I felt motion in the landscape; in the fresh, easy-blowing morning wind, and in the earth itself, as if the shaggy grass were a sort of loose hide, and underneath it herds of wild buffalo were galloping, galloping. . . ." As in this sentence from "My Antonia," Willa Cather always writes of the world in a way to show it's alive. The quality of animation that seems a born part of her own prose arises from a mind comparatively uninterested, it seems to me, in direct observation and factual description; she conveys her world to us in subjective ways. Thus she may eliminate the picture, the better to make us feel something really there. It was her observation that "Whatever is felt upon the page without being specifically named there—that, one might say, is created." "There were none of the signs of spring for which I used to watch in Virginia," says the narrator of "My Antonia," ". . . there was only spring itself, the throb of it. . . . If I had been tossed down blindfold on that red prairie, I should have known that it was spring."

And so the texture in her prose owes more than a little to its function. This is to give us not the landscape but her vision of it; we are looking at a work of art.

Its composition is significant. In her pioneer novels there is the foreground, with its living present, its human figures in action; and there is the horizon of infinite distance, where the departed, now invisible Ancients have left only their faint track, cliff dwellings all but vanished into thin air, pure light. But there is no intervening ground. There is no recent past, no middle distance; the perspectives of time and space run unbroken, unmarked, unmeasured to the vanishing point. With nothing in between the living foreground and that almost mythological, almost phantasmagorial background are all but made one, as in a Chinese painting—and exactly as in one of the mirages that Willa Cather's people often meet, quite casually, in the desert.

And in her fiction that ancient life is more than once discovered through a profound personal experience. The past can be met with in physical form. It can be touched—Thea, in "The Song of the Lark," can flake off with her thumb the carbon from the rock roof that came from the cooking stove of the Ancient People. Thea comes to have intuitions about their lives so close to heart that she could walk the trail like the women whose feet had worn it, "trying to walk as they must have walked, with a feeling in her feet and loins which she had never known before. . . . She could feel the weight of an Indian baby hanging to her back as she climbed."

Neil, of a later day, in "A Lost Lady," feels in saying goodbye to it, "He had seen the end of an era. . . . He had come upon it when already its glory was nearly spent. So in the buffalo times a traveller used to come upon the embers of a hunter's fire on the prairie, after the hunter was up and gone; the coals would be trampled out, but the ground was warm, and the flattened grass where he had slept and where his pony had grazed, told the story."

Willa Cather saw her broad land in a sweep, but in her continuous, acutely conscious and responsible act of bringing human value into focus, it was her accomplishment to bring our gaze across the stretches of both space and time to the intimacy and immediacy of the lives of a handful of human beings. The lack of middle distance has something to do with the way the characters in the foreground cast such long-back-reading shadows. In that lonely stretch of empty and waiting space, they take on heroic stature. "For the first time, perhaps, since that land emerged from the waters of geologic ages," she writes of Alexandra in "O Pioneers!," "a human face was set toward it with love and yearning. It seemed beautiful to her, rich and strong and glorious. Her eyes drank in the breadth of it, until her tears blinded her. Then the Genius of the Divide, the great, free spirit which breathes across it, must have been lower than it ever bent to a human will before.

"The history of every country begins in the heart of a man or a woman."

In the world of Willa Cather's novels, history lives in its persistence in the memory, and in lost hidden places that wait to be found and to be known for what they are. Such history is barely accessible, perhaps only intuitively come by; found, it will be losable again. But the continuity is there. It is a continuity carried out, lived through, by the pioneer. And it is perceived by the artist. Even more profoundly, it exists, for Willa Cather, as a potential in the artist himself, it is his life's best meaning, his own personal, and responsible, connection with the world.

Thea, realizing this, thinks: "What was any art but an effort to make a sheath, a mould, in which to imprison for the moment the shining, elusive element which is life itself—life hurrying past us and running away, too strong to stop, too sweet to lose? The Indian women had held it in their jars. . . . In singing, one made a vessel of one's throat and nostrils and held it on one's breath, caught the stream in a scale of natural intervals." Willa Cather in writing a novel about art, chooses the art of the singer, the instrument of the voice, and is able, once more, to say everything in terms of the human being in a physical world.

The whole work of Willa Cather is an embodiment. The great thing it embodies is, of course, passion. That is its vital principle.

In looking back on all her work we realize how the vast exterior world she shows us, a world ever-present and full weight and substance and air, visible to us along differing perspectives and in various mutations of time, has been the deliberately fitted form for each novel's own special needs. This world serves her purpose by taking a fictional role, allying itself more or less openly with human destiny. It may move with the power to crush and suffocate, or the power to give back life; to promise everything or to deny everything; to open a way for living, or to close in life's face. She has made it, each time, hers to take at its own beginnings and follow to its slow eclipse; and, in doing so, to bring home the significance of the solitary human spirit which has elected to bring itself to birth here, to find the will to struggle and the consuming desire to survive.

In a landscape this wide and pulsing, it seems not at all out of keeping that the deepest feelings Miss Cather makes real to us are those for something larger than ordinary human relationships. Men and women do, of course, fall in love in her novels and their developing story is brought into clear enough focus for us to put good reliance on; but even its highest point, occurring along the way of the novels, is likely to be a milestone, hardly a destination; as required in the careful building of her plots, marriages are inclined to be unavailing. Sexual love is not often present in the here and now; we more often learn of it after it is over, or see it in its results.

It is love's partner, affection, that warms the life in her work, and love's opposite, hate, that chills it. We meet pity and reconcilement there, and we meet obsession, and the hunger for something impossible. But what her characters are most truly meant for, it seems to me, is to rebel. For her heroines in particular, this is the strong, clear, undeniable impulse; it is the fateful drive. It is rebelling not for its own sake so much as for the sake of something a great deal bigger—that of integrity, of truth. It is the other face of aspiration.

High personal desire, when merged into other than itself, merges into the whole world here. An individuality can be made willing to lose itself only in something as big as the world. It *was* the world in "O Pioneers!" and in "My Antonia"; it was not the world itself, except in magnitude and undeniability, in "The Song of the Lark" and, consummately, in "The Professor's House": it was art.

The desire to make a work of art and the making of it—which is love accomplished without help or need of help from another, and not without tragic cost—is what is deepest and realest, so I believe, in what she has written of human beings. Willa Cather used her own terms; and she left nothing out. What other honorable way is there for an artist to have her say?

How does Willa Cather make this personal

ambition an emotion for which her readers have such enduring sympathy? Its intensity, I think, is the answer. Thea's music teacher says of her, "Her secret? It is every artist's secret—passion. That is all. It is an open secret, and perfectly safe. Like heroism, it is inimitable in cheap materials."

"Artistic growth is, more than it is anything else, a refining of the sense of truthfulness." This is said at the end of "The Song of the Lark." The stupid believe that to be truthful is easy; only the artist, the great artist, knows how difficult it is." And, Thea's teacher goes on to say, "Every artist makes himself born. It is very much harder than the other time, and longer."

In the Cather novels there is a setting apart of the artist in value, a setting apart of his life from that of other people's. In trying to understand this today—could it ever have been a popular view?—I think she extolled the artist not for what would seem vanity, or for anything less than a *function* he could perform—the great thing that only an artist would be able, in her eyes, to do. At base this is an aspect of the Cather sense of the obligation to give of oneself. "If he achieves anything noble, anything enduring, it must be by giving himself absolutely to his material. And this gift of sympathy is his great gift," Willa Cather said, "is the fine thing in him that alone can make his work fine." The artist is set apart the more entirely, all but symbolically, to fulfill the ultimate role of dedication.

Today, neither the artist nor the world holds this idea. Art, since it grows out of its times, is of itself, and by rights, an ever-changing body. But truth?

Truth is the rock. Willa Cather saw it as unassailable. Today the question is asked if this is indeed so. Many align themselves with Willa Cather—I am one—in thinking the truth will hold out; but there are also many who feel another way.

One of the strangest things about art, nevertheless, is that the rock it is built on is not its most lasting test. Art is somehow self-testing.

A work of art is a *work:* something made, which in the making follows an idea that comes out of human life and leads back into human life. It is an achievement of order, passionately conceived and passionately carried out. When it is finished, if it is good and sound, somehow all capacity has left it: it stands as clear of what might have obscured and dated it as candor itself. The passion it was made to embody has been made totally visible. It could not have been this visible before; we see human thought and feeling best and clearest by seeing it through something solid that our hands have made.

Willa Cather's work, the structure she built on those rocks she herself believed were eternal, we, today, see on its own. And here it stands, a monument more unshakable than she might have dreamed, to the *independent* human spirit she most adored. She made this work out of her *life*, her perishable life, which is so much safer a material to build with than convictions, however immutable they seem to the one who so passionately holds them. There is life in her work now, the spirit she made it for, made it out of; it is all one substance: it is her might and her heart and soul, all together, and it abides.

ARMS CONTROL IN THE PERSIAN GULF AND INDIAN OCEAN

Mr. KENNEDY. Mr. President, last week in Geneva, Soviet and American negotiators reconvened at the second round of the Strategic Arms Limitation Talks. Their work will be critical to our hopes for ending the nuclear arms race once and for all, and for finding a durable basis for Soviet-American relations.

Because of the importance of these talks—and of any agreement to emerge from them—on February 8, I joined with the distinguished majority leader and the distinguished Senator from Maryland (Mr. MATHIAS) in sponsoring a resolution defining several objectives for the U.S. negotiating position. Hopefully, this resolution will enable the Senate to have a significant impact on the course of debate in the United States on strategic issues, and will help shape the U.S. position in negotiations.

But even as we look to the SALT talks to impose real limits on the strategic arms race, there are other areas of the world—and other areas of weaponry—where the prospects are more ominous for reducing the likelihood of conflict and for preventing potentially dangerous and self-defeating competitions in arms.

Two areas demand our attention, today: The sale of arms to states in the region of the Persian Gulf, and the prospect of a naval arms race in the Indian Ocean.

First, we are no sooner seeing real progress toward ending the Arab-Israeli conflict, than a new source of trouble in the Middle East is beginning to appear. This stems from the sizable flow of arms into the region of the Persian Gulf, where a majority of the world's oil reserves is located.

Many nations are contributing to what could become an arms race—or a series of them—in this area. For many years, the United States has supplied weapons to Iran and Saudi Arabia, although so far this has not had a serious effect on the stability of the region. These arms sales continue, and there have been numerous reports of negotiations to supply weapons to other states, such as Kuwait.

Other nations have also been involved in this arms trade, notably Britain and France. Recently, however, there has been an increasing tempo of arms sales, because of the same factor that is riveting the world's attention on Dr. Kissinger's efforts to settle the Arab-Israeli conflict: The worldwide scramble for oil.

As a result of the pressures in industrialized states to secure adequate supplies of oil at reasonable cost, there is now a frantic search to find economic incentives that will stimulate production increases and price reductions on the part of the oil-producing states. In fact, on several occasions in the last 2 months, I have myself proposed a series of such incentives. But the danger now is that these incentives will not be limited to the economic development of the producer states, or to the investment uses of their income. The danger is that great quantities of oil money will be used to purchase modern weapons. Like other nations before them, several of the oil-producing states in the Gulf area are beginning to link their economic advance with a desire to gain military forces that are so often believed to be necessary trappings of a modern state.

Some recent oil agreements—including that between France and Saudi Arabia—have therefore included the sale of weapons. And these tend to be weapons that make little sense in terms of the legitimate defensive needs of the countries involved—as opposed to interests of prestige—yet which could in time upset relations among states in the Persian Gulf area.

Mr. President, the issues involved are complex ones, and cannot easily be resolved. The future of relations between Iraq and its neighbors is most unclear. Iran is attempting to create a special position for itself in the region, with significant implications for all other states there. The role that Saudi Arabia might care to play in regional politics has yet to be determined. And there are several states with small populations but large oil revenues, which face an uncertain future in political competition with their larger neighbors.

In this tangle of political and economic relations, the introduction of large quantities of modern weapons can at best make matters more confused, and at worst can lead to conflicts with the intensity and suffering that characterizes the use of these weapons.

It is in our interest, therefore—and in the interest of all nations concerned with the future of the Persian Gulf region—to do what we can to forestall the accidental starting and fueling of one or more arms races in that vital region of the world.

It is often argued that the United States can do little to prevent countries from acquiring arms if they are bent upon doing so. If we will not sell arms—so the argument runs—others will do so.

This argument may be valid; but unfortunately it has not been tested. We have not tried seriously to retard the flow of arms into the Persian Gulf area from other countries and, indeed, have ourselves contributed to the problem.

At this critical time, therefore, the United States should back up its peacemaking efforts in the Middle East with yet another effort: An attempt through diplomatic action to control the flow of arms to countries of the Persian Gulf.

This approach would have to be multilateral, and include the world's present major arms merchants: Including Britain, France, Sweden, the Soviet Union, and the United States. It should include an attempt to define the consequences for all concerned of unrestricted arms flow to Persian Gulf states, and the relationship between this flow of arms and the likelihood of instability or conflict. And this effort should also emphasize the potential dangers to any oil-importing nation of seeking both foreign exchange earnings and good relations with producer states through the medium of arms transfers. After all, these arms transfers could create more problems than their sale is designed to solve.

In addition, diplomatic efforts to control the flow of arms to the Persian Gulf must include the local states, themselves. States desiring arms will likely find someone to sell them; and the pressures on arms-producing countries to sell go up with the intensity of the demand to buy,

especially on the part of countries controlling commodities as precious as oil.

Perhaps an effort to limit the transfer of arms is doomed to failure, as oil-producing states copy the example of virtually all the world's industry nations, in supplementing economic development with military might. Yet as we have found at the SALT talks, one of the great problems in preventing—or ending—arms races often lies in the lack of a means of coordinating common interest in preventing such competition. And as we found with the Non-Proliferation Treaty, even an agreement that does not include all nations can be better than no agreement at all.

I believe, therefore, that we in the United States should do what we can to forestall the emergence and growth of unrestricted competitions in arms in the Persian Gulf region. Where there is common interest among local states to prevent arms races, we should help find and promote it; where there can be common agreement among arms sellers to restrain their efforts, we should take the lead both in our own behavior and in our diplomacy. Even if these efforts fail, we should at least try to secure limitations on arms transfers to this region of the world while there is still some hope of making our efforts effective. We should act before waiting for the emergence of serious instabilities or open conflict to show us the dangers of this new competition in arms.

Mr. President, the second area of immediate concern is the Indian Ocean. At the moment, the United States maintains few naval forces in the region; while the Soviet Union has somewhat larger deployments. Yet neither has yet reached the point of seriously threatening the interests of the other. In fact, both have so far refrained from making the Persian Gulf the scene of a competition in arms, as so many people feared following the departure of the British presence in 1971.

Recently, however, new fears of Soviet naval activity have been voiced in the United States. These fears are partly derived from the projected reopening of the Suez Canal, after 7 years' closure. If and when the canal is opened, the Indian Ocean will cease to be the farthest point on the globe from the Soviet Union by sea, but will instead be brought within effective operating range for significant levels of naval force.

Perhaps the Soviet Union does, indeed, intend to move large naval forces through a reopened Suez Canal into the Indian Ocean, with implications for East Africa, for the Indian subcontinent, and for the balance of naval forces in the ocean itself. Yet that, too, is far from being an accomplished fact, and until it is, at least in theory, the United States may be able to affect Soviet policy.

At the moment, the United States is taking steps that in part reflect fears that the Soviet Union will take advantage of a reopened Suez Canal to extend its naval reach. In particular, the administration is reportedly planning to ask for between $20 and $30 million to upgrade facilities on the British-owned island of Diego Garcia.

In time, Soviet efforts and other developments could demonstrate the wisdom of such a course. But before we proceed on a course that assumes a certain set of Soviet policies—and that itself will likely stimulate the Soviet Union to follow such policies—we owe it to ourselves and to all the nations bordering the Indian Ocean to consider an alternative.

This alternative is direct negotiations with the Soviet Union to adopt rules of behavior for naval armaments in the Indian Ocean. The rules could take the form of specific agreements on basing rights; on the number of ships—or ship-days—that each power is allowed to have in the ocean; or on the size and capabilities of ships that are allowed there.

There are, of course, significant differences in the capabilities of our respective navies, covering many factors. These would have to be taken into consideration, in order to strike a balance of advantage. But the difficulty of such an effort is itself no reason for not understanding it; by that logic, the United States and the Soviet Union could never have concluded the landmark agreements of the first round of strategic arms limitation talks.

Furthermore, it is sometimes argued that the United States must have the freedom to deploy naval forces in the Indian Ocean in order to retain the credibility of our submarine-launched ballistic missile force. This problem, too, should not be insurmountable. It might, for example, be overcome by deployment of the Trident I missile on Poseidon submarines, which would not need the Indian Ocean to bring all of the Soviet Union under attack, and which would not need Indian Ocean sea-room as a critical factor in the survival of our deterrent forces. Alternatively, Soviet-American agreement on naval forces in the Indian Ocean could be limited to surface fleets.

These issues need not be settled now. But what does need to be settled now is our interest in avoiding another competition in arms with the Soviet Union that could be enormously expensive, but which would most likely lead to a standoff between us both in the forces deployed and in the political effects these forces would have. If that is true—as experience elsewhere clearly indicates—that it would be far better to try forestalling such a development by agreeing on real arms control at low levels of naval forces. Today's balance of advantage—harmful to neither power—could be preserved; and the world would be spared yet another arms competition, with all of its political uncertainties, risks of conflict—particularly through accident—and economic costs.

A forum for discussing these critical issues already exists. It is the Ad Hoc Committee on the Indian Ocean, set up by the United Nations General Assembly in December 1972, at the behest of Sri Lanka. It includes all major Indian Ocean states and at least two states—China and Japan—which are not Indian Ocean powers, but which have an interest in forestalling a naval arms race there. The purpose of this Committee is to translate into fact U.N. General Assembly resolutions of December 1971 and 1973, declaring the Indian Ocean as a "zone of peace." The Committee could be expanded to include the United States and the Soviet Union.

It may be that real progress in Indian Ocean arms control can only be made through bilateral negotiations between the United States and the Soviet Union, as we learned from the SALT talks. It may also be that a real "zone of peace" in the Indian Ocean will be difficult to achieve, in view of potential rivalries between local states that would occur whatever the United States and Soviet Union chose to do.

Nevertheless, there is still compelling argument for the two superpowers to begin consulting now—and then negotiating—on ways and means to prevent a costly, risky, and self-defeating arms race in the Indian Ocean.

Mr. President, both problems that I have spoken about today are part of two larger pictures: One concerning arms sales to developing countries around the world; the other concerning the growing United States-Soviet competition in naval forces. Yet each is derivative of still larger problems: The problem of limiting the spread of conflict throughout the developing world in the first case, and the problem of the overall United States-Soviet arms balance—and United States-Soviet relations—in the other. Approaching any of these larger issues, however, can usefully begin with efforts to forestall trouble on particular parts—arms for Persian Gulf states, and naval competition in the Indian Ocean. Thus, if we act intelligently now, on issues that are real, specific, and demanding of our immediate attention, we could find that larger problems and issues of controlling conflict in the world become far more manageable than they will otherwise be.

INTERNATIONAL MONETARY COMMITMENTS

Mr. McCLURE. Mr. President, last year when our dollar was devalued, the United States had to increase its dollar participation in the International Monetary Fund. This increase was necessary if we were to keep our commitment, which was not a dollar pledge, but a promise to make and keep available the equivalent of so much gold in dollars. But, if the dollar were to regain its strength, a formal reevaluation might one day take place. If this were to happen, the IMF would owe the United States money. But the question is, how much?

Since the United States is no longer on the gold standard, and the world's hard currencies are floating alone or in groups, and since none of them are convertible into gold, there is no official numeraire against which the dollar can be measured in order to determine how many of them would be necessary in order to fulfill our international monetary commitments.

The IMF has long been planning an international unit based on a "basket of currencies" but this plan is still on the

drawing boards. At this point, the IMF determines the amount of currency needed to fulfill an obligation on the SDR. The special drawing right is a form of international credit which works like an automatic cover for a bank overdraft, in that you can only use it if you do not have anything else. The SDR is worth 1.20635. This integer with its unwieldy fraction is worth one dollar plus the amount of its recent devaluation. The worth of the dollar at the time the SDR was pegged to it was in turn fixed on its then relationship to gold.

In other words, while there is no official international numeraire, in practice the numeraire is good old reliable gold.

Mr. President, I ask unanimous consent that the following article from the Wall Street Journal of February 8 be printed in the RECORD.

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

"GOLD BUGS" GLITTER IN UNACCUSTOMED ROLES AS SAVVY ANALYSTS—INVESTORS FLOCK TO HEAR WORD ON METAL THAT AVERAGED JUST 3.5 PERCENT RISE IN 40 YEARS

(By Edward P. Foldessy)

NEW YORK.—The "gold bugs" are flying high. Once pesky pariahs on Wall Street for their stubborn insistence that gold, rather than cash or the stock market, is the only source of true wealth, the gold fanciers suddenly have become respectable. Says Harry Schultz, publisher of a London-based newsletter on gold: "No more are we nut cases, kooks, antediluvians, weirdos, crackpots or dreamers."

While all currencies and most securities have taken a drubbing in the past few years, gold and gold-mining stocks have rocketed in price. Now just about everybody seems to be scurrying to get a piece of the action.

Mutual funds have become big buyers of gold-mining shares. (Americans can't legally own gold bullion.) Some funds have switched almost all of their portfolios into gold stocks. Traditionally staid banks are eyeing the metal with new interest. And the nation's-largest securities firm, Merrill Lynch, Pierce, Fenner & Smith, recently published a 12-page study on gold for its customers. Since then, for the first time, it has made recommendations on South African gold-mining shares.

All of which is making celebrities of the gold bugs. Investors eagerly are seeking them out for speaking engagements and advice. Some 235 securities analysts, about double the turnout usually accorded top corporate executives, recently showed up at a New York meeting to hear the prophecies of James Dines, a leading gold apostle and publisher of the Dines Letter. A spokesman for the New York Society of Security Analysts says there must have been an equal number of phone calls asking for copies of the talk. "They came from all over," he says, "including one from the Dominican Republic."

Back in the early 1960s, when gold bugs were suggesting that the price should be doubled or tripled from the then-official tag of $35 an ounce, sophisticated folks snickered. The repute of the gold bugs sagged even more in 1963, when the late President John F. Kennedy declared that the dollar never would be devalued and the U.S. always would stand ready to buy and sell gold at $35.

GOLD AT $1,000?

Since then, the dollar has been devalued twice, and gold has all but been abandoned as an official backing for paper currencies. In the free market the price of gold has soared, hitting a record of more than $140 an ounce recently in London (it sold yesterday for about $139 an ounce). Some gold stocks, in the past 10 years, have increased more than 10 times in price.

So when gold bugs now talk an eventual $400- to $1,000-an-ounce price on gold, people listen—even though not all quite believe.

More than a dozen mutual funds now have big stakes in gold shares. Ten years ago, only a handful showed an interest. International Investors Inc., one fund, began concentrating in gold stocks in 1968. Last year, it ranked as the top performer among funds, according to Lipper Analytical Services Inc., a fund-watching outfit. Its net asset value per share rose in 1973 by 94.4% to $14.34 in contrast to a decline of 16.6% in the prices on shares in the Dow Jones industrial average.

Research Capital Fund Inc., a California-based fund, started buying gold shares about a year ago as "an insurance against big trouble in currency values," says R. Martin Wiskemann, vice president. Gains were so nice that the fund started concentrating on gold shares in December. Now the fund, unlike many others, is selling its own shares to investors faster than investors are redeeming them, a reversal of the fund's earlier experience.

The small First National Bank of Allentown, Pa., has made gold stocks the mainstay of its trust investments in the past year and a half. Gold shares now account for 40% to 45% of the trust department's common stock pool. About 70% of the bank's own employe pension fund is invested in golds.

With gold shares zooming, so has the bank's business. "We're having to turn away trust accounts," says William Snow, director of investments and research. The bank has set up a separate investment counseling and advisory service for disappointed trust customers.

NEARLY AS SAFE AS BLACKJACK?

Mr. Snow stumbled onto gold in early 1972, when he read a book called "How You Can Profit From the Coming Devaluation" by gold bug Harry Browne. Until then, Mr. Snow says, "I hadn't given gold a second thought, didn't even know it existed."

Some big banks are giving gold serious thought, too. A large New York bank that prefers not to be identified yet is considering some gold stocks for its list of securities suitable for investment by the trust department. But there's dissent within the bank. Some officers believe buying gold stocks, as a kind of betting against the dollar, would be "unpatriotic."

For other reasons, some anti-gold bugs still are pooh-poohing the gold boom. Robert H. Parks, chief economist for Blyth Eastman Dillon & Co., places gold stocks a "close second" to Las Vegas gambling in risk, and still uses words like "bunk" and "myth" to describe gold-bug theories. But he admits: "I think they've gained a lot of respectability—damn it!"

Others point out that even though gold has risen sharply in price in the past few years, history shows that the price can stagnate for long periods. For most of the time since 1933, for example, it remained unchanged, so that even with recent increases, is has risen since 1933 an average of only 3.5% or so compounded.

The gold bugs have answers to all objections—at a price. "I feel very sad for the people getting wiped out" in the stock market, says Mr. Dines, adding: "My act of winning makes other losers." But reflecting that people who long ignored his advice now are seeking it, he says: "I'm going to sell it high."

SENATOR ALAN BIBLE

Mr. McGEE. Mr. President, many of us who have had the fortune of knowing, and working with, the distinguished senior Senator from Nevada (Mr. BIBLE), note with regret his decision to retire at the expiration of his present term.

Although I understand his reasons for doing so, I deeply regret that ALAN BIBLE has made this decision. Not only do I have immense respect for my colleague, but I also consider him a close personal friend whom I will miss very much.

In this regard, there appeared a column in the February 16, 1974, Las Vegas Sun, written by Hank Greenspun. The column is an eloquent tribute to a Senator from the people who know him best—his constituents.

I ask unanimous consent that Hank Greenspun's column be printed in the RECORD.

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

WHERE I STAND

(By Hank Greenspun)

Every one stamps his own value on himself.

If a man believes his fellows cannot do without him, he is easily dispensable. If he feels he is no longer needed, the need of him is great.

For the past 20 years Nevada has been represented in the United States Senate by Alan Bible. He retires from public life at a time when he is most useful to the state.

Society is made up of all kinds of people. Generally those in public life are divided among the swashbucklers and others who quietly go about attending to their duties.

Both types often accomplish their goals but the quiet ones are the more reliable.

Alan Bible is a quiet man. It was a healthy thing to have him represent Nevada during the past years because the state being small and growing needed the type of reliable leadership that Bible was able to provide.

He was never moved into sudden panic by the fearful ones who always saw terrible threats to our future, nor did he fail to see the need for change which our principal industry required to survive.

His role in the Senate was often overshadowed by the more picturesque types because his entire career has been an avoidance of the frills and frothings of the flamboyant white-maned orators, the fiery television personalities and even eye-brow wigglers.

He skipped the delicate sauces and stuck to the bread and butter issues which filled the basic needs of the people.

He has never sought notoriety, leaving that to the headline hunters and *frustrated* actors. But what he is noted for is hard work and dedication to the people who elected him and for this there is no substitute.

Nevada is a small state numerically with only a lone member in the House of Representatives. For a small state to exist alongside the large metropolitan areas with their huge number of delegates to the national conventions, it's senatorial delegation must be potent. It is essential that it has representation on the important committees of the senate.

Bible filled this need of Nevada. He was a member of practically every committee that is in position to be beneficial to the state. He competed admirably with the senators from the big states and though he kept his voice and profile low, none had a more persuasive

tone when the need to keep Nevada operating in the larger political scheme was evidenced.

Bible is retiring after his term comes to an end in December of this year. Everybody says he is a good man which no one can refute because he has not been known to do harm to anyone. In seniority, he followed in the tradition of the late Sen. Pat McCarran, without the latter's flamboyance and vindictiveness.

Nevada always came first and the legislation he was able to enact for the state, and the entire West, will assure growth and prosperity for our area for many years to come. His desire to avoid controversy will keep him out of the Senate Hall of Fame but I doubt if any senator has earned more respect from his colleagues than Alan Bible. Those who served with him honored him for his dedication and hard work and those who didn't honor him could say not one word in derogation of efforts and sincerity.

This isn't the first effort at retirement in order to escape the turmoil of the political arena, but he was genuinely urged to stay on and the strongest pleas came from other senators and the Presidents whom he served.

They all recognized his honesty and stability as characteristics too seldom found in politics, both of which Alan Bible had in abundance. His colleagues knew the country benefited by the wisdom of his careful analysis of every issue he faced.

Sen. Bible has earned retirement. The state will miss his years of seniority and public service. His term has been long and honorable. Now he deserves time to relax and enjoy the fruits of his labors.

Having known him for many years, sometimes as an adversary but far more as a supporter and friend, I would have to say his retirement will be brief. He is too much the old warrior to retreat from the political arena entirely.

The best advice we can give to those who would follow a career in public life is to pattern their character after Sen. Alan Bible. If they do they will become as he did, a public official in whom trust was not betrayed and integrity was a way of life.

Nevada honors him tonight and forever more.

SETTING NATIONAL GOALS AT JOHNS HOPKINS

Mr. MATHIAS. Mr. President, it has long been my feeling that we are short-changing the future by our neglect of basic research and of long-range planning. My position is that we should restore the emphasis on research and that we should set goals for what ought to happen in the future, instead of merely coping wtih events as they occur.

This point of view was forcefully and eloquently presented at a ceremony I was privileged to attend last Friday, February 22, 1974, commemorating the 98th anniversary of the founding of the Johns Hopkins University. The commemoration address was delivered by Robert W. Sarnoff, chairman of RCA. Because Mr. Sarnoff made a specific legislative proposal and because his speech makes so much sense for America, I ask unanimous consent that his commemoration day address be printed in the RECORD.

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

COMMEMORATION DAY ADDRESS BY ROBERT W. SARNOFF

I'm very grateful for the honor you do me today. One of the things peculiar to an honorary degree—as someone surely has said before—is that it's the only degree for which you take your orals after you receive it. The recipient also has the advantage of posing his own questions.

Before raising any questions, let me first offer hearty congratulations to the Johns Hopkins community on your 98th birthday.

In his inaugural address on this same date in 1876, Daniel Coit Gilman proclaimed the mission of Johns Hopkins to "make a contribution to the intellectual agencies of this country, and add a positive gain to American learning and education in the second century of the Republic."

He built an enduring base, and his illustrious successors have more than fulfilled that mission by broadening the scope and influence of this great university.

Yet it is evident that still greater challenges face this and all other academic institutions. You will be called upon to make even greater contributions in meeting our society's demands on intellect, learning, and education.

Two years from now, when Johns Hopkins celebrates its first century, our nation will be observing its bicentennial. America will arrive at this milestone bearing a mixed cargo of immense material wealth and stunning technological achievement, together with a deep-seated anxiety as to its worth.

We are, in a sense, victims of our own experience. Through much of its life, our nation has enjoyed conditions that encouraged growth without plan. Within living memory are recollections of almost limitless territory and resources, a largely rural population and economy, and relative isolation from the rest of the world.

Today, however, our territory is clearly finite. Our resources have dwindled—in some cases to scarcity. Our population is largely urban, and our economy built upon industry and services. And we are enmeshed in the affairs of a politically and economically unstable world.

All the while, the rate of change has been rapidly accelerating, and its effects are being felt with cumulative impact. For the first time, Americans are seriously counting the costs of progress and discovering that yesterday's simple solutions do not fit today's problems.

The most appropriate commemoration of our nation's bicentennial in 1976 would be a renewal of that original spirit of constructive discontent which led to a new and healthy society built upon the solid foundations of the old. Let us, once again, examine our condition and our purposes, to determine what must be done to survive and prosper in freedom.

It will be a challenging task. Compared with the material austerity of eighteenth century life, modern society is easier to live in but harder to manage. We have created an imposing economic and social structure pervaded by technology. Unfortunately, it is so complex and delicately balanced that it is vulnerable to nearly any caprice of man or nature—as we are taught again by the energy squeeze.

The peril is compounded for a nation that also tends to neglect problems until they erupt into crises, real or fancied. Too much twentieth-century American history is written in response to a Black Tuesday, a Dust Bowl, a Sputnik, and now the Energy Crunch.

This has always been a costly procedure, even if it has worked. But hastily, conceived expedients are more likely to postpone difficulties than to cure them. They cannot possibly furnish enduring solutions to such basic problems as fuel and materials shortages, persistent inflation, environmental pollution, urban blight, world monetary disorder, or widespread hunger.

Henceforth, management of our nation's affairs will demand for greater foresight and perception than in the past. This need can be met only by a fundamental change in the attitudes bred by generations of material abundance and relative insulation from the rest of the world.

Let us begin by recognizing and accepting comprehensive planning and long-term commitment as basic responsibilities of government. Ad hoc solutions will no longer do, for our nation is confronted with an accumulation of needs that require the establishment of targets and the commitment of resources well beyond a single term of Congress or a single administration.

Consider a few examples. The energy problem will persist in some form for many years to come. Urban facilities must be doubled by the end of the century. Present farm policy must be transformed into long-term food policy to satisfy domestic and world requirements. It is apparent that our government structure is ill-designed to deal with these and other problems of equal magnitude.

In today's climate, many Americans may question the wisdom of granting new power to government to plan and to commit resources for the future. But these are familiar and essential procedures of good management in business and industry. Why should we demand less of a great public enterprise whose activities account for approximately one-third of the gross national product? There may indeed be risks, but they can be minimized by careful provision for public participation and review.

There are, in fact, sucessful precedents. The Marshall Plan was conceived and undertaken as a long-term commitment. The Apollo program placed men on the moon in 1969 in accordance with detailed plans made nearly nine years and three administrations earlier. The interstate highway program was planned as a national undertaking in the 1950's and has produceded without interruption for nearly two decades.

By contrast, the absence of such planning and commitment has burdened us with failures and shortfalls; inadequate public transportation, polluted waters, blighted cities, and, at the moment, chilly homes and empty gas tanks. Our children will be assured an even more sordid legacy unless we move now to use our resources with vision and by design.

Consider, for example, the recent record of public policy toward science and technology.

The strength of our nation's economic and social fabric is inseparable from our strength in science and technology. Yet during the past several years, the national commitment in this critical area has been seriously weakened, both financially and politically.

There has been a marked decline in the proportion of gross national product and population devoted to research and development. Government support for science and technology has dropped from over 12 per cent of the 1965 budget to less than 6 per cent this year.

There have been significant budget cuts affecting many research and development programs. Among them are government-sponsored research on arthritis, child health, air traffic control, solid waste disposal, desalinization, and environmental protection. Oceanographic research vessels have been beached, a high energy research satellite shelved, an earthquake laboratory abandoned, an electron accelerator idled.

Federal support for science education has also declined seriously, in both graduate training programs and funds for universities granting science and engineering degrees. In physics, funding per individual has dropped more than 30 per cent since 1968. Last year, the government all but abandoned the training of biologists by slashing $100 million from a budget of $130 million.

We continue on a boom-and-bust cycle in engineering manpower. Notwithstanding

publicity about a surplus in the aerospace industry, enrollment at the nation's engineering schools points to a shortage of more than 20,000 new engineers annually during the next few years, as much as 40 per cent below national requirements. This is an unsettling prospect for a nation in need of more skilled and dedicated technologists.

Against this bleak backdrop, there are signs of readiness to invest generous funds in areas of high visibility. The government has undertaken a "crash" program of support for applied research in cancer and heart disease, but at the cost of cutbacks in other biomedical research—including basic studies that could shed new light on cancer. And now we are preparing to embark on massive new spending on energy research and development in a hurried attempt to make up for years of neglect.

Finally, the Administration has dismantled the machinery that supplied top-level scientific advice to the White House for nearly 15 years. The office of Science Adviser to the President was abolished, and with it the President's Science Advisory Committee. The same fate befell the White House Office of Science and Technology, a professional staff that prepared recommendations on important scientific and technological matters, such as energy research and development.

All of this leads to the disturbing conclusion that matters affecting the organization, staffing, financing, and direction of the nation's efforts in science and technology are still being treated piecemeal and by improvisation.

There is no better place to make a start in changing our traditional attitudes. Let us develop a coherent policy that treats science and technology as basic resources whose continued health is a matter of major concern to the nation. Let us then underwrite that policy with comprehensive planning and the long-term commitment of public funds and resources.

I propose for this purpose a strong new independent agency, a Science and Technology Commision. This agency, created by act of Congress, would bring the wide diversity of government activities in this field into a unified policy framework based on long-term national needs, both civilian and military. It would be the focal point for planning and coordinating government-supported research, development, and technical education. It would provide for the first time a means for setting priorities in science and technology and shaping our programs accordingly.

The Commission members should be chosen from among recognized leaders in basic science, applied research, and engineering. They should be Presidential appointees, confirmed by the Senate for terms of 10 years or longer.

The Commission would have to be assured of long-term funding and adequate shelter from the shifting winds of partisan politics. This *is asking no* more than has been achieved within narrower limits for other agencies dealing with long-term technical matters, such as the Federal Power Commission. However, the new Science and Technology Commission would be concerned with a far broader array of major policy issues and programs looking decades ahead. It would therefore need full legislative support to plan and budget on a large scale further into the future than ever before.

An effective national policy for science and technology will require more than the mere coordination of government activities. The new Commission would have to maintain close ties with the general scientific and engineering community and seek its cooperation in developing policy and programs. It would have to coordinate our technical efforts with those of other nations in confronting worldwide problems. One fruitful by-product of its activities should be the removal, or at least, reduction of barriers impeding effective cooperation among disciplines, professions, and nations that must work together in the common interest.

While reshaping government policy toward science and technology we should also address the role of American industry.

The private sector, with much of the nation's scientific and engineering talent, makes a steady and significant contribution to our technological strength. Among the advances now in prospect, for example, are solid-state electronic systems that could increase automobile mileage up to 10 miles a gallon . . . electronic mail distribution and billing systems . . . comprehensive home information centers.

Any technology-based company must continue to invest in discovery and innovation. That is how it grows and prospers. However, there are gray areas of technology between the public and private sectors, where development may be important to the public, but where industry is reluctant to venture because of high risk and minimum potential return on investment. I have in mind such socially desirable advances as a reliable earthquake warning system, low-cost desalinization techniques, or economical solar heating and cooling.

It is established national policy to employ the tax system to encourage investment where it serves the public interest. Therefore, as part of the long-term approach to science and technology, we should consider granting tax incentives in such socially desirable cases. The criteria should be a recognized public need, the ability of industry to achieve the desired results, and a disproportionate risk by normal business standards.

I believe that the actions I have proposed would be a real start toward resolving the current disarray in our national science and technology. Without such a resolution, we can only continue reeling from one crisis to another, wasting our skills and resources in ill-considered and extravagant ways. But with a sound policy of long-term planning and commitment in science and technology, we can attack with confidence the basic needs that must be fulfilled in the coming decades. There is an imposing agenda if such major undertakings. Here are a few examples:

New sources and alternative methods of producing energy;

New means of mass transportation;

Improved public health techniques and services, particularly in the field of preventive medicine;

Effective population control programs;

Development of food and mineral resources in the oceans of the world.

I have proposed that we deal first and urgently with science and technology because it is in this critical area that the problem is most clearly presented, the institutional machinery most clearly lacking, and the cost of delay greatest.

Our nation's bicentennial can and should evoke a sense of achievement and expectation. The achievement is real: a society that has attained the highest material standards, distributed the advantages broadly, and maintained individual freedom to a degree still unsurpassed anywhere. The sense of expectation is justified, for our nation's potential remains undiminished.

But can we provide the vision and determination needed to realize our potential in a world of tumultuous change? This is a challenge perhaps greater than the one that confronted Americans 200 years ago. If the challenge is greater, so is the strength and experience we can bring to it.

What we have lacked until now is appreciation of the problem and its gathering urgency. This is now being forced upon us by events.

With effective leadership and the systematic application of our talents and resources, I am confident that we will meet the challenge just as our predecessors met theirs in a distant age and a different world. Our success can launch a new era of responsible progress, to the untold benefit of tomorrow's Americans and of people everywhere.

Mr. MATHIAS. Preceding his speech, Mr. Sarnoff received the degree of doctor of laws from the Johns Hopkins University, and I further ask unanimous consent that the citation read by Dr. Harry Woolf in presenting the degree should be printed in the RECORD following Mr. Sarnoff's speech.

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

CITATION READ BY HARRY WOOLF IN PRESENTING ROBERT W. SARNOFF FOR THE DEGREE OF DOCTOR OF LAWS

Mr. President, it is my pleasure to present for an honorary degree a distinguished industrial statesman whose career has spanned and shaped the development of the principal form of mass communication that serves the world today.

Robert W. Sarnoff, chairman and chief executive officer of RCA Corporation, has led this mammoth communications enterprise through its period of greatest growth. He has overseen its emergence as one of the world's most significant industrial corporations and guided its progress with his own concepts of service to the public—an activity for which he has been recognized numerous times by our own as well as foreign governments.

His contributions have been felt deeply within the industry itself. They range from his almost singlehanded launching of color television as a major broadcast service in the United States to the development of weather and communications satellites that serve the entire world. In addition, by his creation of the first television documentary series, by his pioneering efforts with the National Broadcasting Company in bringing opera to television, by his inauguration of the first nationwide educational television project, and by other innovations in cultural and informational programming, he stands as a leader in maintaining television and radio as lively forces in American society.

As the son of the distinguished industrial leader General David Sarnoff, who had brought RCA to a dominant position in the first three decades of its history, Robert Sarnoff had the difficult task of not only succeeding to, and replacing the brilliant direction of the man who was his father, but of doing so in a far more complex, competitive social matrix. Overcoming this double obstacle, he won important recognition of his own as a capable and imaginative executive—restructuring and diversifying the corporation for expanded service in a new age. He has also devoted considerable time to service beyond the business community, including five years as chairman of the Board of Trustees of Franklin and Marshall College.

Mr. President, for his achievements in the arts and sciences of communication and for an extended list of credits in the realm of public service, I am honored to present Robert W. Sarnoff for the degree of Doctor of Laws.

TO PRESERVE THE NEW RIVER

Mr. ERVIN. Mr. President, Senator JESSE HELMS and I have introduced legislation to preserve the beautiful and historic New River, which flows through North Carolina and Virginia, by designating this river as a potential addition to the Wild and Scenic Rivers System.

On February 7, 1974, the Senate Interior Subcommittee on Public Lands, chaired by Senator FLOYD HASKELL, of Colorado, held a hearing on this bill, S. 2439.

Many citizens of North Carolina and Virginia, including public officials and individual residents of the New River area, testified before the subcommittee urging Congress to enact S. 2439 and, thereby, to save the New River and its environs from destruction which will result if a proposed power plant is constructed on the river. The scientific data and personal observations presented by these citizens concerning the economic and ecological importance of the New River Valley reinforced my conviction that we must not allow this glorious work of God's creation to be destroyed.

Mr. President, one of the excellent witnesses who appeared at this hearing was Mr. Maitland Sharpe, director of environmental affairs for the Izaak Walton League of America. I ask unanimous consent to have Mr. Sharpe's statement in support of S. 2439 printed in the RECORD.

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

STATEMENT OF THE IZAAK WALTON LEAGUE OF AMERICA

(By Maitland S. Sharpe)

Mr. Chairman and Members of the Committee:

I am Maitland Sharpe, Environmental Affairs Director for the Isaak Walton League of America and a life-long resident of the State of Virginia. The League is a membership organization dedicated to the conservation and wise use of the nation's natural resources, our air, soil, woods, waters, and wildlife. We have more than 55,000 members nationwide, over 6,000 of whom live in Virginia.

The League strongly endorses S. 2439, which would place the New River, from its headwaters in North Carolina to the town of Fries, Virginia in the National Wild and Scenic Rivers System. We recognize that the river, the hills that cradle it, and the valleys through which it flows could be dedicated to any of a number of competing uses. However, we are convinced that preservation of the river in a free-flowing condition constitutes the wisest use of the resource.

As you know, the Wild and Scenic Rivers Act states that it is "the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historical, cultural or other similar values shall be preserved in free-flowing condition, and . . . protected for the benefit and enjoyment of present and future generations."

The New River scores high in *each* of these categories. The scenery varies from wooded mountains to a bucolic landscape of isolated farms along the bottom lands. Blessed with unusually high quality water, the New is ideally suited to family canoeing and float trips. The upper reaches of the river have been said to offer the best small mouth bass fishing in North Carolina. The natural values of the New were well summarized by the Environmental Protection Agency when it stated that the river is a "major environmental resource of marked scenic, recreational, and biological value."

The biological resource is said to include over 60 species of fish, of which some eleven are thought to be rare or endangered. The botanical province through which the river flows displays an unusual variety of northern and southern plants growing near the limits of their ranges. For example, according to the *Manual of Vascular Flora of the Carolinas,* eight rare vascular plants are found in Ashe and Allegheny Counties, North Carolina. The extraordinary botanical diversity of this area constitutes an irreplaceable scientific resource.

The New also occupies a special niche in geologic history. The Chairman of the Geology Department of Marshall University has claimed that the New is the oldest river in North America—that it has been flowing for over 100 million years. Whether or not that exact figure is correct, it is well established that the New is a very old and geologically significant drainage—a remnant of the preglacial Teays River.

Finally, the New River and the valley that it drains possess notable cultural and historical values. It is inhabited by people who are deeply rooted in the land, people who are directly descended from the pioneers who settled the area in the 18th Century. It is one of those rare places where the names on the mail boxes can be matched with those on the decaying grave stones.

The history of the area is not one of great events or outstanding structures. It is, rather, a living breathing history of everyday life—a continuous, unbroken thread of culture and heritage that stretches through more than two hundred years of American history.

Mr. Chairman, the biological, recreational, and scenic values of the New River will be examined in greater detail in the statement of Mr. Lorne Campbell, President of the New River Chapter of the League. But we believe that even this brief overview shows the New River to be a worthy addition to the National Wild and Scenic Rivers System.

The Izaak Walton League of America urges this committee to act favorably on this proposal to insure for future generations the benefits of a natural, freeflowing New River.

THE ELECTRIC VEHICLE

Mr. McCLURE. Mr. President, I am pleased that a number of my colleagues were able to join me last week in looking at something which is now, unfortunately, a rarity, but hopefully will soon become a familiar sight on our city's streets—the electric vehicle. The EV's which were demonstrated in front of the Senate steps were only some of the vehicles which were on display at the Third International Electric Vehicle Symposium and Exposition being held here in Washington last week. Because of the interest in this exciting mode of transportation, I ask unanimous consent that my remarks before the symposium be printed in the RECORD.

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

THE INDIVIDUAL AND URBAN TRANSPORTATION

(By Senator JAMES A. McCLURE, Idaho)

Recently, there has been much serious consideration of the problems of the cities. Urban development was once considered mainly a matter of housing. But, today, more and more people are asking their governments and themselves how they are going to cope with the problems, not only of living in the cities, but moving around in them and of reaching from the suburbs. Automobiles are proving less satisfactory in a direct ratio to their increase in numbers. Parking and space problems, pollution, noise, and fuel shortages, create complications which increase steadily. In making these observations, we find that we have no trouble in getting agreement of anyone who has ever been in a city. But we must make continued efforts to encourage planners to take a comprehensive approach in determining the solutions.

Mass transit is a service which has done well in some areas. But to expect it to supply all the transportation needs of any given city is to misunderstand the nature of those needs. The building of new systems at today's prices is usually prohibitive. Here in Washington, construction is to cost about $3 billion, or more, for 98 miles of line. But that $3 billion is the same total number of dollars which have been expended on roads and streets in the whole metropolitan Washington area since the beginnings of the road and street network in this area almost two centuries ago, including the horse and buggy days. Every household in the area will pay approximately $4,000 as an initial cost.

For this capital expenditure, approximately five percent of the transportation load will be rerouted. This will cause less of a change in the flow of the city's traffic than the recent fuel shortage which has been estimated to have caused a seven percent drop in the number of cars on the road. In fact, nationwide, despite the fact that commuting accounts for 25% of all passenger car usage, only 14% of all commuters use public transportation. Even if mass transit were to double in the next 15 years—which now appears highly unlikely—it could only reduce total car usage by about 4% and gasoline consumption by 3%. While new rail systems are not, therefore, cheap public transportation, they do handle some of the ever increasing load. But they are obviously limited by the kind of load they can handle.

Mass transit of any type can provide no solution for the problems involved with the need to deliver goods and, at times, people to certain doorsteps or loading elevators, rather than simply to neighborhoods. The shopper who is left a half a mile from home with bundles too heavy to carry is not going to see mass transit as the only solution to her problems. Individual transportation is a necessity not only for the private citizen, but for all those municipal vehicles that most of us take for granted. Some cities are experimenting with electric street sweepers and postal delivery wagons and finding them efficient. Fleet operators know that they get value for their money using electric vehicles rather than internal combustion cars.

By now most people seem to realize that even if the problems outlined above could be miraculously solved overnight, the strong arguments for development of electric vehicular travel would still apply. My concern with these arguments is a constant one, since each of them affects my daily thinking and decisions. As a member of the Senate Interior Committee, I am one of those responsible for the National Fuels and Energy Policy Study. The necessity for research and development of new sources of energy, and different ways to use it, is for me a day-to-day reality.

At the same time, as a member of the Subcommittee on Environmental Pollution of the Senate Public Works Committee, which is responsible for the Clean Air Act and the Noise Pollution Control Act, I am bound to do what I can to see that further scientific advances are in tune with our Nation's stated goals in the areas of pollution control. It is precisely in this joint capacity that I am delighted to be talking about one of the few realistic solutions to the transportation problems of today's cities, a solution which is both innovative and clean.

If we have learned nothing else in the last few months we have learned the necessity for husbanding our precious supplies of oil. Oil must be diverted from uses for which substitutions are available and conserved for its most essential functions. We must have the oil to provide petrochemical feedstocks for synthetic fibers, for clothing, building materials and insulation. We may someday

find we desperately need oil for the base for some synthetic food supplements—if we do, it must be there. But we cannot grow much food very well without fertilizers and we cannot provide our American farmers with the fertilizers they need unless we have the petrochemicals to manufacture it. And feeding people isn't enough. We have to think of their health. We depend on petrochemicals for antibiotics and other medicines as well as for the latest in medical devices, such as artificial heart valves.

One way to change the transportation energy base would be to shift a greater share to urban use of electric vehicles, which would indirectly allow a greater share of coal and nuclear reserves to go for transportation needs. As we are seeing, it is imperative that we find alternative sources of energy. Over the log run, this will not present an unsolvable problem. The physical supply of energy is bountiful, but it is man's technology which must improve to take advantage of it. We must also learn to husband our resources, using the precious, finite fuels for top priorities, where substitutes are not yet available. And, a switch to electric vehicles would allow in the future a greater use of the virtually infinite sources, such as coal, solar energy, geothermal energy, and the energy from nuclear breeder reactors. The name of the game should become "Use oil only where you can't use something else."

To go back to the issue of air pollution, it is important to note that as internal combustion engines grow cleaner they grow more expensive. Auto manufacturers have made considerable progress toward complying with the emission standards set by the Clean Air Act of 1970, even though this compliance has been delayed.

When the more than 90 percent reductions that the Act requires have finally been met, the purchaser and operator of the internal combustion car will be paying costs which have increased substantially, and these increases do not take into account outside factors like inflation. Sticker prices of cars on the lot will be several hundred dollars higher. The cars will not perform nearly as well, and their consumption of fuel will increase anywhere from 20 to 30 percent. Even the Wankel rotary engines will not provide the answer, despite the potential efficiency and increased cleanness, because their fuel consumption is 25 to 30 percent higher than that of a comparably sized piston engine. It is now becoming obvious that no matter how well the automobile manufacturers comply with their standards the actual results in cleaner air in certain cities will not be in compliance with the air quality standards required by the Clean Air Act.

The EPA has announced additional plans to meet these specifications, including the reduction in weight of specific vehicles in order to reduce the amount of fuel necessary to power them and we may see rationing which would cut down on the total number of vehicle miles traveled. But the latter solution is unwieldy and dangerous as it could well put a stop to commerce in those areas of the country which have little or no form of transportation other than cars and trucks. In Los Angeles alone, EPA says that eighty-two percent of the internal combustion vehicles would have to be removed from the road during the smog season which occurs from May to October, in order to provide something better than substandard air.

There are many solutions, though, which would provide for the use of the internal combustion vehicle for certain types of transportation—such as heavy trucking—and the electric vehicle for passenger transport. There is no reason, especially on the wide highways of a city like Los Angeles, why various vehicles could not use lanes specifically designated IC or EV in the same manner in which provision is made for bus lanes or bicycle use.

There is one area, though, in which there is a specific need for increased R&D—batteries. It has been contended, for instance, that the silver-zinc battery system offers the highest energy density available in existing battery systems. I have read reports to the effect that they may be ten times better than the lead-acid batteries which are currently used. There are two factors which lead me to the consideration of the use of the silver-zinc battery in electric vehicles. The first has to do with improvements in cycle life capabilities and wet life time. These improvements have resulted from recent breakthroughs in the development of separator/silver-zinc cell systems with specific characteristics suitable for substantially prolonging the life and capability of silver-zinc batteries. There has also been progress in the fabrication of zinc plates which prevent them from changing shape, which also plays a part in improving cycle life and reliability.

The other factor which should encourage another look at silver-zinc batteries is the interest of EPA and other governcent agencies. EPA is, of course, in a unique position to make such recommendations. This is just one example of new battery technology which should be investigated. I am certain the Defense Department and NASA have considerable experience with battery R&D, and maybe some closer coordination with DOT and EPA could disclose existing battery designs—developed for highly critical military and space demands—which could be applied for individual transportation needs.

I don't want anyone to conclude from my remarks that I am trying to say that all future vehicles should be electric. Nor should anyone conclude that because my remarks are addressed specifically to urban problems that I am not concerned about the farmer. One of the most important points I want to make today is that by easing the unnecessary use of fossil fuels in combustion engines we will be allocating the various forms of available energy in a more efficient way. If tomorrow's farmer has enough gasoline and diesel fuel for his trucks and tractors, it will be precisely because these fuels were not used by commuters who were given a reasonable, clean and economical alternative. If proper uses are not made of available resources, ultimately everyone suffers. The commuter depends upon the farmer for food and it now seems that the farmer, at least in the short run, may depend upon the commuter for fuel. But first we must see that the commuter has that choice to make. We must do everything we can to see that the truth of this situation is put before the public. I believe the average citizen has no idea what already is, and what could be, available in the electric car field.

I further believe that if he knew, he would be significantly more interested in trying one out. Once that demand begins, American market forces will take over and you and I will not be stuck having to make embarrassing explanations to our grandchildren about why we burned such valuable and useful substances as oil and natural gas liquids, in the face of excellent alternatives.

There is another aspect to the fuel situation which is very much on everyone's mind, as the oil consuming nations are attempting to find a joint solution to their problems. Some use a sort of shoot-from-the-hip tendency to blame the Arab nations for their boycott and to find sinister motives with respect to American commerce behind it. As some of you know, I recently visited Saudi Arabia and Kuwait, among other countries, and talked with their leaders about this very subject. To a man they told me that they knew it was not in their own best economic interests to disrupt the American economy. The Arabs have a great deal of financial liquidity and the United States has the best markets in the world. Without energy these markets would collapse and all the liquidity in the world would not replace that buying power that the Arabs value here. I was often urged by various leaders to do what I could to assist and encourage my country in the development of new energy sources. They both understood and considered as undesirable the United States dependency on their oil.

The Saudi Arabian Minister for Monetary Affairs, Mr. Anwar Ali, specifically stated that he hoped the U.S. would increase development of shale oil, nuclear energy, and magnetohydrodynamics. This is not, of course, due to any altruistic motive. They know that they can sell all the oil they want to. It is just not to their advantage to have the United States join Europe and Japan as economies dependent on Arab oil.

Part of the hazard in detailed discussions of technology at a meeting such as this, is that we tend to interest and attract the scientists, but at the same to increase our public relations problem with the typical citizen. He reads a tossed-off article once in a while by someone writing for a major magazine, who is not a specialist and has a picture of a form of transportation which is both outmoded and quaint. He hears that while, yes, the electric car is clean, it will mean a greater use of electricity which means that more coal will be burned. What he is not told is that hydrocarbon and nitrogen oxide emissions would all be significantly lowered and that in addition, the pollution resulting from that coal-burning-plant can be better controlled. Emissions from widespread ground-level polluters such as the gasoline powered car have an impact per unit emission 5 to 10 times greater than emission from point sources such as power plants. The latter can disperse the pollutants through tall stacks, well above breathing level and, what's more, can be remotely located.

The readers of these casual articles may decide that their house electric system could never stand the additional pressure caused by the need to regenerate power in their automobile. These articles fail to point out that peak hours for other electrical uses are the times the owners are most apt to be driving these cars. The cars can be regenerated when other electricity use is low and the owner is asleep.

Another aspect not stressed often enough for a comfort loving people is the fact that driving an electrically powered car is not an experience that would make a Spartan wince. Most people don't realize that they don't have to give up their fancy colors, their bucket seats, their heaters, defrosters, and cigarette lighters. But there are some things they ought to be glad to give up. They will never have to replace their spark plugs or distributor points. They will never have to cope with a radiator freeze-up or boil-over. They will never have broken rods or carburetor adjustments. Their fuel pumps will not break or disintegrate and their mufflers will not corrode.

Apparently people still have to be educated to the fact that many electric vehicles are currently being used. They are doing good service as fork lifts, golf carts, work trucks, motor cycles, and even snowmobiles. The electric snowmobile has won the admiration of those enemies of the gas-operated version. Covering territory in a machine that proceeds steadily and cleanly without breaking the eardrums has achieved a new respectability. Various European cities have found the electric bus an efficient and economical answer to mass transportation, but here in the United States the Mass Transportation Administration has announced the grants of funds in the millions of dollars for in-

ternal combustion buses, and not a dollar for the electric type.

And this flies in the face of Government's protestations that clean air is a major preoccupation of the century. In a sense we have a sort of chicken and egg situation. If the Government were to spend some of its transportation dollars on EV's the public would become educated as to their value. On the other hand, if the public knew the benefits they could expect from electrical alternatives to the IC engine, It would begin to demand that its tax dollars be spent accordingly. What the first step is to be is now uncertain. But one thing is certain. Those of us here today can continue to help others to change their picture of the electric vehicle.

We can help to show that in the modern world, it's more choice we need, not less. Progress has in the past been equated with going faster and making more noise. Modern and old-fashioned are adjectives whose meanings remain constant through the years. What changes is the nouns they are chosen to modify. Before something is classified as modern it usually goes through a stage in which it is considered weird, bizarre or unusual. People who have the intellectual strength and confidence to stand by their convictions during that period come out vindicated and this is the case with the group I am facing today.

After the modern stage comes the commonplace and with the passage of time an object can become out of date. I take special pleasure in addressing a group that knows that fuel lines, radiators, distributors, crank cases and connecting rods are fast approaching the old fashioned.

Back at the turn of the century there used to be a sort of machismo involved in driving the most unconfortable thing around. A man didn't look as if he'd been anywhere if he didn't come home dripping with oil or carrying his arm in a sling. Those were the days of the the good old backfire and the exciting breakdown. You went home afterward, cleaned up and spent the rest of the day telling your admiring friends and neighbors about your prowess with tools and the hazards of driving. It was the sports approach, and if you really had to get anywhere there was always old dobbin. Or maybe there was the good electric too, but in that naive age it was considered less than entirely masculine to want a quiet, dependable form of transportation. Now it's considered crazy not to.

A number of the country's population now lives in urban areas, and it is exactly those urban areas which suffer most from the fumes, noise and the unwieldy size and shape of the big gas gobblers. Those who refuse to listen to reasonable remarks about electric vehicles like to picture people making coast to coast ventures in something powered with C batteries. They don't listen to our assertions that what we are trying to get them to picture is an urban area with people going to work and to school, taking deliveries, shopping and keeping appointments in electric vehicles, not exploring the Rockies or crossing Death Valley.

I will leave it to others, though, to discuss the technical and economic merits of electric vehicles. The program for this Third International Symposium is indeed impressive, including experts from the different fields required for EV technology and coming from all parts of the world. Speaking as a legislator, though, I am deeply concerned with the growing tendency to solve society's problems by reducing the freedom of the individual. I am sure that we have all heard some of the proposals being suggested for solving our energy crisis, particularly with regard to transportation, which require that the individual give up some degree of decision-making to the Federal Government.

We here today know that electric vehicles cannot solve the immediate energy shortages facing private transportation. But, electric vehicles are a step in the right direction. Instead of telling the commuter or the housewife that they have to give up their gasoline-powered automobile, and rely on mass transit, there is an alternative form of transportation—a form which does not emit pollution, either air or noise, and does not consume precious petroleum supplies. Instead, it is a form which can help maintain the degree of personal freedom which the individual now experiences, whether it involves where to work, where to shop, or even where to live.

There are, of course, some modern planners who express concern at this freedom—freedom which allows a family to choose a house instead of an apartment, for instance—but history has shown that the mistakes made by individuals planning their daily lives are never as horrendous as the mistakes made by government planners. For that reason alone, continued effort on electric vehicle development is justified—to help ensure that future generations will enjoy the dual benefits of a better environment and the freedom of mobility.

FORMER SENATOR JORDAN OF NORTH CAROLINA COMMENDS SERVICE OF STEWART McCLURE

Mr. RANDOLPH. Mr. President, I recently spoke in the Senate on the retirement of Stewart E. McClure as staff director of the Committee on Labor and Public Welfare. Present and former Members of the Senate also have given public recognition to his abilities and dedicated service. I have received a letter from our former beloved colleague, Senator B. Everett Jordan of North Carolina, concerning Stewart McClure. I ask unanimous consent that his letter be printed in the RECORD.

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

SAXAPAHAW, N.C., *February 1, 1974.*

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR JENNINGS: I learned only a day or so ago that my long-time friend Stewart McClure had retired as staff director of the Senate Labor and Public Welfare Committee and that the occasion had been noted with a round of tributes to him in the Senate.

Had I been there, I would have joined fully and enthusiastically in that salute as did so many others, according to reports I have received.

Since I did not have the chance for personal participation, the best available alternative is to ask that you arrange to have my tribute to him put into the Congressional Record in the way you feel most appropriate—either through insertion of this letter or by comments to the Senate embodying the gist of my sentiments.

In either event, I want to convey to Stewart my commendation for the many contributions he has made to his country and government during a long and effective career of Federal service and my warm wishes for continued success and personal fulfillment in whatever other activity he may undertake.

With kindest personal regards,

Sincerely,

B. EVERETT JORDAN.

THE NEED FOR APPRENTICESHIP PROGRAMS

Mr. DOMENICI. Mr. President, in a world of an energy crisis, the Mideast crisis, inflation, and Watergate, it is sometimes hard to hear the quieter voices with the lesser problems. And yet these smaller problems also can disrupt the daily life of the ordinary citizen and the average community.

One such problem stems from the steady decline in the staff of the U.S. Labor Department's Bureau of Apprenticeship and Training—BAT. Ten years ago, in fiscal year 1964, the number of positions in the Bureau of Apprenticeship totaled 559; by fiscal year 1974, the number of positions in the Bureau had fallen to 388. This 30-percent drop occurred during a period when the number of registered apprentices in the country was increasing sharply—from 164,000 in 1964 to 274,000 by 1972.

In my own State of New Mexico, I understand we had five BAT apprenticeship training representatives in 1964, but have only one today. Meanwhile, the number of registered apprentices in the State rose from 792 in 1964 to 1,959 in 1972.

Another major development in the Nation during recent years has been the expansion in scope and size of apprenticeship outreach programs, apprenticeship information centers, and various manpower training and antipoverty job programs.

The duties of the BAT's apprenticeship training representatives involve not only promoting and servicing apprenticeship plans, but also monitoring more than 100 apprenticeship outreach contracts, advising the information centers, and assisting in the manpower training and antipoverty programs. It is plain that in recent years these representatives have been faced with ever-increasing workloads and that the BAT staff in general has been stretched more and more thinly.

This is a matter of great concern—particularly in my own State. The apprenticeship concept, I believe, is almost universally accepted as the best way to train craftsmen, and should be promoted and expanded. Our national economy will need more craftsmen in the years ahead—a projected 12.2 million by 1980, according to the U.S. Bureau of Labor Statistics, compared to 10.8 million in the labor force in 1972. Also, the apprenticeship system should be used as the training vehicle for a large proportion of craftsmen. Too few of them now come through the system. Secretary of Labor Peter Brennan recently stated that only "1 out of 5 journeymen pass through the apprenticeship training process." The rest are taught on the job—mostly in a haphazard, unstructured, hit-or-miss way; some have had vocational school training, but many lack even that.

An apprenticeship program combines progressive on-the-job training with related classroom instruction. The training period varies with the occupation, but most range from 2 to 4 years. When the training period is finished, the apprentice has become a skilled worker—a journeyman. A formal agreement with the employer states the conditions of work for the apprentice—length of training, rates of pay, and instructional content and program. Apprentice wages are

good; the average starting wage is half that of a journeyman, and increases considerably with length of service as an apprentice. It must be remembered that these learners are taxpayers and that this is not a giveaway program.

Staff reductions in the BAT represent to me misguided economizing, not only because we need an expanding apprenticeship system in America, but also because the system is moving and improving. It takes people to effectively manage and implement these changes.

One such recent improvement is the Apprenticeship Outreach program, begun in 1965 by the U.S. Labor Department and strongly supported by the AFL–CIO. The Apprenticeship Outreach program is designed to help disadvantaged groups. In most cases a young man or woman wanting to enter a registered apprenticeship program must pass a qualifying test. Many youngsters with poor educational backgrounds have difficulty passing these tests. Young people recruited under the Apprenticeship Outreach program are given a cram course lasting from 4 to 10 weeks. During this time they are tutored in subjects such as English and math—subjects in which remedial work is often necessary in order to pass the test.

The Apprenticeship Outreach program operates now in more than 100 metropolitan areas. From its inception to the present time, it has helped nearly 29,000 disadvantaged youths enter apprenticeships. Only 6 percent of all apprentices in federally serviced workload were minorities in 1968. By December 1972, the proportion had risen to 14.4 percent. In that same month, 17.2 percent of those entering apprenticeship positions came from minority groups.

Mr. President, I ask unanimous consent to have printed in the RECORD representative letters from officials in the State of New Mexico who work with the apprenticeship program. These letters explain the commitment in the State to the program. I would also like to print Secretary Brennan's response to my inquiry on behalf of these officials which further illustrates the degree of the problem.

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

OPERATING ENGINEERS,
Albuquerque, N. Mex., December 11, 1973.
Hon. PETE V. DOMENICI,
U.S. Senator, New Senate Office Building, Washington, D.C.

DEAR SIR: The enclosed resolution was unanimously passed by the International Union of Operating Engineers at their annual Conference on Apprenticeship and Training at Las Vegas, Nevada, and also the Rocky Mountain Conference on Apprenticeship of all crafts in Salt Lake City, in November 1973.

We, in the Apprenticeship Training field feel that the Bureau of Apprenticeship and Training is and has been in the past, a very necessary function, and a great help to the ongoing programs.

We do not fully understand the decrease in the number of staff members when the need is really, for increased numbers.

It is hoped that you will do all in your power to retain the Bureau of Apprenticeship and Training as an independent and fully staffed Bureau for the future betterment of apprenticeship and training.

Thank you for your assistance in this matter.

Sincerely,

ARTHUR G. CHERMAK,
Training Director.

RESOLUTION

Whereas, apprenticeship training has for many years been the lifeblood of the skilled trades and crafts within this nation, and,

Whereas, the development and promotion of effective apprenticeship programs is the duty and responsibility of the Bureau of Apprenticeship and Training and the various State Apprenticeship Councils, and,

Whereas, over the past several years the needs for the services of the Bureau of Apprenticeship and Training have increased due to expansion and industrial development, and,

Whereas, while the need for apprenticeship services have increased, the budget for the Bureau of Apprenticeship and Training has decreased, and,

Whereas, the staff of the Bureau of Apprenticeship and Training has decreased from 569 in 1968 to 378 proposed for 1974, a loss of 182 employees in 5 years, and,

Whereas, the State of New Mexico has decreased from 5 staff members to one since 1965,

Therefore, be it resolved that the New Mexico State AFL–CIO strongly opposes the continued emasculation of the Bureau of Apprenticeship and Training, and strongly urges the Secretary of Labor to use his authority and influence to cause apprenticeship training and the Bureau of Apprenticeship and Training to regain the role and status within the U.S. Department of Labor that it had prior to 1965;

Therefore, be it further resolved that the Secretary of Labor use his authortiy and influence to cause apprenticeship training and the Bureau of Apprenticeship and Training to remain an independent Bureau to further the role of apprenticeship training.

INTERNATIONAL UNION
OF OPERATING ENGINEERS,
Albuquerque, N. Mex., November 19, 1973.
Hon. PETE V. DOMENICI,
U.S. Senator, New Senate Office Building, Washington, D.C.

DEAR SENATOR DOMENICI: At a meeting of the New Mexico State Apprenticeship council held on Nov. 16th the amount of monies being spent on apprenticeship and training by the labor dept. was brought to our attention.

At the same meeting, we were informed of the restrictions and curtailment of their activities, being placed on the Bureau of Apprenticeship and Training because of the lack of funds.

The office of B.A.T. in New Mexico has steadily declined in the last several years. The purpose of this letter is to respectfully ask your assistance and support in urging the dept of labor to restore the funds to the bureau so that it might function to the benefit of our young people in New Mexico.

The fact that millions of dollars are being spent for apprenticeship and training means little, unless some is spent in the right place, I feel that restoring the staff to the NM office is one of the places.

Thanking you in advance for any help you may be able to give us in this matter, and with best wishes, I am

Sincerely Yours,

R. H. LONGACRE,
International Representative, IUOE.

NEW MEXICO STATE APPRENTICESHIP
COUNCIL,
Albuquerque, N. Mex., November 28, 1973.
Hon. PETE V. DOMENICI,
U.S. Senator,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR DOMENICI: The New Mexico State Apprenticeship Council members decided at a recent meeting to ask your assistance, and the assistance of our entire New Mexico Congressional Delegation, to come to the aid of apprenticeship training, not only in New Mexico but nationwide.

Enclosed please find a resolution passed by this Council which briefly outlines the problems as we see it. Also enclosed is a letter to Secretary of Labor Brennan which further outlines the problems.

We are concerned that the Bureau of Apprenticeship and Training, U.S. Department of Labor, is slowly being squeezed out of existence. The figures which we have show that in 1968 this Bureau had 560 total employees, including clerical, and in 1978 they have only 378 employees, a reduction of 182 employees over a five year period during which the needs and demands for the services of this Bureau were greatly increasing. As it stated in our enclosed letter to Secretary Brennan, we believe that the apprenticeship training concept is being threatened by this slow strangulation of the only agency which can effectively promote and coordinate apprenticeship training at the national level. We urge you to use your influence to strengthen this very important training method by assisting the Bureau of Apprenticeship and Training and to cause this Bureau to regain the status within the U.S. Department of Labor which it must have in order to function effectively. As is emphasized in our letter to Secretary Brennan, we are not being critical of the Bureau personnel because we believe they have performed well considering the woefully inadequate budget which has been allocated to them.

Thank you for your assistance.

Very truly yours,

WENDELL L. BOSWELL,
Director-Secretary.

Enclosures.

RESOLUTION

Whereas, Apprenticeship training has been very effective for many years in fulfilling the skilled manpower needs of industry within New Mexico, and in affording many young persons within the state an opportunity to learn a skilled trade, and,

Whereas, the development, promotion, and service to apprenticeship programs in New Mexico is the joint responsibility of the Bureau of Apprenticeship and Training and the New Mexico State Apprenticeship Council, and,

Whereas, the need and demand for the services of these two agencies has increased substantially during the past several years due to economic growth and industrial expansion, and,

Whereas, while these needs and demands were increasing, the budget and staff of the Bureau of Apprenticeship and Training has decreased from three staff and two clerical positions in this state in 1965 to only one staff and one clerical position at the present time, and these budget cuts have caused their effectiveness to be severely curtailed, and,

Whereas, this situation which exists in New Mexico is similar in other states and threatens the very existence of coordinated, uniform apprenticeship type training in this state and in the nation, and,

Therefore, be it resolved that the New Mexico State Apprenticeship Council strong-

ly opposes this weakening of the apprenticeship concept by the Manpower Administration, and urges the Secretary of Labor and the New Mexico Congressional Delegation to use their influence to cause the Bureau of Apprenticeship and Training to regain the status within the U.S. Department of Labor which it enjoyed prior to 1965, and,

Therefore be it further resolved that the Secretary of Labor be urged to reactivate the Federal Committee on Apprenticeship in order that representatives of private industry may again have an effective voice in the conduct of nationwide apprenticeship affairs.

U.S. DEPARTMENT OF LABOR,
Washington, D.C., January 25, 1974.

Hon. PETE V. DOMENICI,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOMENICI: Thank you for your letter of December 5, 1973, concerning the staffing of the Bureau of Apprenticeship and Training in New Mexico.

Under the Fiscal Year 1974 budget the entire Manpower Administration is experiencing staff reductions. Due to these reduced personnel ceilings and budget, the Bureau is unable to increase its staff during Fiscal Year 1974. New ways to expand and improve the apprenticeship system are being explored which will result in a more effective role for the Bureau of Apprenticeship and Training and a more dynamic apprenticeship program in our country. There is no intention to eliminate the Bureau of Apprenticeship and Training or its functions.

The Federal Committee on Apprenticeship (FCA) is being reactivated and this action will carry out the first recommendation of the Task Force on New Initiatives in Apprenticeship. The FCA will be undertaking further reviews of the Task Force recommendations for ways to improve and expand apprenticeship as part of the manpower system. Since it is likely that pressures to reduce the size of the Manpower Administration will intensify, rather than diminish, large staff increases in BAT should not be expected. Other more innovative ways of improving and expanding apprenticeship will be required.

I hope the above information will be helpful in replying to your constituents.

Sincerely,

PETER J. BRENNAN,
Secretary of Labor.

STATE UTILITY COMMISSIONS COMING ALIVE?

Mr. METCALF. Mr. President, despite all the problems associated with energy shortages, and the Federal Government's difficulty in dealing with them, there are a few heartening indications of long-overdue improvements in the regulation of electric utilities. I refer to action in the various States, where much of the regulatory responsibility rests.

Actions in the States on these matters often do not receive much attention here in Washington. They should, and today I wish to call attention to some of them which merit attention:

First. The chairman of the Wisconsin Public Service Commission has picked up the ball on utility billing practices which has been dropped by the National Association of Utility Regulatory Commissioners. Members of this body may recall that in April 1972, I withdrew my amendment to apply provisions of the Truth in Lending Act apply to regulated utilities, after NARUC asked for deferral and inferred that the State commissions would study and rectify improper practices.

The NARUC study committee headed by Oregon's Commissioner Diarmuid F. O'Scannlain made an excellent report and recommendations. Two NARUC conventions having come and gone without action, it may be necessary to provide a Federal remedy—unless the State commissions follow the leadership of Commissioners such as Wisconsin's Chairman William F. Eich.

Second. On this same point, the Michigan Public Service Commission has proposed comprehensive rules governing utility billing practices.

Third. Texas and South Dakota, which along with Minnesota do not regulate electric utilities, are attempting to set up effective State regulatory bodies.

Fourth. The Public Utilities Commission in Ohio has ordered electric power companies to cease promotional and advertising activities which increase demand for electric service.

And here in Washington at the Federal level—almost unnoticed in the other energy stories—the Office of Energy Conservation is reported considering promulgation of Federal lighting standards. They would replace the widely used standards recommended by the Illuminating Engineering Society, the lobby composed of utility and appliance salesmen which has overlit and oversold energy consumers for decades.

These are significant developments, and I believe Members and other readers of the RECORD will be interested and heartened by details regarding these developments. Therefore, I ask unanimous consent to print the following items in the RECORD:

An article by Chairman William F. Eich of the Wisconsin Public Service Commission, "Electric Utility Credit Practices Are Under Attack," which appeared in the November–December 1973 issue of Public Power;

The January 10, 1974, letter to me from Michigan Public Service Commissioner, William R. Ralls, and his enclosed memo regarding proposed revisions in billing and payment practices in Michigan; and

Three articles in the February 1, 1974, issue of the Electrical World, entitled "New Try for a Texas PUC," "Did the Ohio PUC Mean What It Said?" and "Office of Energy Conservation Considers Setting Federal Lighting Regulations."

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

ELECTRIC UTILITY CREDIT PRACTICES ARE UNDER ATTACK

(By William F. Eich)

A great deal of attention is presently being focused on utility credit practices involving customer deposits, disconnections, late payment penalties and collection charges. Regulatory commissions throughout the country are being asked to take a new and fresh look at the manner in which they, and the utilities under their jurisdiction, have traditionally approached these matters.

Just a few examples:

A complaint by a 76-year-old widow in Brooklyn, N.Y., has resulted in Consolidated Edison Co. completely revamping its service termination policies. Although the company had discovered that the widow's landlord had been diverting current through her meter, Con Ed continued to bill her at the higher rate. She refused to pay, and her service was cut off. The Legal Aid Society took the matter to court, and Con Ed eventually agreed to a new termination policy. Under the court-approved agreement, notice of disconnection must be given at least 10 days in advance. The notice must specify the reasons for the cutoff and inform the customer of the right to an informal hearing by the company, as well as the right to complain to a state agency.

In North Carolina, the Utilities Commission conducted a thorough investigation of billing practices and subsequently promulgated a Uniform Rule. Under the rule, all regulated utilities (this does not include municipals) are limited to imposing a finance charge of 1% per month on late payments, and the "due and payable period" is increased to 25 days. Disconnections cannot be initiated until 15 days after the due date.

In Wisconsin, we recently announced the start of a Commission investigation into the deposit, guarantee and disconnect policies of all public utilities—water, electric, gas and telephone (including municipal utilities).

Two petitions pending before our Commission, both filed by the State Attorney General, concern utility billing practices. One asks the Commission to investigate the practice of net-gross billing, and the other asks us to look into the matter of using one bill for both utility service charges and merchandising charges. Apparently, the feeling is that this latter practice may deceive the customer into believing that his utility service may be shut off if he fails to pay a bill for merchandise.

Several court cases, in Wisconsin and elsewhere, have raised constitutional challenges to the authority of a utility to terminate service without a hearing. The judicial responses in these cases has been anything but consistent.

These are just a few examples of the various fronts on which the ongoing assault on utility credit practices is taking place.

Unquestionably, this assault is an outgrowth of the consumer rights movement; but if the consumer advocates appear to be particularly aggressive in the utility field, I think it is understandable. Utility services are no longer the luxury they were in Edison's time. They are essential to our health and safety, and yet they are so often taken for granted—taken for granted, that is, until we face possible loss of service. Then we look around and realize that the utility we are having the dispute with is the only available supplier of these essential services.

Confronted with such a situation, people feel helpless and frustrated. The governmental agencies created to protect the public interest in the utility field are seen by many to be philosophically indistinguishable from the utilities they are supposed to regulate. And it is true, particularly in the area of customer service policies, that the utilities have generally been permitted to exercise a great deal of discretion in formulating their own ground rules. Regulatory guidelines, to the extent they exist, are usually phrased in broad, frequently vague terms.

The absence of detailed and published credit rules and the apparent wide latitude used in applying unwritten rules frequently make it difficult to determine just what policy does exist in these areas. In Wisconsin, for example, utilities may require a deposit if they feel a particular customers' credit standing is not "satisfactory." That deposit, by the way, need not be returned for three years—unless the customer (who usually is totally unaware that he has such an option) asks for it back after one year—

one year of "satisfactory" payment performance.

UTILITIES AND THE TRUTH IN LENDING LAW

One of the milestones of the consumer rights movement was the enactment of the Federal Truth-in-Lending Act of 1968. The thrust of this legislation was to insure that consumers would be informed of credit costs by requiring full disclosure of finance charges in most types of consumer transactions. Charges by regulated utilities, however, were exempted from the requirements of the Act.

More than a year ago, Sen. Lee Metcalf (D., Mont.) announced his intention to seek repeal of the utility exemption. The National Association of Regulatory Utility Commissioners immediately took the position that repeal of the utility exemption would be an unwarranted encroachment on the states' regulatory prerogatives. The NARUC created an Ad Hoc Committee on Billing Practices and requested the Senate Committee on Banking, Housing and Urban Affairs to defer action on the repeal pending completion of the Ad Hoc Committee's report. Senator Metcalf agreed to withdraw his amendment.

The NARUC Ad Hoc Committee, formed in March of 1972, was instructed to study the matter and submit its recommendations to the parent group's annual convention in November. Oregon commissioner Diarmuid O'Scannlain was named chairman of the Ad Hoc Committee. Chairman Marvin Wooten of the North Carolina Commission was appointed to the committee, and I was the third member.

We sent out questionnaires to 52 state regulatory agencies and received 48 replies. The questionnaires covered late payment practices, deposit and disconnection policies, and rate information available to customers; but the emphasis was on net-gross billing.

Our findings may be summarized rather briefly. Most states permit the use of late payment penalties, the most popular being a net-gross differential. Few states, however, have established clear or uniform practices for either the amount of the penalty or the length of the due and payable period. We found that the penalty "gross" bill ranged from 102% to 112% of the "net" bill, and that due and payable periods ranged from 7 to 30 days.

The due and payable period can have a substantial effect on the customer, for the shorter the time, the more likely it becomes that the penalty will be imposed. Most people receive their paychecks on a bi-weekly or monthly basis. If the utility's billing cycle does not coincide with the customer's payday, he may be caught in a situation where he will always have to pay the late charges. This is particularly true for those with low or fixed incomes.

The view taken by the Ad Hoc Committee was that late payment penalties are, in fact, credit charges, not entirely unlike interest. The customer who pays late is being charged for the use of money owed to the utility for a certain period of time.

Viewed in this light, we computed an effective annual finance charge based upon the weighted average responses from our survey. The example used was that of a customer who receives his utility bill on Aug. 16. The net bill is $14.02, and is due on August 31. Our survey found that the weighted average gross rate was 107% of the net rate, so we assumed that our hypothetical customer would have to pay $15 after August 31. Assuming the customer pays his bill by Sept. 30—one month late—his "penalty" charge, on a simple annualized basis, amounts to 83.9%.

I don't believe anyone would knowingly engage in a credit transaction—even for a short period of time—at an annual cost of interest nearly 85%. Yet, in this age of the "informed consumer," there is very little awareness of how much these late payment penalties really amount to. And, interestingly enough, there is a good deal of reluctance on the part of utilities and regulators alike to let the customer in on just how much it does cost him.

"NET-GROSS" BILLING CRITICIZED

One argument offered in favor of the penalties is that they provide an incentive for customers to pay promptly. If this is true, then it seems to me that the best way would be to let the customer know, in a simple and concise way, just what the cost of paying late will be. Thus, the Ad Hoc Committee recommended that use of net-gross terminology be discontinued. We stated that:

"Such practice serves to confuse the issue of consumer information on credit charges. Utilities should be allowed to charge customers for the use of funds beyond a reasonable "due and payable" period in order to enable them to achieve the rate of return established by the regulatory agency. However, there is essentially no distinction between the net-gross differential and the late payment penalty since both are basically charges for credit. All charges to the customer should be quoted in terms of "price" and "credit charge." The customer may then assess whether it is worthwhile to finance his purchase or to pay cash and avoid credit charges."

We went further, however, and also recommended that the level of credit charges be reduced so as to reflect only the actual costs incurred by the utility as a result of late payments. In justifying the levels of the late payment penalties, utilities often compare the "penalty" revenues to the expenses associated with late payments. Typically, they assert that the penalties do not cover the associated costs. However, our analysis of data from two large companies (Wisconsin Electric Power and Duke Power), revealed that both companies included their uncollectible accounts as a cost of late payments. We felt this approach to be unwarranted, for we found no relationship between expenses due to late payments and those resulting from uncollectibles.

Our own analysis showed that there is no significant difference in the amount of bad debt losses in those states that allow the penalties and in those that do not. Thus, if we eliminate uncollectible account expenses we find that, in fact, both companies' revenues from late payment penalties exceed the expenses attributable to late payments. We suggested, therefore, that state Commissions closely review this practice to insure that only those expenses related directly to late payments are recovered by late payment charges. This, we believe, would tend to reduce the level of the charges, and insure that the expenses attributable to uncollectible accounts are borne by all customers in the same manner as all other business expenses.

We also recommended that Commissions establish a uniform "due and payable" period, preferably a period of at least 25 days. This should provide most customers a fair opportunity to pay their utility bills without incurring a penalty, regardless of differences in payroll periods.

Finally, with respect to credit charges, we suggested the adoption of a "full disclosure" philosophy on utility bills. In addition to the information now typically provided on bills, there is no reason why they should not also show the credit charge in dollars, and in the effective annual percentage rate, if the bill is not paid by the due date.

Taking all these recommendations together it should be clear that what we were trying to impress on utilities and regulators alike is the need for an open attitude with respect to customers credit. Our report dealt only briefly with the other customer service policies such as those governing deposits, disconnections and general consumer information. But the thrust of our report applied equally to these matters as well. What we are calling for is an awareness that utilities and regulators should take an open, honest and frank approach to customers credit and service policies.

LATE CHARGES ARE PENALTIES

Let me give one indication of why I believe this is not always the case. I have been referring to last payment *penalties*. These charges are penalties. There is no getting around that fact. They are intended to make the late-paying customer pay more than he otherwise would have to, if he had paid within the frequently brief grace period set by the utility.

Yet, it is quite common—and to me, quite distressing—that many utilities and many commissions prefer to label these charges, not as penalties, but as forfeited discounts. The customer does not, in fact, receive a discount by paying on time—he is paying the appropriate, approved charge for utility service. If he pays late, he is penalized. In no sense does he lose a discount he otherwise would have received.

Yet, these word games do have an effect. Some customers may believe they are truly getting a discount. Others may see through it; but the result in either instance is an aura of deception. It is much the same as the breakfast juice commercial claiming its product to be high in "natural food energy" when what it really means is that it has a lot of calories—or the government's use of the phrase "protective reaction strike rather than the cruder, but more accurate, word, "bombing." The intent may be to gloss over rather than to deceive, but the effect is to undermine the confidence of the people. It is particularly frustrating when the people have nowhere else to go for these necessary services.

Customer services policies represent a utility's most direct link to its customers, and these policies have a greater influence on the customers' attitude toward the utility than all the "goodwill" advertising and public relations efforts put together. If the utility appears indifferent to its customers' personal circumstances and individuality, then we can expect that the customer will react to the utility's problems in a similar manner. And it should be apparent by now that utilities will need all of the support and understanding they can get from their customers in the face of rising costs, unending inflation and the overall energy supply situation. For utilities to attempt to cope with these problems, to present their cases to the public, they must begin from a posture of genuine credibility.

If, because of unclear, unreasonable or oppressive customer policies, the customer yearns to distrust the utility, then why should he pay any attention to the utility's explanation of its reasons for seeking a rate increase, or authority to construct a nuclear power plan. Whether a utility is publicly or privately owned makes no difference—a utility's attitude towards it customers is most clearly revealed by how it treats them—and, of equal importance, how its customers perceive they are being treated.

I haven't gone into some of the other areas of concern, such as deposits and disconnections, but it seems to me that the same principles of openness and fairness apply equally to these other practices. Deposit requirements should be reasonably humane and uniform in their application. The same is true with respect to service terminations.

There is, finally, another aspect, and that is the regulatory attitude. State regulators, like the utilities themselves, are being assailed for their seeming indifference to the rights of consumers. Virtually every criticism directed against a utility is directed also against those of us charged with the respon-

sibility to regulate in the public interest. It was undoubtedly Senator Metcalf's skepticism of state utility regulation that first caused him to seek repeal of the utility exemption from Truth-in-Lending requirements. The effect of the repeal would have been Federal regulation. Thus, NARUC's response of creating the Billing Practices Committee, I believe, was an attempt to preserve the states' regulatory authority over this area.

Perhaps the fate of that committee's report is indicative of what the general state regulatory response will be to these questions. I sincerely hope not. The report was completed in Sept., 1972, and released in October of that year. Accompanying its publication was a news release, issued hrough the NARUC national headquarters stating that the Committee's report "marks a major victory for consumer interests. . . ." This "major victory" was apparently short-lived, at least as far as NARUC was concerned. At the annual convention, the Executive Committee deferred action on the report. At its next meeting, the Executive Committee reconstituted the Ad Hoc Committee by expanding its membership from three to five and directed it to make a further study of the question. Only two of the original committee members (chairman Wooten and myself) remain on the reconstituted committee.

In submitting our original Report to the NARUC Convention last year, Commissioner O'Scannlain spoke for the Committee as follows:

There is one final element which cries for emphasis, and that is simply that the time has come for setting this part of our house in order, and the time is running out. If NARUC were to turn its back on these issues now, it would draw the attacks of individuals and groups who also feel that this matter is of public interest and concern and right politically. But if the States themselves fail to address themselves to this issue, they beg the intervention of Federal legislation in what properly may be described as a State matter and prerogative.

It is my hope that the new Committee will reaffirm the recommendations of the first report to give further impetus to state commissions and to utilities to make these necessary changes. I believe all of us—the utilities, the commissions and the consumers—would be well served if these credit policies are explained and refined in the interest of serving the customer.

The right to public utility services may not rank with the franchise, or with procedural due process in criminal cases, on a conventional scale of liberties, but to the poor or disadvantaged nothing may be more immediately important than fair treatment by those who supply the needs of their daily existence.

MICHIGAN PUBLIC SERVICE COMMISSION,
Lansing, Mich., January 10, 1974.

Hon. LEE METCALF,
U.S. Senate,
Committee on Government Operations,
Washington, D.C.

DEAR SENATOR METCALF: I am enclosing a copy of the Proposal for New Billing Practice Rules for all Michigan electric and gas utilities. As you know, I recommended an investigation of the consumer billing practices affecting residential service of electric and gas utilities under the jurisdiction of the Michigan Public Service Commission.

Basic utility services are necessities of life, and services that millions of consumers depend upon to function and exist in our society. It is therefore essential that the relationship between the consumer and the utility company be governed by rules and regulations which adequately reflect the realities of the 1970's.

The Michigan Public Service Commission has statutory responsibility to insure that every consumer in the State of Michigan has an equal opportunity to obtain and receive adequate and safe utility services under reasonable conditions. I think the proposed rules establish fair and practical standards guaranteeing basic rights to every Michigan utility consumer.

The proposed rules governing the consumer billing practices affecting residential service of electric and gas utilities under the jurisdiction of the Michigan Public Service Commission reflect the essential theme of fairness:

(1) A fair opportunity for ratepayers to pay bills within a reasonable time without penalty.

(2) A fair opportunity for all ratepayers to obtain utility service without deposits or guarantees unless and until they establish unacceptable credit.

(3) A fair opportunity, as embodies in the concept of due process of law, to protest incorrect charges or practices at the company and Commission.

(4) A fair opportunity to be informed of utility practices, rules, conditions of service and complaint procedures.

The proposed rules represent the culmination of the inquiry which I recommended and which commenced on November 21, 1972. I am enclosing a memorandum which summarizes the rules. If you have any questions, please let me know.

I follow with much appreciation your good work on behalf of the people of this country.

Warmest personal regards.

Sincerely,

WILLIAM R. RALLS.

JANUARY 10, 1974.

Memo to Hon. LEE METCALF.
From: Commissioner William R. Ralls.
Subject: Consumer & Billing Practices, Electric and Gas Utilities—U-4240, Residential Service.

This memorandum will highlight the major revisions proposed by the new rules and a comparison with present standards.

BILLING AND PAYMENT STANDARDS

The proposed rules require that:

(1) A utility bill be rendered monthly.

(2) Utilities may estimate bills every other month provided that estimation procedures have been approved by the Commission.

(3) Net/gross provisions and billing discounts be eliminated.

(4) Each residential customer have at least 25 days to pay each utility bill prior to penalty.

(5) Late payment penalties shall not exceed a one-time charge of 1½% upon utility bills.

(6) Each customer may pay late once each calendar year without penalty.

(7) Each utility bill provide information to the customer in order to appraise him of his charges, the rates upon which those charges are based and where he may contact the utility and the Commission in order to make inquiry or file a complaint regarding his bill or service.

Present payment periods do not provide every customer the opportunity to remit payment without penalty due to the nature of income cycles such as social security, pension and welfare payments. The new 25 day period will accommodate all ratepayers in a nondiscriminatory manner.

Language currently used in describing penalties, net/gross discounts and delayed payment penalties are confusing to the customer. The proposal recommends that the term *late payment penalty* be used uniformly by all utilities.

Present late payments range from 2 to 10% of the monthly bills. the recommended 1½% late charge fairly reflects current commercial standards at retail establishments and the cost of working capital to Michigan utilities.

Estimated bills account for a large number of consumer complaints. The recommended procedures will insure proper estimating methods.

Finally, the requirements for billing information will adequately apprise the customers of his usage, charge, penalties and where he may register an inquiry or complaint.

GUARANTEE OF PAYMENTS—SECURITY DEPOSITS

Present rules permit utility companies to obtain security deposits and other forms of guarantee until a customer shall establish his credit. The amounts of deposits and the conditions under which they are required vary widely throughout the industry and within the service areas of the same utility.

The proposal recommends uniform, nondiscriminatory deposit standards applicable to all utility customers upon the basic premise that due to the monopoly nature of utility services, each customer is entitled to service until he proves himself to be an undue credit risk.

Therefore, a new customer is entitled to service without deposit unless:

(1) He has failed to pay a previous bill with any Michigan utility within the last 3 years.

(2) He has tampered with or diverted the use of utility service on a previous occasion.

An existing customer shall not be required to post a deposit unless:

(1) His service has been discontinued for non-payment.

(2) He has tampered with or diverted the use of utility service.

All other deposit standards and criteria are expressly prohibited. The proposed rules establish standards for deposit conditions, an interest rate of 6% on deposits held by the utility, provide for return of all deposits held upon different standards and that a deposit must be refunded if the customer pays all proper utility charges for 9 successive months.

UTILITY PROCEDURES

Each electric and gas utility presently has different procedures for responding to customer inquiries, complaints and service requests. While no uniform procedure is possible due to varying size of the utilities under Commission jurisdiction, the rules require that each utility adopt procedures *with Commission approval* which at minimum insure:

1. Prompt and efficient response to all customer inquiries, service requests and complaints.

2. The availability of properly trained and qualified personnel at all times to respond to customer.

3. The availability of utility hearing officers to hear complaints in accordance with the proposed rules.

In addition, the proposed rules contain new provisions which require:

1. Publication and dissemination by each utility of a pamphlet which in layman's terms describes the customers rights, responsibilities and the provisions of the proposed rules.

2. Public access to every customer of utility rate schedules, rules and service regulations without charge.

3. Quarterly reports filed with the Commission which detail the number, type and resolution of all service inquiries and complaints.

4. The installation of computer terminals and displays at the Commission office to provide direct access to customer records and information when complaints or inquiries are filed with the Commission.

In essence the proposed rules will insure the free flow of vital information between the customer, the utility and the Commission.

PHYSICAL DISCONTINUATION OF SERVICE

Current rules do not describe conditions regulating the procedures for actual discon-

tinuation of utility service. Electric and gas utilities use various procedures. The proposed rules provide uniform standards and require that:

(1) Service may be discontinued only between the hours of 8:00 A.M. and 4 P.M.

(2) Service may not be discontinued on any day or any day preceding any day when the services of the utility are not available for reconnection.

(3) Service may not be discontinued in the event of medical emergencies.

(4) Service may be promptly restored when the cause for discontinuation has been cured.

(5) Prior to discontinuation the utility must attempt telephone contact, personal contact, be prepared to refrain from disconnection if the cause for such action is in dispute, not discontinue service when the premises are vacant upon the first visit to the premises and refrain from entering the customers premises for the purpose of discontinuing service without the customer's permission.

These procedures will insure that discontinuation will not occur unless and until the customer has had every reasonable opportunity to properly question or object to the discontinuation.

PROCEDURES PRIOR TO DISCONTINUATION OF SERVICE

The present rules permit the utility to terminate service upon 5 days notice after the bill has been delinquent for 10 days. Although most utilities provide means to dispute charges, deposit requirements and service inadequacies, the present rules do not provide utility customers reasonable notice and a meaningful opportunity to dispute utility decisions.

Recent court decisions, moreover, have held that rules for discontinuation of service such as current MPSC standards are unconstitutional and violative of basic due process of law. See *Palmer* v. *Columbia Gas*, 6th Circuit Court of Appeals, May 23, 1973.

Additionally, many discontinuations of service occur only for the reason that a customer is unable to pay at a given time for all utility charges. The inevitable discontinuation, payment arrangement, reconnection syndrome is time consuming and expensive to all ratepayers.

Therefore, the proposal sets forth rules and regulations which establish uniform notice, dispute and settlement standards which provide due process to every utility customer and encourage dispute settlement in an orderly and efficient manner.

The rules provide that service may be discontinued for nonpayment, failure to post a required security, tampering, breach of a settlement agreement, failure to grant access to utility personnel at reasonable times, misrepresentation of identity in obtaining service or violation of rules affecting safety or the integrity of the utility system.

A utility may not terminate service for non-payment of non utility charges, failure to pay at a different location or for different service and must offer tenants reasonable notice and an opportunity for service in their own names when the landlord fails to pay utility bills.

NOTICE

The utility must send notice by certified mail or service the customer at least 10 days prior to discontinuation that:

(1) Service will be discontinued and the reasons therefor.

(2) The customer has a right to dispute the claims and for a hearing.

(3) The procedures to be followed.

SETTLEMENT AGREEMENTS

If the disputes are amicably settled or the customer is unable to pay, the utility must offer a settlement agreement providing for partial payment and installment payment of the balance based upon reasonable standards taking into consideration the totality of the circumstances. Customer compliance will prevent discontinuation of service.

HEARING

Informal hearings before utility hearings officers who shall not perform in any other capacity for or on behalf of the utility will guarantee the customer the right to:

(1) Proper notice.

(2) Representation by counsel or other person of his choice.

(3) Examination of evidence.

(4) Present evidence and argument.

(5) Cross-examine utility witnesses.

(6) Place the burden of proof upon the utility.

APPEAL

The utility hearing officers must prepare a certified record and send decisions to the parties including notice that if the decision is unfavorable:

(1) Either party may appeal to the Commission.

(2) The telephone number and address of the Commission offices.

Throughout the procedures, the utility may not discontinue service pending any hearing or appeal.

COMMISSION APPEAL PROCEDURE

The proposed rules establish informal appeal procedures for Commission review of hearing decisions. The staff presently hears many complaints from customers and utilities alike. All disputes, complaints and inquiries should first be handled at the utility company level and most disputes probably will be resolved without resorting to Commission action.

The appeal procedure will guarantee access to each party and a definitive record for the staff of the Consumer Services Division to review the matter and take appropriate action.

The rules provide that the staff may issue interim determinations on matters not in dispute in order to prevent unjustified action by either party when circumstances so require.

The staff will constantly be reviewing the procedures of each utility to insure the integrity of the hearing process and that reasonable standards are being employed in the dispute settlement process.

NEW TRY FOR A TEXAS PUC

The small Texas town of Seabrook, some 25 miles from Houston, has appropriated $1,000 for lobbying (and is trying to get other communities to do likewise), and has a resolution before the State Constitutional Convention in Austin, seeking to create a state agency to regulate electric and other utilities.

Only three states—Texas, South Dakota, and Wisconsin—still have no statewide regulation, and this is being challenged in South Dakota as well as Texas (EW, Jan. 15, 1974, p 19).

In South Dakota, a petition for a November referendum is being circulated by a state legislator and Rapid City Mayor Don Barnett. In Texas, utilities in the state's heartland are doing their best to refute a recent study advocating state regulation. The study was made by two University of Texas students, Ken Manning and Mike Morrison, and published and circulated by the Texas Public Research Interest Group (TexPIRG), a consumer organization in Austin.

In Texas today, when an electric utility seeks a rate increase, it must get the approval of the city fathers in the affected community. If a city challenges a rate increase, it must prove the increase is unjustified. This requires the services of rate experts, usually at a cost of from $5,000 to $20,000. If a large city gets involved in a rate fight, small towns surrounding it get the benefit of the large city's funding. But a small community cannot afford to go it alone, and usually follows the lead of the nearest large city in the same service area.

"We have neither the finesse nor the ability to make an evaluation of a rate-increase request," says David K. Mains, Seabrook city councilman. He adds: "The larger cities, such as Houston, Dallas, and San Antonio, make a stab at it. But they don't have the experts on their payrolls that they need for such an evaluation. They have to go to an outside source, usually, or take a utility's word for it that the increase is justified. On telephone service, you can't set rates for lines going outside your city."

It was a 21% rate increase by General Telephone Co. that prompted Seabrook to seek state regulation of all utilities. Seabrook and other towns around Houston are served by General Telephone and by Southwestern Bell, which has an agreement with the Houston City Council on rate regulation. "In effect, Houston has set out rates," says Joe Pirtle, another Seabrook councilman.

Pirtle hopes 17 or so other towns in the area will match Seabrook's $1,000 lobbying contribution. The battle definitely covers electric utilities, says Pirtle, though "they have not been as bad as the telephone company. Their service is much better. But we can't challenge their requests [for rate hikes] for the same reason we can't challenge the telephone company." Pirtle says he knows some small Texas communities that have almost bankrupted themselves challenging rate increases.

TexPIRG charges Texas electric utilities with "making exorbitant profits," and says they should be under state control. The study it published notes that, in 1971, the average Texas electric utility had 9.11% rate of return on its rate base and a 15.5% return on common equity, whereas the national average was 7.3% on base and 11.8% on equity. Dallas Power & Light and Southwest Public Service came close to the national average, the study said, but El Paso Electric, Southwestern Electric Power, Texas Electric Service, Southwestern Public Service, and Texas Power & Light were some two or more percentage points over the national average on rate base in 1971, and still higher on return on equity.

Mike Hudson, a TexPIRG state director, estimates that "more than $100-million in excess profits are being paid annually to electric utilities in Texas over what they should have earned at the national-average profit level." Of 194 investor-owned utilities nationwide cited in an FPC report, 7 of the 11 operating in Texas ranked among the 13 largest profitmakers in 1971, Hudson says.

The utilities are fighting back vigorously. "The average price people pay for electricity in Texas is below the national average," says Bill Aston, vice president of Dallas P&L "There are many factors involved that this group [TexPIRG] failed to mention. They're looking at the top, not at the bottom. For example, as of January, 1972, 1,000 kwhr cost Dallas users $15 compared to $26 in Boston and $30 in New York, both of which have state regulation."

DP&L, in a formal statement, says TexPIRG appears to be part of continuation of a long series of "unwarranted attacks" on investor-owned power companies throughout the nation. "Claims that Texas power companies make more than an adequate rate of return are erroneous and misleading, and have periodically been hurled at privately owned utilities by different groups, some of whom are advocates of the expansion of government ownership of electric power facilities . . ."

Texas Power & Light and Texas Electric Service are in the middle of rate-increase hearings, and Dallas P&L has just requested

one. TP&L has asked for an average rate increase of 10%, Tesco for 9.5% and DP&L for 10%.

Sources say many smaller towns in the Tesco area will wait until Fort Worth makes a decision then follow its lead since they do not have the investigatory resources of Fort Worth. Sometimes however, the small towns act first, says utility sources.

TP&L has not taken any public stand on TexPIRG's study, and probably won't until there is some sort of solid proposal. The company "certainly does not agree" that utilities in Texas are making excess profits, or that a utility commission is needed in the state. "A lot of the figures they are using don't make sense down here," says a high official in the company.

Tesco has denied the consumer allegations, too. It claims it is 15% below the national average. "We have not gotten into any verbal battles with these [consumer] groups. We'll just let the facts speak for themselves," says a company spokesman.

DID THE OHIO PUC MEAN WHAT IT SAID?

The Public Utilities Commission of Ohio spent most of January sputtering denouncements of Ohio Edison Co's decision, in response to a PUC order, to stop all newspaper, radio, and television advertising—including ads that promote conservation of electric power. The PUC says its order was misinterpreted.

On Dec. 28, the PUC ordered all electric power companies in the state to "cease promotional and advertising activities or activities which increase demand for electric service."

Companies affected by the order also included Cincinnati Gas & Electric; Cleveland Electric Illuminating; Columbus & Southern Ohio Electric; Dayton Power & Light; Ohio Power; Toledo Edison; Monongahela Power; and Ohio Valley Electric.

But it was only Ohio Edison that took the order literally—despite a public statement by the PUC on Dec. 27 that the ban would exclude the promotion of power conservation.

John R. White, vice president and general counsel for Ohio Edison, says his company filed a motion for clarification with the PUC, nothing that "it's a very flat order. Some of the public statements [made by the PUC] indicate they did not intend it to be that flat. . ."

The company apparently decided to obey the order, not the PUC publicity that went with the order. D. Bruce Mansfield, Ohio Edison president, had these strong words: "We believe the order unreasonably impinges on the company's right to communicate with its customers and with the public. Under the order, all advertising is prohibited, irrespective of its purpose."

Mansfield added that his company will pursue all available administrative and judicial remedies "to the extent necessary to regain its right of comunications through the media of press, radio, and television."

In requesting clarification, White informed the commission: "The advertising we have discontinued includes advertising whose purpose is to convey to our customers information on the ways by which electric energy may be wisely used, as well as those [ads] intended to inform customers on many other aspects of its business. . . . Without clarification, we may inadvertently violate the order or may take steps the commission really didn't intend.

"Without such clarification, we can't properly prepare evidence of the kind that we need to prepare for a hearing. We urge that the commission review its order, and issue guidelines to clarify the precise nature of the activities which the order purports to prohibit."

The order is an interim one, which may be made permanent after a hearing scheduled to start last Monday (Jan. 28). The PUC issued it "after investigating a complaint filed by the Ohio Public Interest Action Group," said PUC chairman Edmund T. Turk.

MARKETING

Office of Energy Conservation considers setting federal lighting regulations. The proposed federal regulation would replace IES recommendations, and would require maximum lighting levels of 50 ft-c at work stations, 30 ft-c for general work and sales areas, and 10 to 15 ft-c in hallways and corridors. As a result of preliminary discussions between OEC and IES, OEC now appears to be leaning toward acceptance of IES recommendations for different lighting levels on different tasks, and 30 ft-c and 10 to 15 ft-c for general illumination and corridor lighting, respectively. OEC also appears to be leaning towards an allocation of kwhr for lighting. The combination of these approaches would permit users to select the more-efficient light sources for their needs, rather than just eliminating lights to conserve energy. The Federal Energy Office also says it seeks to reduce highway lighting-energy requirements by 50% by eliminating lighting except at interchanges, ramps, and hazardous areas, where levels would be reduced. Urban areas would have a maximum lighting level of 0.6 ft-c.

RUSSIA AS A MAJOR SEAPOWER

Mr. GOLDWATER. Mr. President, as far back as the days of the czars, Russia was attempting to become a major seapower, but it has only been in recent years that she has achieved that ambition. This is slowly being realized by the American people even though it has been vigorously denied by some elements of the press and even some experts who see nothing dangerous in this.

The U.S. Naval Institute has printed a statement made by the Admiral of the Fleet of the Soviet Union, S. G. Gorshkov, which I ask unanimous consent be printed in the RECORD.

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

NAVIES IN WAR AND IN PEACE

(By Admiral of the Fleet of the Soviet Union S. G. Gorshkov)

With Commentary following the article by Rear Admiral George H. Miller, U.S. Navy (Retired).

EDITER'S NOTE: Admiral Gorshkov has been Commander-in-Chief of the Soviet Navy for 18 years. He is a Deputy Minister of Defense. He and his First Deputy are full members of the Central Committee of the Communist Party.

What follows is a translation of an article which appeared in Morskoi Sbornik No. 2, 1972, having been approved for publication in the Soviet Union on 28 January 1972. Plainly, the thoughts and beliefs which appear in this article—and those which will be published on these pages over the next ten months—are views which Admiral Gorshkov wishes to share with the other officers in his navy. For that reason alone, they are considered to be of profound interest to the officers of his country's principal rival at sea, the United States Navy.

For many centuries the ocean expanses have not only been a convenient means of communication between continents and between the suppliers of products vitally essential to mankind, but also an arena of fierce struggle and military conflicts. The scale of utilizing the water medium for military aims, i.e., for the defense of one's own country and to seize overseas possessions, has grown in relation to man's knowledge and mastery of the ocean. At the present time, in an era of far-reaching scientific discoveries and the utilization of them for military needs, the capabilities for conducting combat operations on the oceanic expanses have increased incredibly, while the naval arms race abroad, and the creation of diverse means of naval combat have reached unprecedentedly imposing scales.

The hallmark of naval forces is their high degree of maneuverability, and ability to concentrate secretly and to form powerful groupings which are of surprise to the enemy. At the same time, naval forces are more stable against the effects of nuclear weaponry than land forces. All of this has catapulted the navies into the front ranks of the diverse, modern means of armed combat. Their employment in nuclear-missile warfare is related to the introduction of much of what is new in tactics and operational skills, in ship design, and in the outfitting of ships with equipment and armament.

The qualitative transformations which have taken place in naval forces have also changed the approach to evaluating the relative might of navies and their combat groupings. We have had to cease comparing the number of warships of one type or another and their total displacement (or the number of guns in a salvo or the weight of the salvo), and turn to a more complex, but also more correct appraisal of the striking and defensive power of ships, based on a mathematical analysis of their capabilities and qualitative characteristics.

The military technical revolution is constantly introducing new things in all areas of military affairs, but the final goals of naval warfare remain the same; the defeat of the enemy and the destruction of his vital forces and material (i.e., the ships with their crews and weapons stores, and weapons or those objectives located within range). Therefore, combat operations at sea, just as on land, by obeying the general laws of the dialectic which are constantly in effect, cannot be conducted seperately from the goals of that policy which led to the war. Therefore, in today's context it is interesting to trace, from a historical standpoint, the dialectical relationship between the development of naval forces and the state policy goals which they were intended to serve.

V. I. Lenin pointed out that "Every war is inseparably linked with the political system from which it stems. That very policy which a certain power and a certain class within this power conducted for a long time prior to a war, inevitably and unavoidably will be continued by this same class during a war, changing only the form of action."[1] And further, "Policy is reason, while war is only the instrument, and not the opposite. Consequently, it only remains to subordinate the military point of view to the political."[2]

The basic and sole means of waging armed conflict between states has always been the army and navy, which in peacetime have continued to serve as the instrument or weapon of state policies. Many examples from history attest to the fact that in the age of feudalism, and capitalism all problems of foreign policy were always decided on the basis of, and taking into account the military power of the "negotiating" sides, and that the potential military might of one state or another, built up in accordance with its economic capabilities and political orientation, permitted it to conduct a policy advantageous to itself to the detriment of other states not possessing corresponding military power.

The development of armed forces is linked in the most direct manner to the history of social economics systems, and to the meth-

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ods of material production characteristics of them. The flourishing or decline of them is determined by the process of the formation or decay of one social system or another. Thus, these periods when one social-economic system was being replaced by another, more progressive systems have given considerable impetus to progress in the military area.

Technical discoveries have always had a revolutionizing effect on the development of armed forces and on the art of employing them. This demonstrates the pattern of the influence on the military field of the society's economic development and the growth of its productive forces. In this connection, V. I. Lenin wrote: "Military tactics depend on the level of development of military equipment . . ." [2]

Such highly important factors as the social and political system, the social composition of the people from whom the armed forces are drawn, the extent of combat training, the level of knowledge, and the moral make-up of the personnel also affect the condition of the armed forces and the level of the art of their employment. In turn, the above qualities depend on the character of the leaders of the fighting men.

Marxism considers the geographic environment, which also influences the character and direction of the development of armed forces, to be one of the constant and invariable conditions in the development of human society. Among the many elements embraced by the concept of the geographical environment and affecting the development of mankind, and, consequently, also of the armed forces of states, are the seas and oceans. In solving problems of commerce, of reliable routes of communication, of relationships between peoples, and of the fishing and maritime industries, men back in ancient history had already opened up individual littoral areas of the seas and oceans. The maritime location of many countries fostered the development in them of specific areas of industry (e.g., shipbuilding, the catching and processing of fish and marine animals, etc.) which had a beneficial effect on the overall progress of these countries that, naturally, also left an impression on the development of the armed forces of the states which, to one degree or another, were engaged in the construction of navies and to a greater or lesser degree employed them in wars.

In different historical eras the above factors have had a definite effect on the character and structure of the armed forces which were made up of various components. Without resorting to a detailed examination of the changes in the structure of the armed forces of states on a historical plane, let us simply note that all maritime countries, without exception, usually have had (or strove to have) both ground forces and a navy. Apropos of this, Peter I said: "Every potentate who has only ground forces has only one hand; yet whoever has a navy too, has both hands." The role and importance of each of them, at the level of development of technology and the economic capabilities which existed, were always determined by the unfolding political strategic situation and the mutual positions of the states or nature of the coalitions. In some stages of the history of states, ground forces have played the main role, and in others, the navy.

The place and role of each of the branches of a country's armed forces can change both in peacetime and in war depending on technical reorganization, on the enemy being confronted, the geographical conditions, etc. History presents many examples of this. From them we may recall the growth of the role of the Navy in the Northern War of 1700–1721, when Russia transferred operations from her own territory to the territory of the enemy, thereby forcing him to sign a peace treaty. Sometimes, however, wars which began with the Navy being predominantly important were ended by the overwhelming actions of the Army (for example, the Russo-Japanese War of 1904–1905). Clearly, in all cases, one aspect remains unchanged: the results of the victory in a campaign or war can only be secured by ground forces capable of confirming the reality of it by their actual presence.

Moreover, the experience of history attests to the fact that each branch of the armed forces makes its own certain and always discernible contribution to victory. To achieve victory, the presence of all branches of armed forces, properly organized, equipped, and trained, is essential. Each of them has its own specific features, sphere of employment, and conditions for concerted action. The skillful (or on the other hand, the unskillful) employment and the consideration of these specific features often determine the success (or failure) of operations, campaigns, or even the war as a whole.

In the modern context, in speaking of the military might of states, it is a matter of harmoniously combining all branches of developed and rationally balanced armed forces, and it is precisely because of this that the principle of cooperation among all branches of the armed forces is the basis of Soviet military doctrine. Only by coordinating their efforts can victory be achieved.

As early as 1921, M. V. Frunze wrote about this in works devoted to the building up of the Red Army. The idea of the decisive importance of coordinated actions by the Army and Navy in all areas of armed combat was vividly expressed in his work "A Single Military Doctrine and the Red Army."

An analysis of the employment of various branches of armed forces in time of war, or in peacetime, is of definite interest from the point of view of both the development of the art of war and the knowledge by the command personnel, of the specific features with which each of the branches of the armed forces is imbued.

Taking into account that such an understanding fosters the development of a unity of operational views in the command personnel of the armed forces, and is an indispensable and most important condition for skill in acting in concert, let us examine those questions applicable to the Navy, both in the historical and problem aspects. In this connection, we do not intend to cover the history of the naval art, much less define the prospects for the development of naval forces. We intend only to express a few thoughts about the role and place of navies in various historical eras, and at different stages in the development of military equipment, and of the art of war, in order, on this basis, to determine the trends and principles of the change in the role and position of navies in wars, and also in their employment in peacetime as an instrument of state policy. In this connection, the focus of attention on the Navy does not in any way imply any sort of unique importance of naval forces in modern armed combat, but stems from the above mentioned considerations.

Proceeding from the special features of the Navy as a military factor which can be used also in peacetime for purposes of demonstrating the economic and military power of states beyond their borders, and from the fact that over a period of many centuries it has been the solitary branch of armed forces capable of protecting the interests of a country beyond its borders, in our view it is useful to examine questions related to this specific feature of naval forces as a real component part of the military organization of a state.

In examining these questions, one should also take into account the ever growing interest in oceanic problems of various social quarters from different aspects—economic, political, and military—and in their dialectical relationship. In tracing the direct dependence of mankind on the World Ocean over the entire course of its centuries of history, it is impossible not to note how the ability of peoples to learn to appreciate the ocean, and to use it for their own needs, directly affects the growth of the political prestige of the country and its economic and military power.

Times Distant, Yet Important for Understanding the Role of Navies

Navies have always played a great role in strengthening the independence of states whose territories are washed by seas and oceans, since they were an important instrument of policy. Naval might has been one of the factors which has enabled individual states to advance into the ranks of the great powers. Moreover, history shows that those states which do not have naval forces at their disposal have not been able to hold the status of a great power for very long.

And, it cannot be otherwise, for the sphere of naval operations are the seas and oceans which occupy seven-tenths of the surface of our planet. The continents are essentially gigantic islands whose total area is barely 150,000,000 square kilometers. They are surrounded, connected with one another, and kept in many respects (in particular, with regard to climate) in a constant state of dependence on the World Ocean, whose surface is equal to 350,000,000 square kilometers.

The seas and oceans serve as an inexhaustible source of diverse food resources, industrial raw materials, and energy. The most important and most economically advantageous routes of communications between countries, through which trade and other ties between peoples are carried out, pass through the seas and oceans. All of this determines the special role of the seas and oceans in the economy of states.

The development of maritime states has turned out to be so closely connected with the sea that, as a rule, their capitals and largest cities have grown up on the coasts. Seven of today's largest cities of the world are located on the shores of seas and oceans. The building-up, in the maritime countries, of many areas of industry and the economy dependent on the sea, which has brought about higher industrial development in these countries, has fostered the overall growth of the economy of maritime countries and the rate of growth. Therefore, it is not by accident that civilization, as a rule, originated and developed most often on the shores of seas and oceans. It is also not accidental that countries whose populations have been connected with seafaring have become economically strong earlier than others. Among these we may cite in various periods in history, Spain, England, Holland, France, Portugal, Turkey, and the U.S.A. All of the modern great powers are maritime states.

At the same time, for a long time wars have been waged not only on land, but also on the watery expanses, at first on rivers and lakes and in coastal areas of the seas, and later on the seas and oceans. Military necessity, the development of an economy related to the sea, and political conflict have always, and on an ever increasing scale, forced states to build, possess, and maintain naval forces on a modern level within the overall system of armed forces. At a certain stage of development, many states, primarily Holland, Spain, England, France, Japan, and the U.S.A. have formulated their military strategy primarily on the basis of sea power.

Every social-economic system has built up armed forces, including navies, corresponding to its economic and technical capabilities. Thus, in the slave-holding society, galleys were the basis of the navies. In the era of

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feudalism, sailing ships appeared, which were developed more fully up to the moment of capitalism's entry into the world arena.

The scientific technical revolution of that day led, in the mid-19th century, to the following fundamental change in the material resources and equipment of naval forces—to the creation of the steam fleet, and lateral to undersea forces. And finally, recently even more profound and revolutionary changes have taken place in connection with the construction of the nuclear-powered navy of the nuclear-missile era.

These stages of naval development were not just stages in the technical improvement of warships. At the same time as the material resources and equipment were being altered, changes were also taking place in its position within the system of armed forces, in it basic mission, and in its role in the policy of the state in peacetime and in military operations at sea.

Even in ancient times, in solving problems concerning trade, routes of communications, ties between people, and of the fishing and marine industries, mankind developed several coastal areas of the seas and oceans. Parallel to this, knowledge was accumulated and expanded, at first about the individual regions of the earth; and later about the entire planet, including the World Ocean. It is difficult to overestimate the role of the Navy in this.

At the same time, from the era of the slave-holding society even up to our day, navies have been employed in numerous wars as the most important (and often the only) means of supporting the transport of military cargoes and land forces or the invasion of troops of the enemy territory, as well as to protect their own sea routes and to attack the enemy's merchant ships.

In the 16th to 17th centuries, one of the most important periods in the history of mankind began—the era of great geographical discoveries, the era of the initial accumulation of capital, and the development of capitalism. The major countries of Western Europe converted their navies into one of the instruments of the initial accumulation of capital: they were used to seize colonies, for the enslavement of peoples of entire continents, and to plunder them, and as the agents for the fierce struggle between rivals in the plundering of colonies, and also for control in the colonies and of the sea routes.

"The discovery of gold and silver mines in America, the eradication, enslavement, and the burning alive of the natives in pits, the first steps toward conquering and plundering East India, and the transformation of Africa into a preserve for hunting blacks—this was the dawning of the capitalist era of production." [4]

Spain and Portugal were the first to rush to discover new lands and colonize them. Sailing expeditions by Columbus, Magellan, Vasco da Gama, and other seafarers not only opened the American continent, extended the water route around Africa to India and China, and discovered many Pacific Ocean islands, but also initiated the colonization of these regions and countries. The English, French, and Dutch joined the Spanish and Portuguese in participating in the geographical discoveries and in the colonization of the new lands.

In the 16th century it seemed that Spain had firmly established a position as a great power, possessing vast colonies. But due to political backwardness and the inability to compete with rapidly developing England, she was not able to exploit the riches plundered from the colonies, to rapidly develop her economy and her industry, and consequently, to build up armed forces, and particularly a navy, which were modern for that day. Soon after the defeat of the "unbeatable armada" by the more modern English Fleet, Spain, being in no condition to protect her overseas possessions, lost them and was gradually transformed from a great power into a third-rate state.

In the middle of the 17th century, Holland, which had taken the capitalist path of development earlier than the others, and had the strongest navy in the world at its disposal, became the largest colonial power and reached the apex of its power. But soon England, where industrial capital played the leading role as opposed to trade capital which held sway in Holland, became its main rival. The struggle between these countries became the hottest in several wars which history has named the Anglo-Dutch wars. The North Sea was the main arena for their struggles. After losing several naval battles and after attacks by the English from land, Holland acknowledged defeat and became a second-rate colonial power. Its fate was sealed by the victory of the industrial capital of England over Holland's trade capital, which was manifested militarily in the superiority of the English Fleet (or, in the final analysis, in the naval might of England).

Karl Marx wrote about this in this manner: ". . . Trade domination is now already related to the greater or lesser predominance of the conditions of the existence of major industry. It pays to compare, for example, England and Holland. The history of the fall of Holland as the dominant trade nation is a history of the subordination of trade capital to industrial capital." [5]

England also often used her Navy for direct enrichment. It is sufficient to recall that many English ships and merchantmen in the service of the King acted as pirates: they robbed the merchant ships of other countries, seized them, and dragged them away into English ports. Thus, instead of a consumer, the Navy became a source of enrichment to the state.

At the beginning of the 18th century, France also took the path of capitalist development. Through the enslavement of overseas countries, in which the Navy played an important role, she was also transformed into a vast colonial empire possessing Canada, large territories in the Mississippi Valley, several West Indian islands, part of India, and broad regions of Africa. The core of England's policy was to attain the position of "Mistress of the Seas", personifying a world economic and political power; she chose to use every possible way to bring down her rivals at sea to the level of the states which were incapable of opposing her Navy as one way of achieving this goal. At this time the struggle in the world arena for economic hegemony, colonial possessions, and domination in world trade shifted to the sphere of rivalry between England and France. The culmination of this struggle was the so-called Seven Years War, in which almost all of the states of Europe were involved. "England and France fought over colonies in the Seven Years War, i.e., they waged an imperialistic war. . ." [6]

The principal events at that time unfolded at sea, as a result of which the navies played the most important role. The outcome of the battles between the English and French Fleets played a decisive role in achieving the political goals of this war. As a result of their hostilities, France, having lost any hope of domination, or even a predominant position on the sea and having lost control over the sea lanes, was forced to relinquish North America and India to England.

In the middle of the 18th century, having surpassed the other countries in economic development and possessing a developed industry and numerous colonies, England became the first world power. Backed by a powerful economy which provided England the supremacy of having the strongest fleet on the World Ocean, she assured the leading position among the capitalist countries and held it for almost two centuries.

The desire of the British capitalists to hinder the development of industries in the colonies by every means, in order to keep them as mere suppliers of raw material and as consumers of the goods of British industry, produced the war for independence of the more developed of its North American colonies. The navies of England's former rivals, France, Holland, and Spain acted on the colonies' behalf. The position of Russia, which declared a so called "armed neutrality", supported by the power of the Russian Navy, did not permit England to blockade America, also played a positive role for the Americans. The "mistress of the seas" had to fight a war under conditions in which her Navy was considerably inferior to the united fleet of the enemies. After England had lost several battles on land, considering the unfavorable relative strength of the forces on the sea which prevented unhindered supplying of reinforcements via the ocean, she was forced to recognize the independence of the United States of North America.

Despite the fact that the main missions in the war for independence were executed by the armies, it once more affirmed the growing influence of naval forces on the course and outcome of armed conflicts fought on land. In this war, naval operations were shifted from European waters to distant ocean regions which sharply increased the importance of communications, and problems of defending and hindering them in support of military actions on land arose on such a scale for the first time.

The new conditions of naval combat operations imposed higher demands on the seakeeping ability of the warships and on their combat stability. In connection with this, their dimensions were increased, designs were changed, armament strengthened, and subsequently armor made its appearance. The considerable growth in the capabilities of the rapidly developing capitalistic industry fostered the building up of warship inventory, taking the new demands into account. All of this speeded up naval development, and at the turn of the 19th century permitted the naval role in political struggles and in military operations to be enhanced even further.

The main organizing force of the wars in the above period was the English bourgeoisie, which intended to seize France's remaining colonial possessions. In this connection, England tried to transfer the weight of the battles on the continent to her European allies, while limiting her participation in the wars mainly to operations at sea and against France's maritime territories.

It should be noted that the large bourgeoisie which came to power in France after the Thermidorian coup, also made it a primary task to reduce England's colonial power. Bonaparte's expedition into Egypt was undertaken for this purpose and with the future goal of seizing India. The French troops, which were transported across the sea unbeknownst to the English, began successful combat operations in Egypt. Within just two and a half months the English Fleet, under the command of Nelson, found the French warships anchored in Aboukir Bay and defeated them. The destruction of the French Fleet primarily affected the combat capability of that part of the army which was in Egypt and which turned out to be cut off from its main supply bases located in Europe. Moreover, it also affected the operations of the main forces of the French Army which, within six months of the defeat of the French Fleet at Aboukir, surrendered to the enemy, in a few months that which Bonaparte had won in his day in dozens of victorious battles.[7]

Thus, the weakness of the French Fleet became one of the main reasons for the failure of the plans for the conquest of Egypt,

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the passage to India, and the curtailing of English colonial power, even though France had the necessary ground forces at its disposal.

Continuing the struggle, Napoleon decided to land a large landing force directly on the British Islands, for which 2,343 diverse transport ships were readied. It seemed that a fatal threat hung over England. However, the preparation for the invasion was delayed. An attack, initiated by Russian troops under the command of Kutuzov, forced Napoleon to abandon entirely the landing of a force in England.

On 21 October 1805 in the Atlantic Ocean off the coast of Spain, the battle of Trafalgar took place in which the English, under the command of Nelson, inflicted a decisive defeat on the Franco-Spanish Fleet. The significance of this battle, as well as the role of the English Fleet in the struggle with Napoleonic France, were actually great, but were exaggerated to an even greater degree by a Western European historiographer who asserted that "at Trafalgar not only the greatest naval victory was won, but also the greatest and most remarkable victory of all those won on land and at sea in the course of the entire revolutionary war. No single victory nor any series of victories by Napoleon had such an effect on Europe."[8]

One cannot agree with this. As is well known, the struggle against Napoleon lasted many years and the main and decisive role in it was played by Russia, which destroyed the French Army in the Patriotic War of 1812. The victory gained by Russia actually had a greater effect on the political situation in Europe.

As for the Battle of Trafalgar, with respect to its consequences, it, of course, was not an ordinary military clash of fleets. After the series of defeats of the French Fleet, its final rout in this battle demonstrated France's inability to carry on a battle at sea with an enemy having a more modern fleet consisting of better quality ships, manned by more highly trained personnel, and employing tactics which were new for that time. The main result of the victory achieved in the naval engagement was that the home country and the British colonies became practically invulnerable to attacks from the direction of the sea. England was able to deprive the enemy of the weapon which was most dangerous for her—the navy. Only a navy at that time could directly threaten the home country and the security of the communications connecting England with the colonies which supplied the raw materials for her industry and food products for the population. The liquidation of the threat from the sea freed the hands of the English *bourgeoisie* to organize and finance new alliances to continue the struggle with Napoleonic France. France, however, was forced to refrain once and for all from combat operations at sea and to seek other ways not connected with the sea to combat her main enemy.

Thus, the course of the war at sea and the gaining of domination by the English Navy had a great effect on the further policy of the belligerents.

From all that has been said, it follows that from the drawing of the capitalist era, the navies of the Western states have represented not only a part of the armed forces, which were employed in war in the naval theaters, but also a weapon of state policy in peacetime, which permitted them to enslave underdeveloped peoples and countries overseas and to transform them into their own colonies. The fleets of the Western European powers travelled the path from "privateers in the service of the King" to regular naval forces which received an organized structure and official operational tactics. The employment of this naval force in wars, especially when it was the main force in achieving the goals of the war, had a considerable influence on state policy, which was determined and conducted taking into account the disposition of the forces at sea at certain times.

Maritime states having great economic capabilities have widely used their naval forces in peacetime to put pressure on their enemies, as a type of military demonstration, as threats of interrupting sea communications, and as a hinderance to ocean commerce.

Navies have served these states as an important means of further enrichment and of extending expansion and colonization.

In addition, navies have also carried out the pleasant mission of being discoverers. Naval ships of the great powers, including Russia, have carried out wide-scale oceanographic studies and have made an inestimable contribution to the science of geography. This tradition of mariners (including also naval mariners) still continues even today, when the "blank spots" in the ocean are becoming fewer and fewer, yet the knowledge of the secrets of the ocean represents a very great scientific task even today.

FOOTNOTES

[1] V. I. Lenin. *Poln. sobr. soch* (Complete Collected Works), Vol. 32, p. 9.

[2] *Leninskiy shornik* (Collection of Lenin's Articles) XII, 2nd Ed., 1931, p. 437.

[3] I. Lenin. *op. cit.*, Vol. 13, p. 374.

[4] Marx. *Kapital*, Vol. 1, 1949, p. 754.

[5] K. Marx. *op. cit.*, Vol. 3, 1954, p. 345.

[6] V. I. Lenin, *op. cit.*, Vol. 30, p. 7.

[7] Ye. V. Tarle. Napoleon, Izd-vo AN SSSR, 1957, p. 74.

[8] Fyffe's History of Modern Europe, Vol. 1, p. 281.

COMMENTARY

(By Rear Adm. George H. Miller, U.S. Navy (Retired))

After battleship, cruiser, and destroyer service prior to World War II and command of the USS *Brennan* (DE 13) in 1943, Rear Admiral Miller lectured on seapower and maritime strategy while serving as plans officer at the Naval War College from 1947 to 1949. He was the Navy member of the joint strategic survey council, Joint Chiefs of Staff, from 1960 to 1962, and director of the Navy's Long Range Objectives Group from 1964 to 1967. From 1967 to 1970 he served as Director of Strategic Offensive and Defensive Systems on the staff of the Chief of Naval Operations. Admiral Miller is now, the Naval Advisor to the Assistant Secretary of Commerce for Maritime Affairs.

Since the early 1950s, the world has watched the Soviet Union build up its merchant and combat navies and break out into the Great Oceans in a comprehensive program of political, commercial and coercive penetration of less developed areas. Their overall approach is an updated version of that taken by the more successful, durable great powers of history. Particular effort has been funneled into three important geographic crossroads: Mediterranean-Suez-Arabian Sea; Southeast Asia-Straits of Malacca; and the Caribbean. Soviet actions appear to reflect systematic exploitation of strategic geography and the lessons of history to further their overseas interests.

Now we have the words of Admiral of the Fleet of the Soviet Union S. G. Gorshkov to confirm these carefully planned and executed actions.

In the opening paragraphs of this, the first of his 11 articles, Admiral Gorshkov points to the historic importance of the oceans in human affairs: communications between continents, between suppliers of products vitally essential to mankind; utilizing the water medium for peaceful purposes, for defense of one's own country and to seize overseas possessions. He calls attention to the fact that naval forces have a high degree of maneuverability; they can form powerful groups secretly which are of "surprise to the enemy."

Admiral Gorshkov and his countrymen know something about surprise attack. The Japanese fleet opened the Russo-Japanese War in 1904 with a surprise attack on Port Arthur. In 1941, while German and Soviet leaders talked and signed treaties of friendship, cooperation and détente, the German army deployed secretly and launched the most devastating surprise attack in Russian history. The Soviet leadership remembers.

Admiral Gorshkov rejects the time-honored political and budget game of comparing numbers of ships of one type or another, in comparing relative naval strength. He suggests a more complex and accurate method of appraisal.

Final goals of armed conflict at sea are still regarded by the Admiral, as defeat of the enemy and destruction of his vital forces and material. Targets specifically listed for destruction are ships with their crews and provisions, and weapons or shore objectives within range.

Lenin is quoted on the inseparable link between war and the political system from which it stems. He points out that national policy is the controlling factor; war is only a weapon. On the basis of what Leninism has achieved in the past 50 years, one might suggest that Lenin himself may be classed among the most successful strategists of recent history. His writings are of importance to those Americans who wish to know more about their principal competitors.

Admiral Gorshkov highlights the role of geography, and particularly the seas and the oceans, in influencing the character and direction of development of the armed forces, as well as human society. He discusses armed forces under the groupings Army and Navy, and he suggests how the place and role of each of the branches does change in peacetime and in war.

He points to "the special feature of the Navy as a military factor which can be used in peacetime for purposes of demonstrating the economic and military might of states beyond their borders . . . it has been the solitary form of armed forces capable of protecting the interests of a country overseas." No comment is made on the stationing of land forces on foreign soil in peacetime.

Admiral Gorshkov says, ". . . it is impossible not to note how man's ability to comprehend the ocean and to use it for his own needs directly affects the growth of the political prestige of the country and its economic and military might."

In a very brief summary of "distant past" history, the author begins with this paragraph: "Navies have always played a great role in strengthening the independence of states whose territories are washed by seas and oceans since they were an important political weapon. Naval might has been one of the factors which has enabled certain states to advance into the ranks of the great powers. Moreover, history shows that states which do not have naval forces at their disposal have not been able to hold the status of a great power for a long time."

He notes how civilization developed and flourished most often on the shores of seas and oceans; and how the large countries of Western Europe used their fleets ". . . to seize colonies, for the enslavement of peoples of entire continents and to plunder them. . . ."

The Soviets of course are also using their maritime fleets as a "weapon of state policy" for peacetime penetration of less developed areas. However, they package their own operations with more internationally palatable phraseology such as Trade Missions, Wars of National Liberation, and Peoples Democratic Republics.

It is important to remember that the advice and influence of Soviet maritime leader-

ship are injected personally and directly at the highest political and security levels of the Soviet government.

Admiral Gorshkov is without doubt one of the foremost authorities on naval strategy of modern times. His writings should be studied as assiduously as European statesmen studied Alfred Thayer Mahan's works during the years preceding World War I. They are of considerable importance in determining the nature and scope of the big-power competition to be expected in the years to come.

One can find very little if any material in this first installment which is not important. All of it is deadly serious.

SENATOR RANDOLPH URGES PRESIDENT TO SIGN WATER RESOURCES BILL

Mr. RANDOLPH. Mr. President, 2 years ago the Committee on Public Works began development of a water resources bill. This type of legislation traditionally has been enacted on a biennial basis to maintain the orderly progress of our water resources development program. The 1972 bill regrettably did not become law because of a Presidential veto of that measure following adjournment of the 92d Congress. Consequently, it was necessary to begin work on a new water resources bill last year. The conference report on that measure, H.R. 10203, was adopted by both the Senate and House of Representatives last week.

On Friday I sent a telegram to the President urging that he sign this measure. Mr. President, I ask unanimous consent that the text of my telegram be printed in the RECORD.

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

FEBRUARY 22, 1974.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On February 21 the Senate adopted the Conference Report on the Water Resources Development Act of 1974 by a vote of 78 to 7. This followed by two days the 374 to 4 vote of the House of Representatives in ratifying this measure.

The enactment of this legislation is extremely important to the continued orderly development of our country's water resources, an activity in which the Federal government has been involved for more than 150 years. The Water Resources Development Act authorizes merited new projects to be carried forward by the Army Corps of Engineers. It also incorporates major policy decisions affecting the water resources program. The total of monetary authorizations for new projects in this bill is the lowest in a quarter century.

The contents of the provisions of this legislation were carefully developed and are consistent with both the need to continue this program and the necessity for restraint in Federal spending. I strongly urge that you approve this legislation at the earliest possibility.

Truly,

JENNINGS RANDOLPH,
Chairman, Senate Committee on Public Works.

THE PRESIDENCY AND THE SEPARATION OF POWERS

Mr. WILLIAM L. SCOTT. Mr. President, we often hear politically motivated statements regarding Presidential powers and executive privilege. It was, therefore, particularly interesting to read an article in this month's issue of the American Bar Association Journal prepared by Ben R. Miller, a practicing attorney of Baton Rouge, La., who apparently has served in the House of Delegates and on the board of governors of the American Bar Association and has devoted some time in researching Presidential powers. Perhaps some of our colleagues have not seen this article and would be interested in reading it. Therefore, I ask unanimous consent that the article entitled "The Presidency and Separation of Powers" be printed in the RECORD for their information.

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

THE PRESIDENCY AND SEPARATION OF POWERS

(By Ben R. Miller)

President Nixon had the precedents of many years and many presidents behind him when he refused to turn over presidential papers and other materials in response to the special prosecutor's subpoena. His firing of the special prosecutor was legal, as the executive department has the power and discretion of prosecution.

Two men testified in 1964 in a suit by the United States against the registrar of Clarke County, Mississippi, to enforce the voting rights of Negroes. The federal judge who heard their testimony (W. Harold Cox) and a federal grand jury that later investigated it believed that the men had committed perjury. That grand jury asked the United States attorney to assist it in preparing indictments against the two men. On instructions from Acting Attorney General Nicholas deB. Katzenbach, the United States attorney refused to do so. Judge Cox then ordered him to "draft such true bills or no bills as the grand jury may have duly voted and desired to report and to sign such instruments as required by law under the penalty of contempt."

On appeal, the United States Court of Appeals for the Fifth Circuit held in *United States* v. *Cox*, 342 F. 2d 167 (1965), that the executive branch of the government, through the attorney general and the United States attorneys, has the exclusive control of prosecutions in the federal courts and exclusive discretion as to who is to be prosecuted. It reversed the contempt citation.

That opinion, and particularly the concurring opinions of Judges Brown and Wisdom, are equally applicable to and support the position of President Nixon in the Nixon-Cox and other Watergate related matters. Judge Brown wrote: "With stakes so high, the safety of our country, and hence the security of the world, ought not to be imperiled by leaving the important decision to a body [the grand jury] having no definitive political responsibility. . . . How will essential government secrets be kept when disclosed to persons none of whom as grand jurors will have been subjected to customary security clearance checks?"

These statements were by Judge Wisdom: "The prosecution of offenses against the United States is an executive function within the exclusive prerogative of the attorney general. . . . [w]hen, within the context of law enforcement, national policy is involved, because of national security, conduct of foreign policy, or a conflict between two branches of government, the appropriate branch to decide the matter is the executive branch. . . . In such a situation, a decision not to prosecute is analogous to the exercise of executive privilege. The executive's absolute and exclusive discretion to prosecute may be rationalized as an illustration of the doctrine of separation of powers, but it would have evolved without the doctrine and exists in countries that do not purport to accept this doctrine."

In 1967 the United States Court of Appeals for the District of Columbia Circuit held in *Newman* v. *United States*, 382 F. 2d 479: "The United States attorney, under the direction and control of the attorney general, is the attorney for the executive. [It] is not the function of the judiciary to review the exercise of executive discretion whether it be that of the president himself or those to whom he has delegated certain of his powers."

SHOULD FUNDAMENTAL PRINCIPLES NOW CHANGE?

Should the fact that, rather than two persons under investigation for perjury, it is now the president of the United States and persons now or formerly in high places whom Special Prosecutor Archibald Cox wished a federal grand jury to investigate, have changed the fundamental principles of constitutional law as enunciated by each of these United States courts of appeals? Or have entitled Special Prosecutor Cox to demand that he, not the president, determine the disclosure of which private files of the president might endanger the nation or not be in the best interest of the nation? Or have entitled the news media and others to demand the resignation or impeachment of the president because he refused to surrender his presidential power in this respect to Archibald Cox?

And what about the Senate Select Committee on Presidential Campaign Activities? Should the fact that it was the Ervin committee of 1973 and not the McCarthy committee of the mid-fifties that compelled witnesses to testify before the continuous glare of the television cameras entitle the national news media and opponents of President Nixon to cry "foul" to the McCarthy circus and "fair" to the Ervin hearing? The voices raised in protest then are silent now.

The Supreme Court even reversed the conviction of the notorious Texas swindler Billie Sol Estes in 1965 (381 U.S. 532) because, so the Court said he had been denied his constitutional right to a fair trial before an impartial jury because of the "bombardment of the community with the sights and sounds of a two-day [televised] hearing. Chief Justice Warren said that exposing a defendant or a potential defendant to televised hearings would be a return to "frontier justice." He added that "the fallen has attracted public interest . . . are the very idol, or some other person who, like petitioner, persons who encounter the greatest difficulty in securing an impartial trial, even without the presence of television."

And where are the voices that once supported the principle of separation of powers that protects the presidential files and materials? Purely by coincidence I came across a book by Telford Taylor, *Grand Inquest: The Story of Congressional Investigations*, written in 1954 during the McCarthy era. Professor Taylor is certainly not prejudiced in favor of President Nixon, but he pointed out then the historical basis and precedents that support the president's position today.

In the very first investigation Congress undertook, President Washington declined a request for documents in the possession of the secretary of war, and Professor Taylor goes on:

"In the years to come, Jefferson, Monroe, Jackson, (thrice), Tyler (twice), Polk, Fillmore, Lincoln, Grant, Hayes, Cleveland, Theodore Roosevelt, Coolidge, and Hoover (twice) encountered congressional demands for information that they saw fit to reject. Secure and powerful in his relations with Congress during his first two terms, Franklin D. Roosevelt did not confront the problem

until his third term, during which no less than six such requests were refused, and under Truman there were still more. Although partisan politics have frequently generated these conflicts, it is apparent from the foregoing list that party affiliation has never affected the basic position of the Presidents. . . ."

"How have the presidents determined whether or not a disclosure would be 'in the public interest'? Apparently on a case-by-case basis, and indeed in so delicate an area it is well-nigh impossible to lay down rules. On many occasions the request has pertained to confidential diplomatic or military matters, while several have related to patronage or the removal of public officials. Other *congressional* demands were refused because they imputed misconduct to the president or his cabinet members."

Professor Taylor also quotes approvingly from William Howard Taft, who while a professor of constitutional law at Yale following his presidency and before he became chief justice, wrote: "Clearly, the president cannot turn over documents to Congress so that Congress can then decide whether or not they should have been turned over. If there is an executive privilege to withhold information when disclosure would not be 'in the public interest,' then the president must be the one to determine in any particular case whether the public interest permits disclosure or requires nondisclosure."

No president before President Nixon, at least to my knowledge, took the unprecedented step of appointing someone outside the Justice Department to investigate the president himself—let alone appoint a person who had been active in the opposite political party and had held high appointive office under the opposite party's president.

President Nixon's refusal to respond to the subpoena calling for the documents sought by Special Prosecutor Cox was based on sound constitutional principles of separation of powers, as well as precedents furnished by many former presidents of both political parties.

When President Nixon agreed to waive this constitutional principle and agreed with Senators Ervin and Baker to a procedure whereby the then subpoenaed Watergate tapes in their entirety would be made available to John C. Stennis, a senator of the opposite political party whose prestige and reputation for integrity are perhaps the highest of any man in public office, with Senator Stennis authorized to transmit a complete factual account of all that related to the Watergate affair, President Nixon was not only acquiescing in what the appropriate spokesman for the legislative branch were then willing to accept, but also he was accepting what the judicial branch (through the United States court of appeals, if not Judge Sirica himself) had suggested be done—a compromise to avoid a confrontation likely to tear this country apart at one of the most crucial periods in its history.

FIRING OF COX WAS LEGAL AND JUSTIFIED

The firing of Mr. Cox, who would not accept such a compromise, was thoroughly justified because of the partisan and biased, as well as unethical, actions of Mr. Cox. Not the least of these actions was his violation of his pledge and oath of office when he gave to Senators Kennedy and Hart information he had received officially relating to the earlier I.T. and T. antitrust matter—when he well knew that later Mr. Nixon had withdrawn the temporary hold on the government's appeal, and when he also knew, as he later conceded, that the government's compromise in the I.T. and T. matter was very favorable to the government.

The president of the United States, as long as he occupies that office, is not just "an ordinary citizen" and is not subject to the same sanctions of the criminal laws as are ordinary citizens. Surely it would not be argued that he could be lawfully arrested at any time and place by any law enforcement officer of any state or county through which he might pass, even under circumstances that would justify your or my legal arrest, or that any and all local or federal courts could issue a valid warrant for his arrest. That is not to say that he is above the law. It is merely to say that as president he is subject to impeachment for "high crimes and misdemeanors" and if impeached, he is subject to the ordinary criminal sanctions like an ordinary citizen.

It has been proposed that Congress authorize the appointment of a special prosecutor by the United States District Court for the District of Columbia in the manner provided by 28 U.S.C. § 546 for the filling of vacancies in the office of United States attorney. But in *United States* v. *Solomon*, 216 F.Supp. 835 (S.D. N.Y. 1963), Judge Levet recognized that the authority given by this statute is only for a temporary vacancy until the president can act. In answer to the defendant's contention that to be prosecuted by a prosecutor appointed by the judiciary "would provide a nexus between court and prosecutor too close to comport with due process," the court declared there was no nexus since the president, not the courts, had the power of removal.

An appointment by the judiciary of a special prosecutor removable only by the judiciary, as has been urged, would appear "to provide a nexus, too close to comport with due process." Indeed, in 1967 Judge J. Skelly Wright of the Court of Appeals for the District of Columbia Circuit, while sitting as a district judge on a three-judge court, even considered it unconstitutional and a violation of due process for any district judge there to pass on the actions of members of the District of Columbia's board of education because those members are appointed by the trial judges of the District (365 F. Supp. 902).

THE COUNTRY CAN BE TORN APART

As for the authority of the Congress itself to appoint a special prosecutor, one of its branches does have the right, and properly so. The House of Representatives, when and if it brings formal impeachment charges against the president of the United States, designates a prosecutor and staff to press its charges before the Senate. But for the Senate to attempt to participate in the creation or designation of a special prosecutor to investigate the president would be violative of the judicial function it would be called upon to perform in any impeachment process that might follow the prosecutor's activities of the House.

The political pot into which this controversy has dropped is still boiling. The country itself can be torn asunder by the intemperate words and deeds of those who assert they speak for important segments of the nation and by prejudiced, biased network television and newspaper commentators and columnists who tell only one side.

STRONG SUPPORT TO UPDATE THE RETIREMENT INCOME CREDIT

Mr. CHURCH. Mr. President, the retirement income credit was enacted in 1954 to provide retired teachers, policemen, firemen, and other Government pensioners with comparable tax relief as is received by social security beneficiaries.

Payments under the social security program are, of course, tax exempt. Persons with little or no social security coverage can receive comparable tax relief by claiming a 15-percent credit on their qualifying retirement income—pensions, annuities, interest, dividends, and rent.

The maximum amounts for computing this credit are now $1,524 for individuals and $2,286 for aged couples.

But the retirement income credit no longer provides anywhere near similar relief because it has not been updated since 1962 for elderly single persons and 1964 for aged couples.

During this same period of time, social security benefits have more than doubled. And, these measures were urgently needed to protect older Americans from the impact of inflation and to raise their social security payments to more realistic levels.

On January 24 the Senate put itself on record in support of modernizing the retirement income credit when it adopted my amendment to H.R. 8214. This measure—I want to emphasize—is simply a beginning step to provide equitable and fair treatment for Government annuitants and others with little or no social security. It would raise the maximum amounts for computing the credit from $1,524 to $2,500 for single persons and $2,286 to $3,750 for aged couples.

For older Americans struggling on limited, fixed incomes, this amendment can provide a welcome means of tax relief: Up to $146 for an aged single person and an additional tax savings up to $220 for an elderly couple.

Unfortunately though, H.R. 8214—along with my amendment—was later recommitted to the Senate Finance Committee for further consideration because some controversial measures were added to the bill.

As chairman of the Senate Committee on Aging, I consider modernization of the retirement income credit to be one of my highest legislative priorities. The need for this action, in my judgment, is long overdue. Quite clearly, retired policemen, firemen, teachers, and Government annuitants should not be treated as second class citizens under the Internal Revenue Code.

Consequently, I wish to announce that I am prepared to offer again my amendment to update the retirement income credit when an appropriate tax measure is before the Senate. In addition, I am pleased to report that the National Association of Retired Federal Employees is enthusiastically supporting my efforts to update the 15-percent credit.

A recent letter to me from Mr. Arthur Sparks, president of NARFE, provides further compelling reasons for taking this action now.

Mr. President, I commend the letter of Mr. Arthur Sparks to my colleagues, and ask unanimous consent that it be printed at this point in the RECORD.

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

NATIONAL ASSOCIATION OF
RETIRED FEDERAL EMPLOYEES,
Washington, D.C., January 28, 1974.

Hon. FRANK CHURCH,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR CHURCH: Once again the retirees and Senior Citizens of this country

owe you their thanks and appreciation for championing their cause in the United States Senate. On behalf of the 185,000 members of the National Association of Retired Federal Employees, I would like to take this opportunity to thank you for introducing and having adopted an amendment to H.R. 8214, to liberalize the Retirement Income Tax Credit.

As you well know, this provision of the tax laws is of special importance to the majority of Federal retirees and survivors, whose annuities are not tax exempt like Social Security and Railroad Retirement benefits. We have long sought to have this section of the tax laws updated, and were sorely disappointed when the liberalizing provision was eliminated from H.R. 1 in the final days of the 92d Congress.

We are aware that H.R. 8214 was recommitted to the Finance Committee, after the adoption of your amendment and several others, but we do believe that headway was made by the floor adoption of this amendment on Retirement Income Credit. We are now contacting all Members of the Finance Committee, urging that they give early and favorable consideration to this vitally important issue.

Thank you again for your continued interest and action in all matters benefitting the Nation's elderly.

Sincerely,

ARTHUR L. SPARKS, *President*.

GEORGE WASHINGTON, A HIGHLY UNUSUAL AND INTELLIGENT MAN

Mr. GOLDWATER. Mr. President, every year about this time, many Members of Congress find their thoughts turning to our first President, George Washington, and to the great wisdom he displayed in his role as "Father of his Country."

My own research in this direction discloses that George Washington was a highly unusual and intelligent man, not only in his maturity but even as a young boy. Now I am not referring here to the old story about George Washington cutting down the cherry tree, but rather to set of rules on "civility and polite behavior in company and conversation."

It seems when our first President was 15 or 16 years of age, he set down in a copybook 31 rules for decent behavior which would serve all of us well even in this day and age. For example, one of his rules advises to "detract not from others, but neither be excessive in commending." Another suggests, "be not hasty to believe flying reports to the disparagement of anyone."

Mr. President, I ask unanimous consent that George Washington's rules of civility be printed in the RECORD.

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

CIVILITY AND DECENT BEHAVIOUR

(By George Washington)

(George Washington was fifteen or sixteen when he set down in a copybook, in his precise eighteenth century penmanship, a set of rules of civility and polite behavior in company and in conversation.)

Mock not nor jest at anything of importance; break no jests that are sharp or biting; and if you deliver anything witty or pleasant, abstain from laughing thereat yourself.

Turn not your back to others, especially in speaking; jog not the table or desk on which another reads or writes; lean not on any one.

When you deliver a matter, do it without passion and indiscretion, however mean the person may be you do it to.

When your superiors talk to anybody, hear them; neither speak nor laugh.

Write no comparisons; and if any of the company be commended for any brave act of virtue, commend not another for the same.

In the presence of others sing not to yourself with a humming voice, nor drum with your fingers or feet.

Speak not when others speak, sit not when others stand and walk not when others stop.

They that are in dignity or office have in all places precedency, but whilst they are young they ought to respect those that are their equals in birth or other qualities, though they have no public charge.

Let your discourse with men of business be short and comprehensive.

In visiting the sick do not presently play the physician if you be not knowing therein.

In writing or speaking give to every person his due title according to his degree and the custom of the place.

Strive not with your superiors in argument, but always submit your judgment to others with modesty.

Undertake not to teach your equal in the art he himself professes; it savors of arrogancy.

When a man does all he can, though it succeeds not well, blame not him that did it.

Break not a jest when none take pleasure in mirth. Laugh not aloud, nor at all without occasion. Deride no man's misfortunes, though there seem to be some cause.

Let your countenance be pleasant, but in serious matters somewhat grave.

Show not yourself glad at the misfortune of another, though he were your enemy.

When another speaks, be attentive yourself, and disturb not the audience. If any hesitate in his words, help him not, nor prompt him without being desired; interrupt him not, nor answer him till his speech be ended.

Detract not from others, but neither be excessive in commending.

Go not thither where you know not whether you shall be welcome or not. Give not advice without being asked; and when desired, do it briefly.

If two contend together, take not the part of either unconstrained, and be not obstinate in your opinion; in things indifferent be of the major side.

Being to advise or reprehend any one, consider whether it ought to be in public or in private, presently or at some other time, also in what terms to do it; and in reproving show no signs of choler but do it with sweetness and mildness.

Be no flatterer, neither play with any one that delights not to be played with.

Reprehend not the imperfection of others, for that belongs to parents, masters and superiors.

Think before you speak; pronounce not imperfectly, nor bring out your words too hastily, but orderly and distinctly.

Undertake not what you cannot perform; but be careful to keep your promise.

Every action in company ought to be with some sign of respect to those present.

Let your recreations be manful, not sinful.

Labor to keep alive in your breast that little spark of celestial fire called conscience.

Wherein you reprove another be unblamable yourself, for example is more prevalent than precept.

Be not hasty to believe flying reports to the disparagement of any one.

SUPPORT FOR AMTRAK EXTENSION

Mr. CHURCH. Mr. President, On January 21, the first day of the current session, I introduced S. 2867, a bill to require the National Railroad Passenger Service Corporation—Amtrak—to provide rail passenger service to each of the 48 contiguous States as part of the basic rail passenger system.

The simplest and most important reason for my action is that I feel Amtrak has failed to carry out the congressional mandate for a national basic passenger system.

Second, this service—regardless of Congress's original intent—is even more necessary today than it was when Amtrak was created. The energy crisis has forced us to realize the importance of transportation systems which can help conserve our dwindling supplies of fuel.

Finally, public support for extending and upgrading rail passenger service is at an all-time high. An indication of this support is a memorial passed by the Idaho State Legislature calling for the reinstatement of rail passenger service to southern Idaho. This memorial, passed by both houses of the Idaho State Legislature, points up both substantial need and support for such service.

I am also pleased to note that nine of my colleagues in the Senate have joined me in cosponsorship of S. 2867. I hope that the Senate will be able to act quickly in favor of this legislation.

I ask unanimous consent that House Joint Memorial 17 of the Idaho State Legislature be printed in the RECORD.

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

HOUSE JOINT MEMORIAL NO. 17

A joint memorial to the Amtrak Corporation and to the House of Representatives and the Senate of the United States in Congress assembled

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Forty-second Idaho Legislature, do hereby respectfully represent that:

Whereas, expansion of the Amtrak system is now under consideration and has become more desirable in view of the impact of fuel shortages on private transportation methods and the increased reliance on public transportation systems; and

Whereas, expansion of public transportation facilities should be made to provide convenient and accessible transportation alternatives to private automobiles; and

Whereas, southern Idaho has been entirely without passenger train service since 1971, although there is a demand for such service in order to facilitate balanced growth in the area; and

Whereas, a route through southern Idaho would provide an essential transportation and communication link and would be economically desirable as a portion of the Amtrak system; and

Whereas, a southern Idaho railroad passenger service would contribute to the healthy economic climate of the area and insure continued social stability and economic growth and development in Idaho.

Now, therefore, be it resolved by the Second Regular Session of the Forty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that we petition the Amtrak Corporation to reinstitute and operate rail passenger service in southern Idaho in order to sustain and promote the healthy economic climate of the area and to facilitate the transportation needs of the citizens of the region. We urge that the Amtrak Corporation give consideration to the reasonable requests for expansion of the railroad passenger line through south-

ern Idaho at this time or expansion of general railroad passenger services.

Be it further resolved that the Clerk of the House of Representatives be, and he is hereby authorized and directed to forward copies of this Memorial to the Amtrak Corporation and the President of the Senate and the Speaker of the House of Representatives of Congress, and to the Senators and Representatives representing this state in the Congress of the United States.

ESTONIAN INDEPENDENCE DAY

Mr. BEALL. Mr. President, yesterday, *February 24*, marked the 56th anniversary of the declaration of the independence of the Republic of Estonia. Unfortunately, those Estonians who daily live under the yoke of Soviet suppression could not celebrate this significant milestone. Thus, I join with many of my colleagues in saluting these brave people at a time when, publicly at least, they cannot mark this occasion themselves.

Even though Estonia has been occupied by the Soviet Union for many decades, the Estonian people have maintained their national identity and their love of freedom. Their longings for self-determination have not faded over the years; indeed they remain as strong as ever.

I salute these courageous people on this anniversary and offer my hopes that liberty can once again be restored to Estonia.

THE STRUGGLE TO EMIGRATE: AZBEL, RUBIN, AND GALATSKY

Mr. JACKSON. Mr. President, I would like to share with the members of this body an urgent message that has been sent to us by three prominent Soviet Jewish citizens who have been driven by desperation to undertake a hunger strike in protest against their government's repeated refusals to permit them to emigrate to Israel. They are Dr. David Azbel, 62, a former professor of chemical engineering; Vitaly Rubin, 50, an international authority on ancient China; and Vladimir Galatsky, 44, an artist.

Galatsky requested permission to leave 1 year ago; Rubin and Azbel applied for visas as far back as February and April 1972, respectively. Galatsky, whose painting has long been under attack by *the Soviet* Government, is now unable to get any work at all at the state publishing houses. Azbel and Rubin—whose exit visa was denied on the grounds that he is an "important specialist"—were both dismissed from their posts shortly after applying to emigrate; Azbel had been the head of the Institute of Chemical Spirits and Organic Products; Rubin was on the faculty of the Moscow Institute for Oriental Studies. All three have been subjected to official harassment and officially directed ostracism in their professions. Their lives and the lives of their families have been a constant nightmare.

And now, in an attempt to render ineffective their hunger strike, the Soviet Government, in violation of the spirit of the International Telecommunication Convention which the Soviet Union ratified in 1969, has severed their telephone lines—their virtual lifelines to friends in Russia and the West and to the foreign press. Their message to the U.S. Senate, which was transmitted by telephone on February 18, 3 days after the hunger strike began, was one of the last communications that they have been able to get through to the West.

Mr. President, I would also like to call the attention of my colleagues to a brave letter which David Azbel wrote and released to the Western press in defense of Alexander Solzhenitsyn shortly before the great writer's expulsion from the Soviet Union. In that letter, Azbel recalls his own long detention in the Gulag Archipelago from 1935 to 1951 and his hunger strike in prison 30 years ago:

> For each day of a hunger strike I got one year. Ten days of hunger strike—ten years behind bars.

Contemplating the hunger strike which was to begin on February 15, Azbel concluded:

> Today, I have to resort to the same act of protest and desperation again. It is interesting how many years I will get for each day now. I understand that even today I can become a citizen of Gulag Archipelago any day.
>
> And if this happens to me, David Azbel, former prisoner, it means that Gulag Archipelago did not go down as the legendary Atlantis—it exists, it is very much alive.

Mr. President, I ask unanimous consent to have printed in the RECORD the "Message to U.S. Senators from Moscow Jews on Hunger Strike" and an article from the Washington Post of January 27 entitled "A Gulag Veteran Speaks Up," which includes Dr. Azbel's letter.

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

MESSAGE TO U.S. SENATORS FROM MOSCOW JEWS ON HUNGER STRIKE

We know that soon you are to discuss and solve a question in which we are vitally interested. We are referring to the Jackson amendment. It makes certain aspects of Soviet-American relations dependent on free emigration from the USSR and that means—dependent on morality, international law and human rights. Occasionally voices are raised in the West that emphasize that in Soviet Jewish emigration a certain degree of progress has been reached which permits this moral factor to be glossed over in intergovernmental relations. The magic of numbers does its work. The impression is created that only a small "1,000" Soviet Jews who were denied visas cannot leave. It is really that way?

Well, and what about the tens of thousands in such towns as Sverdlovsk, Kuibyshev, Novosibirsk, Irkutsk and many others which are, practically speaking, closed to emigration. People in these towns almost never submit emigration documents, not because they do not want to, but because they know in advance that local authorities will not issue emigration visas and can use repressive measures against them at any moment. Can't these people be counted among those "refuseniks" who are known today in many countries?

Furthermore, there are the papers required of potential applicants which are unlawful even according to Soviet law. How many thousands, and maybe tens of thousands, of parents refuse to give permission to their children, who are over-age and have over-age children of their own, simply out of fear for their own fate. Isn't it possible to include these people among the group of ill-fated thousands who have received formal refusals?! And what kind of Jewish emigration process can we talk about, when in the USSR to this day there is no emigration law nor any published instructions regarding emigration?

The recent statement Deputy Minister of Foreign Trade Alkhimov made while in the U.S.A. can be used as evidence of the peculiarity of this "progress". He stated that Jews are detained in the USSR on grounds of state security and other reasons. What kind of other reasons?

As a rule, there is an absence of any kind of grounds. The reasons for refusal is the arbitrariness of the State. It is simply the whim of the government which determines whether to permit or not permit a certain family to leave. The fate of our families and of many others represents a perfect illustration of this statement.

In our view, those who, in the name of global and until now vague goals, are prepared to absolve the Soviet government and think that human rights regarding emigration are being fulfilled, are committing a tragic mistake. The battle is only beginning and its first results can only encourage but not set one at rest.

We are glad that many of you understand this. That is why we are turning to you at a time when we are staging a hunger strike as an extreme way to make the Soviet government respect our human and civil rights. Because of this the Soviet authorities have removed our links to the world, disconnected our telephones, interrupting our very contact with overseas, with correspondents, friends and relatives in Israel and in Moscow itself.

But even in times long past, when the means of communication were not yet perfected, people found each other and understood each other's needs. We believe we will not remain alone in our struggle for human rights.

Prof. DAVID AZBEL,
Chemist.
Prof. VITALY RUBIN,
Sinologist.
VLADIMIR GALATSKY,
Artist.

A GULAG VETERAN SPEAKS UP: SOVIET DISSIDENT, 62, SUPPORTS SOLZHENITSYN'S CHARGES

(By Murray Seeger)

Moscow.—The old man has great spring in his step and more spirit than many Soviet citizens half his age. He has a doctor's degree in technical sciences but little of the pedantic manner of some academics.

On paper he should be a satisfied Soviet citizen. He has a pension and an apartment, and the political crime charged against him nearly 40 years ago has been rubbed from the books. He has been rehabilitated politically and is secure economically.

Still, David Azbel, 62, is a dissident, a tough-minded man with a grievance against the regime. He asked to go to Israel with 30,000 other Jews in 1972 and was refused.

He was refused again in 1973 when nearly 35,000 others were allowed to go. Instead, he was jailed twice and stopped many times by the police for protesting his predicament. His telephone has been cut off and his mail is examined and often stopped. He is watched much of the time. He has protested with hunger strikes, a traditional Russian device.

A metallurgist, Azbel is one of about 200 technically trained Jews who have been blocked from emigration for two years.

Despite his experiences as a Stalin prisoner and a victim of current political policies, Azbel has never lost his courage. He showed this recently when he threw his solitary voice against the whirlwind of official condemnation which has been turned loose against Alexander Solzhenitsyn, the Nobel Prize-winning novelist. Solzhenitsyn has just published in the West a documen-

tary history of the Stalinst repressions. The title, "The Gulag Archipelago," takes its significance from the first word, which is the Russian acronymn for the prison camp administration.

In attacking Solzhenitsyn, Soviet authorities take the position that the ruling Communist Party has properly faced the issue of Stalin's crimes and that the bloody era is officially closed. Azbel argues that the chapter is not closed.

Because the only letters printed in the Soviet press are those which endorse official policies, Azbel's letter supporting Solzhenitsyn was given to Western correspondents. The text:

"I have learned about Gulag Archipelago by Solzhenitsyn from foreign radio reports. Certainly I could not read it in the Soviet union as it was not published even in samizdat [underground press.]

"Though I do not know its contents, I wish I had been among those 200 who told the author about the dreadful years in Stalin's torture chambers. I am only consoled by the fact that my prisoner's biography is so typical that it could be reconstructed from the recollection of others.

"I was imprisoned in Gulag Archipelago for 16 years from 1935 to 1951. I visited its various 'islands'—a solitary confinement cell, death chamber, hard labor camps, special prisons and shooting range.

"After rehabilitation, I got documentation which clearly shows the degree of lawfulness in my case. 'Sentenced to five years imprisonment. Spent 16 years in prison. Dismissed before the term expired.'

"Dismissed, but I have not become free.

"In April, 1972, I applied for an exit visa to Israel. But I was refused without any explanation and since that day the sinister shadow of 'Gulag' has been hanging over me.

"Our life after the application for an exit visa is regulated not by the law but by the KGB (secret police). It is this office that gives orders to policemen to detain us at home and on the street; to the court to bring us to trial; to the interior ministry to keep us in prisons; to postmen not to deliver mail to us; and to the communications service to disconnect our telephones.

"My attempts to protest against all that ended up twice in imprisonment. Once more I saw the familiar surroundings of prison cells and the only companions of my wanderings about Gulag Archipelago prison warders.

"Plainclothes agents in two cars followed me all over Moscow and surrounded my house. Their belligerence awoke my memory: alas, it was not a nightmare.

"My life experience and facts show that the authorities neither forget anything nor have they learned anything.

"I have no inclination to compare 1974 and 1937 or 1953 when Stalin charged Jewish doctors were out to kill him.

"But the scale of operations is not a justification for inhumane deeds. And what is more important—history teaches that one act of arbitrary ruling breeds a lot of new ones. And the more the chain reaction of violence is intensified, the more difficult it is to keep it in check.

"The situation gets out of hand and becomes intolerable. It is high time for the authorities to stop the escalation of repressions and make attempts at finding understanding. But this is not the case.

"Thirty years ago, driven to desperation, I went on a hunger strike in a prison in Saratov. For each day of a hunger strike I got one year. Ten days of hunger strike—ten years behind bars.

"Today, I have to resort to the same act of protest and desperation again. It is interesting how many years I will get for each day now. I understand that even today I can become a citizen of Gulag Archipelago any day.

"And if this happens to me, David Azbel, former prisoner, it means that Gulag Archipelago did not go down as the lengendary Atlantis—it exists, it is very much alive."

LESSON FROM EUROPE

Mr. FANNIN. Mr. President, in recent years the Congress has attempted from time to time to repeal the law of supply and demand. In every instance this has been disastrous.

Last week the Senate took a step in this wrong direction by approving an economically unsound oil price rollback scheme.

There also is strong sentiment in Congress for another desperate attempt to regulate supply and demand through gas rationing. The administration quite wisely has resisted strong pressure for implementation of rationing.

Mr. President, during the past half century the free market created a very complex but very effective system of supplying the gasoline needs of our people. We are only now beginning to realize just how great this system was. It provided abundant supply at low prices. Attempting to manipulate this system through government controls has proved to be an overwhelming task.

I believe the cure to our energy crisis lies in moving back toward the free market, not away from it. It would take a new Government bureaucracy of gigantic proportions to administer a rationing program with any degree of effectiveness and equity. In fact, I cannot envision any formal rationing program that would be equitable. The problems we have had with allocation would be magnified a thousandfold in rationing.

Mr. President, I believe that if we could let the free market work it would provide us with the very controls that no government can impose. It would provide the most efficient usage of our various energy resources at the most reasonable prices for consumers. Equally important, it would leave the people with freedom of choice. The Phoenix Gazette carried a very good editorial last Saturday on this subject. I ask unanimous consent that it be printed in the Record.

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

LESSON FROM EUROPE

If the gasoline shortage afflicting Arizona and other critical areas spreads over the nation, federal energy chief William E. Simon says he will not hesitate to recommend nationwide rationing.

Simon goes on to express the hope that his gasoline allocation program—aimed at equitable distribution of available supplies to all states and within states—will make rationing unnecessary.

The fact of the matter is that, if any one thing is going to bring on the necessity of imposing rationing, it is Simon's allocation program itself.

How then can rationing be avoided? Europe has pointed the way, noted Barron's, the national business financial weekly. An editorial in the current issue concludes that:

"After experimenting, briefly with weekend filling station closings, bans on Sunday driving and even rationing, most of the Continent sensibly has opted for higher prices. From an average of 85 cents a gallon a year ago, high-grade motor fuel has shot up to $1.36 ($1.56 in France, $1.84 in Portugal). As a result, gas is plentiful, queues have vanished and the last vestige of the crisis is the lower speed limits which remain in effect. The solution, then, is simple—perhaps too simple for Simon and the rest."

Perhaps, too, the United States has slid too far down the gasoline allocation slope to avoid plunging over the edge into the rationing pit.

Unfortunately, there is no one in a position of leadership possessing the political courage to advocate higher prices as the way out of the mess—no one in the executive branch, and no one in the Senate, which has passed emergency legislation to force a crude oil price rollback.

With the administration interfering in the fuel market through its allocation efforts and the legislature interfering by endeavoring to keep prices relatively cheap, shortages appear bound to get worse, rationing is nearing inevitability and the possibility of any satisfactory solution is fading out of sight.

Too bad this nation is too know-it-all to learn something from Europe's recent experience.

EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES

Mr. McGEE. Mr. President, as the Senate approaches the time of decision on the President's recommendations relative to executive, legislative, and judicial salaries, it is timely to draw Senators' attention to some views expressed by the Chairman of the Commission which reviewed the salary structure.

Arch Patton, director of McKinsey & Co., has, in a recent article in Business Week magazine, pointed out some of the problems inherent in the present pay structure, concluding that it is "so full of negative motivation features that it would probably paralyze a private corporation."

In transmitting the report of the Commission on Executive, Legislative, and Judicial Salaries to the President last June 30, Chairman Patton wrote that:

In our judgment, the dual salary system makes it difficult to attract, retain and motivate top officials in the Executive, Legislative, and Judicial branches, as well as career employees. Indeed, the dissonance between the two pay systems, in effect, has become a prime demotivator.

The two systems he refers to are the General Schedule and the separate system used to compensate top officials of all three branches of the U.S. Government. The first is adjusted annually, while the second is adjusted every 4 years—and in this instance it has been 5 years since the last adjustment. The result is serious compression in the career service.

Should Congress fail to raise Executive Structure salaries this spring—and the present inflation rate in the GS continues until 1977—virtually all executives in GS 15 through GS 18, and some in GS 14, will be paid the same salary when the next review period comes for the Executive Structure three years hence.

Mr. Patton writes in Business Week. In other words, five reporting levels could be pegged at the same annual rate of pay and this, he says, "would, of course, be a motivational nightmare."

In truth, Mr. President, we have a seri-

ous motivational problem now. Senior career officials, unable to realize an increase in pay, or even an opportunity to significantly increase their eventual annuities, are leaving the Government early. Even Federal judges, enjoying lifetime tenure and the prospect of full salary in retirement, are opting out to return to the private practice of law.

Approval of the President's recommendations—or rather, failure to disapprove them—would somewhat ease the situation. Over the long term, more has to be done. We on the Committee on Post Office and Civil Service have been aware of and concerned with this problem for some time. The Senate, to its credit, last year passed legislation providing for a biennial instead of a quadrennial adjustment of executive legislative and judicial salaries, as the Commission headed by Mr. Patton has recommended. Unfortunately, that bill has not been enacted. But, Mr. President, action is called for. Arch Patton is correct in saying we cannot stand on the status quo another 3 or 4 years. A problem of serious proportions is headed toward the "nightmare" stage.

Mr. President, I ask unanimous consent that Mr. Patton's letter transmitting the Report of the Commission on Execuive, Legislative and Judicial Salaries, as well as his article from the January 19, 1974 issue of Business Week, be printed in the RECORD.

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

COMMISSION ON EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES,
Washington, D.C., June 30, 1973.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We have the honor to present to you the report of the second Commission on Executive, Legislative and Judicial Salaries.

Unlike our predecessor, this Commission approached its task fully conscious of an important constraint upon its recommendations; namely, the need to act with due regard for the spirit of the Phase II (5.5 percent) Salary Guideline of the Economic Stabilization Act. In addition, we find that a substantial rise in living costs has eroded the purchasing power of salaries of top officials in the three branches of the Federal Government who have not had a pay increase since March of 1969. These considerations have greatly restricted the range of decisions available to the Commission.

The principal obstacle to maintaining a reasonable and equitable compensation structure in the Federal Government is the fact that career employees receive annual pay increases that are related to industry salary rates, while the salaries of top officials in the Executive, Legislative and Judicial branches are normally adjusted every 4 years; and these 4-year adjustments have the effect of placing a ceiling on the compensation of career employees, especially during an inflationary period. This, in turn, has created serious salary compression among the top ranks of career employees.

In our judgment, the dual salary system makes it difficult to attract, retain and motivate top officials in the Executive, Legislative, and Judicial branches, as well as career employees. Indeed, the dissonance between the two pay systems, in effect, has become a prime demotivator.

Replacing the present quadrennial Commission with a biennial Commission would, we think, largely eliminate compression as a demotivating force in both structures. Further, this modification would make the Executive Salary Schedules more responsive to economic change, and permit the next Commission to carry out what we regard as a much-needed reevaluation of positions within this structure. As we see it, the Phase II limitation precludes such action by the present Commission.

We are convinced that the salary schedules of career employees and the Excutive Schedules require more effective integration. The biennial Commission would be one step in this direction, and we have recommended in our report an approach that could be a major advance toward achieving this end.

We share the conviction of the previous Commission that many critically important government positions are inadequately paid, and that this condition unfavorably affects the quality of talent available to these jobs. But once a reasonable degree of integration between the career salary structures and the executive salary structures has been attained, it will become practical for salary relationships more directly to reflect responsibilities of individual positions in these structures.

The Commission reached the above conclusion with great equanimity because the facts clearly pointed the direction corrective action must take. The same cannot be said regarding the Commission's primary function; recommending salary changes for the Executive, Legislative and Judicial branches of the Federal Government. The unusual economic conditions facing the country during our deliberations—price inflation at home and a weakening dollar abroad—led the Commissioners to arrive at three distinctly different salary recommendations, from the same available facts.

Let me summarize them briefly. Two Commissioners concluded that no salary increase should be recommended at this time in order to set an example for the rest of the country (see Minority View on page 33). Seven of the nine Commissioners, however, were convinced that simple equity demands that salaries be raised enough to at least offset the five-year cost-of-living advance. A majority of the seven, in turn, felt that restoring the purchasing power of Federal officials—a 25 percent increase—would be fair and equitable and at the same time set an unmistakable example of restraint (this Majority View is expressed in the report starting on page 23). In addition, they felt that growing Congressional recognition of the need for a biennial Commission that would reassess salary levels in 1975 warranted taking a conservative posture at this point.

And, three Commissioners voted for a 30 percent salary increment (see Minority View on page 34). Pay increases in other sectors of the economy do, indeed, support such an advance. A very important consideration in this minority view is the belief that judges—as career public servants—have been seriously disadvantaged by lack of salary action since 1969. Other Commissioners share this concern regarding the Judicial branch's ability to attract and retain outstanding judges.

Respectfully submitted,

ARCH PATTON, *Chairman.*

GOVERNMENT'S PAY DISINCENTIVE

The thing that most impresses the student of the federal pay system—particularly one with a personnel background in industry—is not its size, although it has 2.7-million nonmilitary employees and a $33-billion payroll; it is not its growth, although the federal payroll has expanded three times faster than the gross national product in the past decade; it is not even its complexity, although it has developed administrative rituals that are quite different from anything to be found in industry.

What is most remarkable about the federal pay system, in my view, is the enormous difficulty a student finds in developing evidence to prove or disprove the working effectiveness of some aspect of the system. The substantial body of technical knowhow—laws and regulations—that needs to be brought to bear is truly impressive.

But I believe a more important impediment to developing evidential hypotheses is the strong temptation on the part of researchers with an industrial background to seek answers that equate with industry norms. The federal employee, with little or no industry experience, finds it difficult to be helpful in this case—for the two sides do not really speak the same language. So the researcher frequently ends up frustrated, wondering why so much of the overwhelming volume of statistics available on every hand in Washington is so useless.

THE STRUCTURES

Any practical assessment of the federal pay system should start with a description of the government's two major salary structures. I have come to think of the first of these as the Executive Structure, for it includes all members of the executive branch subject to Presidential appointment. However, it also includes all federal and Supreme Court judges and members of both houses of Congress—in other words, the top officialdom of all three branches of the government. Only the President, Vice-President, and majority and minority leaders of both houses, and the Chief Justice stand above this structure. This is the $100-million tip of the $33-billion nonmilitary payroll iceberg (which substantially exceeds the $22-billion payroll of the Army, Navy, and Air Force).

The second and most costly of the federal pay structures is the so-called General Schedule. This structure establishes salary rates for the federal Civil Service and, by linkage, for the Foreign Service, the Veterans Administration, and the military.

While the Executive Structure is a minuscule part of the total federal payroll, it is vitally important because it includes the leadership of our government; it is the apex of the federal pyramid. The Executive Structure is divided into five levels," as the grades are called. A sampling of the positions in each level and the current salary paid, is as follows:

Level I: $60,000—Cabinet Secretaries/Supreme Court justices.

Level II: $42,500—Members of Congress/Major agency heads; e.g., Veterans Administration, Atomic Energy Commission, Comptroller General/Judges, circuit and claims courts.

Level III: $40,000—Under Secretaries; e.g., Labor, Commerce/Assistant Comptroller General/Judges, district and customs courts.

Level IV: $38,000—Assistant Secretaries; e.g., Air Force, Agriculture, Interior/Capitol Architect/Librarian of Congress.

Level V: $36,000—Heads of minor agencies; e.g., Panama Canal, Renegotiation Board, Indian Claims Board/Deputies of Capitol Architect and Librarian of Congress.

Several things are immediately apparent from this tabulation. The pay differentials from Level II through Level V average less than 6%, and the number two man in the typical government organization is only one level below his boss. Both conditions would be motivationally disastrous in most industry situations. Who would want the vastly greater responsibility of the top job if he were only paid a 6% premium for the greater responsibility and risk? Those familiar with compensation levels among large industrial companies will also find the salary offered those key federal positions quite low.

Among the several problems to be found in the Executive Structure, the most important is the fact that it controls the pay of congressmen, who find it extraordinarily difficult to vote themselves pay increases. The

pay of congressmen, in turn, controls that of the entire Executive Structure, except Level I. This Congressional bashfulness has resulted in a second weakness, for the Congress-passed law establishing the Executive Structure provides that it be revised only once every four years. (This infirmity was further exacerbated when President Nixon, in keeping with the spirit of the Economic Stabilization Act of 1972, added a fifth year to the waiting period.) Since inflation has been boosting living costs by about 5% annually during recent years, the five-year withholding of salary increases to those in the Executive Structure has meant a loss of 25% of the purchasing power of their salaries.

A CEILING

Inflation itself represents still a third problem, for the law creating the Executive Structure provides that no salary in the General Schedule (the Civil Service structure) may exceed the lowest salary in the Executive Structure. Since salaries in the General Schedule are increased each year, and the Executive Structure has been unchanged for nearly five years, real "compression" has developed among the senior Civil Service executives as a result of this "ceiling." At the present time, for instance, all executives in the top GS grades, 18, 17, and most of those in 16, are paid $36,000—the lowest level in the Executive Structure.

Should Congress fail to raise Executive Structure salaries this spring—and the present inflation rate in the GS continues until 1977—virtually all executives in GS 15 through GS 18, and some in GS 14, will be paid in the same salary when the next review period comes for the Executive Structure three years hence. If this occurs, some 30,000 federal executives will all be paid $36,000. Even today, three to four echelons of executives reporting one to the other are paid the same. Three years hence, if the ceiling is not removed, five reporting levels, all paid $36,000, are likely to be fairly common. This would, of course, be a motivational nightmare.

Other less obvious problems plague the Executive Structure. For example, there is no standing body in our federal government with responsibility for reviewing job relationships within the five levels. This means that a Level III position that may have been important when it was first added to the structure umpteen years ago, tends to stay at that level indefinitely even if there is a steady decline in its relative value to the national well being. A good example of this was the Subversive Activities Control Board, which remained a Level V job from the time it was organized in the 1950s until it was abolished in 1973. The board members had done little but draw their pay for many years, but there was no policing body with responsibility for changing job relationships within the structure.

Furthermore, the present system provides no means for equating job values between the Executive Structure and the Civil Service Structure. It simply assumes all politically appointed positions in Level V are worth more than all Grade 18 jobs (at least until inflation pushes Civil Service salaries up to the pay level of appointed officials in Level V). It is widely recognized that some Level V jobs are actually less important—hence worth less—than some Grade 18 positions.

EQUAL PAY

Then, too, there are those who think it is a mistake to pay all congressmen the same (except the Speaker and Minority Leader) as is now done, when some committee chairmen obviously have greater responsibility than the newest freshman Congressman. All Cabinet officers, it is also frequently noted, are paid the same, although some have substantially greater responsibilities than others. And, of course, the system provides no reward for individual performance except promotion. With pay-for-responsibility relationhsips being as casual as they are at the political level in the government, even promotion has its problems. The story is told that after President Nixon "promoted" George Shultz from Secretary of Labor (at $60,000) to Director of the Office of Management & Budget (at $42,500), Mrs. Shultz commented, "One more promotion like this, George, and we'll have to borrow money to live."

But it is the retirement provisions of the Executive Structure that are most difficult for the businessman to understand. It is almost as though each of the three branches worked for a different employer. Officials of the executive branch, for example, have 7% deducted from their pay for retirement purposes, and most of them have it returned, without interest, when they leave government service. The reason: few have worked the five years necessary to receive a pension.

Members of the two houses of Congress have 8% deducted from their paychecks for retirement. The average congressman, however, receives a pension for 17 years service.

Federal judges, the third branch of this Executive Structure, have lifetime jobs at full pay. They are paid full salary in retirement, whereas all other government employees receive varying percentages of their final salary in retirement, depending on length of service, and very rarely top one-half their salary. As a result of this arrangement, judges have nothing deducted from their salaries to support a pension program. A district judge, holding a Level III position, actually receives more cash income than a Senator or congressmen whose jobs are evaluated one level higher.

Furthermore, the 8% of salary a judge does not contribute for a pension has a career value as spendable income approximating $250,000 when compound interest is applied to this added income over the period of service. And finally, the lifetime salary of the average judge vs. the sharply reduced pension of the average Senator or congressman is worth an additional several hundred thousand dollars in real income to the individual judge over a career.

THE CONFUSION

All this adds up to a confused, contradictory compensation structure for the appointed and elected officials of the federal government, a system crusted with inherited anomalies and so full of negative motivation features that it would probably paralyze a private corporation.

But the Executive Structure is a model of simplicity and rationality by comparison with the General Schedule, which determines the pay of the great majority of nonmilitary government workers. And since political power means less to the Civil Service than to the appointed executives, this is where an inadequate pay system can do great damage.

ALASKA PIPELINE JOBS

Mr. STEVENS. Mr. President, Alyeska Pipeline Service Co. has recently supplied me with information concerning employment opportunities associated with the impending construction of the trans-Alaska pipeline. My office, as well as other Senate offices, has been receiving an increasing number of job inquiries from interested individuals from all parts of the United States wanting to know what the Alaskan job situation is. In fact, jobs in Alaska are scarce, unemployment is high, and the Alaskan cost of living is inflated. I am hopeful that those considering a trip to Alaska to find work will not do so until their employment plans are secure and they are financially independent so as not to be a burden upon the Alaskan socio-economic structure. Mr. President, I ask unanimous consent that the statement entitled: "The Truth About Pipeline Jobs in Alaska" prepared by Alyeska Pipeline Service Co. be printed in the RECORD.

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

THE TRUTH ABOUT ALASKA PIPELINE JOBS

What is the trans Alaska pipeline?

A proposed crude oil pipeline from the Arctic Ocean to Valdez, in the Southcentral Alaska. It will be 796 miles long and 48 inches in diameter. Construction of the line to its initial operating capacity will require three years. At ultimate capacity, it would move 2 million barrels of oil a day.

Who will build the pipeline?

Alyeska Pipeline Service Company is the company formed and owned by seven major oil companies, to design, build and operate the line. However, the actual construction will be done by dozens of major construction companies, and numerous smaller firms, under contract directly or indirectly to Alyeska.

What jobs will be available?

Actually, very few jobs will open up for casual workers. There are many reasons for this, including an Alaska law requiring that Alaska residents be given first preference of pipeline construction and some other jobs in the State. In addition, many of the jobs will require specific skills which in most cases are available only among those experienced in pipeline construction.

What is the Alaska law which gives job preference to Alaskans?

The Alaska State Legislative in 1972 passed what was known as the Alaska Local Hire Bill, providing that certain jobs in the State—including those on the pipeline—be awarded on a first-priority basis to qualified Alaskans. This bill was signed into law that same year by Alaska's Governor, William A. Egan. Alaskans feel justified in assuring hiring preference to residents for many reasons, including the unusually high unemployment rate in the State, and the experience of Alaskans during previous construction projects when out-of-state construction companies gave available jobs to their out-of-state crews, and unemployed Alaskans had no opportunity for work. To resident Alaskans, the situation was made even worse when the out-of-state workers, at the end of the construction seasons, took their wages and left the State. So the State now requires that qualified Alaskans get first opportunity for these jobs.

What constitutes an Alaskan resident for this law?

According to Alaska State law under Title 38, Public Lands Section 38.40.090, resident means a person who (1) except for brief intervals or military service has been physically present in the State for a period of one year immediately prior to the time he enters into a contract of employment; (2) maintains a place of residence within the State; (3) has established a residency for voting purposes within the State; (4) has not, within the period of required residency, claimed a residency in another state; and (5) shows by all attending circumstances that his intent is to make Alaska his permanent residence.

What is a "qualified Alaskan" under the Alaska Local Hire Law?

Title 8, Alaska Administrative Code, Chapter 35.090, Para. (10), defines "qualified" as, "those persons who by their education, training and experience or combination thereof can perform the duties and satisfy the terms and conditions which are usual in the offered

employment, provided that the duties, terms and conditions meet the reasonable standards of the industry as required of other employees performing the same type of work in the industry."

What about union jobs?

Most of the major unions whose members will be involved in construction of the pipeline maintain local hiring halls in Alaska, with preference going to their Alaskan members. However, these locals will call upon their national headquarters for additional help, should it be required. We suggest that union members who have an interest in working on the pipeline should contact their own hometown locals.

How much can workmen expect to receive?

Paychecks for construction work in Alaska may run from 15 to 25 percent higher than for similar jobs in the Continental U.S. However, the cost of living is correspondingly higher.

Would my family like living in Alaska?

Very likely they might. But you—and they—must bear in mind the higher cost of living. Higher by anywhere from fifteen to fifty percent than in the Pacific Northwest, depending upon location. Housing, in particular, is in short supply in many communities, with apartment rentals ranging to $300.00 per month and more, and modern three-bedroom houses selling in the $40–60,000 range. As another example, a ham and egg breakfast will range from $3.00 in the Anchorage area to $5.00 in Fairbanks; a New York steak dinner ranges in the same locations from $8.00 to $15.00. Telephone rates run from $8.50 to $14.00 per month; electricity for a 1,500 square foot home is about $14.00 per month. Items of clothing will run approximately 25 percent higher. Also remember that although its residents proudly and with justification point to its many advantages, Alaska can seem a harsh land for those unprepared for its Arctic and sub-Arctic winters. Winter temperatures range from near and below freezing in parts of Southeastern and Southcentral Alaska, to minus 80 degrees in some parts of the Interior. Winds sometimes drive the chill factor to the equivalent of minus 150 degrees. In addition, there is more darkness than light during winter months. Hardy Alaskans thrive on these conditions. However, before committing you and your family to the vagaries of job hunting in Alaska, be certain you are prepared for the climatic challenge.

Wouldn't there be a place for a skilled worker like me?

Quite possibly, yes. But please don't come to Alaska to apply. Already Alaskan cities are deluged with jobless persons, and more are arriving every day.

I've read ads offering pipeline jobs in Alaska. What about them?

As in any boom, unscrupulous operators take advantage of the situation by offering to provide "job information" in exchange for fees ranging from five to twenty dollars, and sometimes much more. Quite likely the information provided is of little value, or is available free from the U.S. Department of Labor or the Alaska Department of Labor. Perhaps even employment offices in your home town have the same information. Therefore, be particularly careful of ads asking for money to be sent in exchange for information. And before you respond to any such offers, we urge you to clip the ad and send it to:

The Office of the Attorney General, Consumer Protection Section, Department of Law, 360 K Street, Room 250, Anchorage, Alaska 99501.

I still want to try for a job; where should I apply?

When pipeline construction begins, Alyeska will award contracts for the work to various construction companies. The selected firms will do all the hiring for pipeline work. Therefore, applications for these jobs should not be submitted to Alyeska or its owner companies. Announcements of the award of construction contracts will appear in the press and in trade or labor organization journals. At that time persons seeking pipeline construction jobs should apply directly, or through their unions, to selected contractors.

What about other jobs in the State?

Alaska has always had a high rate of unemployment. The average rate is near 10.4 percent, the highest by far in the nation.

I'm heading North anyway. Any suggestions?

Plenty. We recommend that you bring at least $1,000 to cover your job-hunting expenses. It might take a long time. You'll need warm winter clothing, including heavy boots, jacket, and gloves—all insulated to withstand our extreme temperatures. And, in the event that you don't find work, you'll also need money enough to pay your transportation back home. Finally, we strongly urge you to leave your family behind until you are settled and sure you intend to stay. Alaskans are a hardy lot and tend to be self-sufficient. But we take our climate seriously. And so should you.

GOV. MILTON SHAPP

Mr. JACKSON. Mr. President, Gov. Milton Shapp, of Pennsylvania, deserves the gratitude of the Nation and the Nation's independent truckers for his leadership during the recent truckers' strike.

It was Governor Shapp who kept the negotiations going when they threatened to break down. His sincerity and his sympathetic approach earned him the confidence of the truckers. Through long hours of discussions day after day and night after night he worked tirelessly to protect the people of Pennsylvania and of the Nation.

I had the privilege of working with Governor Shapp during some of those meetings and observed first-hand just how effective and crucial his efforts were. It is my purpose here publicly to salute him and thank him on behalf of the American people for a job well done.

In this connection, the Washington Post in an editorial on Friday, February 8, called attention to Governor Shapp's work as an example of the strong role being played by a number of Governors and local officials in meeting the energy crisis, sometimes, it seems, even despite the White House.

Mr. President, I ask unanimous consent that an excerpt from the Washington Post editorial along with certain examples of articles and editorials from other newspapers which commend Governor Shapp be printed in the RECORD.

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

[From the Washington Post, Feb. 8, 1974]

THE PRESIDENTIAL VACUUM

The central negotiator in the truckers' strike turns out to be the governor of Pennsylvania, Milton J. Shapp, working out of a Washington hotel room. State and local governments, as in the cases of Maryland, the District of Columbia and Fairfax County, are left to struggle with the manifest need for some sort of gasoline rationing. The federal energy administrator, William E. Simon, is now encouraging the states to set up their own rationing systems. He has not yet succeeded in persuading Congress to give him authority for federal rationing, possibly because President Nixon keeps suggesting that it won't be necessary.

Perhaps it is only the latest version of the New Federalism, but it looks very much like a collapse of leadership at the center of the government. There are no more obvious and traditional federal responsibilities than the flow of interstate freight or the management of the national fuel supply. But the phone seems to be off the hook at the White House. The one reassuring aspect of these events—and it may turn out to be a very important one before the present hiatus is over—is the unexpectedly strong and courageous response of a number of governors and local officials in picking up the challenges that the federal government has abandoned.

[From the Philadelphia Inquirer, Feb. 8, 1974]

SHAPP ACTED: HIS TRUCK ROLE SERVED PUBLIC

Whatever the fate of the tentative agreement worked out yesterday in an effort to end the violence-plagued independent truckers' walkout, Milton J. Shapp has emerged with a brighter image.

And there's substance behind that image.

The Associated Press dispatch from Washington put it succinctly: Pennsylvania's Governor sat in on the bargaining sessions with six truckers and three Nixon Administration officials. The writer credited him with organizing the talks in the first place and holding them together through four trying days. And Shapp has offered to help inform the striking truckers of the agreement's terms.

What's a Governor from Pennsylvania doing in the Nation's Capital in such a role?

Frankly, there appeared to be a vacuum in leadership as this troubled situation developed. Pennsylvania was one of the hardest hit states. But interstate laws were being violated and the solutions to some of the reasonable problems faced by the truckers in the energy crisis obviously would have to come from Washington, where energy policy is being made. Yet no one in the Nixon Administration or in the Congress seemed ready to move in and exert leadership in resolving the issues and getting things moving again.

Governor Shapp was ready. Without being "soft" on the violence-prone few who were intent on making a bad situation intolerable, he provided a sympathetic ear for the truckers' complaints and a goad to government to start doing something. He ignored personal vacation plans, generated the talks and saw them through to a tentative conclusion.

Certainly, a Democratic Governor taking center stage like that must not have been the most welcome sight to Administration officials. Certainly, he may face some truckers' displeasure that they didn't win all their points—and some displeasure from those who think the truckers shouldn't have gotten anything. Some may even try to denigrate his actions as a political move in an election year or an intrusion of a State official into a national affair. But considering the seriousness of what was happening on the highways and the need to do something about it, such criticisms are petty and shortsighted.

This newspaper has not gone along with everything Governor Shapp has done during his term, but we believe his demeanor in the truck stoppage has been in the highest order of public service.

[From the Philadelphia Inquirer, Feb. 10, 1974]

TRUCK STRIKE REQUIRED ACTION AND GOVERNOR SHAPP RESPONDED

Gov. Milton Shapp served America well with courageous intervention in the truck strike that was threatening to cripple the national economy and had been virtually ignored by Federal officials in Washington.

The governor of Pennsylvania stepped into the leadership vacuum in his role as chairman of the Mid-Atlantic Governors' Conference.

But Mr. Shapp's bold steps—begun Feb. 1 with telegrams inviting all interested parties to meet with him in a Washington hotel at noon last Sunday—were not motivated merely by a desire to protect the interests of his state and region. He had accurately analyzed the truckers' revolt, led by independent owner-operators, as a nation-wide time-bomb with a very short fuse.

Nixon Administration officials should have been out front in trying to resolve truckers' grievances—Federal Energy Administrator William E. Simon, Transportation Secretary Claude S. Brinegar, Labor Secretary Peter J. Brennan—had been in contact with the truckers but were just sitting on their hands. Mr. Nixon not only let the situation drift, but compounded the error by refusing to see Mr. Shapp after the governor, at a crucial point, requested a meeting.

It remains to be seen how successful the negotiations will be in terms of lasting results. Many truckers are reluctant to accept a compromise settlement hammered out under Mr. Shapp's auspices. But the settlement is refreshingly uncompromising in reordering fuel allocation priorities to meet 100 percent of the trucking industry's need and in expediting freight rate adjustment related to rising fuel costs.

William J. Hill, a Pittsburgh truck driver and a leader in the negotiations in behalf of the strikers, said of Gov. Shapp: "He's firm but he's fair, and we knew he'd listen."

That is a tribute well earned, under heavy fire.

[From the Scranton Times, Feb. 10, 1974]

RECEPTION COOL AT CAPITAL BUT WITH SHAPP UP, TRUCKS BEGAN TO SHIP OUT

HARRISBURG.—Gov. Milton J. Shapp was thrust into the national spotlight last week by two related incidents, one in the nation's capital and the other in a truck garage in Pennsylvania.

Shapp received what amounted to a brush-off at the White House, but he was greeted warmly by a fired-up group of independent truck drivers at Frystown, Berks County.

These incidents, and other developments in the shutdown of truck operations by the independents, backfired on the Nixon administration.

Virtually alone, the governor forced federal authorities to recognize independent truckers as a separate segment of the industry as the only way to negotiate an end of violence which had swept the country.

Then, he took the agreement to two major truck stops in Pennsylvania to explain the benefits to the truckers, knowing his message and their response would be a national story.

Today, Shapp is back in his Lower Merion (Montgomery County) home, talking with his top aides about another crisis: How to stop a move in the legislature to reduce sharply personal and corporate income taxes.

To cut taxes as drastically as a bipartisan coalition of Senate Democrats and House Republicans intend, Shapp feels, would be as disastrous as allowing the trucker strike to rumble into violent chaos.

Shapp's aggressiveness in facing a crisis head-on was the second major time he has successfully agitated President Nixon. The first was the battle to provide massive federal relief to victims of tropical storm Agnes.

But it didn't come without some personal pain, including the embarrassment, which the governor worked to his advantage, of holding a press briefing on the front lawn of the White House.

Federal officials, the same day, were holding press conference inside the White House.

But the red-carpet courtesy at Frystown was a classic example of how Shapp single-handedly won the support of thousands of burly Teamsters, who previously have had thoughts about running politicians off the road.

After the governor, leaders of independent truckers and federal officials reached agreement at 5 a.m. Thursday to provide some financial relief to the drivers, Shapp felt the message had to be hand-carried.

Reports circulated the country the owner-operators of the big tractor-trailers were rejecting the proposal and intended to continue the strike.

However, the fact that Shapp had the "decency to come here," as one trucker put it, the drivers made him feel at home at the truck stop.

They put a microphone on the back of a pick-up truck for the governor to use in addressing them in the cold garage.

And they stacked up 10 cases of "special" motor oil into a make-shift staircase behind the truck.

Shapp plunged into the truck strife Jan. 31 in a meeting in Pittsburgh with William Hill, president of the Fraternal Association of Steel Haulers (FASH).

Within a week, he told Hill, the strike will force plants to close, cause unemployment to soar and cut off food and other supplies.

They agreed the first step to avert a serious economic breakdown of the nation was to meet last Sunday in Washington—hopefully with officials of the administration, if not the President himself.

Mr. Nixon refused to answer his phone, but Shapp's persistence at least produced W. J. Ussery Jr., the President's proficient labor troubleshooter, who immediately recognized the seriousness of the strike.

William Simon, Mr. Nixon's chief energy man, agreed to join the talks Monday in a hotel suite.

"Unless you recognize the men who are on strike, not just the industry spokesmen, you won't have a settlement," Shapp quoted himself in his Frystown garage speech as telling Ussery and Simon.

Until then, federal authorities had refused to discuss the strike with independent truckers, who own, operate and maintain their own rigs, as opposed to other Teamsters who drive company trucks.

"This was the first time the White House recognized they (federal authorities and independent truckers) would have to be part of the bargaining talks," Shapp said.

From that point, the governor applied his old collective bargaining techniques, recalling he had never had a strike by his employees when he owned a cable television-electronics firm.

With the agreement hammered out, after four nights of sleepness bargaining, the negotiators sat back Thursday morning—and hoped the rank-and-filers across the country would ratify it.

But they weren't.

The strike continued and violence threatened again.

The truckers' main demand—a roll-back in the price of diesel fuel from about 50.9 cents a gallon to 32.9 cents—was not part of the package.

The 6 per cent surcharge, which the truckers could tack onto customer bills, the resumption of Sunday sales of diesel fuel, a direct hot-line to use on gripes of price gouging or fuel hoarding weren't staisfactory.

Seeing the rejection of the pact growing across the nation, Shapp arranged a helicopter trip to two major truck stops, one on Interstate 30 at Bartonsville, Monroe County, the other on I–78 at Frystown.

The agreement was a major improvement for the truckers, he felt, but it wasn't a complete victory. The governor decided to take the agreement to the drivers on a personal mission.

The reception was as incredible as a canary accidentally flying into the mouth of a cat—and winging back out to tell about its adventure with the jaws of defeat.

"Governor, we appreciate what you alone have done for us," said Edward Cherkoski, of Clark's Summit, Lackawanna County chief spokesman for the Independent Truckers' Association of Northeastern Pennsylvania.

"We have the utmost respect for you . . . but we can't accept these terms."

Cherkoski and other truckers seemed sincere in their concern that the agreement would merely trigger another round of inflationary price increases, hitting their families and every other citizen in the country.

"This will force the price of consumer products up again and my wife will be buying meat for $20 a pound," another trucker at Frystown said to Shapp.

The governor countered by urging the drivers to accept the agreement first—and then marshal support for a bill by U.S. Sen. Henry H. (Scoop) Jackson, D., Washington, pending in Congress.

The Jackson bill, Shapp told the truckers, is designed to put a curb on oil prices—and soaring profits by the oil companies.

"Nixon and company will turn this around by saying the truckers are causing prices to go up," the governor said. "That's why we should try to make this plan work."

Like babes in arm, the truckers, to the delight of national television cameras, shouted their over-all support of Shapp's pitch, indicating his personal trip had them thinking again about going back to work.

[From the Philadelphia Daily News, Feb. 12, 1974]

MILT IN THE DRIVER'S SEAT

To hear the pundits talk this week you'd think Milt Shapp carefully planned last week, the week the governor of Pennsylvania and a handful of aides stepped into the truckers' strike and made peace while the Nixon Team was mired in Watergate.

But Shapp, of course, had no control over the events that conspired to make him a hero. He merely stepped in when someone had to. The work stoppage could have grown even uglier than it was. Rumors flew that Mr. Nixon was for calling out the Army to keep trucks moving. We suspect those few crazies among the truckers who resorted to violence would have fired at the U.S. Army just as quickly as they fired at fellow truckers out on the roads last week. A grievance demonstration could easily have turned into civil insurrection.

The President, preoccupied with Watergate matters and not known for his empathy with working men in the first place, tried to deal with the truckers in traditional Nixonian fashion: an FBI investigation of the trucker leaders—a tactic which doesn't exactly inspire confidence in the men on the other side of the bargaining table.

Then Shapp stepped in and accomplished in hours of grinding negotiating sessions what even the Administration's star labor trouble shooter, Willie J. Usery, had given up hope on.

The outcome is fair. Neither the truckers—who asked for the nation's highways with a private string around them—nor the government—which doesn't want to look soft on truckers—is completely pleased. There still are more details to be worked out. We could, if the settlement isn't followed through properly, have more trouble on the roads. But the trucks are rolling. Trucker Bill Hill's words describe our feelings about Milt Shapp's role in all of this: "Helluva man, the governor. He glued this together when everybody else gave up."

Election time politics aside, it was a fine piece of work. Even Frank Rizzo admitted that. Thanks, Milt.

CONGRESS CHANCE FOR FISCAL REFORM

Mr. PERCY. Mr. President, the hard work which the Congress is devoting to budget reform is of great importance to the country and many columnists, reporters, and editorial writers are beginning to realize this. Even though the problem of congressional budgetary reform is very complex, many have been watching our work and have expressed the hope that the Congress will act as expeditiously as possible on the reform legislation.

According to an article by Columnist Charles Bartlett in the Chicago Sun-Times of December 26, 1973, budget reform:

Is so plainly a reform whose time has come that the Senate will be wise enough to follow the House's lead.

The House of Representatives has already passed its version of the reform bill, and I hope that the Senate will also act positively now that the bill has been reported by the Rules Committee.

I believe that, as Mr. Bartlett suggests, the Senate is wise enough not only to follow the lead of the House, but to pass the Senate version of the bill. I think that the bill which the Government Operations Committee has labored to produce and which has been refined and improved in the Committee on Rules and Administration, is a more carefully drawn piece of legislation than the bill passed by the House. I am proud to have worked on S. 1541 with Senators ERVIN, GURNEY, ROTH, BROCK, MCCLELLAN, ROBERT C. BYRD, CANNON, COOK, GRIFFIN, JACKSON, RIBICOFF, METCALF, ALLEN, CHILES, NUNN, HUDDLESTON, and MUSKIE.

We have, after all, had the benefit of several months of study and debate after passage of the landmark House bill.

I ask unanimous consent that Mr. Bartlett's article, "Congress' Chance for Fiscal Reform" be printed in the RECORD.

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

CONGRESS' CHANCE FOR FISCAL REFORM

(By Charles Bartlett)

WASHINGTON.—Ten years ago a new President, Lyndon B. Johnson, balked at sending a budget to Congress that would burst the $100 billion barrier. He was afraid the psychological impact would shatter the acceptance of his program.

Now the Nixon administration is ready to hand Congress a budget that will exceed $300 billion, and the legislators are going to grapple laboriously with their obligation to approve the outlay of this mind-boggling sum. They are a dauntless crew because they will examine the Nixon budget requests with the same procedures they have used since 1921, when the budget was $5 billion.

Fortunately basic reforms in the appropriations process are being pushed with some success by a study band—Representatives Al Ullman (D-Ore.), Jamie L. Whitten (D-Miss.), and Richard Bolling (D-Mo.). Their bill passed the House (386-to-23) and is now lodged in the Senate where Senators Lee Metcalf (D-Mont.) and Charles H. Percy (R-Ill.) are doing their best. This is the first real chance to change the process in 40 years, and it will be tragic if it is lost.

There is no dispute over the main thrust of the reform. It will oblige Congress to vote its appropriations in terms of a target total, a sum related by congressional consensus to the income that the government anticipates during the fiscal year. By relating outlays to income for the first time, Congress will have taken a big stride toward fiscal responsibility.

Under the new plan, Congress will have eight months to digest the President's budget. The spending target will be set by May 1, and the start of the new fiscal year will be set ahead three months to Oct. 1 so the appropriators can perform their elaborate scrutiny of the spending plans. But they will be assisted for the first time by a staff commensurate with the task. The hope is that Congress can be geared up to deal promptly with these bills. At present some agencies do not get their appropriations until half the fiscal year has passed.

This will not be Congress' first attempt at a spending limit. The Legislative Reorganization Act of 1946 created a joint committee to recommend by Feb. 15 of each year "the maximum amount to be appropriated." But Congress never came to grips with the awkward task of getting liberals and conservatives to agree on what the spending total should be.

The new plan will make the process more formal by involving expert inputs from a wide range of sources. The spending lid will not be rigid but it will mandate Congress to vote more taxes if it decides to spend more money.

The bill is threatened with impasse because sticking points have developed. One is the enthusiasm in the Senate for a provision that would require all federal programs to expire after three years if they are not renewed by Congress. This is a potent antidote to suspicions that the government does much of what it does out of sheer habit.

But the House managers are taking a purist view of their reform. They see it as a starting point to which any number of embellishments can ultimately be added. But they point to the risk of losing the start in a welter of immediate refinements. They do not agree with Sen. Jacob K. Javits (R-N.Y.) that Congress needs a budget office like the President's to handle its tasks. They insist that any big change will imperil the bill.

The Senate dislikes discipline more than the House, so it will swallow the bill with greater difficulty. But this is so plainly a reform whose time has come that the Senate will be wise enough to follow the House's lead.

THE FERTILIZER SHORTAGE AND ITS IMPLICATIONS

Mr. HUMPHREY. Mr. President, on February 19 the Senate Subcommittee on Agricultural Credit and Rural Electrification, under the chairmanship of Senator MCGOVERN, held hearings on the present fertilizer shortage. The hearings indicated that this is a very serious problem for the United States in terms of rising prices and scarcity. However, a principal subject of the hearings was that there is a serious possibility of widespread famine in less developed nations as a result of the fertilizer shortage.

Mr. President, this is truly a problem of major significance and one that will require continued attention from all of us. In my testimony before the subcommittee, I recommended a four-part program of action:

First. The Federal Energy Office should increase the allocation of natural gas and fuels for fertilizer production without delay.

Second. The Department of Commerce, in line with its earlier mandate, should provide and make available on a periodic basis, reports of fertilized supplies, prices, and trends.

Third. The Department of Transportation should make recommendations on steps to increase shipments of fertilizer including dealing with the problem of moving Canadian potash to the United States.

Fourth. The Justice Department and General Accounting Office should examine the recent sales of fertilizer subsidiaries, breaking previously established contracts with prices below the current market. This situation might require legal action or new legislation.

Also on February 19, an important article, entitled "Fertilizer Industry Warns of a Shortage; Food Prices May Go Higher Than Predicted," appeared in the Wall Street Journal.

The article points out the major differences between the U.S. Department of Agriculture and the Fertilizer Institute in their estimates of the expected shortage of fertilizer this year. However, in the midst of disagreement, one clear fact is that this shortage will have a significant impact on the level of production for this year and the prices of food in the supermarket.

Mr. President, I ask unanimous consent that the text of my testimony and the Wall Street Journal article be printed in the RECORD.

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

STATEMENT BY SENATOR HUBERT H. HUMPHREY

Mr. Chairman, in examining the fertilizer situation today, we need to keep in mind its relationship to larger issues. This connection was highlighted last week as the World Energy Conference was held in Washington, and in New York preparations were underway for the fall World Food Conference.

The critical importance of assuming adequate fertilizer supplies for agricultural production and of avoiding sharp price increases for fertilizer should have been a key point on the agenda of both these conferences.

Earlier USDA estimates indicated an increase in fertilizer supplies of 8 percent in nitrogen and phosphate and 5 percent in potash during 1974. With an anticipated increase of almost 20 million acres planted this year over last, it is vital to know whether the required fertilizer inputs will in fact be available.

Estimated increases in crop yields, based on assumptions of increased acreage and adequate fertilizer supplies, may well prove erroneous and lead to public policy decisions with disastrous consequences for American consumers and those in countries with which we trade.

While estimates of 1974 short-falls in fertilizer supplies vary, there is no disagreement on the fact that supplies will not meet our needs this year. The shortage of nitrogen is expected to be the most severe. Our farmers will be about 1 million tons short, according to USDA, and from 2.5 to 3 million tons short, according to the American Fertilizer Institute.

Phosphate supplies are expected to be 700,000 tons less than demand. We have recently learned that potash—which was expected to be readily available—may well be in short supply because of a box car shortage in Canada.

From reports out of Minnesota, it appears that all types of fertilizer are in short supply with pockets of very severe shortage. If total fertilizer supplies for the United States are up over last year, the increase does not appear to be going to Minnesota. My people tell me that

it is the tightest supply condition in our state in many years.

Prices for fertilizer keep going up and up. In some cases they are nearly double last year's level. Obviously, these staggering price rises are soon reflected at the cash register in the supermarket, where the "buck really stops."

We need to compare the domestic and export prices and supply levels to determine whether companies have been making a good faith effort to hold the line on prices and provide the domestic market with the bulk of these badly needed uncommitted fertilizer supplies.

I understand that in Minnesota long-term fertilizer contracts (5 years) have been offered whereby the buyer commits himself to purchase for that period with the price to be filled in by the supplier. Given current market conditions, suppliers are able to get away with this nonsense. There is little the farmer can do and nothing the consumer can do to protect himself from the higher prices that this unreasonable procedure will inevitably bring.

Another serious problem has emerged in Minnesota where fertilizer supply subsidiaries of major companies have been sold, and their supply contracts abrogated. The upshot of this is that many of our farmers will be forced to scramble to secure fertilizer from other sources, further bidding up prices that are already too high and well above the prices in their voided contracts.

Beyond the issues of supply and price, we need to look at other constraints and attempt to find solutions. We need to take a long, hard look at our rural transportation system in terms of what steps can be taken now to increase fertilizer deliveries in 1974 and what must be done to reduce this problem in the long-run. Our disastrous neglect of rural transportation—roads, rails, bridges, etc.—is costing American consumers millions of dollars today.

We have been told that a mild winter would relieve the pressure on natural gas supplies, thereby allowing an increase in the production of nitrogen. It is now clear that supplies of natural gas were greater than earlier estimated, and the winter has been a mild one. Can the natural gas allocation for fertilizer production now be increased so that nitrogen output can be stepped up? And at what price will it be available, given recent FPC decisions?

We must also insist upon improvements in the monitoring of fertilizer sales and supplies and of transportation and pricing. The Department of Commerce has been charged with this responsibility, but has not yet established a regular reporting procedure. This information is needed to get a better total picture of the fertilizer situation. Improved data would help answer some of the questions we will be grappling with in these hearings, and of course it would also help prevent future recurrences of the shortages we have at present. Improved information would also give us better data on which to base both our short and long term recommendations.

While we will need this data on a regular basis, we may shortly have some of the answers to give us a firm starting point. Early in 1974 I asked USDA to do a complete study of the fertilizer picture, to be completed by February 25, 1974. They have provided me with a preliminary draft on the report. The data provided should be useful for these hearings. I will also provide copies of the final report so that it can be made a part of the record.

While we must look first at our own requirements, it is increasingly evident that to overlook the outside world is sheer folly. We confront increasing world-wide demands for fertilizer at a time when petroleum shortages will lead to increased fertilizer prices and decreased supplies. Japan, as a supplier of fertilizer to Southeast Asia, has already cut back sharply on shipments, including reneging on signed contracts. The impact on countries such as the Philippines and India is bound to be serious.

India is especially vulnerable to shrinking world-wide fertilizer supplies. Reports indicate that its supplies will be 17 percent below last year and 40 percent below demand. Petroleum cutbacks will also make it difficult for India to achieve its domestic fertilizer production target.

Ambassador Moynihan has indicated that there will likely be famine in sections of India late this year and in 1975. Mr. Chairman, this bleak picture lends a special urgency to these hearings. It also points up again the crucial interrelationship of food, fertilizer and energy.

Unfortunately, we don't have much time to weigh alternative courses. We need to respond with steps to increase fertilizer supplies now. Toward that end, I recommend that the following actions be seriously considered by our Subcommittee.

1. The Federal Energy Office should increase the allocation of natural gas and fuels for fertilizer production by no less than 15 percent without delay.

2. The Department of Commerce, in line with its earlier mandate, should provide and make available on a periodic basis, reports on fertilizer supplies, prices and trends. These reports should include any information on hoarding or withholding of supplies in order to force up prices.

3. The Department of Transportation should make recommendations on steps which can be taken now to increase shipments of fertilizer. The Department should also provide recommendations to address the problem of moving potash from Canada to the United States.

4. The Justice Department and G.A.O. should examine the reasons for the rash of recent sales of fertilizer subsidiaries by the major companies. If the sales of the subsidiaries were actually paper transactions to break previously established contracts with prices below the current market, we may have a situation which requires legal action or new legislation.

Mr. Chairman, the hearings today by the Subcommittee are of great importance. There is no question that we have a difficult task ahead of us. Many recent government estimates have turned out to be inaccurate, and industry responses have not always been readily forthcoming. The stakes are high for not only American consumers but also our trading partners around the world. We need to get the best information available from whatever the source and come up with a list of recommendations on steps or policies which are needed to address the critical problem of fertilizer shortages without delay.

[From the Wall Street Journal, Feb. 19, 1974]

AGAINST THE GRAIN: FERTILIZER INDUSTRY WARNS OF A SHORTAGE; FOOD PRICES MAY GO HIGHER THAN PREDICTED

(By David Brand)

The U.S. is fast running out of the ability to increase its production of nitrogen fertilizer, the stuff that helps produce bumper crops of corn, wheat and cotton. Many experts are predicting a shortage of the fertilizer this year.

As a result, even though farmers are bringing millions of acres back into production, the huge crops that some people have been counting on to bring down soaring food prices may not be quite so huge after all.

How great a shortage of nitrogen fertilizer threatens seems to be anyone's guess. Some fertilizer producers say the U.S. will be short about 5% of its total needs. The Fertilizer Institute in Washington, the producer's trade group, says the shortage will be more like 15%, or three million tons. Corn yields, alone, it says, will fall 20 million to 25 million tons short of requirements as a result. On the other hand the U.S. Department of Agriculture's chief economist, Don A. Paarlberg, while agreeing that production of nitrogen fertilizer "is running full out," accuses the fertilizer industry and farmers of "magnifying their estimates of need." He says, "Crop production won't be crippled this year."

An attempt to determine the truth of the matter begins today when Sen. George McGovern's Agricultural Credit and Rural Electrification Subcommittee opens hearings in Washington on the fertilizer situation.

Fertilizer industry leaders are expected to tell the panel that the prospect is for even higher food prices than have already been predicted. If less fertilizer is used, land becomes less productive. The lower the supply of a grain, the higher the price. Higher wheat prices mean higher bread prices. Higher corn prices mean higher meat prices because livestock producers buy the corn for feed.

A TWOFOLD PROBLEM

The reason for the fertilizer problem is two-fold. First, there was an oversupply of fertilizer until a year ago; as a result construction of new fertilizer plants virtually halted. Second, now that it has become apparent that new fertilizer production is needed, the industry says it can't build new plants because it isn't able to get long-term guarantees of supplies of natural gas, a raw material essential for the production of nitrogen fertilizer.

Because of the fertilizer situation, crop forecasts for 1974 may be far off, the fertilizer industry warns. The Agriculture Department predicts corn production this year of 6.7 billion bushels, up from 5.6 billion bushels last year. It predicts wheat production of 2.1 billion bushels, up from 1.7 billion. Edwin Wheeler, president of the Fertilizer Institute, says there is simply no way to meet the corn-production estimates (corn uses 55% of U.S. nitrogen-fertilizer production). He says the wheat and cotton estimates are also doubtful.

The corn outlook is worse than the wheat outlook, Mr. Wheeler says. One reason is that when farmers planted their winter wheat last fall "they got the first lick at our nitrogen-fertilizer supplies and have almost preempted the corn farmer," Mr. Wheeler says. "Wheat has already soaked up a lot of our nitrogen-fertilizer supplies."

For the U.S. to meet the domestic demand for crops this year and also to honor its export contracts, the institute says, nitrogen-fertilizer production would have to increase by 16%—which is impossible, because there aren't the factories to do this and imported fertilizer is also in short supply.

ABOUT 3 TO 4 PERCENT RISE PREDICTED

The actual increase in U.S. nitrogen-fertilizer production this year will be between 3% and 4%, says the Agriculture Department's Mr. Paarlberg. This is being achieved by "cranking up old plants"—in some cases with only limited supplies of natural gas—running other plants at full capacity "around the clock" and cutting back on fertilizer exports. This extra fertilizer will give the U.S. total stocks of 27 million tons of feed grain by October, Mr. Paarlberg estimates, "which will be enough for our needs."

Mr. Paarlberg attacks the "doleful cries" of farmers and fertilizer producers and says that the claimed shortages are only shortages "of what farmers would like to buy," rather than shortages of what they really need. Crop prices now are so high, he says, "that farmers want to maximize their yields; they want to sock the nitrogen fertilizer on." It is true that as the price of grain rises, a farmer tends to use more nitrogen fertilizer to increase his yields.

But why, asks Donald N. Collins of the Fer-

tilizer Institute, is the Agriculture Department allowing some 20 million new acres of wheat, corn and cotton land to go into production this year "if they don't want farmers to get the maximum possible yields?" He adds, "The Agriculture Department has thrown the farm industry into a tizzy with their planning. Now they're a moving target."

Mr. Paarlberg replies that the fertilizer industry is attempting to "diminish the estimate of supply" in order to increase the price for its product. Already the price for ammonia, a common nitrogen fertilizer, is as high as $120 a ton, up from $60 a ton last October when the Cost of Living Council lifted price controls on fertilizer.

Prices are also rising for phosphate and potash fertilizer, which are used to increase the quality of crops. But it is the nitrogen fertilizer that is essential to producing grain-laden wheat and corn plants.

Nitrogen in its normal state is part of the air we breathe. Factories extract the nitrogen gas from the atmosphere and combine it with hydrogen to make ammonia. The source of the hydrogen is usually natural gas. Ammonia, which is 82% nitrogen, is the basic form of chemical nitrogen and is widely used by U.S. farmers. It can be converted into other types of nitrogen fertilizer, of which urea (about 45% nitrogen) is the most commonly used around the world.

It is so widely used because even developing nations now grow staple crops that are dependent on nitrogen fertilizer; the more nitrogen fertilizer put into the ground, the more grain the plant will yield. Over the past few years the global use of nitrogen fertilizer has been climbing by 9% a year, according to Raymond Ewell, professor of chemical engineering at the State University of New York, Buffalo. But, he says, new fertilizer-production capacity is growing by only 6% annually.

Since 1970 no new plants have been built in the U.S. and only seven have been put up in Europe. The future doesn't look much better. Only six new plants are being built in the West, including just two in the U.S.

James Galvin, a vice president of W. R. Grace & Co., a major fertilizer producer, says the U.S. will have to face fertilizer shortages for at least the next five years. Before manufacturers can decide to build new plants they require assurances of natural-gas supplies over 10 to 15 years, he says, "and right now that sort of guarantee seems unlikely."

YEARS TO CATCH UP

(Nitrogen-fertilizer factories in the U.S. are designed for natural gas so as to employ an especially efficient technology for obtaining hydrogen. Naphtha, a petroleum derivative, could be used instead of natural gas, but the fertilizer would be more expensive; besides, naphtha is also in short supply. Coal could also be used if the factories were redesigned, but the fertilizer produced that way would be still more expensive. Nevertheless, coal is being considered as a raw material by U.S. fertilizer producers on the theory that something is better than nothing.)

Even if the fertilizer industry were assured of adequate supplies of natural gas tomorrow, Mr. Galvin says, it would take several years and substantial investments to catch up with demand. A typical plant producing 1,100 tons of nitrogen fertilizer daily costs about $35 million and takes three years to complete, he says.

So, in the absence of its own new plants the U.S. will be forced in future years to become a major importer of the material, Prof. Ewell says. Last year the U.S. did import 10% of the nitrogen fertilizer it needed, mainly from Venezuela, the Netherlands and Trinidad and Tobago. But this year, the Fertilizer Institute says, imports will be down "simply because the product isn't available; the world-wide shortage is going to hurt us."

The U.S. may be helped by some of the 50 or so nitrogen fertilizer plants now being planned or built around the world. Just about all of them are going up in the developing world and in Communist nations. An enormous building program in Eastern Europe (which is doubling its nitrogen-fertilizer capacity), the Soviet Union and China apparently reflects the sharing of Western plant technology in recent years. But developing nations of Latin America and Africa are putting up plants because many have bountiful supplies of natural gas and oil. Because of this hydrocarbon horn of plenty, a World Bank spokesman in Washington says he believes that these nations will ultimately become a major supplier of fertilizer to the West.

THE CURRENT IRONY

Meanwhile, though, the developing countries are facing overwhelming construction problems, mainly due to lack of capital and skilled labor—that are causing delays of up to three years. And plants already operating are running at less than 60% of capacity because of erratic supplies of electricity.

Thus, ironically, while these nations are preparing future resources, they must rely for today's fertilizer needs on Japan and the wealthy nations of North America and Western Europe, which control the non-Communist world's fertilizer supply.

But the developed nations, which now need all the fertilizer they can produce, are cutting back on their exports (Japan, it is rumored, is cutting off all supplies to Indonesia, India and Pakistan). This has caused the international price of fertilizer to skyrocket. Urea, which 18 months ago was selling internationally for $50 to $60 a metric ton, is now selling for as high as $250.

How did this happen so quickly? A World Bank internal report details the course of events that led to a shortage of fertilizer at a time of peak demand. World fertilizer prices reached their lowest levels in the late 1960s due to an oversupply (between 1965 and 1971 the global supply doubled). This was partly the result of the plant-building boom in the West springing from a technological breakthrough that made new fertilizer plants more efficient and thus more profitable. Because of the oversupply, construction had virtually stopped by 1970.

But in 1971, the report says, a rapid growth in demand began to catch up with supply. At the same time a number of obsolete plants in the West were being closed, further reducing the supply. The inevitable result, Prof. Ewell says, has been the recent "crossover in supply and demand."

TEXAS CHILI

Mr. GOLDWATER. Mr. President, before the Lincoln Day recess, my distinguished friend, the senior Senator from Texas, JOHN TOWER, took me somewhat to task on the Senate floor for statements—and I must say honest statements—which I made about Texas chili. To nobody's surprise, these far-from-complimentary remarks of mine received widespread circulation among people who pride themselves on living in those parts of the United States where chili is taken with utmost seriousness.

Naturally, one of those places was the city of Phoenix, the capital of Arizona, and the editor of the Phoenix Gazette newspaper, in an editorial, called me to account in a way that touched a tender spot. In effect, the editorial accused me of extreme cruelty in accepting a challenge from Senator TOWER for a cookoff to determine whether the best chili is brewed in Arizona or Texas. As the newspaper put it:

Even though it might be said that he asked for the trouble by issuing the challenge, Tower may well have to give up his Senate seat and seek political asylum in Canada if he goes on displaying such madness. No telling what his fellow Senators might do to Tower if they make the mistake of swallowing a spoonful of his Texas chili.

Now Mr. President, I would hate to do anything that would put my good friend from Texas in a position that would be difficult to defend, but I am afraid I have done just that. As the Gazette pointed out, Texans really do not know much about chili. One of the editors of the Gazette explained to me that one of the reasons they found so many men willing to drive cattle up north into Kansas was the bad chili they were forced to eat in Texas. In fact, the editor told me that his grandfather would drive cattle anyplace to get away from what they called chili in Texas.

However, Mr. President, I know JOHN TOWER to be a man of great courage. I know that at times he charges in where angels, as well as stronger and wiser men, fear to tread. This is a trait that I have long admired in Senator TOWER, but as the Gazette says, JOHN is too good a Senator to be run out of the country—even if he is asking for this worst of all possible fates. Because of this, I do not expect JOHN to back down on the challenge he has thrown in my face. So—as a matter of simple mercy—I suggest that instead of Arizona showing up Texas chili for what it is and for what it is not, that the challenge be extended to other States of the Union which pride themselves on their chili. Then, when we all get together, it would not be too hard on Senator TOWER. I ask unanimous consent that the editorial from the Phoenix Gazette entitled "Why is Goldwater so Cruel?" be printed in the RECORD.

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

WHY IS GOLDWATER SO CRUEL?

Ordinarily Sen. Barry Goldwater is too much the statesman to cause any of his colleagues in the Senate any undue embarrassment. So it's surprising indeed that Goldwater accepted a challenge from Sen. John Tower, R-Tex., for a cookoff to determine whether the best chili is brewed in Arizona or Texas.

Even thought it might be said that he asked for the trouble by issuing the challenge, Tower may well have to give up his Senate seat and seek political asylum in Canada if he goes on displaying such madness. No telling what his fellow senators might do to Tower if they make the mistake of swallowing a spoonful of his Texas chili.

As anyone who has even seen Texas chili knows, it isn't fit for human consumption. That isn't to say that it can't serve a useful purpose, though; the runways at the new Dallas-Fort Worth airport have an odd red tint to them because Texas chili has just the right greasy consistency to serve as a substitute for asphalt.

And if cars and trucks bearing Texas license plates put out exhaust fumes with a strong odor of cominos, it is because at long last Texans have realized that their chili is closer to gasoline or diesel fuel than to something anyone outside of Texas might be interested in eating.

Sen. Tower issued his challenge after Barry Goldwater made the remark at the National

Press Club in Washington that "A Texan doesn't know chili from leavings in a corral." That's our Barry, always kind, even when it comes to describing Texas chili.

If Tower insists on the cookoff, it is to be hoped that Goldwater graciously withdraws. John Tower is too good a senator to be run out of the country, even if he is asking for the worst possible fate.

FOOD PRICES GO UP—CONSUMERS FED UP

Mr. HUMPHREY. Mr. President, last Friday the Bureau of Labor Statistics published the latest chapter in its continuing saga of the decline of the American consumer. The grim tale, unfolding with each Consumer Price Index, showed that for January, along with the rest of its bad news, food prices were up 1.6 percent, or about 21.2 percent on a seasonally adjusted annual basis. The staggering increases in the "cost of eating" exact a cruel toll on all American families, but particularly on the poor.

Mr. President, as chairman of the Consumer Economics Subcommittee of the Joint Economic Committee, I would like to briefly review what has happened to retail food prices, the administration's rhetoric on food prices, and an apparent total inability on the part of this administration to even moderate the relentless upward climb of retail food costs.

Just about a year ago, on March 20, 1973, to be exact, Mr. Nixon's Cost of Living Council issued a report on food prices which said, in part:

> The food price problem has resulted, in part, from the basic health of our economy.

A month later, Mr. Shultz announced that:

> It is important to understand that the recent spurt in food prices is not a permanent thing—that food prices will level off during the second half of 1973.

It is a chilling thought, but before long we may see bread lines in this country just as today we see angry lines of motorists at our gasoline stations. But do not depend on this administration to see it coming.

A few years ago, no one would have believed a prediction of the necessity of rising, long before dawn, just to get in line for gasoline. But it is all too true, and it may be a harbinger of what is to come in other areas.

Now we see food prices, already at their highest in history, bounding up and out of sight. These prices reflect mismanagement, and unless this administration restores some semblance of order to the economy, our troubles may have only begun.

The administration's record on food prices is genuinely alarming.

Nearly 2 years ago, in April 1972, the Chairman of Mr. Nixon's Council of Economic Advisers, Mr. Stein, told the Joint Economic Committee that—

> Food prices will fluctuate, as they always do, but the worst of the rise is behind us.

We know what happened after that rosy assurance—food prices in 1973 shot up some 24 percent. The price of meat, which represents about a third of the family food budget, zoomed up nearly 50 percent.

Finally, last summer, Mr. Nixon, Mr. Shultz, and Cost of Living Council Director Dunlop admitted that food prices would rise. They called those higher prices a bulge, and they implied that it would be temporary.

Well, the bulge predicted last July has been far from temporary.

Since then, milk has gone from $1.27 to $1.55 a gallon, and when milk comes close to 40 cents a quart, then dollar-a-loaf bread does, in fact, come within the realm of the probable. Chicken parts have gone from 69 cents a pound to $1.05 a pound. And, incredible though it may seem, bologna is now at $1.66 a pound—a price which would have bought 2 pounds of the choicest steaks before Mr. Nixon came to Washington.

Now, let us remember that Mr. Nixon imposed an initial freeze on prices in August 1971. Food prices were high then, but after that freeze and a lot of fruitless economic tinkering, prices have continued to rise, and Mr. Nixon has apparently thrown in the towel.

My staff on February 17, 1974, sampled prices at a national food chain's Washington branch. The results are shocking. Compared with the August 1971 price freeze level and the July 1973 phase IV announcement level, they show a relentless rise which could bring food prices up nearly 50 percent during the 1973–1974 period.

Items	Aug. 8, 1971	July 28, 1973	Feb. 17, 1974
Sliced bacon	69¢ per pound	$1.25 per pound	$1.39 per pound.
Fryer parts	39¢ per pound	69¢ per pound	$1.05 per pound.
Round steak (boneless)	$1.29 per pound	$2.15 per pound	$2.45 per pound.
Roast round (boneless)	$1.29 per pound	$1.89 per pound	$2.19 per pound.
Ground beef	$2.95 per 5 pound	$4.45 per 5 pound	$5.49 per 5 pound.
Beef steak	99¢ per pound	$1.89 per pound	$2.59 per pound.
Beef roast	95¢ per pound	$1.59 per pound	$2.29 per pound.
Boneless chuck roast	95¢ per pound	$1.49 per pound	$1.79 per pound.
Pork roast (½) rib	69¢ per pound	$1.03 per pound	$1.49 per pound.
Pork roast (½) loin	79¢ per pound	$1.13 per pound	$1.49 per pound.
Sausage (mild)	2 pounds 98¢	2 pounds 99¢	2 pounds $1.15.
Sliced lunch meats	98¢ per pound	$1.63 per pound	$1.79 per pound.
Cucumbers	3 for 29¢	2 for 35¢	2 for 49¢.
Tomatoes	3 pounds $1	3 pounds $1.78	3 pounds $2.07.
Potatoes	10 pounds 79¢	10 pounds $2.18	10 pounds $2.18.
Eggs, grade A, large	55¢ per dozen	89¢ per dozen	89¢ per dozen.
Milk	98¢ per gallon	$1.27 per gallon	$1.55 per gallon.

My Subcommittee on Consumer Economics is in the midst of a survey of consumer agencies around the country. The major complaint of the Boston Consumers Council well expressed the anger and frustration of the other respondents to our survey. That complaint concerned, and I quote:

> The total failure of the Nixon Administration to in any way check a runaway economy complete with spiraling costs, skyrocketing interest rates . . . and innumerable shortages.

Rising food prices have gone beyond the point of mere irritation. Standards of living are going down for all but the very wealthiest Americans.

For the lower middle income families, for the poor, and for those on social security, the consequences are severe.

The Nixon Administration and its economic advisers may continue to try to explain away this runaway inflation and anxiously predict better days ahead. But in the real world runaway prices for food and shelter mean bitterness, hardship and despair to Americans who deserve better.

A report to my Consumer Economic Subcommittee by the office of consumer affairs in Orange County, Calif., describes the problem in two sentences:

> We had one old gentleman come to this office whose sole expressed concern was "I'm not able to die." He explained that he wanted to die because he could no longer afford to continue living, and refused to accept charity. . . .

Last summer, Mr. Nixon's Secretary of Commerce sought to bring some levity to this abysmal situation.

He said:

> Phase 5 will be a phaseout.

Phase 5, the removal of controls and a policy of nothing but limp hopes in its place, is not a phaseout.

It is a copout.

ENERGY CRISIS

Mr. BARTLETT. Mr. President, on February 5, the Oklahoma State Senate passed a resolution which is worthy of reproduction and dissemination through the RECORD.

Quite succinctly the resolution states the problems all Americans are facing in our energy crisis.

More important the resolution details what we must do to extricate ourselves from this crisis.

Mr. President, I ask unanimous consent that the resolution be printed in full in the RECORD at the conclusion of these remarks.

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

RESOLUTION

A resolution memorializing Congress to act to meet the energy crisis; and directing distribution

Whereas, Oklahoma holds a unique position in the nationwide energy crisis, being a principal supplier of natural gas and petroleum for the rest of the nation, in that approximately two-thirds of the oil and natural gas produced in Oklahoma is exported to other states and essentially 100 percent of total energy consumption in Oklahoma is from natural gas and petroleum products and is therefore vitally affected by national energy policies, some of which have served actually to exacerbate the energy crisis, ac-

celerate the depletion of our reserves, and provide economic barriers to exploration and development of our resources; and

Whereas, the history of federal government intervention in the marketplace is not such to inspire confidence in its ability to correct imbalances in supply and demand; and

Whereas, most of this nation's greatest economic problems, such as the current energy shortage, are largely the result not of government inaction but of government interference in the working of what is still basically a free market economy; and

Whereas, this is bad government and bad government is usually the result of too much government; and

Whereas, when Washington substitutes the wisdom of the bureaucracy for the exactitude of the marketplace, Washington itself deserves the blame when the bureaucracy guesses wrong, but the solution is not to create a bigger and better bureaucracy to ration resources and manage prices; and

Whereas, this wrong-guessing is exemplified in:

Speculative and often contradictory statements by Washington officials about fuel supplies causing, among other things, declining automobile sales in an industry employing directly or indirectly one out of six people in this country;

Shortages of propane this winter and gasoline last summer as a direct result of distorting refinery price incentives through an artificial control mechanism;

Current shortages of diesel fuel for farmers, truckers and energy producers resulting from allocation priorities for middle distillates;

Natural gas shortages directly resulting from artificially low prices controlled by the Federal Power Commission which, on the one hand, encourage substitution of this fuel for others such as coal and, on the other hand, provide no economic incentive for exploration and production;

Current shortages of tubular steel goods as a result of lifting price controls on other steel products; and

Whereas, State of Oklahoma officials have attempted to call officials' and the public's attention to the problem of exhaustible petroleum and natural gas resources; and

Whereas, while conservation measures for all users of all forms of energy are necessary and desirable in present circumstances, overreaction and short-term solutions which impose additional rigidities on our economy and resources will do irreparable harm; and

Whereas, to date in the current crisis, action taken by the federal government, other than expansion of allocation systems and price controls, has been limited to imposing Daylight Saving Time and legislation which would reduce highway speed limits and prohibit gasoline sales on Sunday.

Now, therefore, be it resolved by the Senate of the 2nd Session of the 34th Oklahoma Legislature:

That the Senate of the State of Oklahoma hereby memorialize the Congress of the United States that constructive action by the federal government is needed to deal with both short- and long-range energy problems, including steps to:

Lift controls on oil and natural gas prices to provide more incentive for exploration and production, including production from presently marginal wells and fields;

Restore the domestic depletion allowance to its previous level of 27.5 percent, and further, eliminate the depletion allowance in its entirety on foreign production of oil and gas;

Eliminate price controls on production of tubular steel goods and other products necessary for the production of more oil and gas (supplies at any price being better than no supplies at all);

Give highest priority to developing nonpetroleum fuel sources, including nuclear energy, for generation of electricity, development of vast areas of oil-bearing shale, and extraction of oil and gas from coal;

Call on those states whose legislatures, regulatory agencies and environmentalists have effectively prevented offshore drilling for oil and gas, construction of petro-chemical plants, refineries and offshore terminals, to redirect their attention toward positive approaches to solution of the energy problem, such as exploration off the east and west coasts, including the Santa Barbara Channel which contains oil reserves of hundreds of millions of barrels.

That copies of this Resolution be forwarded to each Senator and Representative in the Congress from Oklahoma, with the request that this Resolution be officially entered in the Congressional Record as a Memorial to the Congress.

That copies of this Resolution also be sent to the presiding officers of the legislatures or assembles of every state, territory and protectorate of the United States of America.

THE ISSUE OF BUSING

Mr. HARRY F. BYRD, JR. Mr. President, on Wednesday, February 20, a group of about 135 Virginians, representing the Henrico County Council of PTA's, called on the offices of Members of Congress to express opposition to compulsory busing to achieve artificial racial balances in the schools

Henrico County is adjacent to the city of Richmond and is one of two counties which would have been affected by a Federal district court order requiring transportation of pupils across community boundaries to achieve racial balance in the Richmond metropolitan area.

Nearly a year ago—in May of 1973—a decision of the U.S. Supreme Court removed the threat of intercommunity busing from the Richmond area. Yet these concerned citizens from Henrico County remain active against compulsory busing, pointing out that the threat remains in other urban regions of the Nation.

Moreover, compulsory busing within communities continues to be forced upon many cities and counties.

The question of compulsory busing no longer is a regional issue—if it ever was one. One of the items circulated by the Henrico County Council of PTA's in its visits to offices of Congress was a copy of resolution adopted by a vote of 605–353 at the convention of the National Congress of Parents and Teachers in St. Louis on May 22, 1973. The text of that resolution is as follows:

NATIONAL CONGRESS OF PARENTS AND TEACHERS RESOLUTION 8—PASSED MAY 22, 1973—THE ISSUE OF BUSING

Whereas, The assurance of quality education for all children and youth has been and continues to be a crucial concern of the national PTA, its state congresses, councils, and local units, therefore be it

Resolved, That the National PTA reaffirm its strong commitment to integrated quality education for all children and youth, and be it further

Resolved, That the National PTA oppose the reassignment of students solely to achieve racial balance in the schools.

The Henrico County group's own statement, also circulated to congressional offices, emphasizes "the need for a constitutional amendment that can be effective in preventing the erosion of the traditional concept of local control of schools—a concept which is almost as much a part of the American tradition as the Constitution itself."

I fully support the position of the Henrico County Council of PTA's and I salute the dedicated members of the council who continue to work against forced busing.

Their continued efforts are a tribute to both their deep convictions in opposition to the unfair and illogical practice of forced busing and to their dedication to work within our framework of Government to attain their goals.

TITLE IX REGULATIONS

Mr. PERCY. Mr. President, in recent years women have won one legal tool after another to fight discrimination. A major breakthrough came in June of 1972, when title IX of the Education Amendments of 1972 became law. Until then, Executive Order 11246, as amended effective October 1968, barred universities and other Federal contractors from sex discrimination in employment. The enactment of title IX foreclosed, with limited exception, the possibility of sex discrimination in all federally aided education programs—either against employees or students.

Now that title IX is fast approaching its second anniversary, it is disheartening, if not shocking, that regulations to implement the law have yet to be promulgated. In the absence of regulations, meaningful enforcement of title IX has not been possible. What could have been almost 2 years of progress in the fight against sex discrimination in education has been irretrievably lost.

In the interest of determining when title IX regulations are to be promulgated, I wrote to Secretary Caspar Weinberger and Bernard Michael, Executive Director of the Federal Interagency Committee on Education, to enquire about enforcement activities and implementation plans for title IX. Because I know many of my colleagues share an interest in this question, I ask that a set of my correspondence with Secretary Weinberger and Mr. Michael be printed at this point in the RECORD.

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

NOVEMBER 29, 1973.

Hon. CASPAR WEINBERGER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Since the enactment of P.L. 92–318 in June 1972, I have received many enquiries concerning HEW's implementation of Title IX of this law. Since Title IX has far-reaching implications for the future of our educational system, especially as it relates to women, I would be interested in an up-to-date report on the administrative actions taken thus far by the Department to enforce this law.

I am particularly interested in the answers to the following questions:

(1) Within HEW who is directly responsible for the enforcement of Title IX? Does the Office of Education's Office for Civil Rights handle enforcement responsibilities for Title IX as well as for Executive Order 11246?

(2) Does HEW have adequate resources to enforce Title IX? If not, please specify Department requirements with justifications; if yes, please indicate specific resources assigned to enforcement activities.

(3) What procedures, systems or policies are underway to (a) monitor department programs for evidence of sex discrimination, and (b) evaluate the compliance status of aid recipients covered under Title IX?

(4) What standards, if any, has the department promulgated to guide (a) aid recipients in compliance procedures, and (b) department personnel in compliance reviews?

(5) What are the plans, if any, for the coordination of enforcement efforts of all Federal agencies that support education (i.e. National Science Foundation, the Department of Labor, the Department of Defense)?

(6) What steps has the Department taken to inform potential and actual aid recipients of the requirements of Title IX and to assist and encourage such recipients to take the necessary action for compliance?

I look forward to receiving the report at your earliest convenience. It is vitally important that the department move promptly and decisively on Title IX enforcement.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

NOVEMBER 29, 1973.

Mr. BERNARD MICHAEL,
Executive Director, Federal Interagency Committee on Education, Washington, D.C.

DEAR MR. MICHAEL: Enclosed is a copy of my letter to Secretary Weinberger requesting information on HEW's implementation of Title IX of P.O. 92-318. As I understand it, Title IX covers all Federal agencies supporting education. I would, therefore, like your committee to make a similar report on what actions, if any, have been taken by agencies such as the National Science Foundation, the Office of Economic Opportunity, the Department of Labor, and the Department of Defense on enforcement of Title IX.

I look forward to hearing from you.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., December 20, 1973.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: This is in reply to your letter of November 29 requesting a report on activities of the Federal Interagency Committee on Education with respect to implementation of Title IX of P.L. 92-318. Responsibility for Title IX is assigned to the Department of Health, Education, and Welfare's Office for Civil Rights. This Office is also responsible for establishing a mechanism to assure coordination of regulations developed by all Federal agencies which give assistance to educational institutions.

In order to aid OCR staff in carrying out their responsibilities and to inform the education program officers comprising the FICE membership, Stanley Pottinger, then Director of the HEW Officer for Civil Rights was invited to address the December 1972 FICE meeting. At that time Mr. Pottinger reviewed not only Title IX, but also his Office's responsibilities for Executive Orders Nos. 11246 and 11375.

Final regulations in preparation to implement Title IX were described by Mr. Pottinger who noted that arrangements were being made for agency review of the final draft prior to publication. Dr. Sidney Marland, then Assistant Secretary for Education and Chairman of FICE, urged cooperation by FICE agencies and instructed FICE staff to assist OCR in any way possible.

It was agreed at the meeting that the Director of HEW's Office for Civil Rights would be invited to provide a second report to the FICE membership regarding implementation of Title IX including problems arising which FICE might help to resolve. Present plans are to invite OCR to brief the FICE membership again in the spring of 1974 on agency enforcement of Title IX.

I hope that this information is responsive to your request. If I can be of any further assistance, please let me know.

Sincerely,

BERNARD MICHAEL,
Executive Director, Federal Interagency Committee on Education.

SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., January 3, 1974.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: Thank you for your letter of November 29 concerning the Department's implementation of Title IX of the Education Amendments of 1972, enacted as P.L. 92-318 in June 1972. I will attempt to answer your questions in the order in which you raised them.

1. The Department's Office for Civil Rights is a part of the Office of the Secretary and is a separate entity from the Office of Education. It has the responsibility for enforcing Title IX of the Education Amendments of 1972 which prohibits sex discrimination in most federally assisted education programs and activities. The Office for Civil Rights also has been delegated by the Department of Labor enforcement responsibility for Executive Order 11246, which prohibits discrimination against employees by Federal contractors on the basis of race, color, national origin, religion, and sex.

2. Under the Presidentially approved HEW-Labor fiscal 1974 budget, the Office has been authorized several new positions designated for Title IX enforcement. Because the regulation has not yet been put into effect, we are unable at this time to assess accurately the volume of enforcement activity which will be generated and, hence, whether the Office will have sufficient resources for its compliance program. It seems likely, however, in view of the broad coverage contemplated by the statute that additional staff will be required by fiscal 1975 to ensure that the Office for Civil Rights will be able to meet its enforcement responsibilities under Title IX.

3. (a) The Department's regulation implementing Title IX and now being finalized will define the enforcement scope for coverage of Title IX. In the absence of the regulation, complaint reviews are being conducted in cases involving areas which are clear, such as differential dormitory regulations and school district regulations requiring students to take or prohibiting students from taking certain courses, such as home economics or shop, on the basis of sex. The Office for Civil Rights also intends to conduct a program of routine on-site reviews on Title IX.

(b) The 1974 Compliance Report for Institutions of Higher Education will collect enrollment data by race and sex. The 1973 Elementary and Secondary School Civil Rights Survey will collect data on race and sex at the elementary and secondary level. The Office for Civil Rights traditionally uses the reports to evaluate compliance status and to determine the progress of the recipients in eliminating discrimination.

4. (a) and 6. In August 1972 the presidents of all institutions of higher education receiving Federal financial assistance were provided with a memorandum outlining the requirements of Title IX. A similar memorandum was sent to superintendents of local school districts in February 1973. The Department's regulation implementing Title IX, in addition to being published in the *Federal Register*, also will be sent to both presidents of higher education institutions and superintendents of local school districts.

(b) Compliance review procedures for Title IX are being developed and during the development process OCR is using as a guide review procedures designed primarily for Title VI of the Civil Rights Act of 1964. In complaint situations, where OCR has not developed a policy, the complainant is informed that the complaint will be held and investigated as soon as possible after policy has been formulated. After policies and procedures have been finalized, all OCR personnel will be given appropriate training to facilitate full enforcement of Title IX.

5. This Office is in contact with all Federal agencies which give assistance to educational institutions to coordinate development of regulations. We are pursuing the development of a permanent coordinating mechanism.

I hope that this information is responsive to your inquiry, and I assure you that the Department intends to enforce Title IX vigorously and fairly. If I can be of further assistance, please let me know.

Sincerely,

CASPAR WEINBERGER,
Secretary.

U.S. SENATE,
Washington, D.C., January 21, 1974.

Hon. CASPAR WEINBERGER,
Secretary, Department of Health, Education and Welfare, Washington, D.C.

DEAR CAP: I appreciate receiving your January 3 response to my letter of November 29 concerning the Department's implementation of Title IX of P.L. 92-318. It is encouraging that your letter indicates an effort is currently being made by the Department's Office of Civil Rights to implement Title IX. However, it is also quite evident from your response that interim enforcement procedures are somewhat haphazard and that vigorous enforcement activities on the part of the Office of Civil Rights necessarily await the promulgation of final regulations.

I am deeply concerned that despite the fact that P.L. 92-318 was enacted almost two years ago, regulations to enforce the law are yet to be promulgated. I know of your personal interest in seeing to the full implementation of Title IX, and I therefore urge your Department due speed in the publication of regulations which would make such implementation possible.

Please let me know when the regulations in question can be expected.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., Feburary, 5, 1974.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR CHUCK: Thank you for your letter of January 21 concerning the regulations for Title IX of the Education Amendments of 1972.

It is anticipated that the regulations will reach me for clearance within the next two weeks. After receiving this Department's clearance, the regulations will be forwarded to the White House for approval. Pending clearance, we hope to have the regulations published in the Federal Register in late February or early March with a 45-60 day comment period.

I share your concern that the regulations be published as soon as possible and I feel confident that this will be accomplished in the very near future.

If I may be of further assistance, please let me know.

Sincerely,

CASPAR WEINBERGER,
Secretary.

REPORTING REQUIREMENTS OF FEDERALLY CHARTERED CORPORATIONS: NEED FOR REFORM

Mr. PROXMIRE. Mr. President, in reviewing the issue of professional military organizations, I became interested in the problem of annual financial reports required by statute to be submitted to the Congress by federally chartered corporations. My review of this area has led me to the conclusion that a thorough reform is badly needed.

STATUTORY REQUIREMENT

Nearly 50 federally chartered corporations are required by statute (36 U.S.C. §§ 1101–1103) to submit to the Congress annually a report of a required audit of their accounts. Other federally chartered corporations not included under title 36 may also have annual reporting requirements, but the extent to which they do has never been ascertained.

These statutory provisions were enacted in 1964 to remedy the problems caused by varying and inconsistent reporting requirements for each federally chartered corporation. The Senate Report on the 1964 bill stated that the legislative intent was "to make specific private organizations established under Federal law subject to well-defined uniform auditing and financial reporting requirements." The present untidy administration of the statute is particularly ironic in view of this clear legislative intent.

CURRENT ADMINISTRATION OF THE STATUTE

Although my review of a number of federally chartered corporations disclosed general compliance with the statutory requirement, it also pointed out the lack of any centralized or coordinated system of administering the provisions. In short, the recording system is a mess. Reports required to be filed under the same statute, when received by the House and Senate, are forwarded to different committees without intercommittee coordination.

It is the practice of the parliamentarians to refer reports to the committee which originally chartered that corporation on the theory that this committee is responsible for all legislative oversight of that organization. If a report is required to be printed, it is sent first to the Government Printing Office. In the House, most of the reports are sent to the Judiciary Committee which forwards them to the Comptroller General for an audit.

If the GAO finds that the report is not in compliance, the Judiciary Committee requests a new conforming report from the organization. Reports sent by the Speaker's Office to other committees receive no review at all. Neither in the statute nor in actual practice in the House or the Senate is there any mechanism to enforce the requirement if no report is received from the organization. Nowhere are there any penalties for noncompliance.

NO SUPERVISION OF FEDERALLY CHARTERED CORPORATIONS

In summary, although the Congress has chartered these corporations, neither it nor any Federal agency is exercising effective supervision over them. Those provisions in the law, such as the annual reporting requirement, are haphazardly administered and unenforced. A thorough review and reform of the situation is in order if the Congress is to responsibly oversee what it has created. I understand that the House Judiciary Committee and the GAO are cooperating in conducting a review of the state of compliance of each organization. I welcome this step toward better administration of the statute, and I hope that it will receive the priority which it deserves. In addition, however, I would like to see the implementation of a comprehensive system for review and enforcement of the reporting requirements, with one clear locus of responsibility in the Congress.

NEW EFFICIENCIES IN THE ARMY

Mr. PERCY. Mr. President, in the past 2 weeks I have noted with interest the efforts of the Department of Defense to reduce costs while improving the quality of the military establishment. Secretary of Defense James Schlesinger announced on February 5 that seven Army headquarters around the world would be phased out by 1975. This will increase what the Secretary calls the "teeth-to-tail" ratio and will curb the phenomenon which Gen. Creighton Abrams, the Army Chief of Staff, has described as the support tail wagging the fighting dog. It will also, of course, diminish the high expenses incurred by the military's support establishment. Hopefully, such reductions in the support roles of the services will continue to be encouraged and implemented.

I also want to commend a second change which will reduce expenses in the support functions of the Army. This is the Army's decision to give each new recruit his basic and advanced training at the same base, rather than moving him from one base to another. This will reduce transportation expense, shorten the overall time of training, and make better use of the Army's branch schools. In the long run it may allow a cutback in the number of bases. I would like to see similar efforts to reduce training expenses by the other services.

Mr. President, when we consider the problems of the Defense Department, a major motivation of all of us is to find ways by which we can economize on the instruments of war and thus channel additional resources into programs of peace. However, we must never forget that it is our responsibility to protect, as well as to promote, the well-being of our citizens. Thus, as we search for ways to reduce defense expenditures, we must avoid reducing defense capability and quality. For this reason I approve of Mr. Schlesinger's practical initiatives to pare the fat from the defense complex.

The defense budget can be significantly cut by improvements in management, thus achieving more effective defense at less cost. Surely the American people have the right to expect a dollar's worth of defense for every defense dollar. I am convinced that many new efficiencies are possible, and I will be making a number of my own recommendations over the coming months.

I believe also that cost reductions can result from sound decisions at the negotiations on strategic arms limitations, on mutual, and balanced force reductions, and on burden sharing among our NATO allies.

Secretary of Defense Schlesinger, Secretary of the Army Howard "Bo" Callaway and General Abrams are seeking new efficiencies in the defense establishment. In these efforts they deserve our support and appreciation.

ESTONIAN INDEPENDENCE DAY

Mr. PROXMIRE. Mr. President, February 24th marked the 56th anniversary of the Declaration of Independence for the Republic of Estonia, now under Soviet control. It is my honor today to pay tribute to the proud and courageous people of Estonian origin. Even though Estonia has been occupied by Soviet Russia for several decades, the Estonian people have preserved, against all odds, their national identity and retained their Western orientation. The desire of the subjugated Estonian people for freedom and national self-determination remains strong.

After Estonia had proclaimed its independence in 1918 as a democratic republic, Soviet Russia attacked the little country in the same year with the aim of conquest. In the summer of 1919 a series of fierce battles had to be fought simultaneously in the south, where the German Landewehr and Iron Division were defeated in their attempt to overrun Balticum. The Estonians repulsed the Red army and in 1920 concluded a favorable peace treaty with Soviet Russia.

After defeating the Germans in 1919 and the Russians in 1920, the Estonians adopted a democratic constitution in June 1920. The Estonian democratic Government carried out substantial land reform programs that gave land to people who had formerly worked on the large estates of the rich nobles. The two decades of 1920 to 1929 were progressive and prosperous for the Estonians.

But on June 17, 1940, Russian troops entered Estonia. The Communists set up a new government. Estonia was annexed as one of the republics of the Soviet Union on August 6, 1940. In the next year, German troops invaded Estonia. The people suffered under the Germans until 1944, when the Russians re-entered the country.

Even though the Estonian people have been denied their inalienable rights under Soviet and German occupation, I am confident that the spirit of independence will always live in their hearts. I take great pride in joining with our good friends, the Estonians, on this important day to pay tribute to this spirit of independence.

FISH

Mr. PERCY. Mr. President, the 20th century has brought us great technical advances and progress measured in terms of GNP growth and a higher standard of living. However, it has also brought us a greater depersonalization of society and often great loneliness and despair. All too often those who do not

fit into the machine of progress—the sick, the aged, the poor—are cast aside and forgotten. Even when public programs seek to eliminate the physical causes of distress—hunger, illness, lack of housing—they rarely provide for the spiritual and emotional side of people.

Therefore, it was with great pleasure that I recently read of the private, voluntary organization known as Fish, which devotes itself to making life more bearable and easier for those who need help. Two men, seeking to revive "old-fashioned concern for one's neighbors," started this now worldwide organization in Headington, England, in 1961. Recognizing the religious and emotional needs of people, Fish strives to help individuals on an intimate level. Concerned volunteers set aside a few hours each week to offer fellow citizens personalized services, such as emergency babysitting, transportation, preparing meals, and companionship for the elderly.

This organization is a wonderful example of private, voluntary action, which I believe is much more effective than impersonal Government programs.

Mr. President, I would therefore ask unanimous consent to have the article printed in the CONGRESSIONAL RECORD.

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

[From the Christian Science Monitor, Jan. 24, 1974]

FISH—THE SYMBOL THAT BRINGS HELP

(By Clive Lawrance)

DEDHAM, MASS.—Frank M. was in his 80's when he found a flier in his mailbox: "Call Fish when you need help."

After a lifetime of driving his own car his sight was failing. He needed someone to drive his wife to the supermarket, bank, and post office once a week.

Fish responded by sending a young mother, Julie Edwards. It was no great effort for Mrs. Edwards to take her baby along and drive Mrs. M. But it made life a lot easier for Mrs. M.

This is what Fish is all about: Small things that make a big difference.

Fish is a worldwide community-oriented organization run be volunteers. It was started in Old Headington, England, in 1961, by Rev. Derek Eastman, pastor of an Anglican church, and Dr. Ronald Richards, a layman, who felt a deep desire to revive old-fashioned concern for one's neighbors.

They took the name from Jesus' statement: "Follow me and I will make you fishers of men." And they adopted the fish symbol used by early Christians under persecution to secretly recognize one another.

Cards were printed carrying the symbol and reading: "If you need help of any kind, put me in your window." They were distributed to every home in the community. A warden was appointed for each street, and when he saw a card in a window he found out what was needed.

MOVEMENT SPREAD RAPIDLY

This tangible way of caring for the community spread rapidly in England and leaped the Channel to Europe, South Africa, Japan, and the Cameroons. The idea was brought to the United States by William Turpin, a friend of Rev. Robert Lee Howell of West Springfield, Mass., who formed the first Fish chapter on this side of the Atlantic. Now there are over 1,000 chapters in the U.S.

Today, however, most Fish chapters use a telephone answering service rather than a card.

They offer many services, such as emergency baby sitting, transportation, preparing meals, temporary housework, companionship for the elderly, and rides for "shut-ins."

For example, Evelyn Mueller, one of the founders of Dedham (Mass.) Fish, received a call from the Visiting Nurses Association about a man, temporarily incapacitated, who needed help cooking and doing housework.

"A few of us went in," said Mrs. Mueller. "He was so lonesome and so grateful he cried every time we left."

Another Fish chapter, in South Carolina, obtained the use of an Air Force bus to transport 100 handicapped children to a summer camp.

POOR STUDENT GIVEN HELP

One Fish volunteer even helped a boy explain a poor report card to his stern father.

Fish exists to help anyone who has a genuine need.

One of the most appealing aspects of this fast-growing movement is its informal nature. There is no controlling national or international body. Each chapter is totally independent. Each operates within its community and is adapted to the needs of that community.

The Brookline (Mass.) Fish chapter, for instance, is known as Starfish because of its Jewish membership. They have incorporated the Star of David into their Fish symbol.

Starfish has volunteers who speak Chinese, French, Spanish, German, Turkish, Hungarian, Romanian, Italian, Yiddish, and Filipino. Members are doctors, nurses, librarians, electrical engineers, airline pilots, writers, lawyers, artists, and a "consulate."

Evelyn Mueller gave Fish its initial impetus in her community. When she first heard of the idea she thought, "This is what we need in Dedham." She approached her priest, and he introduced the idea to the local ecumenical meeting.

"The clergy were unanimously in favor," she says.

DATE SET FOR OPERATION

They were asked to set aside a "Fish Sunday," perhaps even preach a sermon on it, and fliers were sent out asking for volunteers. A date was set for Fish to begin operating.

"How can you set a date without any volunteers!" exclaimed some cautious person. "Supposing we don't have enough volunteers?"

"We have to have faith that the volunteers will come," replied Mrs. Mueller. They came slowly at first and one day when Mrs. Mueller found no volunteer slips in her mail she thought, God, we are doing this for you; so you had better send some volunteers. "You know, I'd hardly thought that when I had a phone call from a volunteer," she says.

They kept coming. Today Dedham is one of the more active Fish chapters.

The Dedham Fish has a chairman, vice-chairman, secretary, and treasurer. Meetings are kept to a minimum. What counts is action. Each volunteer is normally required to set aside only one 24-hour period a month, though some do more.

The chapter has 31 drivers, one for each day of the month, and 31 "back-up" volunteers. The back-up stays home to receive calls from the answering service if the driver is out. If a call comes in the back-up begins calling a list of six or eight "special volunteers" until she finds one able to respond.

SIMPLE BUT EFFECTIVE

Special volunteers are people who wish to help but cannot commit themselves to any particular day.

It's simple, but effective.

Volunteers receive no remuneration. All expenses come out of their own pockets. The chapter's official costs are about $200 a year for the answering service and mailing.

"What makes it exciting to me," says Susan Zartman, current chairman of Dedham Fish, "is that it always ends up being ecumenical. It brings the churches and the people together."

When Fish was started fliers were sent out asking people to call if they needed help. Now most beneficiaries hear through word of mouth or are referred to Fish by one of the social-service agencies such as visiting nurses.

"We work as a good second right arm to the agencies," says Mrs. Zartman of her group. "You don't have to have any qualifications to join Fish," she adds. "You just have to care about people."

NEEDED: LONG PHONE CORD

However, most Fish chapters do set down a few guidelines. For example, don't attempt something beyond your strength or ability. Listen for what is needed. Listen for emotional problems that require professional help. Get to know the services offered by professional agencies and learn how and when to make referrals to them. Keep all your activities confidential. Avoid appearing to "do good."

"There is one thing a Fish volunteer needs," says Mrs. Zartman, "and that's a long telephone cord." This is not entirely a joke. Mrs. Zartman carries on her cleaning and cooking with the telephone tucked under her chin while answering a Fish call.

Mothers with young children often take them along on Fish calls. This is fun for the children and the elderly love it, too. One little girl would ask her mother every day, "Are we going to see any grandmothers today?"

"The elderly need companionship as much as anything," adds Mrs. Mueller.

Fish is essentially a 20th-century organization supplying a 20th-century need. "Many people, according to Mrs. Zartman, "no longer live near their families or people with whom they have close ties. A good proportion of the people we help are with us because they have no one else."

Transportation is probably the most important thing done by Dedham Fish. "It's a matter of life or death for some of these people," says Mrs. Mueller. "The person who needs a ride to the doctor five days a week for four weeks couldn't afford a cab."

Miss Adeline Smith was in that position. A member of Fish drove her to the hospital every day for many weeks. "I don't know what I would have done without them," she says.

RELATIONSHIP DEVELOP

Most Fish services are on a temporary basis. But some permanent relationships do develop. Julie Edwards has been taking Mrs. M. Shopping for four years. "She's like a grandmother to me," says Mrs. Edwards. "And he [Mr. M.] never forgets me on Mother's Day and Easter and . . ."

Fish volunteers don't expect gratitude for what they do. But they often get it. And they get what Mrs. Mueller calls "the enrichment of our own selves. Everyone you meet enriches you in some way."

"We often run into people who need a way to say thank you," adds Mrs. Zartman. She tells of one man who found one: He gave the volunteers gardening lessons. "He was a wonderful gardener. In summer he sent every driver home with fresh vegetables."

Others say thank you by becoming Fish volunteers.

Mrs. Zartman, who expects to return to her profession of teaching when her family is grown, says, "There's never been anything that I've done that's given me greater satisfaction than Fish."

[Anyone wishing to start a Fish chapter can find guidance in "Starting a Local Fish Chapter" by Philip Deemer. It is published by Jarrow Press, Inc., for $2.50 and can be obtained from Fish International Newsletter, 29 Commonwealth Avenue, Boston, MA 02116.]

MODERN CONGRESS ACT INTRODUCED TODAY IN HOUSE

Mr. HUMPHREY. Mr. President, I am pleased to announce that the Modern Congress Act of 1974, a bill which I recently introduced in the Senate, as S. 2992, has been introduced today in the House by Congressman WAYNE OWENS of Utah. It is reassuring to note that this congressional reform package is already receiving significant support in both houses of Congress.

The bill introduced today in the House contains some deletions and changes that have been made in recognition of differing circumstances in the two Houses of Congress. However, the House bill remains substantially the same as the bill I introduced in the Senate on February 7.

The gentleman from Utah has demonstrated in his first year as a congressman a great interest and sincere dedication to transforming Congress into an effective, up-to-date institution. He brings to the House a great deal of knowledge and experience gained as an employee of the Senate for 8 years and as a Member of Congress for 2 years. He has studied the institution of the Congress very carefully, particularly as Administrative Assistant to the Senate majority whip, and he recognize where changes are needed.

Since the bill has now been cosponsored in both the House and the Senate, I hope that Members will study this proposal and that necessary support can be assembled to pass meaningful reform this year. Congress, with all of its anachronisms and weaknesses, is still the strongest legislative body in the world. However, its adequacy to deal efficiently with today's problems is compromised by lack of information sources, oversight capability and the tools to respond to the complex needs, stresses, and opportunities of our society.

Congress must regain the policymaking power which has been abdicated to the executive branch. Essential to this task are internal changes which optimize and expand the use of resources which Congress already controls.

We will soon be considering, I understand, a bill designed to reform the budget-making procedures of Congress. This is an area of activity long overdue for reform. I would hope that we could pass a meaningful, workable budget reform bill during the current session and then, to further demonstrate to the American people our determination to improve government's ability to serve and function, to move on to consideration of the Modern Congress Act.

This is a set of proposals which I believe addresses problems having a substantial effect on the performance of Congress. Through effective legislation, Congress will be much better equipped to discharge its constitutional responsibilties.

I am delighted that the gentleman from Utah (Mr. OWENS) has decided to be the primary House sponsor of this bill. I know we can work well together to help generate required momentum for passage of significant congressional reform legislation this session.

U.S. CATHOLIC CONFERENCE STATEMENT ON GENOCIDE

Mr. JAVITS. Mr. President, the Senate's failure to invoke cloture on the Genocide Convention this month was a great disappointment to a majority of the Senate who support ratification. Among the supporters of the treaty is Bishop James S. Rausch, the general secretary of the U.S. Catholic Conference who made a strong statement deploring the Senate vote. I ask unanimous consent that the text of a news release concerning this statement be printed in the RECORD.

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

CATHOLIC SPOKESMAN DEPLORES SENATE FAILURE TO ACT ON GENOCIDE AGREEMENT

FEBRUARY 8, 1974.

WASHINGTON.—The General Secretary of the United States Catholic Conference has sharply criticized a Senate action virtually killing for now chances for ratification of the United Nations convention on genocide.

Bishop James S. Rausch described as "deplorable" the Senate's "repeated refusal" over the past 25 years to ratify the genocide agreement.

"Genocide is a heinous crime," he said. "The United States should not allow nationalistic shibboleths to stand in the way of its acknowledging this fact and acting in its light."

Following is the text of Bishop Rausch's statement:

"The U.S. Senate's vote on February 6 against limiting debate on the Genocide Convention has the effect of virtually killing the issue for the present.

"For 25 years the Senate has refused to ratify the United Nations agreement to outlaw genocide, even though some 75 other nations are now parties to this agreement.

"The Senate's repeated refusal to ratify the genocide agreement is deplorable. Excessive nationalism seems to underlie this failure—or, more accurately perhaps a narrow conception of national self-interest which ignores the fact and the moral imperative of human interdependence.

"Genocide is a heinous crime. The United States should not allow nationalistic shibboleths to stand in the way of acknowledging this fact and acting in its light. I trust that the results of the Senate's recent action will not be allowed to stand long."

RATIFY THE TREATY

Mr. PROXMIRE. Mr. President, on June 16, 1949, President Truman stated:

By playing the leading part in producing an effective international legal instrument outlawing the world-shocking crime of genocide, we have established before the world our firm and clear policy toward that crime. By giving its advice and consent to ratification of this convention, which I urge, the Senate of the United States 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.

President Truman's wise analysis of the treaty has unfortunately gone disregarded. Last month we failed on two cloture votes to cut off debate and vote on the Genocide Convention. The convention calls for the outlawing of the intentional destruction of human groups. It is a multilateral treaty which has been ratified by more than 75 other nations. Today again I urge that the Senate of the United States join these nations and give its advice and consent to this important treaty. We must stand against intentional destruction of human groups such as the slaughter of almost 9 million civilians by the Nazis within the span of 12 years and the destruction of 1,200,000 Armenian Christians before and during World War I. The Genocide Convention provides an excellent opportunity to do so.

LITHUANIAN INDEPENDENCE

Mr. FANNIN. Mr. President, 56 years ago this month the people of Lithuania declared their independence after more than a century of subjugation by the Russian Empire. For the next two decades Lithuania was a sovereign Nation. Then, in 1940, the Soviet Union invaded Lithuania and ruthlessly crushed this proud Baltic nation.

Despite more than three decades under Soviet repression, the people of Lithuania still long for freedom and independence.

I am hopeful that the spirit of détente which President Nixon has developed with the Soviet Union will cause Moscow to relax its iron-handed control of Lithuania and other subject nations.

Mr. President, the flame of freedom burns within the hearts of Lithuanians in their native land and in the hearts of those of Lithuanian descent in other countries. Last week the Lithuanian-Americans of Phoenix, Ariz., met to reaffirm their support for Lithuanian independence. I ask that the resolution they issued be printed in the RECORD:

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

RESOLUTION

We, Lithuanian-Americans of Phoenix, Arizona, at a meeting held on February 17, 1974, commemorating the 723rd anniversary of the formation of the Lithuanian Kingdom in 1251 and the 56th anniversary of the establishment of the Republic of Lithuania in 1918, unanimously adopt the following resolution:

Whereas in 1918 the Republic of Lithuania was established by the free exercise of the right of self-determination by the Lithuanian people; and

Whereas by the Peace Treaty of July 12, 1920 Soviet Russia officially recognized the sovereignty and indepedence of Lithuania and voluntarily renounced forever all sovereign rights and claims by Russia over Lithuanian soil and her people; and

Whereas from 1920 to 1940 Lithuania was a fully independent and sovereign nation, a member of the League of Nations, and a signatore of numerous international treaties with the Soviet Union; and

Whereas the Soviet Union during June 15-17, 1940 invaded and occupied Lithuania by overwhelming force of arms, and subsequently, forcibly annexed the Lithuanian Nation into the Soviet Union; and

Whereas the Soviet Union has systematically conducted a policy of colonization, ethnic dilution and Russification within Lithuania; and

Whereas the United States Government maintains diplomatic relations with the government of the Free Republic of Lithuania and consistently has refused to recognize the seizure of Lithuania and forced incorporation of this freedom-loving country into the Soviet Union; and

Whereas the people of Lithuania to this

very day are risking and sacrificing their lives in defiance of Communist regime in seeking political and religious freedom, as demonstrated by the Lithuanian sailor, Simas Kudirka, the self-immolation of Romas Kalanta, and the subsequent demonstrations of thousands of young Lithuanians, and the petition of 17,000 Lithuanian Roman Catholics to Kurt Waldheim of the United Nations; and

Whereas the 89th U.S. Congress unanimously passed House Concurring Resolution 416 urging the President of the United States to direct the question of the Baltic Nations status at the United Nations and other international forums, focusing attention on the denial of the rights of self-determination for the peoples of Lithuania, Latvia and Estonia, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic people; now, therefore be it

Resolved, That we, Lithuanian-Americans will urge the President of the United States, members of Congress, and the United States Department of State to publicly reaffirm the United States Policy of non-recognition of the forceful annexation of the Baltic States by Soviet Russia, and to maintain that policy during all negotiations with the Soviet Union, especially, those concerned with the new Detente policy; and further

Resolved, to request the President of the United States to vigorously implement House Concurring Resolution 416 to the fullest extent; and further

Resolved, That copies of this resolution be forwarded this day to the President of the United States, the United States Secretary of State, the U.S. Ambassador to the United Nations, the United States Senators from Arizona, Republican and Democratic leaders in the United States Congress, the Lithuanian Minister in Washington, D.C., and the Lithuanian Consuls in New York City, Chicago, Los Angeles, and the press.

CONGRESS AT THE CROSSROADS: OUR UNFINISHED BUSINESS

Mr. HARTKE. Mr. President, there are many issues before the Congress this year that are extremely important to the people of the United States. The people cry out for leadership which is committed to meeting their needs, and that leadership can come just as well from the Congress as it can from the President.

Recently, I spoke before the legislative committee of the Association of Private Pension and Welfare Plans, Inc. My remarks were addressed to what I believe to be some of the most important items of unfinished business on the agenda of Congress this year—private pension reform, social security reform, and the establishment of a national health insurance program. These are issues which affect every American.

There is a great fear among our population that there will not be enough money available to provide for retirement years or that one major illness will bankrupt a family. These are fears we can eliminate if we take advantage of the legislative opportunity to provide the type of leadership demanded of us by the American people.

Mr. President, I ask unanimous consent that the text of my remarks be printed in the RECORD.

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

STATEMENT BY SENATOR VANCE HARTKE

CONGRESS AT THE CROSSROADS: OUR UNFINISHED BUSINESS

Introduction

Nineteen seventy-four promises to be an exciting year in Washington, and the reason for that excitement is by no means limited to Watergate.

This is the year that there are many subjects awaiting Congressional action including the energy crisis, budget reform and aid to education. But, most important of all, Congress has the opportunity to enact legislation which deals with two long-unmet needs of tens of millions of Americans. The first of those two needs encompasses those public and private programs which assure adequate income for retired people; and the second would ensure quality health care for everyone. What remains to be seen is whether or not we will enact meaningful legislation.

On the first front, the Senate has already passed private pension legislation, and the House now appears on the brink of action. I would like to share with you some of my thoughts about legislative proposals now before the Congress and what I would like to see come out of the conference committee on pensions.

The need for adequate pension reform

Over the past nine years, I have introduced a number of proposals aimed at providing a degree of security for the millions of workers enrolled in pension plans. Beginning with termination insurance legislation and including the "Federal Pension Plans Protection Act of 1973", I have been motivated by the conviction that every working man and woman in the country deserves the dignity and security of adequate means of support for his or her retirement years.

I am deeply disturbed that some many people still consider pension a form of insurance in which most must lose so that some may gain. The proposals passed by the Senate and pending before the House appear based on this concept. In rejecting this notion, I maintain that a pension should not be a game of chance.

Every year, millions of employees change or lose jobs. They also lose the value of pension credits unless their pension plan provides that such credits "vest". Roughly one-fifth to one-fourth of all plan participants have no vesting rights at all. Although vesting is very common, it usually requires ten or fifteen years of unbroken service with one company or one multi-employer plan. As a Senate labor subcommittee study showed, ninety-three percent of employees separated from plans requiring fifteen years for vesting, seventy-eight percent of employees separated from plans requiring ten years for vesting and nothing to show for their pension participation.

Pension reform should rectify that dismal showing—but the Senate-passed bill is weak and the ways and means proposal weaker yet.

THE SENATE-PASSED BILL

Under the Senate-passed bill, an employee separated under five years of credited service would vest to the extent of twenty-five percent of a regular retirement benefit, for each additional year, vesting would improve five percent until it reached fifty percent after ten years. According to a recent survey, the retirement benefit under typical blue collar plans would be between four and six dollars per month per year of service. Thus, an employee with a plan paying five dollars per month for each credited year of work who was separated after five year, would be entitled to a benefit of twenty-five percent of Twenty-five dollars—or six dollars and twenty-five cents. That adds up to seventy-five dollars a year—a rather paltry amount by anyone's standards.

White collar plans tend to be figured on a percentage of final or high average salary—typically one or two percent times years of service. So a person separated after five years at a fifteen thousand dollar a year job would earn a vested credit of not quite twenty-four dollars a month.

These are not extreme examples. The amounts involved are small so as to cushion the introduction of mandatory vesting. But, as if that cushion were not enough, the mandatory standards do not take effect before 1976 for any plan. For collectively bargained plans, the effective date is the expiration of a pre-enacted pension agreement or 1981. Meanwhile, millions of employees will be separated from pension-covered jobs.

The House Ways and Means bill

The ways and means bill embodies all these delays but incorporates additional weaknesses of its own. Instead of one vesting formula, it permits the choice from three approved formulas—the Senate version, the straight ten-year vesting, and the "rule of forty-five" under which fifty percent vesting occurs when age and credited service equal forty-five and goes by ten percent annual increments to one-hundred percent for combined age-service total of fifty.

Such a choice enables a company to pick the least expensive and least protective formula. With the "rule of forty-five" and a purposely young work force, vesting could be defeated at the additional cost of job opportunities for older Americans.

Beyond that, the ways and means bill phases in vesting so that by 1976 only fifty percent of the formula need apply. With ten percent more each subsequent year. In other words, the $6.25 and the $24 in benefits which I described a moment ago could be cut in half in 1976. And, as if that were not enough, multi-employer plans could seek delays beyond the described effective dates without any specific time limit.

Pension plans now cover less than half the civilian work force, seldom pay benefits to widows, pay small benefits to those who achieve vesting, lack adequate protection against diversion to uses other than benefits to the elderly, and non-union employees do not have protection against firing to defeat their rightful pension claims.

The bills now before Congress all fall short of rectifying these shortcomings. What was once the bright promise of pension reform has now become but a dim hope.

The Hartke solution

The Hartke approach would require full vesting after five years and would establish a bureau of experts in the Department of Labor to help those unfortunate workers who have been dismissed from employment for the sole purpose of making them ineligible for their earned, vested credits.

I firmly believe that widows are deserving of fifty percent of the retiree's annuity benefits without any reduction in his initial benefits. I would also make it compulsory that participants in the pension program waive the survivor's benefits in writing if they so desire.

In order to buttress the more progressive vesting provisions of my approach, I am calling for the mandatory establishment of a portability fund and national clearinghouse.

I also propose pension credit for part-time and part-year employment. Hundreds of thousands in our work force fall into this category. Women have been the major losers of pension benefits in this group of employees. They have earned, and thus deserve, pension protection.

The American people know that private pensions need reform. They know that they cannot get by on social security benefits which are their mainstay. They know that more than half the working people in the country do not have any type of private

pension plan coverage whatsoever. They know that the overwhelming majority of plan participants will not obtain benefits from their plans. They know that it takes too long to qualify for benefits, that the majority of working men and women, non-union employees, especially white collar and management people, can now be fired with impunity to defeat their pension eligibility and do not have a chance to quality. They know that, at best, only one job, rather than their lifetime of work, pays off in a pension, that even vested rights may be hollow for lack of plan funds, that widows seldom get pension benefits, that inflation destroys the value of benefits, and that the retired and the widows of workers are the people most ravaged by inflation.

They know this because they live it. The people know and they are looking to Congress for a remedy. They will hold us in Congress accountable for making private pensions work.

Social security

Because our public and private pension plans go hand in hand, I want to offer some suggestions for improving the social security retirement system.

In 1972, Congress passed another one of those so-called reform bills which was supposed to cure many of the injustices in the social security program. Instead, it was a patchwork job which has only served to frustrate older Americans and anger the current working generation.

Here is what I would do to change social security:

First, I would provide partial general revenue financing of retirement and medicare benefits. The fact is that the current working generation is paying the benefits of those now retired, and they are paying it under the most highly regressive tax in the federal system. This is a heavy load to bear for people struggling to exist in an inflationary economy. General revenue financing has been proposed since the very beginning of the social security program. We can achieve a measure of justice in the financing of that program if we use money collected from the more progressive income tax to finance a portion of social security benefits.

Second, the social security tax must be made progressive by reducing it for low-income workers. Too many workers now pay more in social security tax than in Federal income tax. This regressiveness is a source of discouragement and inequity for the wage-earner on the lower end of the income spectrum. A progressive tax structure for those in this low income bracket would solve the problem.

Third, I believe we must expand benefits, particularly in the health care areas. Out-of-hospital prescription drugs should be covered as should eye care, dental care and hearing aids. It is in these fields that older people have the greatest unmet needs. They have a *right to* quality medical care, but that right will remain beyond their reach unless medicare provides adequate coverage.

Fourth, I would eliminate the present earnings limitation so that older people can supplement their social security benefits. I understand the many arguments which have been presented against such a proposal, but you only have to read the mail that comes into my office during the course of a single day to know how many retired Americans need more money to lead a decent life.

Sixty-five is such a magical age in our society. We expect a person who has spent a lifetime at his job to leave his work at that age. There is no reason that the coming of one's sixty-fifth birthday should force a radical change in lifestyle. Retirement years should be golden years, not years of despair and frustration. We should encourage older people to remain an integral part of our society and give them the means to supplement their retirement income if that is what they need and what they want.

National health insurance

There is another important subject before Congress this year—national health insurance. Decades of discussion appear to be coming to a head. Now, it is up to Congress to decide whether it wants to adopt a national health insurance program and what type of program it wants.

On the first question, I have no doubt that Congress will decide that it wants a national health insurance program. This is a priority item on the legislative agenda of millions of Americans who fear that major illness will bankrupt them.

On the question of what type of proposal will be adopted, the following elements are essential:

First, any national health insurance plan must guarantee quality medical health care to all Americans regardless of their economic status or geographical location.

Second, the plan must avoid the imposition of a vast Federal bureaucracy to administer it.

Third, it must focus on preventive health care in an effort to avoid the high cost of hospital care.

Fourth, the plan should provide protection against catastrophic health care costs.

Fifth, it must assist and encourage people to purchase adequate health insurance coverage, providing more assistance to those in greater economic need.

Sixth, the plan must set only those limits on payment and coverage which are reasonable in light of health care needs and necessary in order to place sensible limits on the total cost of the program.

Seventh, the consumer should have the right to choose among health care providers. This includes the ability to choose among different doctors and different health insurance providers.

Three of the major health insurance proposals now before Congress meet each of these criteria. They include the proposal which Senator Hansen and I have introduced, the Long-Ribicoff plan, and the administration proposal.

One of the major differences among these programs, however, is the level at which catastrophic coverage is provided. Under my proposal, a family could begin to get that protection after spending only three hundred and fifty dollars in medical and hospital costs. The comparable figure under the administration's program is one thousand five hundred dollars and two thousand dollars under the Long-Ribicoff plan. In addition, both the administration and Long-Ribicoff plans would be financed in part from increased payroll taxes. Our experience under the social security system has given us clear evidence that this tax is already too high and too regressive. It should not be used to pay for the costs of national health insurance.

Conclusion

In dealing with the retirement and health care needs of Americans, Congress is now at the crossroads. It now appears certain that we will have a new private pension law before the end of this year. The only question is whether it will be superficial or substantive.

There is no such assurance on the subject of national health insurance. From a political point of view, this is a good year to act. Those in Congress who are up for re-election in 1974 could take a national health insurance program back to the people as a major accomplishment. Because it would take as long as two years to get the program started up, national health insurance could also play a major part in the 1976 campaign.

I am less hopeful about the chances for meaningful social security reform this year. There is a proposal now in conference which would make some changes in the system. Apparently, the conference will not meet until the House Ways and Means Committee holds hearings on some of the amendments adopted by the Senate. I can only hope that the House will use that opportunity to propose major changes in the social security program.

In private pension and social security reform, and in the adoption of a national health insurance program, we have the opportunity to enact legislation which will meet some of the most urgent needs of the American people. That is why I said at the outset that this will be an exciting year in Washington. I look forward to working with your association in our common effort to improve the welfare of our fellow citizens.

HONORS TO SENATOR HUGH SCOTT OF PENNSYLVANIA

Mr. JAVITS. Mr. President, since coming to the Senate in 1956, I have worked with the minority leader on many civil rights bills and know that he is regarded as a strong friend of minority groups. Over the years he was a prime sponsor of every civil rights bill and was recently accorded the recognition he so richly deserves at a dinner attended by more than 1,000 in this city last month. The "Black Salute" to HUGH SCOTT was organized by a committee headed by Senator EDWARD BROOKE, of Massachusetts, and at the dinner it was announced that a scholarship has been established to enable deserving blacks to study political science.

I ask unanimous consent that an article appearing in the Shamokin, Pa. News-Item of January 28 concerning these honors accorded Senator SCOTT be printed at this point in the RECORD.

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

SCOTT SHOWERED WITH HONORS

(By Mason Denison)

HARRISBURG.—One observer long ago opined wistfully that it was a pity for honors to be passed out to deserving public servants after they left the scene because they were never around to hear the glowing tributes.

But recently Pennsylvanians may have noticed that outstanding elected officials, while still in office, more and more are coming in for their share of the honors and plaudits from their colleagues and constituencies.

Latest to come to mind was the "Black Salute" to Pennsylvania's U.S. Senator Hugh Scott in whose name a scholarship fund has been established to enable deserving blacks to study political science. The event was held this past Saturday in Washington with more than 1,000 in attendance.

In another instance, before he died two weeks ago after an illustrious career in the State Senate spanning 43 years, George N. Wade was witness to ceremonies naming a $13 million highway bridge in Harrisburg in his honor.

Two months ago, Democratic State Representative K. Leroy Irvis was recognized by the Pittsburgh Jaycees as the city's outstanding man.

There have been other deserving public officials, but seemingly worth noting are some of the honors that have come to Pennsylvania's Hugh Scott over the last three months (no, he's not up for reelection this year).

The Senate Republican leader in Washington since 1969, he undoubtedly is one of the

state's most successful politicians, coming up on the "right side" of issues, feeling the right beat of the pulse of the people, and winning big despite Democratic landslides, or the famous 1964 debacle when the Republican Party went to a smashing defeat across the country.

He is the kind of politician many of the pros shake their heads over and wonder aloud, "How does he do it?"

Perhaps the blacks know. They honored him because of the concern he has shown for his fellow man over his more than 30-year career in Congress. Identified as a proponent and leader of every piece of civil rights legislation, including creation of the U.S. commission on Civil Rights, and at odds with the White House on their conservative busing views, Mr. Scott has been pointing the way since his days as an assistant district attorney in Philadelphia during the 1930s when he observed considerable violation of civil rights. This is when he cut his eye teeth, prosecuting a record number of cases protecting Jews, Italians, Blacks, Eastern European immigrants, and others who came to the City of Brotherly Love for that great opportunity.

Laboring in Republican politics for many years before he ran for public office, he is finally getting the recognition the party faithful reserve for the head of the party. In November last year, he was named the distinguished Pennsylvania Republican of the year.

And then last month in New York, the prestigious Pennsylvania Society awarded the senator the organization's gold medal.

Both of these honors are perhaps fitting tribute to a learned professional politician who is called by Senate Majority Leader Mike Mansfield, "a politician's politician, a great leader of his party, and a respected friend"—high words of tribute from the other side of the aisle.

And black leaders know. Burrell Haselrig, a Johnstown builder, spearheaded Saturday's tribute to Senator Scott because in his own words, "I want everyone to know what this man has done for us."

And incidentally, the blue-ribbon bipartisan group of whites and blacks organizing the event was headed by Senator Brook of Massachusetts—the only black in the Senate.

NATIONAL GROWTH POLICY

Mr. HARTKE. Mr. President, I would like to commend the distinguished majority leader for the statement which he made before the Democratic conference on February 19. As usual, he was both perceptive and challenging.

I would like to draw the attention of my colleagues to a rather important portion of the majority leader's remarks. Toward the end of his statement, he urged Congress to take a look beyond the current energy crisis to find "a better way"—a way in which "we can sort out the relative importance of demands made upon this Government's resources in some orderly fashion and to anticipate and act in advance on gathering difficulties."

We must find a better way to meet our responsibilities. Crisis to crisis is not enough. People are waiting on gasoline lines today; will they be waiting on bread lines tomorrow?

What is needed is a commitment to the future of this Nation, and that commitment can best be expressed in the form of a national growth policy. In S. 1286, the National Growth Policy Planning Act, I have proposed the mechanism to develop such a policy so that we can find a better way and meet our responsibilities to the future development of the United States.

THE HIGH PRICES OF PROPANE

Mr. BARTLETT. Mr. President, on Tuesday, February 19, the Senate adopted the conference report on S. 2589, the National Energy Emergency Act. Several of my colleagues have been concerned, as I have been, about the high prices for propane, and I believe that the final vote was significantly influenced by propane prices.

However, Mr. President, I now have information which leads me to believe some votes may have been cast based on information that has turned out to be misleading about the effects of the conference report on S. 2589 on propane prices.

The high propane prices were influenced by the inept interference of the Cost of Living Council during phase III of the price controls at a time when natural gas was not able to fill demand. Propane prices were bid up by those industries facing curtailments of gas. Probably the fact that the price of propane is not on the Consumer Price Index is another reason propane was picked to bear additional price increases.

The inept controls have proved two points: one—that attempts to maintain price controls caused disastrous distortion of product distribution and prices, and two—that the free market, if allowed, can take care of the situation.

To show the second point, propane storage tanks in Oklahoma are near full and retail propane prices in Oklahoma have now dropped from as high as 40 cents per gallon to as low as 22–26 cents per gallon range because supply has caught up with demand—the free market works.

The rollback provision of S. 2589 was said by Senator JACKSON to roll back the price of propane to approximately 23–24 cents per gallon, but I have been informed by the Oklahoma Energy Advisory Council that the rollback provided in S. 2589 would really amount to only 1.75 cents per gallon in Oklahoma.

The rollback effects have been greatly oversold by the proponents of S. 2589.

The free market, not price controls or S. 2589, has solved the propane shortage problem and already the price has dropped considerably.

THE HUNGER STRIKE BY THREE MOSCOW JEWS

Mr. TUNNEY. Mr. President, three prominent Moscow Jews—a chemical engineer, a sinologist, and an artist—have been on a hunger strike since February 15. Each has been trying for several years to get permission to emigrate to Israel. Each has been continually denied permission by the Soviet authorities. The three have resorted to the dramatic action of a hunger strike to protest the arbitrariness of Soviet emigration practices in denying them exit visas.

David Azbel, a chemical engineer who is the spokesman for the hunger strikers, is long familiar with suffering at the hands of Soviet authorities. He had been sentenced to 5 years in prison during the Stalin regime. While in prison, in desperation over his situation he went on a hunger strike for 10 days. As a punishment, he was sentenced to an additional year in prison for each day of the hunger strike: a total prison term of 15 years.

Soon after he applied to emigrate to Israel in May 1972, he was dismissed from his post as professor and head of an Institute of Chemical Spirits and Organic Products. Once again, 30 years later, he has embarked on a hunger strike as a means of protest.

Vitaly Rubin, a specialist in ancient Chinese philosophy and political thought, was forced to leave his post at the Moscow Institute for Oriental Studies as punishment for his having applied to emigrate to Israel. His wife, a former teacher of German at the Academy of Sciences, has also not been allowed to work since 1972.

Vladimir Galatsky, an artist, has not been allowed to participate in any exhibition of paintings in the Soviet Union since 1962, when Nikita Khrushchev criticized his work and those of other artists for its "nonconformity." Galatsky applied to emigrate in March 1973, and was refused without any specific reason given.

On the third day of the hunger strike, the Soviet authorities disconnected the telephone in the apartments of the participants and at least 10 other key Moscow Jewish activists. This action was taken as retaliation for the hunger strike and as a means to isolate them from newsmen and sympathizers in the West.

One of the activists whose phone was disconnected is Alexander Luntz, a mathematician, with whom I have personally communicated by phone as recently as a few weeks ago. This punitive action taken by the Soviet authorities has cut off my access to Dr. Luntz. Dr. Luntz along with six other scientists had staged his own hunger strike last June to protest Soviet refusal to allow them to emigrate. Now he is being punished further.

The hope of Dr. Luntz, David Azbel, Vitaly Rubin, Vladimir Galatsky and all the others trying desperately to leave the Soviet Union rests on concern and action in the Western world. By their hunger strike and other courageous actions, these individuals cry out to us to react to their message. We must speak out for their right to emigrate to the country of their choice. If we are true to the American principle of human rights for all people, we can do no less.

As a way of showing our support for this hunger strike, my colleague, Senator CRANSTON, and I have sent a telegram of encouragement to David Azbel in Moscow. We have learned that all outside communications, not only telephones, have been cut off from these men. I sincerely hope that our telegram will nevertheless reach them, and give them the knowledge that their actions are being watched from overseas.

We have a message transmitted by

phone by three prominent Moscow Jews completing their first week of a hunger strike which began February 15. The three individuals are David Azbel, a chemical engineer and spokesman for the group; Vitaly Rubin, an expert on China; and Vladimir Galatsky, an artist. The message from the three demonstrators was the last one they were able to communicate to the West before their telephones were cut by the Soviet authorities.

The three have been trying for several years to get permission to emigrate to Israel. They have received repeated refusals. They have resorted to a hunger strike to dramatize the arbitrariness of Soviet emigration practices in general and the denial of exit visas to them in particular.

David Azbel spoke out in Moscow several weeks ago in reference to Solzhenitsyn's "Gulag Archipelago." A prisoner in Gulag during the Stalin era, Abzel stated that he wished he had been among those 200 who told Solzhenitsyn about the dreadful years in Stalins's torture chambers. While serving a 5-year sentence under Stalin's regime 30 years ago, Azbel, driven to desperation, went on a hunger strike in his prison in Saratov. For each day of his 10-day hunger strike, he was sentenced to another year in prison: a total prison sentence of 15 years.

When he spoke about Solzhenitsyn's book, he warned that he was about to embark upon the same act of protest and desperation again—that is a hunger strike.

Azbel was quoted as saying that:

It is interesting how many years I will get for each day now. I understand that even today I can become a citizen of Gulag Archipelago any day. And if this happens to me, David Azbel, former prisoner, it means that Gulag Archipelago did not go down as the legendary Atlantis—it exists; it is very much alive.

I ask unanimous consent that the message be printed in the RECORD, along with biographical sketches of the three individuals involved and an article published in the Washington Post of January 27, 1974.

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

MESSAGE TO U.S. SENATORS FROM MOSCOW JEWS ON HUNGER STRIKE

We know that soon you are to discuss and solve a question in which we are vitally interested. We are referring to the Jackson amendment. It makes certain aspects of Soviet-American relations dependent on free emigration from the USSR and that means—dependent on morality, international law and human rights. Occasionally voices are raised in the West that emphasize that in Soviet Jewish emigration a certain degree of progress has been reached which permits this moral factor to be glossed over in intergovernmental relations. The magic of numbers does it work. The impression is created that only a small "1,000" Soviet Jews who were denied visas cannot leave. It is really that way?

Well, and what about the tens of thousands in such towns as Sverdlovsk, Kuibyshev, Novosibirsk, Irkutsk and many others which are, practically speaking, closed to emigration. People in these towns almost never submit emigration documents, not because they do not want to, but because they know in advance that local authorities will not issue emigration visas and can use repressive measures against them at any moment. Can't these people be counted among those "refuseniks" who are known today in many countries?

Furthermore, there are the papers required of potential applicants which are unlawful even according to Soviet law. How many thousands, and maybe tens of thousands, of parents refuse to give permission to their children, who are over-age and have over-age children of their own, simply out of fear for their own fate. Isn't it possible to include these people among the group of ill-fated thousands who have received formal refusals?! And what kind of Jewish emigration process can we talk about, when in the USSR to this day there is no emigration law nor any published instructions regarding emigration?

The recent statement Deputy Minister of Foreign Trade Alkhimov made while in the U.S.A. can be used as evidence of the peculiarity of this "progress". He stated that Jews are detained in the USSR on grounds of state security and other reasons. What kind of other reasons?

As a rule, there is an absence of any kind of grounds. The reason for refusal is the arbitrariness of the State. It is simply the whim of the government which determines whether to permit or not permit a certain family to leave. The fate of our families and of many others represents a perfect illustration of this statement.

In our view, those who, in the name of global and until now vague goals, are prepared to absolve the Soviet government and think that human rights regarding emigration are being fulfilled, are committing a tragic mistake.

The battle is only beginning and its first results can only encourage but not set one at rest.

We are glad that many of you understand this. That is why we are turning to you at a time when we are staging a hunger strike as an extreme way to make the Soviet government respect our human and civil rights. Because of this the Soviet authorities have removed our links to the world, disconnected our telephones, interrupting our very contact with overseas, with correspondents, friends and relatives in Israel and in Moscow itself.

But even in times long past, when the means of communication were not yet perfected, people found each other and understood each other's needs. We believe we will not remain alone in our struggle for human rights.

Prof. DAVID AZBEL,
Chemist.
Prof. VITALY RUBIN,
Sinologist.
VLADIMIR GALATSKY,
Artist.

BIOGRAPHICAL SKETCH

PROF. DAVID AZBEL

He was born in 1911, and descended from a rabbinical family. His ancestors were Rabbi Isak Ozol from Vilna and Rabbi Chaim Magrants from Homel. By 1920 he had lost both parents and witnessed the hanging of his mother by the white Russians in the civil war. In addition to this his grandfather was permanently invalided when he was attacked by antisemites and thrown off a moving train. During the years that followed he lived the life of a street urchin going from town to town. Eventually, he began to study and made his way to university.

In 1935 he was arrested and spent the next sixteen years in one of "Uncle Joe's hotels"—a Stalinist labour camp. After being released in 1951, he settled in the Ukraine and worked as an engineer only to be dismissed at the beginning of 1953 due to the Doctor's Plot. In 1956, he was allowed to return to Moscow and soon completed the post-graduate course he had started twenty one years before in 1935. In 1957, he was elected candidate of technical sciences.

In 1960 he became a doctor of technical sciences. The following year, he became a professor and in 1968 was appointed head of an Institute of Chemical spirits and Organic Products. He had published over sixty scientific works. In May 1972 he applied to go to Israel and was soon dismissed from his post. In December 1972, he was arrested with many other Soviet Jews outside the Central Telegraphic Office in Moscow and sentenced to fifteen days in prison on a charge of petty hooliganism. He is married with an eighteen year old son, Zeev.

VITALY RUBIN

He was born in 1923 and is a specialist in ancient Chinese philosophy and political thought. In 1931 his brother Isaac Ilyich Rubin, an economist, was convicted in the famous Menshevik trial. His father who was also a philosopher was thrown out of work and was forced to make ends meet by translating. The only Russian work of Maimonides' "Guide to the Perplexed" which was published in the book "The Great Philosophers of the East", Moscow 1959, was translated by Rubin's father. At the beginning of the war, when still a student, Rubin volunteered for the front. He was captured by the Germans and escaped after three days. Shortly afterwards, he was sent to a special camp, at a coal mine in the Moscow region coal basin as punishment for being captured. After eighteen months in a coal mine, he contracted tuberculosis. At this point, he was told that he had been cleared of suspicion and was not a spy. However for the next four years, 1944–48 he was bedridden.

Rubin graduated from the Moscow State University in 1951. He was not permitted to do post graduate work because of his part in the war. In February 1972 Rubin was forced to leave his post at the Moscow Institute for Oriental Studies because he had applied to emigrate to Israel. He was refused in July 1972 because he was an "important specialist."

Rubin's main specialty is in the confrontation between the humanist aspects of the Confucian tradition and between the ideological policy of the State. He has written more than sixty articles and his book, "Ideology and Culture in Ancient China", was published in 1970. He is married to Inessa Axelrod, Forty five, who taught German in post graduate studies at the Academy of Sciences. She, too, has been unemployed since 1972.

VLADIMIR GALATSKY

He was born in 1929 and attended art school in Moscow. From 1949 to 1953, he served in the Soviet Air Force and then returned to his studies. From 1953 to 1958, he was registered at the Art Faculty of the Moscow Institute of Polygraphy. In 1958, he associated himself with the Left grouping of artists. In 1962, this group was severely criticised by Nikita Krushchev for its nonconformist "left art" at the display in Moscow in the central Exhibition Hall in Manege. Since then, Galatsky has been refused permission to participate in any exhibition of paintings in the U.S.S.R.

In 1960 the Artists' Union officially refused to consider his work and accused him of "formalism." Since 1972, he has not been able to get any work at the State Publishing Houses. Galatsky applied to emigrate in March 1973. Three months later, he was refused without any specific reason being given.

He is married. His wife, Natalia is twenty eight and graduated from the History faculty of the Moscow State University in 1967. She has worked in a research institute in the department of political sociology attached to the Soviet Academy of Sciences. She too, is unable to work at her job.

[From the Washington Post, Jan. 27, 1974]

A GULAG VETERAN SPEAKS UP: SOVIET DISSIDENT, 62, SUPPORTS SOLZHENITSYN'S CHARGES

(By Murray Seeger)

Moscow.—The old man has great spring in his step and more spirit than many Soviet citizens half his age. He has a doctor's degree in technical sciences but little of the pedantic manner of some academics.

On paper he should be a satisfied Soviet citizen. He has a pension and an apartment, and the political crime charged against him nearly 40 years ago has been rubbed from the books. He has been rehabilitated politically and is secure economically.

Still, David Azbel, 62, is a dissident, a tough-minded man with a grievance against the regime. He asked to go to Israel with 30,000 other Jews in 1972 and was refused.

He was refused again in 1973 when nearly 35,000 others were allowed to go. Instead, he was jailed twice and stopped many times by the police for protesting his predicament. His telephone has been cut off and his mail is examined and often stopped. He is watched much of the time. He has protested with hunger strikes, a traditional Russian device.

A metallurgist, Azbel is one of about 200 technically trained Jews who have been blocked from emigration for two years.

Despite his experiences as a Stalin prisoner and a victim of current political policies, Azbel has never lost his courage. He showed this recently when he threw his solitary voice against the whirlwind of official condemnation which has been turned loose against Alexander Solzhenitsyn, the Nobel Prize-winning novelist. Solzhenitsyn has just published in the West a documentary history of the Stalinist repressions. The title, "The Gulag Archipelago," takes its significance from the first word, which is the Russian acronymn for the prison camp administration.

In attacking Solzhenitsyn, Soviet authorities take the position that the ruling Communist Party has properly faced the issue of Stalin's crimes and that the bloody era is officially closed. Azbel argues that the chapter is not closed.

Because the only letters printed in the Soviet press are those which endorse official policies, Azbel's letter supporting Solzhenitsyn was given to Western correspondents. The text:

"I have learned about Gulag Archipelago by Solzhenitsyn from foreign radio reports. Certainly I could not read it in the Soviet Union as it was not published even in samizdat [underground press.]

"Though I do not know its contents, I wish I had been among those 200 who told the author about the dreadful years in Stalin's torture chambers. I am only consoled by the fact that my prisoner's biography is so typical that it could be reconstructed from the recollection of others.

"I am imprisoned in Gulag Archipelago for 16 years from 1935 to 1951. I visited its various 'islands'—a solitary confinement cell, death chamber, hard labor camps, special prisons and shooting range.

"After rehabilitation, I got documentation which clearly shows the degree of lawfulness in my case. Sentenced to five years imprisonment. Spent 16 years in prison. Dismissed before the term expired.'

"Dismissed, but I have not become free.

"In April, 1972, I applied for an exit visa to Israel. But I was refused without any explanation and since the day the sinister shadow of 'Gulag' has been hanging over me.

"Our life after the application for an exit visa is regulated not by the law but by the KGB [secret police]. It is this office that gives orders to policemen to detain us at home and on the street; to the court to bring us to trial; to the interior ministry to keep us in prisons; to postmen not to deliver mail to us; and to the communications service to disconnect our telephones.

"My attempts to protest against all that ended up twice in imprisonment. Once more I saw the familiar surroundings of prison cells and the only companions of my wanderings about Gulag Archipelago prison warders. "Plainclothes agents in two cars followed me all over Moscow and surrounded my house. Their belligerence awoke my memory: alas, it was not a nightmare.

"My life experience and facts show that the authorities neither forget anything nor have they learned anything.

"I have no inclination to compare 1974 and 1937 or 1953 when Stalin charged Jewish doctors were out to kill him.

"But the scale of operations is not a justification for inhumane deeds. And what is more important—history teaches that one act of arbitrary ruling breeds a lot of new ones. And the more the chain reaction of violence is intensified, the more difficult it is to keep it in check.

"The situation gets out of hand and becomes intolerable. It is high time for the authorities to stop the escalation of repressions and make attempts at finding understanding. But this is not the case.

"Thirty years ago, driven to desperation, I went on a hunger strike in a prison in Saratov. For each day of a hunger strike I got one year. Ten days of hunger strike—ten years behind bars.

"Today, I have to resort to the same act of protest and desperation again. It is interesting how many years I will get for each day now. I understand that even today I can become a citizen of Gulag Archipelago any day.

"And if this happens to me, David Azbel, former prisoner, it means that Gulag Archipelago did not go down as the legendary Atlantis—it exists, it is very much alive."

CHAD CELEBRATES 14TH ANNIVERSARY OF INDEPENDENCE

Mr. HARTKE. Mr. President, the people and the Government of Chad celebrated the 14th anniversary of their independence from colonial rule on January 11, 1974.

It is fitting at this time to salute these proud and industrious people who have maintained a steady growth in their economy in spite of the disastrous famine of the past 5 years.

Chad is one of the Saheil countries that is going through severe climatic changes, leaving a large portion of its nomadic peoples in abject poverty.

President Francois Tombalbaye has guided the nation of 3.7 million people through many years of steady growth and, since its independence, has remained a close friend of the United States. Our smallpox-measles eradication campaign in Chad has done much to improve the general health of the Chadian people.

We, the American people, wish the people and the Govenrment of Chad continued success.

PRIDE IN AMERICA

Mr. BARTLETT. Mr. President, on February 16, 1974, the executive committee and the executive board of directors of the United States Jaycees adopted an open letter to the American people, entitled "Pride in America."

The letter reads:

PRIDE IN AMERICA

It is becoming increasingly difficult to appreciate that our country offers more opportunity than any nation in the world . . . because

Today this country's detractors show little regard for our institutions.

Most Americans have strong convictions in these institutions that are the cornerstones of our great country:

Faith in God
Brotherhood of Man
Free Enterprise
Government by the People
Individualism
Service to Humanity.

Constantly it is repeated that Americans no longer enjoy individual expression.

The United States Jaycees know better because of their affiliations in 6,700 communities throughout this great country.

History has proven that the American people can unite when threatened. Once again we are threatened but not by outside forces.

Our new threat is one of self-doubt reinforced daily by the repetition of negative examples.

The United States Jaycees are tired of those who daily condemn our society as deteriorating!

The time is NOW for the sleeping giant of public "Pride" and positive individual participation to awaken.

Unite with the United States Jaycees in rekindling our "Pride in America"—the key is you!

Adopted February 16, 1974.

THE UNITED STATES JAYCEES EXECUTIVE COMMITTEE.

THE UNITED STATES JAYCEES EXECUTIVE BOARD OF DIRECTORS.

Mr. President, the Jaycees have so clearly said what is in the hearts and minds of millions of Americans during these days of one "crisis" after another.

Mr. President, I wish to commend the over 300,000 members of this outstanding community service organization for, once again, taking a stand in defense and support of America.

VETERANS EDUCATION AND REHABILITATION AMENDMENTS OF 1974

Mr. INOUYE. Mr. President, the House of Representatives on Tuesday, February 19, 1974, unanimously approved the Veterans Education and Rehabilitation Amendments of 1974. The provisions of this legislation go a long way in improving veterans education benefits and go well beyond the inadequate proposals which President Nixon endorsed in his recent message to the Congress on veterans' benefits. The Senate must now address this important issue.

The House-passed legislation does not include a number of provisions which I have proposed along with Senators DOLE, MATHIAS, MCGOVERN, and 32 other colleagues in S. 2789, the Comprehensive Vietnam Era Veterans Educational Benefits Act of 1973. The most important omission is in the area of tuition assistance to participating veterans. Without a tuition equalizer, millions of veterans living in States where tuition costs are above average will continue to be unable to effectively use that GI bill. Strong bi-

partisan support for such an equalizer exists in the Senate, the House, and among veterans desirous of gaining an education.

The Senate Committee on Veterans' Affairs under the able and aggressive leadership of Senator HARTKE has continually fought for the right of the veteran to receive adequate assistance in recognition of sacrifices made while in uniform. I am confident that as the Senate Veterans' Affairs Committee hearings and markup take place in the near future, the tuition equalizer and other provisions of S. 2789 will receive close scrutiny. I am hopeful that many of those provisions will be adopted by the committee, and finally by the Congress and the President.

The following letter which I received from a young Vietnam veteran poignantly and powerfully expresses a sense of disillusionment with present veterans benefits programs that is shared by many of the soldiers who have returned from our most recent and least popular war. In 1974 we have the opportunity to prove to these disillusioned young men and women that Government can respond to their needs and that the Congress will not forget their sacrifice.

I request unanimous consent that the letter of Eugene Ramsey Hardin III be printed in the RECORD.

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

FEBRUARY 4, 1974.

Senator DANIEL K. INOUYE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR INOUYE: I read with some interest your article of January 23, 1974, which was printed in the "New York Times".

I am a Vietnam Veteran, an ex-Marine Corps Infantry Lieutenant. I am proud of that. But I am not proud of my country.

America was a land I was taught to believe in, and I was proud to be an American. I believed that America was such a great land, that its heart was as big as it was great. I believed that serving your country was what every citizen did, regardless of his financial position. I believed that my country would be grateful for my service, and would try to make a place for me when I returned. I don't believe any more.

And why should I? Why should I believe when the President offers us an eight percent "cost-of-living" increase in our educational benefits? Why should I believe when our benefits are so much less than the ones our fathers received? And why should I believe when so many of my brothers cannot even get decent jobs?

I realize the Vietnam War was an unpopular war. How can I forget? It greets me in the morning, talks to me at lunch, and puts me to bed at night. But, goddamnit, why should I and my brothers have to pay for it? The way we are treated, you would think the war was our fault. And it was not!

I sincerely wish you the very best of luck in getting your bill passed. I am sure that you are sincere. But I have very little hope.

Sincerely,

EUGENE RAMSEY HARDIN III,
Student, Amherst College.

Mr. INOUYE. Mr. President, I further request that Senators WILLIAMS and CURTIS be added as cosponsors of S. 2789.

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

INDIANAPOLIS SUFFERS A GREAT LOSS

Mr. HARTKE. Mr. President, in 1 week last month, the city of Indianapolis suffered a great loss of human resources with the death of one of the great men in the city's history followed by the loss in a plane crash of four young men who were very involved in shaping the city's future.

I ask unanimous consent that an article from the January 14 Indianapolis Star which speaks of the import of these tragic deaths be printed in the RECORD.

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

CITY LOST SOME GOOD PEOPLE

(By Thomas R. Keating)

This past week was not one of our city's best.

First, there was the death of a man who had as much to do with shaping this town as anyone in the last quarter-century.

Then came the tragic Florida plane crash which cut down four active, involved young men in the prime of their lives.

Because they were public figures, the things these men achieved were well-known and have been well-noted in the obituaries that accompanied their deaths.

But often the best measure of a man is found outside his public image or his professional credentials.

For example, detailing the achievements of Frank E. McKinney Sr. could fill an entire newspaper. Upon his death, praise came from the highest offices in the land.

But, maybe more importantly, the same type of praise came from a group of elderly women who had scrubbed floors at night in McKinney's old Fidelity Bank years ago.

When they were reaching old age, one woman explained, McKinney personally saw to it that about two dozen of them received a comfortable pension, which some have been drawing for 25 years. This was when executives were lucky to get pensions, let alone scrubwomen.

You could say this is no big thing for someone with McKinney's money to do, but the fact is not many persons in his position would have bothered.

Bob Greene, the personable 38-year-old head of the Indianapolis Police Department's homicide section, is best known for the remarkable record his men posted in 1971, when every murder in the city that year was solved.

But if you knew him away from headquarters, Greene was the last person you would imagine handling such a rough position.

For the past dozen years, Greene probably has been the most active worker at Christ the King Catholic Church, coaching youth teams, heading the school PTA and doing a hundred other chores no one else wanted to do.

It was a standing joke he enjoyed telling that he did more work than anyone in the parish and he wasn't even a Catholic. He was to have become a member of the church this week.

The public image of 36-year-old John Neff, the 1971 Democratic mayoralty candidate, was one of a bright young attorney deeply involved in political and legal matters.

In fact, however, Neff's greatest interest was kids and for the last several years he had bypassed many political and legal activities to coach his son and other boys in the Tabernacle Presbyterian Church athletic program.

A couple of months ago, one of the boys Neff coached commented, "He's my favorite coach here at Tab because he always says something nice to me every week."

The boy was 9 years old and hardly a potential voter.

Robert Morris was well known and respected as the state's chief energy expert in his position of executive director of the Indiana Commerce Department.

But equally, if not more, important in his scheme of things were the mornings he spent working with children as head of the Sunday school classes at the same Tabernacle Church.

He did this for 15 years.

The city lost more than public figures this past week. We lost some really good people and those kind are hard to find.

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

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

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

ANNOUNCEMENT OF POSITION ON S. 2957

Mr. ERVIN. Mr. President, I am compelled to be absent this afternoon to attend a meeting at the North Carolina State University at Raleigh, N.C., and ask unanimous consent that I be positioned against S. 2957 in the event a vote is had on that bill prior to my return. I believe the operations of the Overseas Private Investment Corporation impose wholly indefensible burdens on our taxpayers.

RECESS

Mr. MANSFIELD. I ask unanimous consent that the Senate stand in recess until the hour of 3 p.m. today.

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

Thereupon, the Senate took a recess from 12:52 p.m. until 3 p.m.; whereupon, the Senate reassembled when called to order by the Acting President pro tempore (Mr. METCALF).

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore (Mr. METCALF). Is there further morning business? If not, morning business is concluded.

ACTIVITIES OF OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. MANSFIELD. Mr. President, what is the unfinished business?

The ACTING PRESIDENT pro tempore. No unfinished business is pending before the Senate at this time.

Mr. MANSFIELD. I thought I had obtained unanimous consent to——

The ACTING PRESIDENT pro tempore. Under the pervious order, the Senate will now proceed to the consideration of Calendar No. 652, S. 2957, which the clerk will state.

The legislative clerk read as follows:

S. 2957, relating to the activities of the Overseas Private Investment Corporation.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

QUORUM CALL

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

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. DOMENICI). Without objection, it is so ordered.

MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE—APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 86–420, appoints the following Senators to the Mexico-United States Interparliamentary Conference, Washington, D.C., May 13–18, 1974: the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. HUMPHREY), the Senator from New Mexico (Mr. MONTOYA), the Senator from Florida (Mr. CHILES), the Senator from Georgia (Mr. NUNN), the Senator from Delaware (Mr. BIDEN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Vermont (Mr. AIKEN), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), the Senator from Arizona (Mr. FANNIN), and the Senator from New Mexico (Mr. DOMENICI).

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WHEAT SUPPLY FOR DOMESTIC CONSUMPTION DURING THE REMAINDER OF THE 1973–74 MARKETING YEAR

Mr. DOLE. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The legislative clerk read as follows:

S. CON. RES. 70

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Secretary of Agriculture should immediately conduct a survey of all wheat milling firms and bakeries to determine their position with regard to wheat supplies and requirements during the remainder of the 1973–74 marketing year.

Sec. 2. It is further declared to be the sense of Congress that the Secretary of Agriculture at the earliest practicable date, conduct a county-by-county survey to determine the amount of uncommitted wheat stocks remaining in the ownership of all grain dealers and farmers.

Sec. 3. It is further declared to be the sense culture work with the Interstate Commerce of the Congress that the Secretary of Agri-Commission to expedite transportation of existing wheat stocks to the millers and bakers in need of additional supplies.

Sec. 4. The Secretary of the Senate shall transmit copies of this resolution to the Secretary of Agriculture and Chairman of the Interstate Commerce Commission after it has been agreed to by both Houses of Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

WILL THERE BE ENOUGH WHEAT?

Mr. DOLE. Mr. President, there has been much discussion in the past few weeks with regard to the wheat supply and demand situation in this country for the remainder of the 1973–74 marketing year—June 30, 1974.

The Committee on Agriculture and Forestry attempted to get to the bottom of the problem during recent hearings as a result of charges by the baking industry that bread would reach $1 a loaf unless action were taken to curb exports. Unfortunately, those hearings did nothing to reassure the bakers that there would be adequate domestic supplies.

It is interesting to note, Mr. President, that some of the very people who are talking the loudest about dollar-a-loaf bread are at the same time reassuring their stockholders they have sufficient flour contracted to last until the new harvest begins in June. Apparently some of those who mill the wheat and bake the bread have adequate supplies, and some others do not.

Export controls would be disastrous to our wheat producers who have been asked to produce more wheat than ever this year. Now as that crop is just about to start the final growth cycle toward harvest in June–July, the farmer is fearful of the threat of export controls and what those controls would do to the price they will receive for their wheat.

This morning an official of the Nation's largest grain cooperative, FAR–MAR–CO., Inc. in Hutchinson, Kans., informed me that they had 24 million bushels of wheat purchased from local elevators that has not been shipped. The past week I have received similar reports from several other large grain companies as well as many of the grain elevators located in the wheat producing areas that they had 50 to 100 cars of wheat sold, but were unable to ship because of a lack of railroad equipment.

Mr. President, in order to get at the real facts—to locate the wheat and flour that does exist—and to evaluate the demand for wheat and flour of millers and bakers—and, Mr. President, in order to put this matter to rest, I am today offering a concurrent resolution and ask for its immediate consideration, which does three things:

First. It expresses the sense of Congress that the Secretary of Agriculture conduct an immediate survey of all millers and bakers in the country to determine exactly what their wheat and flour needs for the remainder of this marketing year are.

Second. It requests the Secretary of Agriculture to conduct a county-by-county survey of farmers and warehouses to determine exactly how much wheat is uncommitted at the present time and is available for sale to millers and bakers.

Third. It urges the Secretary of Agriculture and the Interstate Commerce Commission to work together to expedite transportation of existing wheat stocks to millers and bakers in need of additional supplies.

Mr. President, this is the only way we will ever know the true dimensions of the current wheat situation and I believe this would be tax dollars well spent to conduct the comprehensive survey requested in this resolution. In addition, there is a continuing need for better transportation.

I hope the Senate will take this step with all deliberate speed, Mr. President, in order that we can assure our citizens that there will be bread at reasonable prices or so the administration can take speedy action if it does appear there will be a wheat shortage.

It has come to my attention that the National Grain and Feed Dealers Association has projected a carryover supply of 150 million bushels of wheat above the domestic and export need. Their figures are based on a domestic consumption—February 15 to June 30—of 190 million bushels and exports of 404,771,000 bushels against the Department of Agriculture's report of wheat stocks available as of February 15 of 744,771,000. While this is a smaller than desirable carryover figure it is, in the face of the promising recordbreaking harvest, only fair that a more accurate assessment be made at this time to avoid the disastrous effects that would be the result of export controls or other actions suggested by the threat of an insufficient or deficit supply.

In addition, foreign buyers who already have contracted purchases ahead at current rates could enjoy a great reduction in price that would result from any form of export controls, all at the cost of our wheat-producing farmers.

Mr. President, immediate consideration of this resolution has been cleared with the distinguished Senator from Georgia (Mr. TALMADGE), chairman of the Committee on Agriculture and Forestry, and the Senator from Nebraska (Mr. CURTIS), the ranking minority member of the committee.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 70) was agreed to.

ACTIVITIES OF OVERSEAS PRIVATE INVESTMENT CORPORATION

The Senate continued with the consideration of the bill (S. 2957) relating to the activities of the Overseas Private Investment Corporation.

Mr. CHURCH. Mr. President, I ask unanimous consent that the following members of the staff of the Committee on Foreign Relations be permitted on the floor during the consideration of the OPIC legislation: Pat Holt, Jerome Lev-

inson, Jack Blum, Geoffrey Shields, Charles Meissner, and Vivian Lewis.

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

Mr. JAVITS. Mr. President, would the Senator yield for a similar request?

Mr. CHURCH. I yield.

Mr. JAVITS. Mr. President, I ask unanimous consent that Frank Ballance of my staff be granted the privilege of the floor during consideration of this measure.

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

Mr. CHURCH. Mr. President, we are today considering proposed legislation reported by the Senate Foreign Relations Committee which, if enacted, would take the U.S. Government out of the business of directly writing political risk insurance. The legislation transfers, over a 5-year period, from the U.S. Government to those private insurance companies which choose to participate, the program by which American corporations which invest abroad are insured against political risks of three types—expropriation, inconvertibility of currency, and war. This investment insurance program is presently administered by the Overseas Private Investment Corporation—OPIC—an agency of the Federal Government.

The program was first initiated during the Marshall plan as a minor part of the U.S. economic assistance program for the reconstruction of the war-devastated economies of the countries of Western Europe. At its inception, the program was rather modest in scope; 12 firms applied and only currency convertibility was guaranteed. Given the predominant economic strength of the United States in the immediate aftermath of the Second World War, and the urgent need to assist in the economic renewal of Western Europe for both humanitarian and political reasons, there was no compelling reason to examine closely the rationale, or the justification for this investment guarantee program.

In the late 1950's and early 1960's, however, the focus dramatically shifted from the developed countries of Western Europe to the so-called developing countries. The United States became increasingly obsessed with the specter of Communist subversion of the third-world countries. To counter this subversion, the United States undertook a major expansion of its economic and military aid programs to these countries. The foreign economic assistance program was thus transformed from a relatively modest technical assistance effort during the 1950's into a massive capital transfer program in the 1960's. Investment guarantees were used much more aggressively to encourage the export of private capital as a complement to the flow of public aid funds into the less developed countries.

It was believed during the 1960's that political risk insurance would coax private investment to flow to—and thus shore up—governments friendly to the United States. Between 1961 and 1969, for example, expropriation guarantees issued by the Agency for International Development which administered the program, amounted to $4.9 billion. Over $400 million in guarantees were issued in Chile for the purpose of encouraging U.S. copper mining companies, which dominated the mining industry in that country, to expand their investments. It was believed that such expansion would bolster the Christian Democrat Government which the United States favored. Similar decisions were taken in Jamaica, where in the name of political stability, AID and its successor, OPIC, guaranteed over $500 million of investments by U.S. aluminum companies in bauxite mining and smelting facilities.

The fate of the Chilean investments is well known. In 1970, a new government was elected in Chile which nationalized without compensation, properties which had been guaranteed against expropriation; OPIC's potential liability from these Chilean expropriations is over $225 million, an amount substantially in excess of OPIC's total reserves. In Jamaica, increasing demands are being made by the present Jamaican Government on the companies which have been guaranteed against expropriation by the U.S. Government. Thus, the attempt to insure political stability by guaranteeing corporate investments in these two countries, alone, has exposed the American taxpayers to a financial risk of nearly $900 million on private investments, under policies backed by the full faith and credit of the U.S. Treasury.

By 1969, the precarious nature of the program was becoming apparent; the forces of nationalism which were surging through the developing world, increasingly, focused upon the U.S. corporate preserve as an inviting target. Inside the United States, an increasing disenchantment with foreign aid, led the advocates of the guarantee program to put a new face on it. OPIC was born in 1969 as a response to these new pressures. The proposal to form OPIC was referred to the Committee on Foreign Relations where it failed to gain majority support. It was then proposed as a floor amendment to the Foreign Assistance Act and passed after a brief debate. No hearings were held to examine in depth the reasons for creating a new vehicle to administer the investment guarantee program. Indeed, not until the summer of 1973 did the Senate hold any hearings at all to review the record of this 25-year-old program which had grown so large.

Finally, last summer, the Subcommittee on Multinational Corporations held 6 days of hearings and heard 42 witnesses. Statements were also received from individuals who did not appear personally to testify before the subcommittee. Statistical information and case studies were supplied by the General Accounting Office in a comprehensive report. The staff of the subcommittee did exhaustive field research. It was, thus, the purpose of our hearings to assess both the rationale and administration of the OPIC program on the basis of a comprehensive investigation and analysis.

What, then, did we find in the course of this extensive inquiry? The basic conclusion that the subcommittee reached is that OPIC, under any acceptable accounting procedure, is presently insolvent and without the congressional subsidy, made through direct appropriations over the past 5 years, its financial condition would be even more precarious. Hence, the allegation made on behalf of OPIC that it is a self-sustaining program has no basis in fact. The truth is that there are currently outstanding against OPIC approximately $369 million in unsettled claims and only $161 million in reserves to meet them.

But this situation is even worse than it appears. Statistics supplied to the subcommittee by OPIC disclose that if OPIC had not received $106,250,000 in direct congressional appropriations since fiscal year 1970, it would currently have only $55,250,000 in its insurance reserves instead of the $161,500,000 it now shows. OPIC itself recognizes its precarious financial condition.

It has requested an additional appropriation of $25 million for this fiscal year which is to be used to build up its depleting reserves. OPIC claims that its appropriation requests are justified because they represent $50 million of old reserves plus interest which were removed from the AID political risk insurance reserve funds and used to fund a special reserve for the Latin American Housing Guarantee program. However, this argument fails to recognize that Congress, in the period 1970–73, appropriated $106,250,000 for the investment guarantee program, which is over $56 million more than is claimed by OPIC as compensation for funds which were diverted from its use. The plain fact of the matter, then, is that OPIC's insolvency, by OPIC's own admission, can only be salvaged by dipping deeper into the U.S. Treasury. What other reason can there be for OPIC's pending request for $25 million in additional funds to fortify its reserves against pending claims—and this request may well be the harbinger of many more to come?

There should be no illusion that the investment guarantee program is self-sustaining, or, as presently administered, that it can be financed out of current premium income. Rather, it is a program heavily subsidized by direct appropriations of tax money. The fundamental issue is whether we wish to continue public subsidy to private investment abroad.

It is relevant, then, to consider who are the primary beneficiaries of this subsidized program. When OPIC was first proposed in 1969, it was alleged that more flexible administration of the program would lead to its being more widely used by medium-sized U.S. businesses rather than the largest ones. But this has not been the case. As with the AID-administered program before it, the major beneficiaries of the investment guarantee program, whether administered by AID or OPIC, have been companies on the "Fortune Five Hundred" list of the largest U.S. corporations.

The distinction of users under the OPIC administration varies hardly at all from that of AID: Under OPIC administration, 79 percent of all insurance issued went to corporation on the For-

tune 500 list, while under AID administration the percentage was 78 percent.

In other words, the concentration of insurance issued to the 500 largest corporations has even increased under the new administration as compared to the old.

Thus, there should be no doubt that this program is administered for the benefit of America's largest multinational corporations—companies which can certainly afford to self-insure or pay premiums based upon sound commercial insurance principles.

Similarly, we found in the course of our hearings that OPIC-insured investment, like that of AID before it, tended to be concentrated in a relatively few countries. In terms of geographic coverage, under AID management 57 percent of the coverages issued by AID were concentrated in eight countries; under OPIC management the degree of concentration has been even greater, since 83.3 percent of its issued coverage has been concentrated in eight countries. Nor is this surprising. The tendency of investment to come from a limited number of companies and to flow to a limited number of countries seems to have a momentum of its own which is not changed by the availability of political risk insurance.

Thus, the committee could find no basis in fact for the principal foreign policy justification for OPIC; namely, that it stimulates the spread of American private investment throughout the underdeveloped world. The proof rebuts the contention.

Does the program, as it is sometimes alleged, help to assure the U.S. economy of secure American-owned sources of raw materials abroad? Here, again, the evidence seems to suggest just the opposite effect. It is significant that, in contrast to AID, OPIC has insured few new investments in natural resources precisely because, as the GAO report noted, these have proved high-risk investments. It is no accident that the areas of deepest tension are those where natural resource investments are most highly concentrated: Chile, Jamaica, and Guyana. For OPIC guarantees actually encourage equity investments, where the American interest takes the conspicuous form of outright ownership, which then has the effect of acting as an incitement to the local populace to look upon the foreign owners of their resources with envy and anger. Moreover, as the former U.S. Ambassador to Jamaica noted, the investment guarantees also led to a sense of complacency on the part of the guaranteed U.S. corporations, which inhibited them from adapting to local conditions and minimizing tensions. Hence, the guarantee program, far from fortifying security of investment in raw materials, may have the effect of encouraging insecurity.

If the program requires a high degree of Federal subsidy through continued direct congressional appropriations, as it has in the past; if it primarily benefits those least in need, the largest multinational corporations; if it has failed to alter the concentrated pattern of foreign investment or to assure us a secure source of raw materials, what then, can be said for its continuation? Not very much, I am afraid.

Of course, we are all aware of the copious literature which has flooded in upon us diagnosing, analyzing, and prescribing formulas for development of the poorer countries of the world. Indeed, the story of foreign aid is one of adopting and then shedding the various development fads as they have emerged, particularly in the past decade. My purpose here is not to expound upon this almost infinite literature and changing theory except to note that in the course of our hearings we did have testimony from experts in the field of economic and social development, and I confess that the advice we received struck me as eminently sensible. This is what I distilled from what they told us: Concepts of developments are rapidly changing; there are increasing doubts that growth in GNP alone is an adequate definition of development; there is an increasing focus on the income distribution effects of growth; some countries which have impressive growth rates, at the same time betray regressive income distribution trends. As Robert McNamara, President of the World Bank, noted in connection with Brazil, a country which has been particularly favored with OPIC guaranteed investments:

> In the last decade Brazil's GNP per capita in real terms, grew by 2.5% per year, and yet the share of the national income received by the poorest 40% of the population declined from 10% in 1960 to 8% in 1970, whereas the share of the richest 5% grew from 29% to 38% during the same period. In GNP terms, the country did well * * * But throughout the decade the poorest 40% of the population benefitted only marginally.

The easy assumption that U.S. corporate investment in the "third world" contributes to healthy growth and wholesome development can no longer be taken as an article of faith.

Termination of this U.S. Government subsidized guarantee program is thus part of the process of ending a patronizing and paternalistic approach to foreign aid in which we think we know best what is good for the developing countries, rather than their making their own judgments as to what development pattern suits their needs.

On the other hand, the legislation here proposed is not punitive. It does not seek to prevent or even discourage private investment abroad. It is neutral in its effect. It says, in essence, to the potential investor:

> The decision to invest abroad is your decision to make in accordance with your best business judgment but it is one you must make without the crutch of a U.S. Government subsidy.

To the country in which the investment is to be made, it, in effect, says:

> It is the policy of the U.S. Government neither to encourage nor discourage investments by U.S. corporations in your country. If you wish to obtain such investments, you must create a climate which will attract such investment without counting upon a subsidized OPIC program to tip the scales in your favor. Between the two of you, and without the intervention of a U.S. Government subsidy, you must work out an arrangement acceptable to both of you.

There is much to be said for the position espoused by Senator CASE that the investment guarantee program should terminate December 31, 1974. Senator CASE, the ranking minority member of the Subcommittee on Multinational Corporations, is present on the floor this afternoon. He took the position after hearings and after a careful study of the matter that the investment insurance program should terminate on a date certain, December 31, 1974.

I must say that, from the standpoint of logical application of what the committee found in its hearings, the conclusion that should naturally follow is the position of Senator CASE. It is the purest one, and indeed very sensible. But the majority of the subcommittee, in a position endorsed by a majority of the Committee on Foreign Relations, concluded that U.S. investors should have the opportunity to obtain nonsubsidized private guarantee insurance.

In view of the fact that the Federal Government had so long been involved in this insolvent, highly subsidized program, we felt that a transition period should be provided to permit a phaseout of Government's direct involvement in this kind of insurance and a phasein of the private sector under a consortium that might be arranged among the private insurance companies. Indeed, we had much testimony in the course of the hearings as to the willingness and the capability of the private insurance companies to move in and take over this insurance business if they were given an opportunity. Such insurance has not previously been available, in part, because the private American insurance industry has traditionally shied away from new forms of insurance. In the main, however, it has not been available because no private insurance group could compete with a subsidized Government program. It is this kind of program that the bill is designed to phase out. It is designed to phase in private insurance company participation.

We have therefore proposed that a transition period be provided in which the Government-subsidized program will be gradually phased out and private insurance allowed to phase themselves in. In hearings before the subcommittee, various representatives of private insurance companies testified that this was a feasible objective. But as one witness stated, what is needed is a "clear signal" that Congress wants this program to be transferred to the private sector. This legislation provides that signal.

It also provides some minimum safeguards to insure that the objective is, in fact, achieved. Two or three provisions are worthy of note:

First, the legislation requires OPIC, over a 6-year period, to withdraw from the direct writing of new political risk insurance. By the end of 1980, OPIC must cease all direct writing of political risk insurance. The formula used in this section requires a 5-year transition phase during which OPIC will share new insurance risks with private insurance companies. Beginning in 1975 for expropriation and inconvertibility insurance,

and 1976 for war risk insurance, no further direct insurance will be written by OPIC in countries where private insurance companies are unwilling to issue some insurance. At the outset, private insurance companies or multilateral institutions will have to write 25 percent of new expropriation and inconvertibility insurance contracts and 11½ percent of new war risk insurance contracts in each country where OPIC writes insurance. These percentages are mandatory. Two years later, OPIC is encouraged to raise these percentages to 50 and 40 percent of private participation, though these higher percentages are not mandatory.

The insurance company executives themselves testified that they would need this provision to be interested in writing political risk insurance. Mr. James Meenaghan, of Firemen's Fund Insurance Co. testified:

> At the outset, private insurance companies should have at least 25 percent in the association. This would provide a large enough share to make the effort economically feasible.

I point out that the bill merely lays down a requirement for an initial participation in the first year, which witnesses for the private insurance industry have said was a necessary minimum to make their participation feasible.

Second, the sharing of risks is necessary to assure that OPIC will not write insurance for purely political reasons. Under the sharing provision of the bill, OPIC will have to be able to convince private insurance companies that the rates charged for projects in particular countries are sufficient to merit issuing insurance there. Thus, this provision safeguards the U.S. taxpayers stake in OPIC by tying it to willingness by private insurance companies to share risks with OPIC.

Mr. President, I would point out that this provision of the bill is the self-regulator. If our objective is to make these insurance policies actuarially sound, if our purpose is to take the public subsidy out of this insurance program, then the most dependable way of doing so is to give private insurance companies a sufficient participation to enable them to police the program. They cannot afford to write insurance that is not fiscally sound.

Finally, this provision will encourage OPIC to spread its insurance over more countries.

Incidentally, that was the initial foreign policy justification for the program in the first place—one which has never been borne out by actual experience.

As I indicated earlier, approximately 85 percent of all OPIC insurance is written for eight countries. Private insurance companies will not tolerate such concentration of risk and thus will indirectly force OPIC to diversify or at least not to write the astronomical amount of insurance it has in such countries as Jamaica, where there is presently over a half billion dollars of exposure—on that one little island.

So, Mr. President, this particular provision of the bill is good from every standpoint: From the standpoint of the soundness of the new insurance that will be written, and also from the standpoint of the original foreign policy objective of spreading American investment more broadly throughout the developing world.

The second crucial provision is the reinsurance provision. This allows OPIC to reinsure the private insurance companies against a global loss. A meaningful deductible such as the one provided in this provision is necessary in order to prevent OPIC from merely using the private insurance companies as a front, as salesmen so to speak, with OPIC continuing to pick up all significant losses through its reinsurance.

We certainly do not want this bill to become a mockery, which it could become if this provision were stricken from the legislation. We do not want the private insurance companies collecting the premiums while the Government agency is left holding the bag. As the bill is presently designed, the reinsurance function of OPIC will be just that, for the provisions of this bill will require the private insurance companies not only to collect their share of the premiums, but to assume their share of the risks.

It is also necessary to have a reinsurance formula which gives the private companies an incentive to spread their insurance more evenly throughout the less-developed world. This formula accomplishes these goals by tying the deductible to the amount of insurance a private insurance company writes in that country in which it writes the most political risk insurance.

Mr. President, the amendments that I understand the distinguished Senator from New York (Mr. JAVITS) will offer are addressed to these two main provisions of the bill. They would have the effect of making the private insurance companies only salesmen for OPIC, without reducing the risk of tremendous liabilities to the U.S. taxpayers. The amendments would remove the reinsurance deductible, leaving the U.S. Government up to almost 100 percent responsible for all losses incurred. Such an amendment would make OPIC share its premiums with the private insurance companies without assuring that the private insurance companies bear any substantial risk of loss.

Senator JAVITS would also remove a date certain by which the United States must reduce its percentage participation as direct insurer of political loss. This proposed amendment would strip the bill of its chief fiscal safeguard; that by December 31, 1975, no insurance can be written by OPIC unless private insurance companies write 25 percent of the insurance in that country. This provision is essential in preventing misuse of the OPIC program and as a means of tying sound risk management principles into the bill.

In place of those safeguards, Senator JAVITS, as I understand, suggests that OPIC be required to issue periodic reports on the advisability of ending the U.S. Government's role as a direct insurer of political risk. To have OPIC issue such reports is like allowing the fox to recommend security measures to protect the chicken coop. The OPIC hearings demonstrate that the time is now for the Government to make the decision to get out of the business of directly writing political risk insurance.

A majority of the Foreign Relations Committee have endorsed S. 2957 as the best way to restructure OPIC in the interests of the United States. The bill would enable us to move the Government out of this heavily subsidized insurance program while phasing in the private insurance industry, which is willing and able to replace the Government in this endeavor, and the bill would do it in such a way as to prevent the Government from becoming the guarantor of the private insurance company's participation, and thus protect the fiscal interests of the Treasury of this country.

Mr. President, this is a legitimate bill, fully justified by the hearings and by the evidence. It is overdue, and I do hope that the Senate will see fit, in supporting the committee in its effort, to move the Government out of this insurance program and allow private industry to take it over and run it on a fiscally sound basis.

Mr. CASE. Mr. President, first I want to thank and I do thank my colleague, the chairman of our subcommittee, for his most generous comment on my position in this matter, and for laying the groundwork for what I regard as the logical outcome of the findings that the subcommittee made: that is to say, the termination upon the expiration of its present term of OPIC and its programs. It would end, unless extended, under existing law by the end of the current calendar year, as far as writing new insurance or engaging in its loan program is concerned.

The subcommittee, as the chairman of the subcommittee has just stated, by a vote of a majority of its members approved the bill which is before the Senate now as a means of eliminating direct U.S. Government participation in the insurance program. This is to be done over a considerable period of years and OPIC would retain the position of reinsurer. To my mind, this is not desirable. Whatever could have been said and what was said when OPIC took over the then-AID program of insuring American investments abroad to favor that procedure, no longer applies. One does not have to be against foreign aid, as I have indicated in several statements, to believe that a continuation of the artificial stimulation and subsidization by the insurance program of such loans and investments abroad is undesirable.

Mr. President, I shall not take the time of the Senate to go over in detail matters that I can handle by insertions of several documents in the RECORD.

To that end, here is the letter I addressed to all my colleagues under date of February 21 on this subject:

> FEBRUARY 21, 1974.
>
> DEAR COLLEAGUE: Next week, S. 2957, a bill to extend the authorization of the Overseas Private Investment Corporation (OPIC) will be taken up by the full Senate. Under present law, OPIC's authority to write insurance and to engage in direct development financing will expire December 31, 1974.
>
> As reported by the Senate Foreign Relations Committee, S. 2957 would authorize OPIC to insure U.S. investments in foreign

countries against expropriation and inconvertibility through December 31, 1979, and against war risks through December 31, 1980. The bill provides that during these periods OPIC shall phase out direct issuance of this insurance and, by the dates specified, shall assume solely the role of reinsurer to the private insurance industry.

In my view OPIC should not be extended and I intend to vote against S. 2957.

I agree with the following conclusions reflected in the Committee's report of the bill, but to me the thrust of these conclusions suggests that OPIC should be terminated rather than continued even on a conditional basis:

I. The investment guarantee program administered by OPIC is, at best, only a marginal contributor to the development of the poorer countries of the world and OPIC is only a marginal stimulus to private investment in less developed countries.

II. The program, as presently conceived, tends to increase the likelihood of United States Government involvement in connection with the foreign property interests of United States investors.

III. The program, as presently administered by OPIC, and previously by its predecessor, AID, has inherent within it a conflict between the achievement of public policy and management by sound insurance principles. The result has been a large and unsatisfactory exposure of the good faith and credit of the U.S. Government.

One doesn't have to be against U.S. private investment abroad to oppose a continuation of the artificial stimulation of such investment by U.S. Government-subsidized insurance.

By providing a cushion against the costs of expropriation to American investors OPIC may well encourage such investors to behave in an unbusinesslike manner, to fail to recognize the best interests of the host countries, and to forget the long-term goal of good relations with such countries. OPIC-insured investments may thus inspire ill-feeling among the local population against American investors and other things American.

Moreover, if foreign countries don't have to attract U.S. capital investment by themselves, maintaining a favorable political climate for such investment, the strongest incentive for responsible conduct by such countries is removed.

The more one considers the matter, the clearer it becomes that U.S. government insurance of private U.S. investment against political risks in foreign countries is inherently unsound and self-defeating.

Moreover, the direct cost to the U.S. taxpayer is substantial and growing. In addition to the very large potential claims, half of OPIC's operating budget comes not from premiums paid by insured companies but rather from the Federal government: $12.5 million last year and $25 million this year.

Also of interest is the General Accounting Office finding that the U.S. investments insured often result in a net loss to U.S. employment. Fourteen of 27 OPIC-insured electronics plants surveyed by GAO were found to export 100 percent of their output to the United States while another five exported to the U.S. 80 to 99 percent of their production.

Finally, I don't think American insurance companies should be lured, encouraged or prodded by the U.S. Government to get into the business of insuring private investments against political risks abroad. I know I don't want any insurance company on which I rely for protection to subject its assets to such risks.

It is my hope that the Senate will reject S. 2957 and any other effort to extend OPIC beyond the end of its present term.

Sincerely,

CLIFFORD P. CASE,
U.S. Senator.

Mr. President, I would say about this letter, that one of the functionaries of OPIC had objected to points in it and I should like to address myself to those comments.

First of all, he said that I should not have said that half of OPIC's operating budget comes not from premiums but from the Federal Government. That appears on the second page of the letter I wrote, in the paragraph beginning:

Moreover, the direct cost to the U.S. taxpayer is substantial and growing.

Then the objected to statement appears in the next sentence of that paragraph:

In addition to the very large potential claims, half of OPIC's operating budget comes not from premiums paid by insured companies but rather from the Federal government: $12.5 million last year and $25 million this year.

Apparently, the fact is I was in error in making that statement, which I regret and naturally withdraw, but I would like to leave the statement as first stated in the letter, to be followed by the corrected paragraph, which is that one-half of OPIC's working capital comes from the U.S. Government and the figures for fiscal years 1971 and 1972 show OPIC's capital increased by $109.7 million, of which $61.1 million came out of appropriations.

Mr. President, then the representative of OPIC also objected to a quotation which I made in my letter from a report by the GAO that electronic plants, insured by OPIC, exported from foreign places 100 percent of their output to the United States. The GAO said that these were OPIC-insured investments, not leftovers from AID and has not substantially changed that statement. The OPIC representative says that much of this insurance was initiated under AID. Even if that is true, the fact is that OPIC did insure the investments and that the facts are correctly stated, as I understand it, in the GAO report and my quotation from it.

Now, Mr. President, I also ask unanimous consent to have printed in the RECORD a letter which I have received on this matter, dated February 22, from Andrew J. Biemiller, the director of the department of legislation of the AFL–CIO, and the statement attached to that letter by the AFL–CIO executive council, on the Overseas Private Investment Corporation, which is dated from Florida, February 22, 1974.

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

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., February 22, 1974.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: The Senate next week will take up S. 2957 authorizing the Overseas Private Investment Corporation (OPIC) to continue beyond December 31, 1974, its insurance of the overseas operations of U.S. corporations.

The AFL–CIO urges you to vote against this bill, and against any extension of OPIC. The enclosed statement, adopted by the AFL–CIO Executive Council, sets forth the reasons for our opposition.

No amendments to the proposed legislation can cure the defects of OPIC. At a time when the U.S. economy is in serious decline and joblessness is mounting it is folly to continue to export U.S. employment.

S. 2957 would permit OPIC to continue to give direct aid to the world's largest banks and corporations to expand their overseas operations for up to another five years; authorization to insure U.S. investment in other countries against expropriation would continue until 1979 and against war risks until 1980.

However, OPIC could then become a continuing reinsurer of the private insurance industry—which the bill contemplates will pick up these expropriation and war risk protection functions. There is no clear cutoff date on the role of OPIC as a reinsurer. Thus the U.S. taxpayer would continue as the insurer of last resort for these operations.

OPIC's insurance is heavily concentrated in the overseas operations of U.S. manufacturing industries, which have suffered heavy U.S. job losses. For example, a General Accounting Office report found that 19 or 27 OPIC-insured electronics plants abroad exported more than 80 percent of their production back to the U.S. Within this industry, there was a loss of 148,000 jobs during 1968 to 1972. Other industries that are involved in the OPIC insurance program are autos and auto parts, footwear, apparel, textiles and machinery.

We therefore urge you to vote against S. 2957 and any other extension of OPIC.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

Enclosure

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON THE OVERSEAS PRIVATE INVESTMENT CERPORATION, BAL HARBOUR, FLA., FEBRUARY 22, 1974

The Overseas Private Investment Corporation (OPIC) is a wholly-owned United States Government corporation set up to encourage private investment abroad. Under its provisions, insurance and guarantees on inconvertibility of funds, expropriation, and war damage are direct obligations of the United States and the "full faith and credit" of the USA are pledged for meeting claims in case losses should exceed money available in the corporation's reserves.

In hearings before the Subcommittee on Multinational Corporations of the Senate Committee on Foreign Relations, it was disclosed that potential OPIC liabilities on business claims exceed the agency's reserves by more than $100 million. Losses occurring as a result of the seizure of an American business property are tax-deductible from other company income earned, even though the tax on the profits of a foreign operation is not paid until returned to the United States. The American Government, by allowing this favorable tax procedure, absorbs 48% of all such losses in addition to the expense of the OPIC program.

The American taxpayers have a heavy stake in OPIC because they would have to foot the bill if U.S. corporations suffered heavy losses in their foreign operations. Workers who have no tax loopholes are thus helping to make possible insurance coverage at low cost for the very same multinational corporations that are moving their factories and technology to low wage areas abroad. Because of their very low wages, the workers in these areas cannot afford to buy the products which they make. Therefore, many OPIC-insured projects have been exporting from 90% to 100% of their manufactured products to the United States. For example, OPIC-insured electronic corporations abroad sell a very large proportion of their products to

the United States. This entails a net outflow of several hundred million dollars annually from the USA and hurts our balance of trade.

OPIC-insured corporations, which replaced, in whole or in part, their operations in the USA by removing them to low-wage areas, are not helping to raise wages and improve living conditions of the working people in these impoverished countries.

These corporations, who profiteer at the expense of badly underpaid workers in other lands, have caused the loss of U.S. jobs, the undercutting of American living standards and the flooding of U.S. markets with goods made by U.S. companies in other lands.

OPIC has underwritten insurance for American private investors operating in 90 low-wage lands. Recently, it extended its guarantee program to Communist Yugoslavia and Romania. In many instances, multinational corporations, receiving insurance coverage under the program, have resorted to anti-union policies and promoted anti-union legislation.

The aforementioned Senate Committee has recommended a gradual shift of OPIC insurance to private industry with an open-ended reinsurance commitment by the United States. This would still involve taxpayers' money for reinsurance and would therefore, provide only a minor improvement of the present program.

The Executive Council declares that, because of its many adverse effects, OPIC should be completely terminated. We further oppose its replacement by a similar program requiring financial backing by the U.S. Government.

Mr. CASE. Mr. President, I do not wish to delay any longer consideration of the amendments which I understand the distinguished Senator from New York (Mr. JAVITS) is going to offer. I would just like to let my colleagues know that, at an appropriate time, during consideration of this bill, I may have further comments to make based on the material I have had printed in the RECORD.

I yield the floor.

Mr. JAVITS. Mr. President, I have heard the statement of the distinguished Senator from Idaho (Mr. CHURCH) with great interest. If he were right and everything he said or much of what he said were right, then we should go Sentor CASE's route and simply eliminate this whole burdensome and obnoxious corporation.

Nonetheless, even the majority which Senator CHURCH says entertain all these views did not go that way and decided that an effort should be made over a rather considerable period—6 years—to change the company into some kind of reinsurance company.

In short, it not only did not eliminate it, it not only continued it, but even gave it a role beyond the time of 6 years when it is to get out of the direct insurance business and go into the reinsurance business. In addition, if all the things that were said about OPIC were right, anyone on the committee who voted differently from Senator CHURCH and those who voted with him need to have their heads examined. But this matter was carried by a very close vote. The bill was reported by the committee by 9 yeas to 7 nays, and this was in the absence of Senator SPARKMAN, who has declared himself in favor of OPIC.

So, really, the committee was as much divided as any committee can be. From the point of view of the views of its members, it was divided 9 to 8. While Senators FULBRIGHT, MANSFIELD, CHURCH, SYMINGTON, PELL, MUSKIE, MCGOVERN, PEARSON, and PERCY voted "yea" to report it, Senators MCGEE, HUMPHREY, AIKEN, CASE, JAVITS, SCOTT, and GRIFFIN voted "nay," not to report it. Senator CASE has explained his attitude. He wants it eliminated entirely; but the others do not, and I believe that they will support the amendments I intend to propose.

What is really at stake here is a way in which investment can be encouraged in terms much more palatable than foreign aid to the development countries of the world, or whether we are simply to cut ourselves off from the developing countries of the world. To me, the proposal before the Senate is a cutoff. We are deciding that we are not going to have anything at all in that area.

Let us remember that this proposition was before the Senate 4 years ago, with the opposition of Senator CHURCH and most of the Members who voted to report this bill, with some exceptions, and they will explain their view, I am sure. Nonetheless, I can understand that if one is against any kind of foreign aid and believes he should vote against it, this falls within the pattern. Whether or not it is a highly economical way to proceed becomes immaterial. The fact is that one is against the whole proposition. So, as Everett Dirksen used to say, "The hide goes with the hair." So one votes against the whole thing.

But I believe—and obviously there are a considerable number of Members who agree with me—that this is unwise for our country, that we still remain a very powerful and wealthy Nation, that there is an unbelievable amount of difficulty in the world for the poor nations, and that this difficulty is now compounded by the enormous amounts they have to pay for energy. So we ought to be very careful about that kind of cutoff, whether there are other things which can replace it, and not proceed with it if it represents an improvident way in which to deal with the economic power of the United States in terms of something that it can do without grants.

The large figure which is cited in respect of the OPIC guarantees is itself very significant, because that means this amount of capital has flowed into developing countries. It is not a figure which is invidious. On the contrary, it is a figure which is highly creditable rather than invidious.

The other point which seems to me very important in considering this matter—and I am sure we will develop in considerable detail what is at stake here—is that this happens to be an operation which is extremely economical, and the risks that are run are risks that are run in any insurance company.

As I recall, insurance companies have manifold exposure, as it is called—the liability which their reserves cover. An insurance company is not worthy of the name unless that is so, and it is true of every insurance company. The test for an insurance company comes when it does meet a rash of losses, in how it meets those losses. If it does, it emerges stronger and a much more successful insurance company as a result. By those standards, as I believe we shall demonstrate, OPIC has done extremely well.

Also, Mr. President, I think that the assertion that OPIC is "insolvent," under any acceptable accounting standards which the manager of the bill has argued, will not stand up. That is his opinion; but it is not my opinion, for one. It is not the opinion of a considerable number of other members of the committee, and it is not the opinion of OPIC. I do not think it stands up in accounting terms, either. That is a very serious charge, if we are dealing with an insolvent company. I think it is probably the most serious charge made in this whole matter in respect of a corporation which, in our opinion, will be dismembered if this bill is passed, as I will explain.

Mr. President, the matter of solvency or insolvency is referred to on page 28 of the report of the committee. As I say, that is the opinion of the majority and of Senator CHURCH, but that does necessarily have to be the fact. It says:

OPIC's financial viability is in doubt and it may well have to rely on Congressional appropriations or Treasury payments based on the full faith and credit clause of OPIC's authorizing legislation to bail it out. Indeed, as the following table indicates, by ordinary financial standards OPIC is on the brink of insolvency. If OPIC were a private insurance company, under generally accepted accounting principles it would have to set aside a reserve against the outstanding claims. This reserve would likely reduce OPIC's available reserves to a negative figure.

That is a long way from being manifestly insolvent. That its reserves may have to be reduced to a negative figure, or that it may have to set aside material reserves, does not say that by ordinary financial standards it is on the brink of insolvency. That is the assertion which is made.

Mr. CHURCH. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I am just going to analyze all the facts and figures.

Mr. CHURCH. I want to point out to the Senator that the outstanding claims against OPIC at the moment are $369 million, against which OPIC itself acknowledges a total reserve of only $161 million.

In the course of the hearings, when these figures were pointed out to one of our witnesses, the dean of the business school at the University of Boston, I asked him if in his view it could be fairly concluded, on the basis of these two figures, that OPIC was insolvent. His reply was:

Well, Senator, I certainly would not want to recommend to any investor friend of mine that he invest in OPIC stock, given its present financial condition.

I do not believe that the committee has overstated the case, in light of the fact that the present claims against OPIC are more than $200 million in excess of its reserves with which to pay.

Mr. JAVITS. Mr. President, that just

shows the danger of yielding and being a softy, because the Senator said just what I expected him to say. He has not heard a word of my argument. He has simply repeated his argument, and I thank him very much, but it is just as irrelevant as the original statement.

The fact is that the reserves that are set forth in the Senator's analysis are now 7 months old and $40 million less than they are today. That is how fast the reserve position of OPIC has grown.

Under the Senator's own figures, the reserves, he says, are $142 million. The reserves of OPIC as of January 1, 1974, are $184 million.

Mr. President, it is very understandable——

Mr. CHURCH. Mr. President, will the Senator yield at that point?

Mr. JAVITS. No, I will not yield right now. I will yield in due course, but I would like to finish my argument, if I may.

Mr. President, the reason these reserves are rising is that this is a very profitable operation and the fees are very high compared with the expenses of this company. This company, by the way, was established over the opposition of the Senator from Idaho (Mr. CHURCH) who voted against it at that time; all he is really saying is he was against it then and he still is against it.

The fact is that these reserves result because of the fact that the income of this enterprise is running at $20 million in exccess of that for the period 1969 to date and its administrative expenses are, roughly speaking, in the $2 million a year range. That does not sound like an insolvent business to me, no matter what the fellow from Boston thought.

The fact is that the charge of insolvency is based on two pending claims, one of which is the ITT claim in Chile. There has been enough notice in the public press as to the holes in that because there is a provision of the guarantee agreement that the ITT should have behaved with reasonable propriety with respect to its Chilean operation.

Now, there are $246 million worth of claims against the OPIC guarantee in arbitration. There is no assurance which way they will go and no insurance company worth its name would establish a 100-percent reserve, especially in view of the fact that other claims have been settled on a very long range basis where the Government has paid in bonds and the Government guaranteed its bonds and those bonds look good now compared to the previous administration.

I believe it is not justified, and we will produce a good many more facts and figures on the subject, to establish a statement of insolvency against this corporation on that record.

I respect the views of the manager of the bill and the views of the man he said testified, but there are other views, too, and those are the views it is our duty to produce insofar as the Senate is concerned.

Mr. President, I will yield at this time to the Senator from Idaho, if he wishes to proceed now. I merely want to finish the argument.

Mr. CHURCH. Mr. President, I simply wanted to make the observation that if OPIC itself felt its fiscal position was solvent in light of the outstanding claims presently being pressed against it, it would not feel obliged to come to Congress this year to ask for an additional $25 million in public money to further augment its reserves. If this were a solvent program operating on a self-sustaining basis, then the premiums paid by the big corporations being insured by the Government would be sufficient to cover the risk and it would be unnecessary for Congress to be appropriating $25 million a year to further augment the reserves. I think that the precarious financial position of OPIC is plainly written in its own balances and it is available for every Senator to see, who takes the time to read the committee report.

Mr. JAVITS. Mr. President, as far as the appropriations are concerned, if the appropriations were to bail out any claims that had to be paid by OPIC, then the argument would be accurate. But the appropriations are not to bail out any claims that have to be paid. On the contrary, the appropriations are for the purpose of supporting and guaranteeing a program in any amounts beyond the capital which Congress permitted when OPIC started.

Like any other business, if we are going to expand the corporation so that it can do more business, and given a certain set of standards, we have to have a reserve clause to get more from Congress.

Certainly there have been appropriations, but the fact is there have been no appropriations to bail out OPIC from paying the claims for nearly 4 years. OPIC has done fantastically well, as the record will show.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the insurance fees as compared with the appropriations and the expenses and the claim recoveries, which show that OPIC has done remarkably well.

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

SUMMARY OF INSURANCE FEES, APPROPRIATIONS, CLAIM PAYMENTS, CLAIM RECOVERIES AND ADMINISTRATIVE EXPENSES

[Fiscal year 1949 through Mar. 31, of fiscal 1973]

Fiscal year	Insurance fees	Resource adjustments	Appropriations	Claims payment	Claims recovery	Administrative expenses (estimated)
1949	$16,763					
1950	172,609					
1951	205,663					
1952	277,584					
1953	216 680					
1954	205,662					
1955	235,687					
1956	330,873					
1957	416,515					
1958	654,482					
1959	1,367,334					
1960	1,356,227					
1961	1,672,830					
1962	2,298,860		$27,861,484	$650,000		
1963	2,926,017		30,000,000			
1964	$4,674,441					
1965	7,767,432					
1966	9,867,673				$205,947	$193,629
1967	9,117,164				128,247	97,471
1968	14,546,713				[1]438,464	264,838
1969	19,721,714	[2]($50,000,000)			[3]9,737,000	
1970	21,537,152		$37,500,000		[4]5,426,718	60,000 $962,612
1971	24,053,861		18,750,000		345,230	349,899 1,747,876
1972	26,828,962		12,500,000		1,970,317	1,327,698 2,784,464
1973 [5]	19,139,785		[6]11,809,131	12,500,000	17,469,582	135,008 1,851,188
Subtotal	[7]169,618,683		11,809,131	[8]139,111,484	36,371,505	2,428,543 [9]7,346,140
Adjustment	50,000,000					
Total	119,618,583					

[1] Includes $111,160 of guaranty claims.
[2] Insurance fees transferred to Congress by AID housing guaranty program.
[3] Includes $6,713,000 of guaranty claims.
[4] Includes $5,426,718 of guaranty claims.
[5] Through Mar. 31.
[6] Interest earned by OPIC on insurance fees, January 1970 through March 1973 (estimated).
[7] $30,888,516 of fee earnings allotted by board of directors to guaranty reserves.
[8] $44,111,484 of appropriations allotted by board of directors to guaranty reserves.
[9] Administrative costs are not available prior to fiscal year 1970 as AID and other predecessor agencies did not segregate its administrative costs against specific programs.

Mr. JAVITS. Mr. President, in order to do its business over a period of years, the Federal Government decided, when it went into the business, to take away $50 million from OPIC and put it into a reserve for housing guarantees outside OPIC's operations. OPIC has had to have necessary capital in order to carry on an extension of its business, but that does not mean OPIC is going to be any less profitable. So the argument that because there may be a request for appropriations, which we can deny, if we choose to, is that they want to pay claims. But I still do not see how we can claim that to be insolvency.

A number of other points are critically important, aside from the insolvency matter, to which I have referred. One is that the whole problem which arises in deciding whether we are or not going to stay in this field If we are going to stay in it, it is my contention—and I must demonstrate it to the satisfaction of the Senate—that this is the most economic and intelligent way to do it.

By the way, another thing which has not been mentioned is the fact that other major countries have exactly these pro-

grams, and the premiums are much lower than ours, because their governments have been underwriting them much more than we do. Great Britain has such a program. So has Germany. So has Japan. So have France and the Low Countries. Every developed country has gone into the business. It seems to me that it is a very significant point that they have done so, and that they have approached the matter in this way.

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

Mr. JAVITS. I yield.

Mr. CHURCH. In connection with the argument the able Senator is now making, the subcommittee faced the question, the old proverbial question, Which comes first? The chicken or the egg? We discovered that in most cases as to which we were able to obtain facts that the foreign programs were initiated after our own program had been set up, largely in response to the argument that these other countries had to do it to protect themselves because the United States had such a program. I think that in *light of that history*, one ought not to accept the argument that we ought to keep on doing it because other countries are doing it. This is a completely circular argument. It has little to do with the merits of the case.

Mr. JAVITS. The program for the Overseas Private Investment Corporation was set up in 1949, and I was a party to it. John Vorys, of Ohio, a distinguished Representative, and I sponsored it. The investment guarantee program was put in in the other body. It has been going since 1949. The only thing that varies from it now is the form of a corporation, which has brought about an infinitely better management of the program. It is a very interesting program, and the committee itself started it. It started very small and really began to get rolling when we put it into this form.

So the idea that other countries have started the same program does not prove anything, such as that they are going to dismantle their companies. But here it is proposed that we plan to dismantle ours. They are not trying to dismantle their corporations, but we are trying to dismantle ours. There is the significant fact that the other principal industrial countries have done it. But why? That is the critical question.

It is very interesting that when one does not like an argument, he does not make it. The fact is that the only argument the committee has made about the rationale for this particular investment proposition is the following one. I would like to read it, because I think it is significant to what is really at stake and why a decision such as we are asked to make is completely wrong. I read from pages 16 and 17 of the committee report, in which, under the heading "Does the Investment Guarantee Program Assist Economic Development in the LDC's?" The following is stated:

> The basic rationale for including the Overseas Private Investment Corporation in the Foreign Assistance Act was that it would help promote the development of Third World countries friendly to the United States. This argument rests on two premises: (i) the investment guarantee program is an incentive to direct corporate investment in the poorer countries; (ii) such investment is beneficial to the economic development of these countries.

Nothing is said about the interest of the United States whatever. If one listened to what the committee said, he would think all we are doing is buttering up a lot of big corporations or trying to be beneficial to the economic development of those poorer countries. What of the implied benefit to us—what about the exports of the United States which are affected by the investments and operations of these companies in underdeveloped countries? These other countries place great importance in that, and our country should place great importance in that.

Finally, to the question of raw material resources, oil is the tip of the iceberg. It is the beginning. The oil companies have done a lot of cutting and trimming and profiteering, I am sure, but suppose they were not operating at all. Could we see a government corporation carrying on oil exploration and the other operations and the storing of it and having to decide where it goes, and so forth? This will apply to many commodities. If the United States were to go this route, we will live to find we have made a mistake, just as we did in respect of oil, in not awakening soon enough to the responsibility and the authority needed.

That is a critical element of this whole proposition, Mr. President. We are asked to dismantle something because, relatively speaking, considering the amounts of money involved compared to investments which are multibillion dollar ones, it is argued we may have to appropriate $25 million for additional reserves, but without the remotest relevancy and comparison of what is at stake in this world in which we are trying to have a part.

Another thing of critical importance which we have discovered in 25 years is that we are no longer the absolutely dominant factor in the world that we were. We have much competition, and very keen competition, and we must take an accounting of that, and not cavalierly dismantle a measure which gives us an element of being able to do that which we would not otherwise be able to do.

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

Mr. JAVITS. I yield.

Mr. CHURCH. I think it is interesting that the distinguished Senator from New York has alluded to oil. I think the story of international oil—into which the subcommittee, incidentally, has been delving deeply in recent weeks—bears out the position that the Foreign Relations Committee, as a whole, has taken in support of the pending bill. The evidence at our hearings clearly disclosed that the availability of this Government insurance had precious little, if anything, to do with the question of whether or not a multinational corporation decides to invest abroad. And oil is the best proof of it. The enormous investment that the major oil companies have made in the Middle East—in Saudi Arabia, Kuwait, Iran, Libya—in crude oil all has taken place without the benefit of one insurance contract from the OPIC program or the AID program before it; oil has been excluded from this program from the outset, and yet this exclusion had no impact on the magnitude of the investment in crude oil facilities.

The investment was made because the profit opportunities were there, just as the concentration of investments, on the chart at the back of the Chamber reflects profit opportunity for private capital. None of the evidence bears out one whit the contention that this program furnishes private industry with an incentive to invest abroad.

Therefore, I suggest to the Senator that, since no investment guarantee program whatever has been needed to encourage the big oil companies to invest in their crude oil properties in Iran, Saudi Arabia, Kuwait, Libya, and elsewhere, it follows that the elimination of this investment program or its turnover to the private insurance sector of our country would have no profound effect on the disposition of the big companies to invest in foreign lands. The case of oil is the clearest demonstration of the correctness of that contention.

Mr. JAVITS. I heard the Senator with great interest. He misses entirely the fundamental point which is involved here, and that is the presence of American private investments in given countries which are possible of resource development and which do not have the traditional pattern of oil investments.

With all the rocks that are thrown at bauxite in Jamaica, the fact is that that is the way it was developed, and it is much more effective for us to have it developed in the Caribbean than in some country where it would not mean as much in terms of the Western Hemisphere economy and in terms of Western Hemisphere security.

Further, I wish we had had guarantees on the oil companies. If we had been looking over their shoulders, as we must if we do have a guarantee, we would be a lot surer that policies had been pursued that would have been far more conducive to the public interest and public policy than they have been; and that is one of the big arguments for OPIC.

Now, if I may proceed further, I wish to refer to the Paley report, which is a most constructive report on raw materials. Incidentally, that Paley report has been terribly neglected. It shows that there are over 70 individual items of minerals and other products which are absolutely indispensable to the operation of the American industrial machine.

I feel that one of the important arguments about maintaining OPIC is the added opportunity. Nobody claims for a minute that there is going to be no U.S. investment abroad if there is no OPIC. As a matter of fact, it has participation in only something like one-quarter of all the investment abroad, and that percentage may go down. It may be less. But that does not negate the desirability of having a piece of machinery which is available for this purpose, which is the desirability I stress.

Mr. President, I shall wish to deal with the question of the attitude of business, which was a highly controverted issue be-

fore the committee, and whether or not American business would undertake these investments which OPIC guarantees if OPIC did not guarantee them. Obviously that is both a qualitative and quantitative decision. However, the decision, I am sure, well might have been undertaken otherwise. However, the question is as to the great bulk of the business.

We believe from the parts of the testimony we emphasize that of course a company will decide whether it does or does not wish to invest in a given country. However, it still has not put up its money as yet. It has decided that it would like to go into that country. We believe the evidence adds a factor as to whether it will or will not, and will again show whether it is against the interest of the OPIC companies, against war, insurrection, or against expropriation or against controvertibility.

Of course, a business decision must be made first. These are all business decisions. After they have been made, these questions arise. Assuming that it is a good business risk, is it a good risk? Is there insurance against war, insurrection, expropriation, or inconvertibility? And that decision could conceivably knock the investment in the head.

The claim of the people who operate OPIC—and they have had experience with it—bears out the proposition that in enough cases OPIC is justified. As to that final decision as to whether to make a sound business judgment as to whether they will or will not invest in OPIC, the actual investment depends upon the ability to get a guarantee.

I might say, Mr. President, that I have had a great deal of experience with that myself as a Senator and as a lawyer looking into situations and determining whether a given investment should be made.

I have checked as to whether there is a guarantee on all of the items and all of the risks involved in a given situation. And this might be the kind of a situation in which men arguing different sides of the matter might be right. Senator CHURCH would argue that they have made the business decision on whether they will invest. And I would argue that, of course, they have made the decision, but they will not invest until they get assurance on the risks that are outside of the normal business risk so that they would be willing to undertake.

Mr. President, I shall be offering these amendments. However, before I do that, I would like to make clear that there is a very profound difference between the proponents of this measure and me. And that is the nature of the bill that has been, in my opinion, rather glossed over. The fact is that this bill is a sentence of death on OPIC by the end of 1975.

The reason for that is that the amount of insurance which they are supposed to get within the first 2-year period means that if they do not get it, they would immediately be pushed out of business.

The amendment which I will offer will enable us to put them out of business if we wish to do so. However, it does not do it automatically.

We have argued about a lot of things. When I saw the figures, I said that it sounds as if this is a means of terminating OPIC, which it is not. The question is, What should be the criteria in phasing OPIC out into private enterprise corporations, pretty much as some of the housing corporations. Fannie Mae is now privately owned.

The question is how shall that be done. The majority says that it shall be done by fixing an absolute figure so that we would know that they would go ahead. And if they do not, they would be out of business and not be able to write any more insurance. We should fix a figure as to what the objective target will be. We should decide whether or not a failure to meet them should mean that they would be then out of business, rather than making it automatic.

That is what the fundamental proposition has been. And I believe and OPIC believes that if we make it self-executing and simply put them out of business, we not only write a death sentence for them on that account, but also because it would be impossible for them to negotiate with any insurance company.

We believe that the statements made by the insurance companies—and Senator CHURCH cited the statement of a representative of the Fireman's Insurance Co.—shows the contrary to the majority interpretation, that the insurance companies will either not do the business at all or, because so much of the premium is for doing it, we will be forcing OPIC out of business, and they cannot possibly proceed.

The fact that we have made it self-executing deprives OPIC of the opportunity for negotiation with any likelihood of arriving at any agreement with the company.

We have pointed out very clearly on page 66 of the committee report how we feel about it. I would like to read that into the RECORD. I think it is decisive on this particular point. We say there:

> The complete testimony of the private insurance representatives indicates their support of additional study and experimentation before the scope and structure of private participation in OPIC's insurance program can be known. For example, Mr. Sherwood of Prudential stated (see Subcommittee hearings on OPIC Part 3 page 251): "If Congress is to have a firmer basis for deciding to what extent such activity should be left to private enterprise and what the participation of the Federal Government might be, more information is needed." Mr. Meenaghan of Fireman's Fund testified (see subcommittee hearings on OPIC, Part 3, page 374): "Those of us who have worked on this project feel that the OPIC insurance program cannot and should not be completely transferred to the private sector."
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> On November 9, 1973, Fireman's Fund American Insurance Companies issued a public statement again indicating that private insurance companies "might be willing to participate in a trial program on a sound fiscal basis with federal government reinsurance backup, but not with the knowledge that direct government participation would end on a specified date several years hence."
>
> The statement continued:
>
> "The recommendations . . . which are extremely specific as to the schedules of industry percentages, precise reinsurance amounts, retentions, etc., will, in our opinion, not create the proper atmosphere or incentive for the solicitation of private participation."

So, this is a big issue between us. In advance we practically guarantee that they will not be able to make the grade because they are kept from any effective negotiations. Therefore, on the part of those of us who oppose the majority report, I will later offer three amendments to the bill.

Mr. President, the first amendment which I will offer, taking the steps which the committee has proposed, would provide that if for good reason it is not just possible for the corporation to achieve these objectives which are stated in detail in the report of the Senate Foreign Relations Committee and the House Foreign Affairs Committee, stating the reason for that inability to achieve these objectives and the date by which they are to be achieved, and if they do not do that, we will just cut them off and put them out of business or give them another opportunity to do it or to examine it and decide that we should go along with it.

The same is true of my second amendment. There, too, there is an automatic death sentence, and we have revised that accordingly.

One other thing which is very important, which has not been mentioned in this debate, is that there is one type of insurance about which there has not even been negotiation with any insurance company, and that is the insurance for the war risk insurance. Nevertheless, Mr. President, the committee lays down what is absolutely an arbitrary standard. No one has even indicated the remotest interest, but unless they get rid of 11.5 percent of their insurance business in that particular field by a given date, which is the end of 1976, that is it; they have got to cease writing that kind of insurance. Again, it is the same kind of absolute cutoff to which I have referred.

Again, Mr. President, one thing that has not been mentioned at all is that the committee has absolutely withdrawn OPIC, by a fiat fiat, from doing anything in respect to two countries where we have opened up a very promising line of commercial relations, Yugoslavia and Romania. The permission for OPIC to operate in those countries would be absolutely deleted.

Mr. President, the minority considers that to be most unwise, and my third amendment would be a deletion of that deletion, that is, a deletion of the effort to remove Yugoslavia and Romania from the program.

As a matter of fact, I say with all respect—and I hope the Senator from Idaho will supply this in the course of his presentation to the Senate—that I do not think any kind of a case has been made why Yugoslavia and Romania are picked out for extinction as far as OPIC business is concerned, especially at a time when I think it critically important for us, at least as much as it is to do business with the Soviet Union, to try to bring about some more normal relationship with countries which show any degree of independence, of the so-called satellite countries that have heretofore been referred to. So we shall propose that amendment.

The other amendment which we shall

propose is as to the extent of the reinsurance which OPIC may write. We feel that the committee has written in a very limiting and constricting renegotiation provision, that is, the majority has, in an effort, as Senator CHURCH has explained, to try to broaden the number of countries in which insurance will be written.

It is our contention that it will not broaden the number of countries, it will simply narrow the number of countries in which insurance is already being written, because the business decision as such is not to be susceptible to force feeding by us. You have to take advantage of the business decisions made on a business *basis, and then* caused to be translated into an investment because of the guarantees you give. We are not going to be able to force business decisions by the artificial denial of guarantees, where a guarantee would induce an investment based on a business decision which is already made.

So we shall endeavor to make the responsibility for reinsurance generic. And I might say in addition that it is interesting that our own amendment could go the other way, but we find an allowable in overall insurance by OPIC in the committee's bill of $12 billion. We do not think that is necessary. So our amendment respecting reinsurance cuts that down, and retains the existing ceiling of $7.5 billion for the whole program.

Mr. CHURCH. I want the Senator to know that that particular part of his amendment will be accepted.

Mr. JAVITS. I thank my colleague. I am very hopeful that the Senate will adopt a lot more than that particular amendment.

Mr. PERCY. Mr. President, will the Senator yield for a brief comment, and then a question to the manager of the bill?

Mr. JAVITS. Anything, yes.

Mr. PERCY. Mr. President, I did sign the majority report, and I believe, after engaging in the hearings and studying the matter as carefully as I could under the circumstances, that it represented the best approach. It is a middle of the road approach between the position of those who would abolish OPIC and do away with it overnight and of those who would continue on without the kind of benchmarks or managerial controls over OPIC that I feel we should have.

But, Mr. President, I think we should point out very clearly that though our distinguished colleague from New York has some differences with the majority views, we are in accord on the basic objectives, and that is very well put in the opening sentence of the minority views, which the distinguished Senator from New York (Mr. JAVITS) has cited. Let me quote that one sentence:

> We agree that the objective sought by the Committee's majority to increase the participation of private insurers in the OPIC investment insurance program is worth while and should be pursued.

Now, if we are together on the objective, then the question is, Is that objective being furthered in the right way?

It is obvious that Senator JAVITS feels it is not being furthered in the right way, and that the majority feels that it is. I think it is a great testimony to this program and to the Senator whom I would consider the Member of the Senate today most responsible for implementing it, seeing that it has become a powerful force in our overseas investment program and that it has worked as well as it has. It is only because it has worked well that the majority signing this report has now felt that we could wean the Government away, because its value has proven commercially feasible, and we now feel that the private insurance industry can move in and assume a role.

I know that the business community in the great State of New York, like the business communities in other parts of the country, has long said, "The Government keeps getting deeper and deeper into our affairs; isn't there any way we can reverse the process somehow and get the Government out?"

It is only because of the success of this program and the objectives which most of us share that we feel it can be continued and furthered through the private insurance companies now coming in and taking over, over a 6-year transitional period, a part of the position that the Federal Government has heretofore had. The only question now is whether or not the benchmarks or the goals and objectives that have been laid out in the legislation before us are practical, reasonable, and feasible.

As I understand the administration's original request, they asked only for a 2-year extension. Here a 6-year extension in life is being provided, during which this phaseout of certain aspects of the insurance program is permitted.

I direct a question to Senator CHURCH. If, for instance, sometime during the course of this 6-year period, it has been demonstrated and proved that, though every best effort has been made by OPIC, its board of directors, and its management, and despite all the good will in the world expressed this program by the private insurance companies—expressed before us in hearings—OPIC has not been able to exactly meet the standards laid down, would it not be perfectly proper and right then, considering that this legislation has been enacted and a 6-year transition period built into the statute, that OPIC could come back to Congress at that time, lay their case before us, and could we not expeditiously enough act so that that potential, as Senator JAVITS points out, would be preserved, that OPIC would not die? Certain services being provided by OPIC that are fundamental to the national interest and the national policy of this country and will be extremely important as we continue to rely on the developing part of the world for an increasing portion of our raw materials as we become increasingly a have-not nation. Would it be conscionable for us to let it die? Would it not be proper and right, then, for us to say, "That taken into account, let us take another look at it. But certainly we feel at least the standards that have been established in the legislation are those that have been presented to us, in the best judgment we could render, as reasonable standards and goals toward which we should work. At this stage we have seen insufficient evidence that we should relinquish those goals before they have actually been embodied in legislation.

Mr. CHURCH. The Senator states it very well. In the opinion of the committee, the requirements of the act are entirely reasonable and feasible. But if it should develop in the course of the 6-year period that, for one reason or another, a given requirement in the act has proved to be an obstruction to the accomplishment of the goal; and that is, as the Senator has said a goal we generally share, then they can come back before Congress. If a sufficiently persuasive argument is made Congress can take suitable action to amend the law.

So I see no reason at all, given the 6-year transition period, why we need to fear that any requirement we write into this bill must necessarily be an insuperable barrier to the accomplishment of the objective we seek.

Mr. PERCY. The distinguished Senator has had a personal request for a meeting with the very able President of OPIC, Marshall Mays. In the body of the letter requesting the meeting, certain problems that OPIC faced were discussed. One of them involved the first amendment I believe offered by Senator JAVITS but in the letter, as I read it, Mr. Mays indicated—he said,

> I believe we have reached agreement on the substantive portions of the bill.

But as Mr. Mays comments specifically on the first concern of OPIC, he indicated that,

> Although by the time this legislation is finally enacted we will have only a few months to meet the 25 percent goal, we are hopeful it can be achieved.

There are two important things here. He expressed the hope that it would be achieved. If that hope is there, it certainly is in our interest to see that private insurance moves in, that the exposure of the taxpayers and the Federal Treasury is lessened, and that we do not do anything now to take away the incentive. But, second, I do not understand when he indicates they will have only a few months to achieve the 25-percent goal, because they would actually have until December 31, 1975, which does not give them just a few months but a year and a half or more by the time this would be enacted to achieve those goals; is that not correct?

Mr. JAVITS. If I may regain the floor, that is not correct, because the legislation now provides that beginning by January 1, 1975, they have to have at least 25 percent of it under private contract; and beginning January 1, 1978, 50 percent under private contract.

The reason Mr. Mays said months is that he is trying to discount the amount of time it will take to get the law passed—whatever it may be.

Mr. CHURCH. If I may interpose at this point, with the permission of the two Senators, let me read a relevant provision from the bill which appears in the committee report on page 45, section 4 (a), as follows:

> (4) (A) The aggregate participation of the Corporation as insurer in respect of the risks referred to in paragraph (1) (A) and (B) of

this subsection under policies issued by the Corporation each year during the period from January 1, 1975 through December 31, 1979 shall not exceed, in any one country, 75 per centum of the value of all insurance in respect of such risks issued during such year by the Corporation and others to eligible investors with respect to investments in such country.

So the period during which the first 25-percent benchmark would apply, would be the year 1975, beginning January 1 and ending December 31.

Mr. JAVITS. That is what I said.

Mr. CHURCH. So, anytime during that year, the new insurance to be issued by OPIC would include the 25 percent.

Mr. PERCY. If Mr. Mays in his letter interprets this to mean that he would have only a few months to achieve that objective, and then he even states that he would be hopeful it can be achieved, certainly if he can average it out over a period of years and only have to meet the test by December 31, 1975, he would have a year and a half to achieve the objective which is reasonable and fair under the circumstances. If I am wrong, I should like to be corrected.

Mr. JAVITS. He would have to have 25 percent participation in each contract or by the end of the year he would find himself holding the bag and no Government official can do that.

No one has a greater opportunity in terms of understanding this business and how it operates than the Senator. But his position, as I see it, has also a certain amount of consideration to it because I was not involved, and you had a member on the subcommittee who wanted to eliminate that—a very influential and senior Member, Senator CASE. He and you—Senator PERCY and Senator CHURCH—are probably the most active in terms of the subcommittee. So, looking at it from this vantage point, from where the Senator from Illinois was sitting, I could understand where he might say we have to see this thing through because it may be in jeopardy. Second, which is very important, we are all very wise in ways of legislating. What I am really trying to do by my amendment is to say, look, do not cut it off automatically so that if you want to restore them we have to pass a law that is a much tougher one, and Senator CHURCH and the majority may say, cut them off automatically because that is the only way.

I appeal, when I ask the Senator to change his mind and I say to the Senator from Illinois, you are a very able businessman. As a matter of fact, it works, in my judgment, or will work exactly to the contrary, if you write this in, thinking you can make them do it. You will not make business do it. On the contrary, you will scare them off. An insurance company is private business. What you mean to get down to is a way—let us even assume this—and I am willing to assume it—is that the way to get it done is the way I suggest. You will not merely get it done just with hopes—hopes we will not pass these amendments. It is all very understandable. Mr. Mays is not getting into a fight with Senators. He is leaving that to me. But from my point of view—and I have been, as it were, a protagonist for OPIC on everything which has passed on this floor—I say that there are people expecting us to get this to work and to keep control of it, which we will be doing under the amendments as proposed. But let us not have an automatic cutoff, because we cannot force a private insurance company to go into this because Congress says unless they do it is out of business. We may be able to force OPIC, but we cannot force a private insurance company.

Mr. PERCY. Could I comment on that particular point, because it is a point in which I was extremely interested, soliciting as much information as I could from the insurance company as to what was reasonable and what was fair and taking into account the fact that we have had—this is not a new business, this is nothing that is a brand new idea—we have had about 25 years to test the idea and the argument possibly that it runs across the board and all throughout the world and over a period of many years now, so that we are not saying to them, we want you to face up to this and jump into it and take 100 percent. We are saying, think it over, and take a look at all the records. The private insurance companies have been on notice for months now. They have come down and testified and they have indicated a desire and a willingness, as I understand it, to come into this field because there are certain aspects of it that are commercially feasible.

I must say there should be some thinking as to whether we should have a tougher standard than this. We have brought it down to what I consider to be an almost minimal program—particularly in the face of what the ranking minority member said. The goals set out by our bill seems reasonable and fair, particularly considering that the risk taking to private insurance companies is minimal. The Government still has 75 percent in it until 1980, and the insurance industry, as the distinguished Senator from New York knows, has distinguished itself for doing those things that are in the national interest. Look at the tremendous investments the insurance companies made in our cities when no one else would invest in the cities; the faith they tried to demonstrate in housing, going into gigantic housing and commercial projects. They are risk takers. They are citizens we can be extremely and extraordinarily proud of. I think they are investing their shareholders' money with prudence and care.

In this case, from the testimony we had, I think these standards are reasonable. But if for some reason they cannot exactly be met, if in spirit they have worked toward this, I think that certainly we could give further consideration and take another look at it. But I would hope that they would want to have a benchmark or a goal toward which they could shoot, in which we could say they have met a reasonable standard. That is all we are trying to say: what is reasonable, what is fair, what is attainable; and the 25 percent figure in the particular first instance we are talking about seems to be fair and reasonable.

Mr. CHURCH. May I comment on what the Senator has said?

Mr. PERCY. Yes.

Mr. CHURCH. Mr. President, one of our witnesses at the time of the hearings was Mr. David J. Sherwood, president of the Prudential Reinsurance Co. He said, with respect to the question raised by the distinguished Senator from Illinois, that the private insurance companies presently view the political risk insurance field as preempted by OPIC. He emphasized that to get private participation, it is necessary to get "a clear message from the Senate, the Congress, that you are really interested in getting private insurance into this particular area."

Then Mr. David J. Sherwood also said that to make it sufficiently attractive to the private insurance industry to offer political risk insurance, they would have to have at least a 25 percent participation in new insurance offerings.

So our figure was the minimum figure mentioned by the witness of the Firemen's Insurance Co., and it was in line with the recommendation of Mr. Sherwood for a clear signal that the objective is not one of window dressing this program but, rather, that we intend to phase the Government out and turn this program back to the private insurance industry, which is capable of taking it over and operating it in a sound, businesslike way.

So I simply disagree with the Senator from New York when he says, "Do not establish any benchmark at all." I think we give the signal that industry requests when we say that by the end of 1975, any new insurance must include at least a participation to the extent of 25 percent by the private insurance industry.

That is the signal they are asking for, and that is the signal we are giving them in this bill. I think it is a minimum, if we are really serious about seeing the Federal Government move out of this program and the private insurance companies move in.

Mr. PERCY. What we are really saying is that we want to achieve administrative control. We not only want to set a benchmark, but also, to protect the $3.5 billion of public funds now at risk in OPIC. What we want to do is to see that we establish administrative control over OPIC not just for a best effort, but knowing ahead of time that we are going to get the best effort.

Mr. CHURCH. Exactly so. And if participation by the private insurance community is at least 25 percent, then we can be certain that their own exposure is sufficient so that they will police the new insurance policies in such a way that the premiums will be adequate to cover the risk; and the subsidy element we would like to see eliminated will in fact be eliminated.

Mr. PERCY. As I understand, the support now being given for Senator CASE's position reiterates very vocally and publicly what Senator CASE made very explicit, that the majority in this case were leaning over backward to continue something that they could see no justification for continuing. With the powerful support, as I understand it, of the AFL–CIO

for the Case position now, this middle-of-the-road position that the majority has taken seems prudent and fair; and I think it would wean us away from a position that we cannot and should not step away from and drop. The majority have agreed to that position.

On the other hand, we do want to be certain that, as we take these steps, we are doing it in a direction which will bring us finally and ultimately toward our goal, and that we are being fair with the insurance industry in saying, "These are the progressive steps we would like you to take." It would be my general judgment that the industry can face up to this, can assume this degree of risk, and can find it a commercially feasible and practical way to do it.

Also I do not feel that it would destroy or inhibit the ability of American industry to make investments abroad, particularly considering that investment controls have been removed and they are far freer to move, because this never seems to be the controlling element in any decision of any company of any industry that ever appeared before us.

It was never the deciding factor. They always made the decision on the basis of whether it was commercially feasible and practical for them to do it. They still felt a great deal better as a result of OPIC. They are not going to feel any better, I do not think, having Lloyds of London standing behind them, with huge surpluses on their books, than having the Federal Treasury of the United States, which has nothing but huge debts on its books. I would rather have Lloyds of London insure my risk any day of the week rather than just have the Federal Government especially knowing the tremendous financial exposure the Federal Government has now and probably will continue to have. This is one of the steps we can take to somewhat reverse the process and reverse the degree of exposure we have.

I am delighted that Senator JAVITS, in expressing the views of the minority, has indicated that we are together in the objective. It is just a question of whether we are being unreasonable in setting specific goals that are attainable or not. Even if they are not attainable, I am delighted to have the reassurance of the floor manager of the bill that should that prove to be too stiff a test or too tough a standard to meet, there always is a possibility that OPIC can come back to us and that they will have an understanding Congress. But we would want to know why the standards, which have been reasonable in our judgment, could not be met.

Mr. CHURCH. I should like to point out to the Senator one other qualification of this 25-percent requirement that should be emphasized.

The 25 percent is a per-country requirement. In other words, if OPIC, as it moves into 1975, can secure insurance with a 25-percent private participation in a country, it will not be barred from issuing insurance in that country. The bar will apply to those countries in which, for reasons of their own, private insurance companies are unwilling to assume 25 percent of the risk. In those cases, we had better be on notice about the problems considering the present precarious position of the OPIC program. Would it not be prudent policy to write the law in such a way that we are forewarned?

So when the Senator from New York says that by writing into this law a requirement that may bring down the curtain on OPIC, he really overstates the case.

Mr. President, the 25-percent requirement in the committee bill is based on a country-by-country application and it is very unlikely, indeed, that OPIC would not be able to secure a 25-percent participation with respect to most countries. So the impact of this particular provision in the bill; as described by the Senator from New York, is very greatly overdrawn.

Mr. JAVITS. Mr. President, the Senator from New York does not believe there is one aspect on which we are differing in means and not on purpose.

I strongly object to taking Yugoslavia and Romania out of the program. We do have a difference, and I hope it will not be allowed by the Senate.

As to the other matters, and this amendment accepting the benchmarks, and saying they are written into the legislation, I do not want them self-executing; I want the company to be in business, with our ability to put it out of business if we are not satisfied with the way it meets the benchmarks. They are in the bill at page 4, line 5, up to including line 16 on page 5.

The benchmarks are as follows: First, there must be 25-percent participation beginning January 1, 1975; second, that all insurance of that kind; to wit, other than war risk, ceases to be written except on a reinsurance basis beginning January 1, 1980, or ending December 31, 1979. As to war risk, that there must be a 11.5-percent participation beginning January 1, 1976, and going through December 31, 1980.

So we have to be very clear about just exactly how that works. I would like to extend that now to include the war risk proposition so the pagination would read page 6, line 10 as the outside limit of the risks which the corporation is permitted to write except on a reinsurance basis, to end also in the war risk insurance on December 31, 1980.

It is very important that we consider that because in my amendments I am accepting the benchmarks which the Senator from Idaho (Mr. CHURCH) referred to except I say it shall not be self-executing. If it is made self-executing, we would tie the hands of the corporation in respect of negotiations and make it very difficult for them, if not impossible, to arrive at the very benchmarks which Congress itself, assuming this goes through, would set.

The other thing I would like to refer to is that there is a very different attitude in this matter other than here. The committee of the House of Representatives, which is considering this matter, has issued a report which takes a very different attitude toward the situation than the one we take. This matter cannot be as bad as painted if that body, which thoroughly studied it under Representative CULVER, as chairman, came to quite a different view.

There have been reports on this by the General Accounting Office and the Library of Congress which we feel are very important and I refer Members to those studies in considering how they would vote on what should happen with regard to OPIC.

I am prepared now to conclude my argument for the measure. I send to the desk for printing under the rule three amendments which I stipulate I will not necessarily offer in the order in which they may be printed, and an explanation of each amendment to accompany it.

I ask unanimous consent also that the amendments and the explanations may be printed in the RECORD.

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

AMENDMENT No. 970

On page 4, beginning with line 5, strike out everything through line 2 on page 5, and insert in lieu thereof the following:

"(4) (A) It is the intention of Congress that the Corporation achieve participation by private insurance companies, multilateral organizations or others in liabilities incurred in respect of the risks referred to in paragraphs (1) (A) and (B) of this subsection under contracts issued commencing January 1, 1975, of at least 25 per centum, and, under contracts issued commencing January 1, 1978, of at least 50 per centum. If for good reason it is not possible for the Corporation to achieve these objectives, the Corporation shall report to the Senate Foreign Relations Committee and the House Foreign Affairs Committee in detail, the reasons for its inability to achieve these objectives and the date by which they are to be achieved.

On page 5, change "(C)" to "(B)" on line 3.

On page 5, beginning with line 8, strike out everything through line 5 on page 6, and insert in lieu thereof the following:

"(5) (A) It is the intention of Congress that the Corporation achieve participation by private insurance companies, multilateral organizations or others in liabilities incurred in respect of the risks referred to in paragraph (1) (C) of this subsection under contracts issued commencing January 1, 1976, of at least 12½ per centum, and, under contracts issued commencing January 1, 1979, of at least 40 per centum. If for good reason it is not possible for the Corporation to achieve these objectives, the Corporation shall report to the Senate Foreign Relations Committee and the House Foreign Affairs Committee in detail the reasons for its inability to achieve these objectives, and the date by which they are to be achieved."

On page 6, change "(C)" to "(B)" on line 6, and change "limitations" to "objectives" on lines 11 and 20.

On page 9, strike out lines 3 through 11.

MANDATORY GOALS FOR DIRECT INSURANCE PARTICIPATION BY PRIVATE INSURANCE COMPANIES

This amendment accomplishes four things: (1) removes the sudden death penalty for OPIC's inability to meet specified goals; (2) permits various combinations of private participation in satisfying the percentage targets (3) requires OPIC to report to the Congress on its efforts to achieve the stated targets; and (4) requires OPIC to set a new date by which it will meet the specific goals.

This amendment corrects several features of the committee bill which, if enacted, would result in OPIC's early demise.

1. The legislation requires OPIC to achieve

25% private participation for expropriation and inconvertibility risks by 1975, and 11½% for war risks by 1976; failure to meet each goal automatically suspends OPIC coverage for that risk.

This penalty will severely weaken OPIC's bargaining position with private insurance companies. One of the premises of the Committee bill, apparently, is that there is great competition among many insurance companies to participate. That is not now the cast. OPIC is in a position of having to persuade leaders of the industry to endorse a plan and actively promote participation by other companies.

It is very natural to expect private insurance companies to seek in negotiations the best possible deal for its shareholders. Likewise, on its behalf OPIC must be in a position freely to negotiate the best possible deal from the viewpoint of the United States Government. Clearly, the Committee bill places OPIC in the compromised position of having to agree to the terms offered by the private insurers, or terminate the program.

2. The proposed Committee bill defines private participation too narrowly, making it impossible for many private companies to participate in the program. Our objective should be to encourage the broadest kind of participation of as many companies as possible in these financial risks. Such a narrow definition overlooks two important situations:

(a) Various State laws and regulations and the charters of many insurance companies preclude direct underwriting of certain risks (for example, those for which no actuarial basis exists). Thus some provision must be made to allow for possible private participation as either reinsurers or direct underwriters.

(b) Multilateral agency participation, as apparently envisioned by the Committee bill, is likely to be possible only in the form of reinsurance. The long discussed International Investment Insurance Agency would be acceptable to some of the most important potential members only if it were a reinsurer of their national investment insurance programs.

Thus, there are several compelling reasons for the Senate to adopt this Amendment:

1. The sudden death penalty of the Committee bill disadvantages the U.S. Government in negotiating with private insurance companies; either OPIC agrees to their terms, or it goes out of business.

2. Liability sharing by other insurers or reinsurers should be the goal of legislation, not a set percentage of direct insurance participation. By insisting on the latter, the Committee bill gives more importance to legal form (who is insurer and who is reinsurer) than to economic reality. The result is to require a set of legal relationships that might not be achievable, to prohibit other relationships that may be more desirable, and to limit severely OPIC's flexibility in creating mutually satisfactory risk-sharing arrangements.

3. OPIC has made substantial progress in obtaining private liability-sharing by the purchase of reinsurance from Lloyd's of London, and various arrangements are now being discussed with the U.S. private insurance industry. In view of this progress, mandatory goals would be counter-productive by introducing an element of governmental coercion into complex business arrangements, which should be concluded instead on the basis of mutual interests of the parties, including the national interests of the United States.

4. Any multilateral agency participation is likely to be in the form of reinsurance, which would not be counted toward the goals of the Committee bill as presently worded.

AMENDMENT NO. 971

On page 7, beginning with line 3, strike out everything through the period on line 14, and insert in lieu thereof the following:

"The amount of reinsurance liabilities which the Corporation may incur under this paragraph shall not exceed $600,000,000 in any one year and shall not exceed at any one time an amount equivalent to the amount of insurance the Corporation is authorized to issue pursuant to section 235 (a)(1). All such reinsurance shall require that the reinsured party retain for his own account specified portions of liability, whether first loss or otherwise, and the Corporation shall endeavor to increase such unreinsured exposures to the maximum extent and as rapidly as possible."

ELIMINATION OF MANDATORY DEDUCTIBLE ON OPIC REINSURANCE

This amendment accomplishes three things: (1) requires parties reinsured by OPIC to retain for their own account specified portions of liability whether first loss or otherwise; (2) requires OPIC to endeavor to increase such unreinsured exposure to the maximum extent and as rapidly as possible; and (3) reduces the reinsurance ceiling of $12 billion proposed by the Committee bill to $7.5 billion, which is the existing ceiling for the insurance program.

The Committee bill is unworkable for several reasons:

(1) Private insurance companies that studied the Committee bill have said that its reinsurance section is unacceptable to them. Unless it is changed, they will not write one dollar of political risk insurance. In a press release dated November 9, 1973, Firemen's Fund American Insurance Companies said: "The proposed legislation stipulates amounts of reinsurance coverage which, in our opinion, are severely inadequate and stipulates retentions to be borne by private companies that are unrealistically high."

(2) The defects of the Committee bill are nowhere clearer than in the relationship of the mandatory goals for direct private participation and the mandatory reinsurance deductible. On the other hand, the bill says OPIC must achieve a specified percentage of direct insurance participation by private insurers or multilateral organizations by a date certain, or it must stop writing insurance. On the other hand, the bill so limits the type of reinsurance and scale of insurance that OPIC can write that it may be impossible to attract any private participation.

(3) To attract companies into direct insurance participation, for the first time, broad reinsurance authority is necessary. The crucial first step is to get them through the door and this is defeated by prescribing rigid, unrealistic conditions of the terms of their entry. The amount of risk private insurers will be willing to undertake will be directly related to the amount of premium they will receive, and the Committee proposal does not meet this test.

Thus, under the proposed amendments to the Committee bill, OPIC would be required to increase the exposure of the reinsured parties to the maximum extent possible. The Comptroller General is always available to determine whether OPIC is fulfilling this requirement. In addition, I believe the $12 billion ceiling for the reinsurance program is unrealistically high, and could cause a misunderstanding regarding the potential size of the reinsurance portfolio. A more realistic limit would be the existing limit on the insurance program, i.e., no more than $7.5 billion of maximum contingent liability outstanding at any one time.

What we are dealing with here is not an agency downtown which shirks its responsibility to carry out Congressional initiatives. We owe OPIC well-placed confidence that it will effectively implement the will of Congress in this regard. The important thing is that we provide in this legislation the broad authorities OPIC needs in order to carry out increased privatization of the programs. This amendment accomplishes that; the Committee bill does not.

AMENDMENT NO. 972

On page 13, strike out line 24.

AMENDMENT TO CONTINUE OPIC'S AUTHORITY TO OPERATE IN YUGOSLAVIA AND ROMANIA

This amendment would delete that provision of S. 2957 (line 24 on page 13) which would terminate OPIC's authority to offer its insurance and finance programs to U.S. investors in Yugoslavia and Romania.

Until 1972, just two years ago, OPIC was barred from operating its program in Yugoslavia and Romania because of a provision of the Foreign Assistance Act of 1961, which prohibits the furnishing of "assistance" to any Communist country. (Although it may be debatable whether OPIC's programs are the type of "assistance" which should be barred by that provision, OPIC's predecessor had given a broad reading to that term and OPIC has followed this practice).

In considering the Foreign Assistance Act of 1971, the Senate Foreign Relations Committee adopted an amendment which would have removed this and other barriers to the operation of OPIC's programs in less developed countries which are prohibited from receiving normal government-to-government assistance, if the President made a determination that it was in the national interest for OPIC to operate in one or more of such countries. The Senate accepted this amendment, and it was approved by the House-Senate Conference Committee, but limited to Yugoslavia and Romania.

On the basis of the authority granted by the Congress, the President, on March 16, 1972, made a determination that it was in the national interest for OPIC to operate its programs in Yugoslavia and Romania, and OPIC and the State Department began negotiations with those two countries for the normal bilateral agreement for the institution of OPIC's programs.

A full-scale bilateral was signed by Yugoslavia on January 18, 1973, and by Romania on April 28, 1973, and OPIC thereafter began offering its insurance and finance services to U.S. companies who might be interested in expanding their business investments into those two countires.

Yugoslavia first began allowing foreign equity investments in 1967, in order to further its economic development independent from the Soviet Bloc, and by 1973 had attracted investments by some 70 foreign firms. Only four U.S. companies, however, had made investments there, and this was of considerable concern to both governments, particularly in view of the independent position Yugoslavia was attempting to maintain and the importance in this respect of its decisions to decentralize economic controls from the State to individual businesses and to allow foreign equity investments.

Acting in reliance on the Congressional initiative in the OPIC amendment of 1972, U.S. companies are now negotiating or have completed more than 25 joint ventures with Yugoslav firms, and 21 of these companies have applied for OPIC insurance.

Although Romania does not have a domestic market economy, such as exists in Yugoslavia, it has, since October 1972, permitted foreign firms to establish joint companies with Romanian enterprises, and these joint companies are operated as profit-making firms and guaranteed by Romanian law against interference from the State.

Since its foreign investment laws are more recent than those of Yugoslavia, the number of foreign equity investments in Romania is still below 10. Several U.S. companies are, however, negotiating the formation of joint companies in Romania, and three of these firms have applied for OPIC insurance.

Despite the success thus far in achieving what the Foreign Relations Committee said in 1972 was a "desirable goal", the Committee has now reversed itself and proposed the termination of OPIC's authority to operate in Yugoslavia and Romania.

According to the majority report, this reversal is based on the dual assumptions that neither Yugoslavia nor Romania is a less developed country, and that OPIC's insurance will guarantee against contractual defaults by the governments of Yugoslavia and Romania.

Neither of these assumptions is valid. Statistics developed by the International Monetary Fund and the standards of The World Bank classify both countries as less developed.

It is also an incorrect assumption that OPIC would simply insure against contractual defaults by the Governments of Yugoslavia and Romania. Both countries allow equity investments by foreigners in what are essentially autonomous business firms. OPIC's insurance would operate in these countries as it does elsewhere, that is, to protect U.S. investors, for a fee, against those political risks—inconvertibility of local currency, expropriation and war damage—which are outside the scope of normal business risks.

In short, the majority report recommends that the Congress overturn what it enacted just two years ago, and supports the recommendation with inaccurate information and without the benefit of testimony. I see no reason to go along with this. For the Senate to do so now would be interpreted by these countries as a sharp reversal of U.S. policy toward economic cooperation with them for totally incredible reasons.

The grounds are stronger now for authorizing OPIC to operate in Yugoslavia and Romania than they were in 1972. Considerable progress has been made in East-West economic relations, and this provision would be a serious blow to two independent East European countries that are seeking to develop their economies by increased contacts with the West. The 20 or so companies that have negotiated investments in reliance on the availability of OPIC insurance would have a justified grievance against the Congress for reversing itself in only two years, and should be protected against retroactive application of the bill, if it should pass.

One final word with respect to this amendment. There may be some who feel that Romania should be denied the benefits of OPIC's programs because of its emigration policies. I note in this regard that the Trade Bill contains a provision which would have that effect, if the facts concerning Romanian emigration policies justify its application. It is in that bill that this question should be answered, not here. In fact, to abolish OPIC's authority to operate in Romania in this bill would remove some of the incentive for Romania to meet the conditions of the Trade Bill.

Mr. JAVITS. Mr. President, I yield the floor.

Mr. CHURCH. Mr. President, I have just a few concluding remarks to make.

First of all it should be pointed out that in the committee bill the benchmark for the 40 percent and 50 percent participation to which the Senator from New York has referred is not mandatory. The only mandatory requirements in the bill relate to the original participation of 25 percent and the final phaseout of the government in direct insurance writing at the end of the period.

As a matter of fact, I think the Senator from New York, with his typical generosity, would concede that the committee made every effort to eliminate rigidities in the bill and accepted a number of proposals offered by the Senator from New York in the interest of making the bill more flexible and, in the committee's view, workable.

As a matter of fact, we were able to reach agreement on all of the amendments except these last three amendments that the Senator from New York proposes to present to the Senate for its decision tomorrow. We feel that if we were to accept these last three amendments, we would take the last remaining teeth out of the bill, and we could no longer say to the Senate that this is, in fact, a bill that is designed to phase the Government out of this subsidized program and to phase private insurance companies into the program so as to relieve the Government of further participation in the issuance of direct insurance for political risk, expropriations, or war and inconvertibility of currency.

The end objective of the committee bill is to pass that whole program over to private industry in the course of 6 years, leaving the Government nothing more than a reinsurance role.

I am afraid if we were to concede the final amendments the Senator from New York presses upon us we could no longer represent the bill as one reasonably designed to accomplish the objective we seek. All we would have left if these final amendments offered by the Senator from New York were adopted would be a statutory exhortation to OPIC to do the best it can to negotiate itself out of business—that Congress would look with favor upon such action as OPIC might take toward its liquidation.

Experience and commonsense suggest that, if we are unwilling to go further than that, we have no basis to reasonably expect that this agency will proceed to its liquidation.

This bill as we present it is one that allows the maximum amount of flexibility and discretion, but sets minimum requirements designed to mandate OPIC to begin to phase out the Government's participation in the frontline insurance and turn it over to the private insurance industry. Less than that, we should not accept in light of the facts that have been uncovered in the course of the subcommittee's exhaustive examination into this program. Less than that would not fairly serve the public interest of the people of the United States.

For these reasons, Mr. President, I do hope that the Senate will support the position taken by the committee and vote down the amendments offered by the Senator from New York.

Mr. JAVITS. Mr. President, if there is no other debate on this matter, I would simply like to add that the points that I made about a cutoff—that is, an absolute sentence to death of OPIC—are entirely appropriate; to wit, if they do not get the 25 percent so that they write all those contracts beginning in the period from January 1, 1976, on, which gives them only the year 1975 to negotiate, there is sudden death. That is it. To January 1975 to negotiate gives them just the year 1974. That is sudden death.

The Senator from Idaho (Mr. CHURCH) is right about the fact that 50 percent from January 1, 1978, through December 31, 1979, is prefatory. That is the intention of Congress. That is not sudden death. Then there is very sudden death when the corporation has got to quit completely writing that kind of insurance. They are out of business.

These are decisions which the Senate has to make.

Then we come to the phase of war risk insurance. That is sudden death. Until December 31, 1975, it works out to what becomes 11½ percent in war risk insurance. There are not any people who will do that, not even the hopes or expectations of having anybody do it.

Then there is the absolute exclusion of writing such insurance after January 1, 1980.

I believe those points should be made very clear to Senators who are called upon to vote on these matters.

Mr. McGEE. Mr. President, I support the amendments to the OPIC legislation, S. 2957, being offered by the distinguished Senator from New York, Mr. JAVITS.

As one of the original cosponsors of the OPIC legislation in 1969 and as one of the signers of the minority views to the report of the Committee on Foreign Relations on the OPIC legislation, I have followed the OPIC programs closely during the past several years.

Opponents of Senator JAVITS' amendments contend that the amendments would destroy the thrust of S. 2957. If the thrust of S. 2957 is to increase private participation in OPIC insurance, looking toward its eventual turnover to private insurers or multilateral organizations, the contention is invalid.

Senator JAVITS' amendments accept this thrust. No change is proposed in those sections which would prohibit OPIC from issuing direct insurance after December 31, 1980. The amendments also accept the interim goals of the legislation.

What the amendments do not accept, however, is that the program should be terminated next January 1, if private companies or other insurers do not agree to participate in the form and in the amount imposed by S. 2957.

Turning over a 25-year Government program to private insurers or multinational organizations is unprecedented. The private insurance executives who testified before Senator CHURCH's subcommittee said without contradiction that they will participate in OPIC's program only on an experimental basis and on terms yet to be negotiated. Private companies have written the committee that they will not participate on the terms imposed by the bill. Proponents of S. 2957 ignore this evidence, and insist that their terms be accepted by all concerned, or the program should end precipitously.

Senator JAVITS' amendments do not permit OPIC to use the private companies as mere salesmen. The amendments retain Senator CHURCH's goals for liability sharing and limit OPIC's reinsurance authority by requiring reinsured parties to accept specified amounts of exposure and requiring OPIC to increase this exposure to the maximum extent and as rapidly as possible. OPIC would violate the law if it reinsured private companies 100 percent. It would violate

the law if it accepted less private participation than is possible to attain while meeting its other mandates. The GAO can assess OPIC's compliance with this and other provisions of the amendments—including the interim goals. If these goals are not being met, the Congress can take immediate action.

What the Congress should not do is to legislate what can only be accomplished through businesslike negotiations—namely, the establishment of terms for the transfer of a multimillion-dollar Government program to private hands.

Foreign private investment is an important resource for the development of the less-developed countries. At a time most developing countries are experiencing extreme disruption of their economies due to high oil prices and the decline in U.S. development assistance, private investment is all the more important. It brings with it management skills, technology, and capital resources.

This view has been upheld by numerous international reports made to the United Nations, the World Bank, the OECD, as well as U.S. Government studies. Contrary to information now being circulated, the World Bank and the Overseas Development Council regard private foreign investment as a beneficial force for development.

The OPIC insurance program is an important factor enabling many U.S. companies to invest in the less-developed countries; various studies conducted by private companies have shown this. Business International surveyed its member companies 2 years ago and found that 46 percent of the respondents felt that the insurance was necessary, and an additional 47 percent felt the insurance was important to their foreign investment plans in the LDC's, for a total of 94 percent. Moreover, 70 percent of the respondents in the mining sector felt that OPIC insurance was necessary to their investment plans. So I believe that the OPIC programs on that basis alone are worthy of support.

I would like to point out to my colleagues in the Senate that the OPIC programs provide another very useful function of selecting only those projects which provide benefit to development and screening out projects which would harm U.S. economic and employment interests. Thus, OPIC does not insure runaway industries or projects that export in significant amounts to the United States. Rigorous application of such screening assures that private projects that OPIC assists are substantially more beneficial to the U.S. economy and employment than the average run of projects found in general statistics. It is OPIC's control over the direct issuance of insurance that provides this benefit. Forced transfer of the programs to the private sector will dilute this control and mean that such projects will not be screened out in the future.

The proponents of S. 2957 appear to be indifferent to those public policy issues. They maintain that legislation to force OPIC to share investment insurance underwriting with U.S. private insurance companies in prescribed proportions is necessary because the U.S. Government needs to look to private underwriters to apply "sound principles of risk management." Yet, the proponents turn around and say these private underwriters must look to the Senate for risk management guidance—a statutory floating deductible system on their reinsurance by OPIC designed "to spread their insurance quite evenly throughout the less developed world." I find their case to be inconsistent.

Proponents of S. 2957 also maintain that OPIC must be put in a statutory straitjacket in order to "assure that OPIC will not write insurance for purely political reasons." Nowhere in the hearings or the studies of OPIC by the GAO or the Congressional Research Service was there any evidence that OPIC had written insurance for "purely political reasons" or violated its mandate to operate the program on business principles or prudent risk-management. The committee's proposals, therefore, are an attack on ills which have not existed since the insurance program was taken over by OPIC, if indeed they ever existed.

An experimental testing of private participation in the OPIC programs will help assure that the public interests in the program are protected. The amendments which the Senator from New York is offering will help assure protection of these interests. The present bill does not.

Mr. BENNETT. Mr. President, I rise in support of the amendments to S. 2957 being offered by the distinguished Senator from New York. I supported the creation of OPIC in 1969 as a cosponsor of the amendment offered by Mr. JAVITS.

We created OPIC in order to have OPIC's programs managed in a more businesslike way, and the OPIC management has done a commendable job in the 3 short years it has been in place to put the program on a more sensible footing.

Increased private sector participation in underwriting political risks is desirable. OPIC first requested legislative authority to enter into insurance syndicate agreements last spring—proposed Foreign Assistance Act of 1973. This legislative proposal recognized that OPIC was entering into a new phase of experimentation; a trailblazing effort to get private U.S. insurance companies to enter into this new field.

A trial period is needed to determine the feasibility of transferring the program to the private sector. Mandatory interim goals and unrealistic, untested reinsurance limits obviously will discourage, rather than encourage private participation in the OPIC program. The proposed committee bill will not permit such testing—it states by fiat what must be, and leaves no room for negotiations to protect the U.S. financial and policy interests. The amendments offered by the Senator from New York will allow free market negotiations to take place. I urge my colleagues to vote in favor of these amendments.

Opponents of Senator JAVITS' amendments contend that the amendments would destroy the thrust of S. 2957. This contention is invalid if the thrust of S. 2957 is to increase private participation in OPIC insurance, looking toward its eventual turnover to private insurers or multilateral organizations.

Senator JAVITS' amendments accept this thrust. No change is proposed in those sections which would prohibit OPIC from issuing direct insurance after December 31, 1980. The amendments also accept the interim goals of the legislation.

If the thrust of S. 2957 is to kill the investment insurance program next January 1 unless private insurance companies agree to all the bill's technical terms, the contention is valid. The two amendments recognize reality:

Turning over a 25-year Government program to private insurers or multinational organizations is unprecedented. The private insurance executives who testified before Senator CHURCH's subcommittee said without contradiction that they will participate in OPIC's program only on an experimental basis and on terms yet to be negotiated. Private companies have written the committee that they will not participate on the terms imposed by the bill. Proponents of S. 2957 ignore this evidence, and insist that their terms be accepted by all concerned, or the program should end precipitously.

The Javits amendments do not permit OPIC to use the private companies as "mere salesmen," as Senator CHURCH claims. The amendments retain Senator CHURCH's goals for liability sharing and limit OPIC's reinsurance authority by requiring reinsured parties to accept specified amounts of exposure and requiring OPIC increase this exposure to the maximum extent and as rapidly as possible. OPIC would violate the law if it reinsured private companies 100 percent. It would violate the law if it accepted less private participation than is possible to attain while complying with other mandates. The GAO can assess OPIC's compliance with this and other provisions of the amendments—including the interim goals. If these goals are not being met, the Congress can take immediate action.

What the Congress should do is to legislate what can only be accomplished through businesslike negotiations—namely, the establishment of terms for the transfer of a multimillion-dollar Government program to private hands.

At this point, I should like to insert in the RECORD a letter from Mr. Marshall T. Mays, president of OPIC.

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

OVERSEAS PRIVATE
INVESTMENT CORPORATION,
Washington, D.C., February 25, 1974.

DEAR SENATOR: I am sure you will want the Senate's decision on S. 2957, The Overseas Private Investment Corportion Amendments Bill, to be based on the facts. Apart from matters of judgment, serious errors of fact by the Subcommittee staff are repeated in the letters of Senator Church (dated February 19) and Senator Case (February 21) asking support for their positions critical of OPIC.

Allegation: That OPIC insurance is a federal subsidy to U.S. corporations.

Response: That program has been shown,

over a reasonable testing period, to be user-financed, not a federal subsidy. Corporations and other U.S. investors insured by OPIC and its predecessors have paid premiums totaling $189 million in the 25-year history of the investment insurance service. Cash payments of claims have totaled $29 million, and guarantees of expropriation settlements made by foreign governments have totaled about $100 million. The guaranteed settlements are not likely to be defaulted upon. Administrative costs, now approximately $4 million per year, have been less than interest earned on investment of premium income.

Allegation: That OPIC is supported by *Congressional* appropriations. Senator Church: "Over half of the current OPIC reserves consists of money the Congress has appropriated in the last four years—over $106,000,000 since 1970."

Senator Case: "Half of OPIC's operating budget comes not from premiums paid by insured companies but rather from the Federal Government: $12.5 million last year and $25 million this year."

Response: Reserve appropriations totaling $106 million in FY 1970–74 (including amounts cited by Senator Case) were used to restore funds taken from the insurance program for other purposes. The FY 1970, '71 and '72 reserve appropriations totaling $69 million were to restore to the insurance reserve funds taken from it to establish OPIC's separate loan guaranty (finance) reserve required by the 1969 legislation. The FY 1973 and '74 appropriations totaling $37.5 million partially restored insurance premiums totaling $50 million taken from the insurance reserve when OPIC was separately established and used to fund the AID Housing Guaranty reserve.

OPIC's total reserves are about $260 million—$185 million in the insurance reserve and $75 million in the finance reserve.

OPIC's income from premiums, guaranty fees, interest on direct loans and interest on invested premiums totals about $30 million annually—far exceeding each year its outlays for claims and administrative expenses.

Allegation: OPIC has encouraged U.S. investments that result in a net loss of U.S. employment.

Response: OPIC turns down proposed investments that are likely to cause any significant net losses of U.S. jobs. Stringent policy guidelines adopted in March 1972 require screening out such projects. The electronic investments analyzed by the GAO were insured before this policy was established; in fact, almost all were insured by AID before OPIC was established. The pending bill contains a formal mandate, proposed by the Administration, that OPIC must take into account the U.S. employment effects of investments it insures or finances.

Finally, Senator Church's letter overstates the use of OPIC's insurance by larger U.S. investors by failing to note that many loans insured by larger banks were for projects sponsored by smaller U.S. companies. The proportion of larger investors in the OPIC portfolio is a reflection of the fact that getting a new project underway in a less-developed country demands reserves of manpower and money that small businesses typically cannot afford. OPIC seeks to offset this disadvantage by offering special inducements and help to smaller businesses.

We believe the record of OPIC's management warrants confidence in commitment to negotiate the best possible forms of private participation and account annually for our progress toward the goals set by the Congress.

Sincerely yours,

MARSHALL T. MAYS.

Mr. McGEE. Mr. President, the Senate will be called upon to reverse action taken by the House last month which denied funds for the International Development Association.

Various reasons have been offered for the House action, which I believe to be very shortsighted. The shortsightedness of the action is poignantly illustrated by the recent announcement of the Government of Iran that it would make $1 billion of Iranian surplus oil revenues available to help industrialized countries pay their energy bills and for loans to the developing countries.

While Iran has been an apparent beneficiary of increased revenues from her oil resources, it is also apparent that her leaders recognize their international responsibilities. Thus, the House action becomes all the more embarrassing when we view the United States, as the world's richest nation, retreat from her international responsibilities at a time when a nation such as Iran has demonstrated a farsighted and sophisticated view of international interrelationships.

I ask unanimous consent that the news article appearing in the February 22 edition of the Washington Post announcing the Iranian Government's proposal be printed in the RECORD.

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

IRAN OFFERS $1 BILLION FOR INTERNATIONAL AID

TEHRAN, February 21.—Iran, the World Bank and the International Monetary Fund announced plans today that will make $1 billion of Iranian surplus oil revenues available to help industrialized countries pay their energy bills and for loans to developing countries.

The move to recycle a portion of Iran's huge revenues into the world's lending markets and to assist international development organizations that are having new troubles raising money from developed nations suffering from high oil prices, was announced at a press conference here.

Details of the plans are still being worked out.

World Bank President Robert McNamara and IMF President H. Johannes Witteveen have been holding talks with Iranian officials here and were present with Prime Minister Amir Abbas Hoveida at the press conference.

McNamara welcomed the Iranian contribution of $1 billion toward a first-year capital of $2 billion to $3 billion required to start what would be a special fund.

In addition, Iran whose oil profits have increased from $3 billion to $16 billion annually, will repay $1 billion of loans and credits it had previously obtained from the World Bank and other governmental and private banks, it was also announced.

It is hoped that the proposed development fund will be formed by oil-producing as well as industrialized nations.

Iran's initial investment will be made at the regular commercial rate of 7 to 8 per cent annually, Iranian officials indicated. This represents a break with the past practice of the IMF which usually obtains loans at much lower interest rates.

Iran's $1 billion apparently will be used in three ways: in part to purchase World Bank bonds, in part for a special supplementary facility of the IMF and in part to establish a new development fund.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I have discussed the following requests with the distinguished manager of the bill (Mr. CHURCH), the distinguished ranking member of the committee (Mr. CASE), the distinguished Senator from New York (Mr. JAVITS), the distinguished Senator from Alabama (Mr. SPARKMAN), the distinguished Senator from Wyoming (Mr. McGEE), the distinguished Senator from Minnesota (Mr. HUMPHREY), and with the distinguished assistant Republican leader.

I ask unanimous consent that debate on the pending measure tomorrow be limited to 2 hours, to be equally divided between the Senator from New Jersey (Mr. CASE) and the distinguished Senator from Idaho (Mr. CHURCH); that the time on each of three amendments to be offered by the distinguished Senator from New York (Mr. JAVITS) be limited to 2 hours; that time on any other amendments be limited to 1 hour; that the time on any amendment to an amendment, debatable motion, or appeal be limited to 30 minutes, with the division and control of time on all amendments and the bill be in accordance with the usual form.

Mr. JAVITS. Mr. President, I shall not object, but I wish to inquire about one or two things. First, that the amendments I shall offer shall all be considered to be germane to the bill as a part of the unanimous-consent request.

Mr. ROBERT C. BYRD. Mr. President, I make that a part of the request.

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

Mr. JAVITS. Second, I believe—and I submit this to both of my colleagues—that time in opposition to the bill should be assigned to whoever opposes the bill. It should not be given to the manager on this side, as he also favors the bill. But I am perfectly willing, knowing Senator CASE as I do, to let that apply to the amendments, as well. He and I will work that out.

Mr. CHURCH. I concur.

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

Mr. ROBERT C. BYRD. Mr. President, I ask the distinguished Senator from New York and the distinguished Senator from Idaho whether we should have in the agreement the provision with respect to germaneness?

Mr. JAVITS. Mr. President, if the Senator will yield, in my judgment I think that is very much the idea to get this thing done. It must be very clear that even under the rule of germaneness, every part of the bill would be open to amendment, including strike-outs. I do not know of any amendments contemporary to the bill that would be affected.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the agreement be in the usual form.

Mr. JAVITS. With the understanding, Mr. President, that the amendments I shall offer will be considered as being germane.

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

The text of the unanimous-consent agreement is as follows:

Ordered, That, during the consideration of S. 2957, a bill relating to the activities of the Overseas Private Investment Corporation, debate on any amendment (except three amendments by the Senator from New York (Mr. Javits) on which there shall be 2 hours each) shall be limited to 1 hour, to be equally divided and controlled by the mover of such and the manager of the bill; debate on any amendment to an amendment shall be limited to 30 minutes, to be equally divided and controlled by the mover of such and the author of the amendment in the first degree; and debate on any debatable motion or appeal shall be limited to 30 minutes, to be equally divided and controlled by the mover of such and the manager of the bill: *Provided,* That, in the event the manager of the bill is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or his designee: *Provided further,* That no amendment that is not germane except the three amendments by the Senator from New York (Mr. Javits) to the provisions of the said bill shall be received.

Ordered further, That, on the question of the final passage of the said bill, debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the Senator from Idaho (Mr. Church) and the Senator from New Jersey (Mr. Case).

Provided, That the said Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, debatable motion or appeal.

ORDER OF BUSINESS

Mr. PERCY. Mr. President, would the distinguished acting majority leader yield?

Mr. ROBERT C. BYRD. I yield.

Mr. PERCY. Mr. President, as the Senator from New York knows, the Senator from Illinois has an engagement on tomorrow on a conference committee. I will try to meet my obligations and still be here for the consideration of the OPIC legislation.

It was my understanding that this legislation would be completed by 4 or 5 o'clock in the afternoon. However, if we take the full time allowed under the unanimous-consent requests, we would be later than that. Could the Senator from New York say how much time would be used before there would be a final vote?

Mr. JAVITS. Mr. President, the Senator from New York would be unable to say exactly when we would be through. However, I would do my best, being a very good friend of the Senator from Illinois, not to use time unnecessarily.

Mr. PERCY. Mr. President, with that assurance, taking into account that emergencies can always come along, I am satisfied.

ORDER FOR ADJOURNMENT TO 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR PELL TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Rhode Island (Mr. PELL) be recognized for not to exceed 15 minutes.

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

ORDER FOR RECOGNITION OF SENATORS BIDEN AND ROTH ON WEDNESDAY, FEBRUARY 27, 1974

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Wednesday, after the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Delaware (Mr. BIDEN) and the distinguished senior Senator from Delaware (Mr. ROTH) each be recognized for not to exceed 15 minutes and in that order.

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

ORDER FOR TRANSACTION OF MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the distinguished Senator from Rhode Island (Mr. PELL) has been recognized, there be a period for the transaction of routine morning business for not to exceed 30 minutes with statements made therein limited to 5 minutes.

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

ORDER FOR CONSIDERATION OF S. 2957 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business on tomorrow, the Senate resume the consideration of the Overseas Private Investment Corporation Amendments Act.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, on tomorrow the Senate will convene at the hour of 11 a.m.

After the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Rhode Island (Mr. PELL) will be recognized; after which there will be a period for the transaction of routine morning business for not to exceed 30 minutes with statements made therein limited to 5 minutes; at the conclusion of which the Senate will resume the consideration of S. 2957, the Overseas Private Investment Corporation Amendments Act, with time limitations thereon and on amendments thereto.

Yea-and-nay votes will occur on the amendments and on final passage tomorrow.

ADJOURNMENT TO 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order that the Senate stand in adjournment until the hour of 11 a.m. tomorrow.

The motion was agreed to; and at 5:45 p.m., the Senate adjourned until tomorrow, Tuesday, February 26, 1974, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate February 25 (legislative day of February 19) 1974:

DEPARTMENT OF DEFENSE

M. David Lowe, of Texas, to be an Assistant Secretary of the Army, vice Carl S. Wallace, resigned.

U.S. POSTAL SERVICE

The following-named persons to be Governors of the U.S. Postal Service for the terms indicated:

For the remainder of the term expiring December 8, 1979:

Hayes Robertson, of Illinois, vice Patrick E. Haggerty, resigned.

For the term expiring December 8, 1982:

Robert Earl Holding, of Wyoming. (Reappointment)

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Walter T. Galligan, xxx-xx-... [redacted]FR (brigadier general, Regular Air Force) U.S. Air Force.

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenant

Acker, Loren K., xxx-xx-xxxx
Ackerson, Mark I., xxx-xx-xxxx
Adams, Richard J., xxx-xx-xxxx
Airaghi, Robert F., xxx-xx-xxxx
Alexander, Ben L., xxx-xx-xxxx
Allen, Kirby E., xxx-xx-xxxx
Alley, Kenneth M., xxx-xx-xxxx
Amidei, Richard M., xxx-xx-xxxx
Anderson, Peter F., xxx-xx-xxxx
Anderson, Robert W., xxx-xx-xxxx
Andrews, Thomas H., II, xxx-xx-xxxx
Apland, Daniel P., xxx-xx-xxxx
Armstrong, Dan H., xxx-xx-xxxx
Armstrong, Ernie R., xxx-xx-xxxx
Armstrong, John D., Jr., xxx-xx-xxxx
Armstrong, Reese R., xxx-xx-xxxx
Arneson, Robert L., xxx-xx-xxxx
Arnold, Frank S., xxx-xx-xxxx
Arnold, Jack S., xxx-xx-xxxx
Arnold, Phillip B., xxx-xx-xxxx

Asher, Alan D., xxx-xx-xxxx
Ashey, Robert A., xxx-xx-xxxx
Ashton, Kent J., xxx-xx-xxxx
Atkins, Edward J., xxx-xx-xxxx
Atwood, Will G., III, xxx-xx-xxxx
Austin, Charles L., xxx-xx-xxxx
Autrey, Daniel L., xxx-xx-xxxx
Awerkamp, William J., xxx-xx-xxxx
Baber, Thomas D., xxx-xx-xxxx
Babin, Jeremiah S., xxx-xx-xxxx
Backman, Charles A., III, xxx-xx-xxxx
Bailey, James W., III, xxx-xx-xxxx
Baird, Michael L., xxx-xx-xxxx
Baker, Steven T., xxx-xx-xxxx
Bakko, Dennis G., xxx-xx-xxxx
Balbin, Bruce C., xxx-xx-xxxx
Baldwin, Charles G., xxx-xx-xxxx
Ball, John R., xxx-xx-xxxx
Balph, Robert D., II, xxx-xx-xxxx
Barchfeld, Carl F., Jr., xxx-xx-xxxx
Barnes, Edwin C., xxx-xx-xxxx
Barnes, William J., xxx-xx-xxxx
Barngrover, Keith W., xxx-xx-xxxx
Basile, James M., xxx-xx-xxxx
Baskett, Robert H., xxx-xx-xxxx
Baskett, Roger D., xxx-xx-xxxx
Bateman, Cecil M., xxx-xx-xxxx
Bateson, Robert B., xxx-xx-xxxx
Batterman, Thomas W., xxx-xx-xxxx
Batura, Thomas J., xxx-xx-xxxx
Bauer, David, xxx-xx-xxxx
Baxter, Leroy D., xxx-xx-xxxx
Beavers, Bruce M., xxx-xx-xxxx
Becker, David M., xxx-xx-xxxx
Becker, John D., xxx-xx-xxxx
Beckham, James D., Jr., xxx-xx-xxxx
Bedford, William A., xxx-xx-xxxx
Beery, Christopher E., xxx-xx-xxxx
Bell, Russell E., xxx-xx-xxxx
Bent, Ralph G., II, xxx-xx-xxxx
Berg, Dennis R., xxx-xx-xx...
Berg, James C., xxx-xx-xxxx
Berger, William R., xxx-xx-xxxx
Bergren, Scott C., xxx-xx-xxxx
Bernard, John H., xxx-xx-xxxx
Bewley, David G., xxx-xx-xxxx
Bibb, Gene E., xxx-xx-xxxx
Bickler, Michael C., xxx-xx-xxxx
Bills, Thomas C., xxx-xx-xxxx
Binam, Gary B., xxx-xx-xxxx
Binkley, Eldon D., xxx-xx-xxxx
Bishop, Thomas J., xxx-xx-xxxx
Bisignand, Samuel J., xxx-xx-xxxx
Blaise, Melvin A., xxx-xx-xxxx
Bland, David F., xxx-xx-xxxx
Blankmann, Robert L., xxx-xx-xxxx
Blanton, Robert V., xxx-xx-xxxx
Blevins, Carl D., Jr., xxx-xx-xxxx
Blomquist, Thomas M., xxx-xx-xxxx
Blount, Richard T., xxx-xx-xxxx
Bock, Terry L., xxx-xx-xxxx
Bohlke, William H., xxx-xx-xxxx
Boling, Fred W., xxx-xx-xxxx
Bolstad, David A., xxx-xx-xxxx
Bondurant, Frederick N., xxx-xx-xxxx
Booher, John W., xxx-xx-xxxx
Booth, George R., xxx-xx-xxxx
Boughton, James P., xxx-xx-xxxx
Bowden, Lester B., III, xxx-xx-xxxx
Boyer, Earl R., xxx-xx-xxxx
Bradley, Alan R., xxx-xx-xxxx
Bradley, Richard G., xxx-xx-xxxx
Bradney, James M., xxx-xx-xxxx
Brady, Timothy S., xxx-xx-xxxx
Brake, Michael S., xxx-xx-xxxx
Brandt, Jeffrey L., xxx-xx-xxxx
Brann, Jeffrey L., xxx-xx-xxxx
Bremer, Kim D., xxx-xx-xxxx
Brenner, Richard L., xxx-xx-xxxx
Bricker, Steven B., xxx-xx-xxxx
Bridges, Timothy R., xxx-xx-xxxx
Brock, William B., xxx-xx-xxxx
Brooks, John P., xxx-xx-xxxx
Brooks, William C., xxx-xx-xxxx
Brooks, William W., Jr., xxx-xx-xxxx
Brown, Randall A., xxx-xx-xxxx
Brown, Richard E., xxx-xx-xxxx
Brown, Richard E., III, xxx-xx-xxxx
Brown, Robert L., xxx-xx-xxxx
Brunner, George J., xxx-xx-xxxx
Bryant, James M., xxx-xx-xxxx
Brye, Courtney W., xxx-xx-xxxx
Bubar, John H., xxx-xx-xxxx
Buch, Frank C., xxx-xx-xxxx
Buchanan, Gregory M., xxx-xx-xxxx
Buchholz, Robert J., Jr., xxx-xx-xxxx
Buck, Charles D., xxx-xx-xxxx
Buddenhagen, William W., xxx-xx-xxxx
Buescher, Paul A., xxx-xx-xxxx
Buhl, James F., xxx-xx-xxxx
Burbridge, Robert A., xxx-xx-xxxx
Burkhart, Buddy W., xxx-xx-xxxx
Burkhiser, Donald R., xxx-xx-xxxx
Burns, Francis A., Jr., xxx-xx-xxxx
Burrus, George I., xxx-xx-xxxx
Burton, Hal S., xxx-xx-...
Bushman, Dennis M., xxx-xx-xxxx
Butcher, Howard S., xxx-xx-xxxx
Butler, Robert A., xxx-xx-xxxx
Buxton, Stephen R., xxx-xx-xxxx
Byars, William R., xxx-xx-xxxx
Caine, Steven A., xxx-xx-xxxx
Caldwell, Glenn A., Jr., xxx-xx-xxxx
Camacho, Jerry P., xxx-x...
Campbell, Earnest C., xxx-xx-xxxx
Campbell, Larry W., xxx-xx-xxxx
Campbell, Louis V., III, xxx-xx-xxxx
Canfield, Bruce A., xxx-xx-xxxx
Cannon, Gary D., xxx-xx-xxxx
Cannon, Thombas E., xxx-xx-xxxx
Cantrell, Cecil B., Jr., xxx-xx-xxxx
Cantrell, George W., xxx-xx-xxxx
Caprez, Charles W., xxx-xx-xxxx
Carder, Lane E., xxx-xx-xxxx
Cardoza, Dennis J., xxx-xx-xxxx
Carlile, John D., xxx-xx-...
Carlin, James M., xxx-xx-xxxx
Carlsen, Robert B., xxx-xx-xxxx
Carmen, John M., xxx-xx-xxxx
Carnethon, Carl A., xxx-xx-xxxx
Carpenter, Frederick S., xxx-xx-xxxx
Carpenter, James E., xxx-xx-xxxx
Carr, Richard G., xxx-xx-xxxx
Carroll, Lynn A., xxx-xx-xxxx
Carroll, Ronald D., xxx-xx-xxxx
Carroll, Warren B., xxx-xx-xxxx
Carruth, Michael B., xxx-xx-xxxx
Carter, Graham J., xxx-xx-xxxx
Carter, Milton J., xxx-xx-xxxx
Caruthers, John E., xxx-xx-xxxx
Casey, James R., xxx-xx-xxxx
Casteel, David R., xxx-xx-xxxx
Catchings, John P., xxx-xx-xxxx
Chambo, David A., xxx-xx-xxxx
Channel, Larry E., xxx-xx-xxxx
Chilcoat, Robert E., Jr., xxx-xx-xxxx
Childers, Henry D., xxx-xx-xxxx
Ching, Herman S. D., xxx-xx-xxxx
Christensen, Merlin L., xxx-xx-xxxx
Christensen, Neil C., xxx-xx-xxxx
Claiborne, Timoth J., xxx-xx-xxxx
Clark, Mark N., xxx-xx-xxxx
Clark, Defrance, III, xxx-xx-xxxx
Clary, Barney H., Jr., xxx-xx-xxxx
Clatanoff, Ramon D., xxx-xx-xxxx
Claytor, Willard N., xxx-xx-xxxx
Clem, James C., xxx-xx-xxxx
Clement, Robert A., xxx-xx-xxxx
Clements, George W., xxx-xx-xxxx
Clemons, Stanley G., xxx-xx-xxxx
Clounch, Mark R., xxx-xx-xxxx
Coakley, James R., xxx-xx-xxxx
Cochran, James C., xxx-xx-xxxx
Cockrum, Douglas M., xxx-xx-xxxx
Cohoon, Thomas D., xxx-xx-xxxx
Coker, James T., III, xxx-xx-xxxx
Cole, Willie E., xxx-xx-xxxx
Collson, Patrick J., xxx-xx-xxxx
Conn, Woodson T., xxx-xx-xxxx
Connelly, Robert, xxx-xx-xxxx
Cooper, Barry E., xxx-xx-xxxx
Corbett, William J., III, xxx-xx-xxxx
Cotner, Keith L., xxx-xx-xxxx
Covington, George M., III, xxx-xx-xxxx
Cox, Bruce L., xxx-xx-xxxx
Cox, James P., xxx-xx-xxxx
Craig, Roger C., xxx-xx-xxxx
Craighead, David J., xxx-xx-xxxx
Crandall, Bradford S., xxx-xx-xxxx
Crandall, Douglas G., xxx-xx-xxxx
Cretin, Stephen L. xxx-xx-xxxx
Crisp, Charles A., Jr., xxx-xx-xxxx
Crow, Ralph M., Jr., xxx-xx-xxxx
Crowe, Andrew M., xxx-xx-xxxx
Crowe, David C., xxx-xx-xxxx
Crowe, Lloyd E., xxx-xx-xxxx
Crozier, Jerry D., xxx-xx-xxxx
Crum, Gregory N., xxx-xx-xxxx
Cukjati, John J., Jr., xxx-xx-xxxx
Culbert, Thomas M., xxx-xx-...
Culler, Lawrence A., xxx-xx-xxxx
Cummings, Hubert G., Jr., xxx-xx-xxxx
Cumpton, Kenneth W., xxx-xx-xxxx
Cunningham, Philip J., xxx-xx-xxxx
Czarkowski, Joseph F., xxx-xx-xxxx
Daigle, Howard J., Jr., xxx-xx-xxxx
Dalfiume, Elmer J., Jr., xxx-xx-xxxx
Dalrymple, Larry E., xxx-xx-xxxx
Dalton, Michael S., xxx-xx-xxxx
Dantzler, Bruce E., xxx-xx-xxxx
Davenport, Paul E., xxx-xx-xxxx
Davidson, Robert B., xxx-xx-xxxx
Davis, Cecil W., xxx-xx-xxxx
Davis, Craig E., xxx-xx-xxxx
Davis, Michael L., xxx-xx-xxxx
Davis, Phillip L., xxx-xx-xxxx
Davis, Thompson H., xxx-xx-xxxx
Davison, Michael A., xxx-xx-xxxx
Day, Donald J. xxx-xx-xxxx
Deason, James A., II, xxx-xx-xxxx
Deddens, Stephen G., xxx-xx-xxxx
Deller, Gerald R., xxx-xx-xxxx
Deluca, Dennis J., xxx-xx-xxxx
Desormey, Lee M., xxx-xx-xx...
Deyoung, Mark M., xxx-xx-xxxx
Dick, Daniel M., xxx-xx-xxxx
Dickens, Thomas L., xxx-xx-xxxx
Dickman, Aloysius P., xxx-xx-xxxx
Dieckman, Dana M., xxx-xx-xxxx
Diehl, William C., xxx-xx-xxxx
Dietrich, Walter D., xxx-xx-xxxx
Dimmick, Charles I., xxx-xx-xxxx
Dixon, Gregory P., xxx-xx-xxxx
Dockstader, David L., xxx-xx-xxxx
Dodson, Michael L., xxx-xx-xxxx
Dorfler, Joseph F., xxx-xx-xxxx
Doria, Robin G., xxx-xx-xxxx
Doty, Robert G., xxx-xx-xxxx
Douroux, Robert W., xxx-xx-xxxx
Dove, Jesse C., xxx-xx-xxxx
Doyle, Gary L., xxx-xx-xxxx
Drack, Marshall N., xxx-xx-xxxx
Drake, Frederick M., xxx-xx-xxxx
Duenow, Mitchell M., xxx-xx-xxxx
Dugas, Albert L., xxx-xx-xxxx
Dullaghan, Owen T., xxx-xx-xxxx
Dunbar, Ralph E., Jr., xxx-xx-xxxx
Duncan, Jimmie R., xxx-xx-xxxx
Dunkin, Steve R., xxx-xx-xxxx
Dunlap, Graham P., xxx-xx-xxxx
Dunlop, Philip N., xxx-xx-xxxx
Dunn, Craig P., xxx-xx-xxxx
Dunn, Frederick D., xxx-xx-xxxx
Dunn, James C., III, xxx-xx-xxxx
Durand, Roger E., xxx-xx-xxxx
Earley, Robert N., xxx-xx-xxxx
Eastis, David W. xxx-xx-xxxx
Edens, David T. D., xxx-xx-xxxx
Edwins, William P., xxx-xx-xxxx
Eilers, Duane P., xxx-xx-xxxx
Eisenhart, Herbert F., Jr., xxx-xx-xxxx
Eittreim, Carlton C., xxx-xx-xxxx
Eklund, Danny E., xxx-xx-xxxx
Elliott, George M., xxx-xx-xxxx
Emilio, Joseph C., xxx-xx-xxxx
Ennis, Stephen W., xxx-xx-xxxx
Erckmann, Francis P., xxx-xx-xxxx
Estes, Roger E., xxx-xx-xxxx
Ethridge, Ronald A., xxx-xx-xxxx
Evans, Peter C., III, xxx-xx-xxxx
Evens, Thomas G., xxx-xx-xxxx
Fabio, Paul J., xxx-xx-xxxx
Fain, Michael E., xxx-xx-xxxx
Fallert, David M., xxx-xx-xxxx
Fetty, Curtis W., xxx-xx-xxxx
Fife, Dennis J., xxx-xx-xxxx
Finch, Ronald A., xxx-xx-xxxx
Fink, Michael E., xxx-xx-xxxx
Finlay, Thomas R., xxx-xx-xxxx
Finley, Frederick R., xxx-xx-xxxx
Fiorello, Joseph A., xxx-xx-xxxx
Fiorillo, Joseph A., Jr., xxx-xx-xxxx
Fisher, George A., xxx-xx-xxxx

Fleer, Robert D., xxx-xx-xxxx
Fleming, Edward L., xxx-xx-xxxx
Ford, William A., III, xxx-xx-xxxx
Forman, James L., xxx-xx...
Fosdick, John P., xxx-xx-xxxx
Foutch, Edward E., xxx-xx-xxxx
Frank, Richard T., xxx-xx-xxxx
Frazer, Gregory L., xxx-xx-xxxx
Frederickson, Steven M., xxx-xx-xxxx
Freeman, Joseph D., xxx-xx-xxxx
Frick, James C., xxx-xx-xxxx
Fullenkamp, Joseph D., xxx-xx-...
Fuller, William G., Jr., xxx-xx-...
Fusco, William G., xxx-xx-xxxx
Futoran, Carl R., xxx-xx-xxxx
Gambrell, Ronald S., xxx-xx-xxxx
Ganske, Frederick C., xxx-xx-xxxx
Georis, Victor C., Jr., xxx-xx-xxxx
Geiger, Lyle D., xxx-xx-xxxx
Gibbs, Charles E., III, xxx-xx-xxxx
Gilbert, Gerald P., xxx-xx-xxxx
Gilch, Charles E., Jr., xxx-xx-xxxx
Gillespie, Thomas F., xxx-xx-xxxx
Gilmore, Michael E., xxx-xx-xxxx
Girod, Franklin P., Jr., xxx-xx-xxxx
Glaser, David R., xxx-xx-xxxx
Glass, John L., xxx-xx-xxxx
Glazener, Charles U., xxx-xx-xxxx
Glazener, Wayne H., xxx-xx-xxxx
Glenn, David C., xxx-xx-xxxx
Goetsch, Martin L., xxx-xx-xxxx
Goodale, Jerome A., xxx-xx-xxxx
Goode, Douglas K., xxx-xx-xxxx
Gordon, Carl F., xxx-xx-xxxx
Gordon, Wallace F., Jr., xxx-xx-xxxx
Gotcher, Jack R., xxx-xx-xxxx
Gough, Carl M., Jr., xxx-xx-xxxx
Gravagne, Anthony M., xxx-xx-xxxx
Gray, Frank A., xxx-xx-xxxx
Gray, Ronald D., xxx-xx-xxxx
Grayson, Marshall A., xxx-xx-xxxx
Green, Gary R., xxx-xx-xxxx
Grega, Joseph V., xxx-xx-xxxx
Gregory, Steven O., xxx-xx-xxxx
Griffin, Thomas M., xxx-xx-xxxx
Griffin, William T., xxx-xx-xxxx
Griffiths, Raymond E., xxx-xx-xxxx
Griggers, Keat, xxx-xx-xxxx
Grinder, Joseph B., xxx-xx-xxxx
Grissom, Jimmie W., III, xxx-xx-xxxx
Gross, Walter F., xxx-xx-xxxx
Guess, Curtis N., xxx-xx-xxxx
Gurtcheff John H., xxx-xx-xxxx
Guyton, Terry A., xxx-xx-xxxx
Haggard, Herman G., III, xxx-xx-xxxx
Hale, Gary C., xxx-xx-xxxx
Hall, David R., xxx-xx-xxxx
Halstead, Ronald G., xxx-xx-xxxx
Ham, William E., Jr., xxx-xx-xxxx
Hamm, John L., xxx-xx-xxxx
Hammaker, Richard W., xxx-xx-xxxx
Hand, George E., xxx-xx-xxxx
Handley, David L., xxx-xx-xxxx
Hann, David E., xxx-xx-xxxx
Hansberger, Thomas L., xxx-xx-xxxx
Hansen, Richard J., xxx-xx-xxxx
Hansen, Russell E., xxx-xx-xxxx
Hanson, Theodore L., Jr., xxx-xx-xxxx
Hardin, Douglas L., xxx-xx-xxxx
Hargrove, Daniel W., xxx-xx-xxxx
Harms, Larry R., xxx-xx-xxxx
Harris, Robert L., xxx-xx-xxxx
Harrison, William D., xxx-xx-xxxx
Hartmann, Robert C., Jr., xxx-xx-xxxx
Hastey, Ernest L., xxx-xx-xxxx
Haurey, Thomas F., xxx-xx-xxxx
Haus, Daniel L., xxx-xx-xxxx
Havas, Robert T., xxx-xx-xxxx
Haydon, Douglas S., xxx-xx-xxxx
Hazel, George A., Jr., xxx-xx-xxxx
Heggemeier, Terry P., xxx-xx-xxxx
Heintze, William J., xxx-xx-xxxx
Hemingway, Terry L., xxx-xx-xxxx
Henderson, Charles G., xxx-xx-xxxx
Hendricks, David L., xxx-xx-xxxx
Hendricks, Paul M. III, xxx-xx-xxxx
Henley, Randall F., xxx-xx-xxxx
Hennings, Walter T., xxx-xx-xxxx
Henrichsen, David V., xxx-xx-xxxx
Henry, Raymond G., Jr., xxx-xx-xxxx
Henry, Ronald A., xxx-xx-xxxx

Henson, Richard A., xxx-xx-xxxx
Heslep, Billy E., xxx-xx-xxxx
Hester, James R., xxx-xx-xxxx
Hicks, James G., xxx-xx-xxxx
Hicks, Raymond P., Jr., xxx-xx-xxxx
Hickson, John R., xxx-xx-xxxx
Hidenfelter, Kenneth J., xxx-xx-xxxx
Higbee, Mark W., xxx-xx-xxxx
Hill, Albert R., Jr., xxx-xx-xxxx
Hill, Gordon J., xxx-xx-xxxx
Hitchcock, Christopher B., xxx-xx-xxxx
Hix, Richard B., xxx-xx-xxxx
Hoffman, Steven S., xxx-xx-xxxx
Holland, Michael T., xxx-xx-xxxx
Holland, Robert L., xxx-xx-xxxx
Holland, Rodney V., xxx-xx-xxxx
Holley, Donald R., xxx-xx-xxxx
Holley, William A., xxx-xx-xxxx
Hopkins, Frederick T., III, xxx-xx-xxxx
Hornack, Robert A., xxx-xx-xxxx
Houck, Richard B., xxx-xx-xxxx
Hough, Henry A., xxx-xx-xxxx
Houle, Thomas W., xxx-xx-xxxx
Houser, Richard S., xxx-xx-xxxx
Howell, John M., xxx-xx-xxxx
Hudson, Reginald E., xxx-xx-xxxx
Huinker, Jon T., xxx-xx-xxxx
Hummer, Daniel H., xxx-xx-xxxx
Humhreys, Michael E., xxx-xx-xxxx
Huseby, John L., Jr., xxx-xx-xxxx
Huss, Frederick L., xxx-xx-xxxx
Hussey, James M., xxx-xx-xxxx
Hutfles, Joseph E., xxx-xx-xxxx
Ickes, Charles V., II, xxx-xx-xxxx
Iffland, John E., xxx-xx-xxxx
Ihle, Jack C., xxx-xx-xxxx
Inman, Ralph R., xxx-xx-xxxx
Insley, Lewis B., xxx-xx-xxxx
Irwin, John O., xxx-xx-xxxx
Jahns, Robert L., xxx-xx-xxxx
Janetos, Jahn H., xxx-xx-xxxx
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The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be captain (medical)

Meyer, George W., xxx-xx-xxxx
Wanerka, Gary R., xxx-xx-xxxx

To be captain (nurse)

Satterley, Daniel B., xxx-xx-xxxx

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The following-named persons for reappointment in the active list of the Regular Army of the United States, from temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel, Regular Army and colonel, Army of the United States

Duke, Russell A., xxx-xx-xxxx
Humphrey, James B., xxx-xx-xxxx

To be captain, Regular Army and captain, Army of the United States

Crane, Matthew J., xxx-xx-xxxx

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3284:

To be major

Bugay, Glenn L., xxx-xx-xxxx
Quatanneris, Louis S., xxx-xx-xxxx

To be captain

Bode, Donald D., Jr., xxx-xx-xxxx
Eckert, Richard E., xxx-xx-xxxx
Shegog, James H., xxx-xx-xxxx
Traylor, John A., xxx-xx-xxxx
Young, Timothy R., xxx-xx-xxxx

To be first lieutenant

Blakeslee, Don B., xxx-xx-xxxx
Blaney, Thomas D., xxx-xx-xxxx
Copley, John B., xxx-xx-xxxx
Curl, Walton W., xxx-xx-xxxx
Gandy, Charles E. III, xxx-xx-xxxx
Guinn, John W. III, xxx-xx-xxxx
Hansen, Mark F., xxx-xx-xxxx
Hayes, Brian E., xxx-xx-xxxx
Harne, Daniel W. III, xxx-xx-xxxx
Jones, Robert P., xxx-xx-xxxx
Mason, Richard M., xxx-xx-xxxx
Mooney, Darrel L., xxx-xx-xxxx
Moser, Richard P., Jr., xxx-xx-xxxx
Omeara, Thomas F., xxx-xx-xxxx
Pryor, James E., xxx-xx-xxxx
Roberts, Herbert R., xxx-xx-xxxx
Rollow, John A. IV, xxx-xx-xxxx
Rucker, Tinsley W., xxx-xx-xxxx
Ryan, John B., xxx-xx-xxxx
Schroeder, David E., xxx-xx-xxxx
Smith, David S., xxx-xx-xxxx
Warncke, Ronald M., xxx-xx-xxxx
Wheeler, Bruce R., xxx-xx-xxxx

To be second lieutenant

Moore, John W. M., xxx-xx-xxxx
Roden, William C., xxx-xx-xxxx

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be captain

Albee, Donna J., xxx-xx-xxxx
Alderson, Gerald L., xxx-xx-xxxx
Antonini, Charles J., xxx-xx-xxxx
Arnold, Joseph V., xxx-xx-xxxx
Badger, Gary R., xxx-xx-xxxx
Bailey, Mary A., xxx-xx-...
Baker, Kim J. xxx-xx-xxxx
Beauchamp, Roy E., xxx-xx-xxxx
Brillant, Eugene G., xxx-xx-xxxx
Brockschmidt, Fredric R., xxx-xx-xxxx
Cavaness, George R., xxx-xx-xxxx
Coats, Jacqueline W., xxx-xx-xxxx
Cuddy, John J., xxx-xx-xxxx
Divalentin, Anthony, III, xxx-xx-xxxx
Duckworth, James H., xxx-xx-xxxx
Furukawa, Theodore P., xxx-xx-xxxx
Gabriel, Donald E., xxx-xx-xxxx
Gensler, Ivonna, xxx-xx-xxxx
Hamilton, Robert A., Jr., xxx-xx-xxxx
Heacock, Edgar J., xxx-xx-xxxx
Houston, Brice E., xxx-xx-xxxx
Johnson, Ralph G., III, xxx-xx-xxxx
Johnson, Sandrah W., xxx-xx-xxxx
Lewis, John C., xxx-xx-xxxx
McGarry, Ann D., xxx-xx-xxxx
McManus, Michael D., xxx-xx-xxxx
McQuade, Michael Jr., xxx-xx-xxxx
Metcalf, Franklin L., xxx-xx-xxxx
Moore, Earnest R., xxx-xx-xxxx
Moses, Morris H., xxx-xx-xxxx
Pohlmann, Bernard H., xxx-xx-xxxx
Pope, Joe T., xxx-xx-xxxx
Rankin, Andrew W., xxx-xx-xxxx
Robertson, David H. xxx-xx-xxxx
Schmidt, William, J., Jr., xxx-xx-xxxx
Staley, David H., Jr., xxx-xx-xxxx
Stankewitz, Charles G., xxx-xx-xxxx
Taylor, William S., xxx-xx-xx...
Wehner, Robert J., xxx-xx-xxxx
Werner, Joan D., xxx-xx-xxxx
White, John R., xxx-xx-xxxx

To be first lieutenant

Anna, David Jr., xxx-xx-xxxx
Barrows, Paul L., xxx-xx-xxxx
Bednar, Carolyn S., xxx-xx-xxxx
Bell, Deborah A., xxx-xx-x...
Berry, George E., xxx-xx-xxxx
Birdsell, Carol J., xxx-xx-xxxx
Bories, Robert F., xxx-xx-xx...
Buchheit, Joseph D., xxx-xx-xxxx
Bush, James D., xxx-xx-xxxx
Byrum, James W., xxx-xx-xxxx
Callan, Thomas E., xxx-xx-xxxx
Carr, Lawrence R., xxx-xx-xxxx
Dickerson, Michael D., xxx-xx-xxxx
Dismukes, Julian M., III, xxx-xx-xxxx
Dixon, Ernestine, xxx-xx-xxxx
Ellis, Ida R., xxx-xx-xxxx
Foster, Jean A. xxx-xx-xxxx
Franz, David R., xxx-xx-xxxx
Gaskill, Galynn E., xxx-xx...
Geothals, Gerald B., xxx-xx-xxxx
Graski, Susan L., xxx-xx-xxxx
Griffith, Harold L., xxx-xx-xxxx
Guttman, Linda, xxx-xx-xxxx
Haas, Larry D., xxx-xx-xxxx
Hamparian, Phyllis B., xxx-xx-xxxx
Herget, Craig N. xxx-xx-xxxx
Irons, Margaret J., xxx-xx-xxxx
Iungerich, Larry R., xxx-xx-xxxx
Jeglijewski, Judith M., xxx-xx-xxxx
Kehrer, James E., xxx-xx-xxxx
Kobasa, Daniel W., xxx-xx-xxxx
Kucera, Raymond P., xxx-xx-xxxx
Lambert, Alan E., xxx-xx-xxxx
Lewis, Jane L., xxx-xx-xxxx
Mader, Roy M., xxx-xx-xxxx
Maloney, John J., xxx-xx-xxxx
Meade, Francis J., xxx-xx-xxxx
Melson, James R., xxx-xx-xxxx
Muldoon, Terrance, xxx-xx-xxxx
Mullins, Maureen, xxx-xx-xxxx
Muschewske, Robert C., xxx-xx-xxxx
Muskovin, Marie L., xxx-xx-xxxx
Newton, William G., xxx-xx-xxxx
Norris, Jimmy A., xxx-xx-xxxx
Norvell, Charles D., xxx-xx-xxxx
Oneal, Georgia W., xxx-xx-xxxx

Padden, Terrance J., xxx-xx-xxxx
Puett, Leonard R., Jr., xxx-xx-xxxx
Puhlman, Richard J., xxx-xx-xxxx
Robbins, James H., xxx-xx-xxxx
Ross, Patricia W., xxx-xx-xxxx
Russell, Gladys H., xxx-xx-xxxx
Schoener, Linda M., xxx-xx-xxxx
Smith, Ben E., xxx-xx-xxxx
Smith, Pamela A., xxx-xx-xxxx
Specht, James, xxx-xx-xxxx
Stewart, Patricia L., xxx-xx-xxxx
Story, Dennis C., xxx-xx-xxxx
Strzelecki, Lorna R., xxx-xx-xxxx
Sweeney, Jane K., xxx-xx-xxxx
Swinger, Gary L., xxx-xx-xxxx
Trammell, Alan R., xxx-xx-xxxx
Tudor, William A., xxx-xx-xxxx
Tutt, James T., xxx-xx-xxxx
Vaught, Richard D., xxx-xx-xxxx
Wall, Evelyn L., xxx-xx-xxxx
Weaver, George, xxx-xx-xxxx
Webb, Joseph G., Jr., xxx-xx-xxxx
Wier, Carolyn R., xxx-xx-xxxx
Wika, Judith C., xxx-xx-xxxx
Wong, Elena Y. H., xxx-xx-xxxx

To be second lieutenant

Anderson, Timothy D., xxx-xx-xxxx
Boggess, George H., xxx-xx-xxxx
Corbin, Kathleen C., xxx-xx-xxxx
Daigle, Wade W., xxx-xx-xxxx
Edgecomb, Barbara L., xxx-xx-xxxx
Frank, Robert L., xxx-xx-xxxx
Gallaway, Barbara S., xxx-xx-xxxx
Maltas, Judy L., xxx-xx-xxxx
Menard, Edward J., xxx-xx-xxxx
Prucha, James F., xxx-xx-xxxx
Sadler, Freida J., xxx-xx-xxxx
Skaggs, Terree L., xxx-xx-xxxx
Sparks, Glenn E., Jr., xxx-xx-xxxx
Sullivan, Candice J., xxx-xx-xxxx
Taddiken, Patricia F., xxx-xx-xxxx
Walsh, Darleen F., xxx-xx-xxxx
Whitehead, David E., xxx-xx-xxxx

IN THE MARINE CORPS

The following named officers of the Marine Corps for permanent appointment to the grade of colonel:

Vincent A. Albers, Jr.
Dan C. Alexander
Terence M. Allen
James O. Allison
Warren L. Ammentorp
Francis Andriliunas
Kermit W. Andrus
Earl W. Bailey
Glen H. Barlow
William D. Bassett, Jr.
Harold L. Blanton, Jr.
Nicholas K. Bodnar
James R. Bowser, Jr.
John R. Braddon
Albert E. Brewster, Jr.
George L. Bruser
William E. Buckon
Richard R. Burritt
Guy R. Campo
Robert L. Christian, Jr.
David A. Clark
John W. Clayborne
Charles W. Collier
James K. Coody
Gorton C. Cook
George B. Crist
Richard L. Critz
James L. Day
Joseph Deprima
John J. Donahue
Philip J. Dooley
Alfred N. Drago
Daniel M. Duffield, Jr.
Ronald P. Dunwell
Ronald P. Eckmann
Hans G. Edebohls
Donald J. Fulham
Samuel J. Fulton
Donald L. Gaut
Paul K. German, Jr.
Richard O. Gillick
Dwayne Gray
Edward F. Grayson, Jr.
Macdonald Greer
Thomas L. Griffin, Jr.
Harry T. Hagaman
Robert G. Haggard
John B. Harris
Herbert M. Hart
Richard E. Hawes, Jr.
Francis J. Heath, Jr.
Howard R. Henn
Donald H. Hildebrand
Charles W. Hoffner
John S. Hollingshead
Robert C. V. Hughes
John W. Irion, Jr.
Maurice H. Ivins, Jr.
Paul G. Janssen
Malcolm S. Jolley, Jr.
Chester T. Jones
Raymond H. Kansier
Floyd A. Karker, Jr.
John J. Keefe
Robert J. Keller
James P. King
Frank R. Koethe
Charles R. Kucharski, Jr.
Richard A. Kuci
Ray G. Kummerow
Leo J. LeBlanc, Jr.
Robert W. Lewis
George G. Long
Theodore J. Lutz, Jr.
Robert J. Lyons
Joseph A. MacInnis
Robert E. McCamey II
Robert W. McInnis
Roland D. McKee
Walter J. McManus
Don A. Mickle
Robert J. Mulle
Robert L. Milbrad
Richard G. Moore
Thomas R. Morgan
Wendell P. Morgenthaler
James H. Olds
Evan L. Parker, Jr.
James R. Penny
Horacio E. Perea
Rhys J. Phillips, Jr.
Gerald H. Polakoff
Ronald M. Proudfoot
Thomas M. Reedy
William E. Riley, Jr.
George H. Ripley
John F. Roche III
J. W. P. Robertson
Dale W. Sanford
Melvin H. Sautter
Lawrence R. Seamon
Roy A. Seaver
Rufus A. Seymour
James L. Shanahan
William F. Sheehan
Arthur B. Shilan
Eugene E. Shoults
John D. Shoup
Don J. Slee
Melvin J. Steinberg
Robert E. Switzer
Richard D. Taber, Sr.
Wylie W. Taylor, Jr.
Stanley G. Tribe, Jr.
Billy F. Visage
Carroll R. Vorgang
Anthony G. Waite
Phillip C. Walker
Vonda Weaver
Joseph K. Weiland
William Weise
George M. Wilson
Rondell K. Wood

The following named officers of the Marine Corps Reserve for permanent appointment to the grade of colonel:

Millard S. Abbott
William J. Alford
Allen M. Andreasen
Raymond R. Bareis
Kenneth D. Barnes
William H. Berry III
Arthur F. Boland
Alvin W. Bowen
James F. Burke, Jr.
William R. Bremer
Clifford J. Brenner
John H. Broujos
Walter J. Bryson III
John L. Caldwell
J. A. Cameron
John C. Chandler, Jr.
George F. Ciampa
John E. Courtney
George M. Crall
Robert G. Davis
John P. Dempsey
Frank H. Denobriga
Joseph R. Dobbratz
Horace M. Dubose III
Lowell E. Enslen
James A. Everett
Robert J. Fagot
Fred M. Greene, Jr.
William P. Grimes
Dellas H. Harder
Ulus G. Hudson, Jr.
Ernest L. Ittner, Jr.
Robert O. Jones
John E. Kelleher, Jr.
William A. Kneller
William J. Koogan
John J. Krasovich
Paul G. Kuntz
Edward J. Lamontagne
Ney C. Landrum
George H. Laplata
Frank P. Marcus
Thomas M. McCabe
Frank G. McLenon
John R. Miller
Billy M. Mitchell
Allan G. Molitor
William W. Monahan, Jr.
Karl N. Mueller
Maurice L. Murphy
Reginald T. Murphy
Leo J. Naquin, Jr.
Walter C. Noakes
Edward C. O'Connell
Herbert R. Oxnam, Jr.
Clayton H. Parker
Elmer F. Pattillo
William D. Powell, Jr.
Ronald L. Pullen
Robert G. Raabe
Charles G. Reynolds
George A. Rilling
William L. Roberts
Richard W. Rockenbach
Edgar O. Sadler
John P. Sanderson, Jr.
Kenneth R. Seitz
Thomas A. Simpson
Robert J. Stolarik
Willis Swales, Jr.
Gordon A. Sweitzer
William A. Tate
Ronald Trepas
Edwin F. Vozella
Harold R. Warren, Jr.
Richard P. Weinberg
Norman C. Willcox
Orlow R. Zumwalt

The following named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Robert T. Adams
John B. Airola
William A. Allanson
Alton L. Amidon
Ronald C. Andreas
Donald M. Babitz
Robert L. Baggett
Charles D. Bailey
Edgar M. Bair
Daryl E. Baker
Owen C. Baker
Kent C. Bateman
James D. Beans
Donn C. Beatty
Peter S. Beck
Wayne V. Bjork
Clay D. Blackwell
William H. Bond, Jr.
Edward H. Boyd
Gene E. Brennan
John V. Brennan
Daniel W. Brown
Richard H. Brown
Randolph M. Browne III
Richard G. Braun
Samuel P. Brutcher
James F. Bugbee
Marion G. Busby
John W. Butler
Robert L. Cantrell
George L. Capwell, Jr.
Frederic S. Carr, Jr.
James E. Cassity
Michael D. Cerreta, Jr.
Howard Chapin
John F. Charles
Albert K. Charlton
Richard F. Chenault
Howard A. Christy
Walter T. Chwatek
Fred L. Cisewski
Dale H. Clark
James S. Coale
David D. Colcombe
Paul M. Cole
Donald B. Conaty
Jeremiah P. Connors
Richard C. Conway
Donald G. Cook
Ernest T. Cook, Jr.
James G. Cowart, Jr.
Logan A. Crouch
Denver T. Dale III
Charles E. Daniels, Jr.
Hollis E. Davison
John F. Delaney
James G. Dixon
Thomas C. Dolson
Tom R. Doman
Walter J. Donovan, Jr.
Edmund H. Dowling
William B. Draper, Jr.
Carl H. Dubac
Peter T. Duggan
Jon T. Easley
Fred L. Edwards, Jr.
Wallace H. Ekholm, Jr
Leo R. Elwell, Jr.
Richard H. Esau, Jr.
Daniel C. Escalera
Leonard W. Fahrni
Alex E. Fazekas
James E. Felker
Harris J. Fennell
Warren A. Ferdinand
William D. Fitts III
Dennis C. Fitzgerald
Herbert M. Fix
Pasquale J. Florio
Pat D. Ford
Robert L. Formanek
Stephen R. Foulger
George R. Frank, Jr.
Carroll R. Franklin
Paul E. Fraser, Jr.
Joseph A. Frasier III
John D. Friske
James S. Gahagan
Robert E. Garcia
Harry H. Gast, Jr.
James I. Gatliff
William R. Gentry
James A. Getchell
Hendrik A. Gideonse
Charles D. Goddard
Thomas A. Goldsborough
Joe L. Goodwin
Lloyd E. Goodwine
James T. Gordon
Richard J. Gowdy
Robert W. Greene
Henry O. Grooms
Richard A. Gustafson
Thomas W. Hancock, Jr.
Milton D. Harnden
James T. Harrell III
John G. Hart III
Franklin H. Heins
Richard T. Henry
Joseph P. Hoar
Richard C. Hoffman
John I. Hopkins
John G. Cooper
Malcolm T. Hornsby, Jr.
Thomas C. Houston
Harold L. Hunter
Harold V. Huston
Larry T. Ingels
Eugene S. Jaczko, Jr.
Walter M. Jastrzemski
Sven A. Johnson
Gordon R. Johnston
Duncan H. Jones
Stanley E. Jones
Richard A. Joralmon
Jim R. Joy
Arthur C. Katen
Larry A. Kaufman
Jesse N. Keathley
Robert D. Kelley
Cloyd H. Klingensmith
James V. Knapp
Frank P. Knight
George A. Knudson
Raymond M. Kostesky
James M. Kruthers
John P. Landis
Kenneth W. Langford
Alex Lee
Pierre L. Lefevre
John M. Lilla
Russell Lloyd, Jr.
Frederick A. Locke
John E. Lockie
Howard L. Long
William H. Long.
Edmund P. Looney, Jr.
Arthur P. Loring, Jr.
Bruce D. Luedke
Jarvis D. Lynch, Jr.
David R. Mabry
Alan C. MacAulay
William W. Mackey
Roy M. Marks
John O. March
John A. Martin
Josephus L. Mavretic
Clarence E. McDaniel
William J. McGrath
James P. McWilliams, Jr.
James M. Mead
Huey P. L. Miller
James K. Miller
John G. Miller
Justus K. Miller
Neil P. Miller
Robert C. Miller
Robert J. Modrzejewski
Brian D. Moore
David J. Moore
Donald L. Morris
Fred H. Mount
Robert D. Mulcahy
Michael J. Mulrooney
Carl E. Mundy, Jr.
Ronald L. Murray
Richard H. Oates
Richard J. Obrien
Martin E. O'Connor
Ralph B. Orey
James W. Orr
Richard C. Ossenfort
Robert F. Overmyer
Carroll A. Palmore
Jerry D. Peterson
Richard Petroff
James M. Pierce
David M. Pirnie
John B. Pozza
Mischa Rader
John T. Radich
Herbert J. L. Reid
Thomas W. Rich, Jr.
Ronald G. Richardson
Reginald H. Ridgely II
David S. Rilling
Benny D. Rinehart
James L. Roach
George N. Robillard, Jr.
William J. Rodenbach
Henry W. Roder
Robert P. Rogers
Richard D. Ross
Edwin Sahaydak
Conrad J. Samuelsen
James R. Scafe
Donald E. Schaet
James M. Schmidt
Marvin E. Schwaninger
Hugh L. Scott III

John P. Senik
Roger L. Shafer
Danny A. Sharr
Robert W. Shaw
James L. Shelton
Michael K. Sheridan
Robert F. Sheridan
Richard T. Shigley
James S. Shillinglaw
Lionel V. Silva
Roger E. Simmons
Francis Simon
Robert N. Simpson
Frederick E. Sisley
Barry F. Skinner
Phillip G. Slough
Gareth W. Smeltzer
Ellis F. Smith
William W. Smith
Richard H. Stableford
Orlo K. Steele
Victor D. Steele
Michael E. Stein
James E. Swab
James R. Sweeney
Leonard J. Szafranski
Bernard H. Thomas
Jack C. Thompson
Joseph C. Thorp
William J. Tirschfield
James B. Townsend
Charles S. Tubbs
John Vannortwick III
Vincent A. Vernay
Michael G. Wadsworth
Caleb N. Wall
Larry N. Ward
George F. Warren
John L. Watson
Leland O. Waymire
Richard J. Webb
John F. Weeks
Stuart L. Weinerth, Jr.
George H. Welsh
Charles M. Welzant
Frank H. Whitton
Larry R. Williams
Donald D. Wilson
Charles A. Wimmler
James M. Winberg
Robert J. Winglass
Donald Wojcik
Billy D. Womack
Joseph B. Wuertz
John R. Wuthrich
Lauritz W. Young
Alvin M. Younger

The following named officers of the Marine Corps Reserve for permanent appointment to the grade of lieutenant colonel:

Robert J. Alfonso
Glenn E. Allen
Richard P. Althouse
James R. Arnett
Joseph C. Baldwin
Rolan E. Banks
Richard G. Bean
Robert D. Becker
William M. Bishop
Allan E. Bloom
Robert J. Blum
John D. Boswell
Joe D. Bowling
James A. Bricker
Peter J. Briggeman
George J. Buckner
Charles W. Bushar III
Joseph B. Byrnes
Chilton S. Cabot
Edward P. Carlin
William G. Cheadle
Charles W. Clarchick
Alfred I. Clayes, Jr.
Richard T. Close
Joseph M. Coman
James E. Cooper
John C. Cooper, Jr.
James A. Craige
Martin J. Crowley
Peter W. Defty
Raymond Depwe
Marvin L. Dery
Glenn V. Dill
Rocci M. Discipio
Glenn H. Downing
Wildon E. Eaddy
Thomas J. Ebner
Bernard T. Eilerts
Edwin J. Emmet, Jr.
Richard M. Evans
Joseph Fasano
M.P. Frank III
Fredric W. Frost III
Frank Gentile
Robert A. Giovanelli
William L. Goodwin
John W. Greiner
William S. Hamel
Ralph D. Hankins
Tood G. Hannah
Harald R. Hansendreuss
William J. Hatcher, Jr.
Kenneth A. Heimes
James A. Herbert
Peter H. Hofinga
Edwin K. Holles
Jon D. Hollabaugh
Robert F. Horan, Jr.
Leroy M. Jones
Donald V. Joyce
Edward A. Kelly, Jr.
Edwin K. Kiefner
Charles E. Knettles
Wayne E. Koons
John M. Kretsinger
Phillip B. Layman
Charles A. Lazzaro, Jr.
Robert E. Lee, Jr.
Peter A. Love
David R. Martin
Lawrence McCarthy
James G. McClave
Dudley E. McFadden, Jr.
John J. McLaughlin, Jr.
Harry R. McPike
Henry F. Mehlert, Jr.
George F. Meyers, Jr.
Gene A. Miller
Donald J. Miloscia
John C. Moffett
George E. Moore
William O. Nelson, Jr.
Lawrence E. Nugent
John E. Oates
Robert W. Painter
James W. Pattison
David A. Perry, Jr.
Joseph L. Pestana, Jr.
Charles G. Peterson
Eric N. Piper
Gerald M. Prizant
Hugh C. Purser
William A. Rasmussen
Howard E. Rast, Jr.
Robert S. Reeves
Thomas M. Reis
John V. Reschar
Erland Reuter, Jr.
Cecil E. Rice
William P. Ricketts
William H. Ridings
Frederick C. Robinson
Richard G. Rodriguez
George T. Rorrer, Jr.
Richard Sancho
Arthur J. Sattolo
Ellis A. Schmidt
Charles W. Schrader
John A. Shanahan
Lawrnece D. Sheridan
Carmen P. Silirie
Richard W. Singer
Thomas B. Smith
Paul Soby
Dale W. Spence
George T. Stevens III
Dan G. Switzer
John H. Tewksbury
Charles H. Townsend
Richard P. Trotter
Barclay M. Wagner
Newton L. Wakeman
Arthur E. Walls
Richard J. Walters
William E. Wean
James R. Weinlader
Glennon D. Woods
William D. Young, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Andrew B. Adams
Sidney C. Adkins
Robert M. Akin
Walter P. Aleksic
Joseph H. Alexander
Kenneth L. Ammons
William M. Anderson
Louis P. Andrews
John F. Angil
Peter F. Angle
Carl R. Ariola
Mordecai R. Arnold
Elie M. Asanovich
Robert B. Austenfeld, Jr.
Henry W. Austin
Edward V. Badolato
William W. Bahnmaier
Alfred D. Bailey
Thomas R. Baisley
Clarence L. Baker
Larry L. Baldwin
Andrew B. Banks, Jr.
Dwight D. Barnhill
Paul V. Barra
Gordon D. Batcheller
Leonard J. Beaudoin, Jr.
Dennis D. Beckman
William D. Benner
Jesse D. Bennett, Jr.
Gale F. Benoit
Donald D. Bergman
Alfred R. Bergstrom, Jr.
Thomas R. Betz
Edward O. Bierman
Charles N. Bikakis
Wesley H. Birt
Alfred H. Bivens
Richard P. L. Bland
Lawrence J. Boller
Norman H. Bomkamp
Walter E. Boomer
William T. Bosserman
Rodney W. Botelho
Howard J. Bowden
James W. Bower
Gene W. Bowers
Wilburn R. Bowers
Philip S. Bradley
Frank D. Brady
David M. Brahms
Martin L. Brandtner
Marx H. Branum
John P. Brickley
James V. Bronson
Richard L. Brown
Francis M. Burke
Austin R. Brunelli, Jr.
Martin C. Brush
Elton N. Buesing, Jr.
Richard E. Burgess
George W. Burkley
Larry E. Byers
Jerry M. Byrd
Charles S. Cahaskie
George R. Callison
John A. Caputa
Richard P. Carlisle
Robert A. Carlson
James F. Carney
Thomas J. Carroll
David J. Cassady
Peter H. Cathell
Frank G. Castillo
Bernard J. Cauley
Hubert L. Causey
John P. Caynak
Alfred F. Cazares, Jr.
William F. Cerny
Moses Cervantes
Calvin S. Champion
Clyde O. Childress, Jr.
Robert G. Clapp
Roger L. Clawson
David O. Clough
Vincent S. Coll
Raymond L. Collins, Jr
Edward M. Condra III
James F. X. Connolly
James J. Coolican
Wayne A. Coomes
Gary J. Cooper
David C. Corbett
Robert S. Coulter
Robert A. Courtemache
Donald C. Cox
Lyle P. Creadick
Oliver J. Crews, Jr.
Douglas A. Crowe
John F. Crowley
John R. Currell
Lowell R. Cushman
William H. Dabney
Donald W. Dadisman
Jack N. Daniel
Paul G. Davenport
James M. Davis
Howard L. Decastro
Gerald DeJong
Cliff E. Delano
John D. Dempsey
David V. Denton
Donald H. Dewalt
Ted O. Dickson
Richard F. Diehl
Robert H. Dietrich
John D. Dobak
Chris G. Dokos, Jr.
Theodore G. Dopko
Richard J. Dove
Michael P. Downs
James M. Driskell
William R. Dudman
Hubert G. Duncan
James T. East
James D. Eckert
Donald G. Eirich
Richmond K. Ellis, Jr.
Richard W. Ellison
Berlis F. Ennis
Charles C. Entwistle, Jr.
Walter M. Esser
Frank W. Evans
Barry W. Ferich
William I. Ferrier
William D. Fish
Ernest T. Fitzgerald
John G. Fitzgerald
Jon T. Flint
Philip A. Forbes
Kim E. Fox
Raymond F. Fox
Alexander A. Frisenda
Donald Fullem
Robert B. Gann
Donald R. Gardner
Phillip E. Gardner
Frederic L. Gatz
Edmond D. Gaucher, Jr.
George E. Gaumont, Jr.
Joseph W. Gibbs III
Albert F. Gibson
Urban L. Giff
Gerald L. Gill
Floyd S. Giordani
Eugene M. Glass
Richard Gleeson
Thomas E. Gnibus
John A. Goehring
Constantine Gofas
Richard L. Goodlake
Bruce A. Greene
David B. Gregory
James A. Gress
James R. Griffin
Edward A. Grimm
Darcy E. Grisier
William A. Grubbs III
Ronald J. Gruenberg
John M. Gruner
John J. Guenther
John W. Guy
Paul E. Hackert
Allen C. Hadley
John A. Hadley
Lynn M. Haines
William A. Hall
Bartholomew G. Halliday
Herman G. Hannah
Chester E. Hanson
Myron C. Harrington, Jr.
Phillip L. Harrington
Robert F. Harrington
Richard I. Harris
Terry E. Harris
Charles B. Hartzell
Edward M. Healey
Marlin L. Hefti
John H. Helm
Thomas E. Hemingway
George L. Hemphill, Jr.
Nelson P. Hendricks
Phillip N. Hendrix
James B. Hickok
James B. Hicks, Jr.
Donnal E. Hiltbrunner
Karl S. Holdaway
Kenneth D. Holland
Robert S. Holman
Harvard V. Hopkins, Jr.
Carl J. Horn
Melvin Horowitz
Arthur L. Houston, Jr.
Otis D. Howe III
Walter R. Hoyle
Frank A. Huey
Merle A. Hufford
Gerald C. Huggin
Longstreet M. Hull
Gerald F. Huml
William F. Hurley
Lajon R. Hutton
Karl H. Hutzler
Carl R. Ingebretsen
Charles M. Isbell
Orville E. James, Jr.
Leo R. Jamieson
Harry W. Jenkins, Jr.
Anthon C. Johnson, Jr.
Donald W. Johnson
Edward E. Johnson
Gerald M. Johnson
Kenneth W. Johnson
Richard A. Johnson
Robert L. Johnson
Donald W. Johnston
Raymond W. Kalm, Jr
Richard S. Kaye
John H. Keating
Edmund M. Keefe, Jr.
Alan B. Kehn
Francis D. Kelly
John F. Kelly, Jr.
William M. Keys
Willard E. Kinney, Jr.
Joe J. Kirkpatrick
Watt J. Kiser
Donald P. Klingler
Robert C. Korman
Thomas W. Krimminger
Philip R. Kruse
William P. Lakin
Burrell H. Landes, Jr.
Virgil B. Lanham, Jr.
Robert A. Larsen
Donald H. Larson
Raymond M. Lawseth
John H. Lawson
Otto J. Lehrack III
Robert Leiker
James W. Lent, Jr.
Otto G. Linden
Gerland E. Lindgren
Theodore P. Lingeneelter
Wesley A. Lokken
Robert E. Lorch
Gary N. Loveland
Francis L. Loving
James W. Lowe, Jr.
Rudolph F. Lusk
Joseph A. Lutheran
John M. Lutton, Jr.
Thomas J. Lyman, Jr.
Charles L. Lynch
Eugene A. Lynch
Gerald E. MacDonald
Robert F. Machado
John A. Magyar
William D. Major
Douglas R. Manning
Paul S. Marcani
Elliott R. Markell, Jr.
James H. Marshall
John T. Marshall
Matt J. Marshall
Edwin J, Martikke, Jr.
Arville, D. Martin
John S. Martin
Claude A. Matson
James E. May, Jr.
James S. May
Michael H. McAfee
Charles M. McCain
William J. McCallum
Peter R. McCarthy
John C. McDonald
Joseph F. McDonough, Jr.
John J. McDermott
James R. McElroy, Jr.
David J. McGraw
James P. McHenry
Robert C. McInteer
William A. McIntyre II
Samuel K. McKee III
John L. McLaughlin
Paul A. McLaughlin
Ted C. McNeel
Kenneth A. McVay
Charles J. Mears, Jr.
Antonio Mediavilla
Clarence I. Meeks III
Spencer P. Mehl
John H. Messick
Harry R. Metzler
Richard H. Meydag
David C. Mills
Harry R. Mills
Larry J. Miner
Roger L. Miner
Larry G. Mitchell
Alfred L. Mize
Gerry M. Mizer
Robert W. Molyneux, Jr.
Raymond R. Moore
Robert C. Moore
Lawrence R. Moran
Harmon S. Morgan, Jr.
John D. Morris
Kenneth J. Morris
Philip R. Morris
Lenus C. Morrison
Charles G. Mulford
Michael P. Mulqueen
Donald R. Muncie
Barry J. Murphy
John M. Mushallo, Jr.
Donald J. Myers
Dominik G. Nargele
Ralph Nelms

Bobby J. Newsom
David B. Newton
Philip L. Noggle
Kenneth E. Noland
Charles F. Norton
Robert J. O'Brien
Elton C. O'Byrne
William W. Ogle
Larry L. O'Laughlin
John H. Olin, Jr.
Richard A. O'Neil
Raymond A. O'Neill
Alan L. Orr
William H. Osgood
Merton J. Oss
Arthur P. Padios, Jr.
Hugh P. Pate
Robert L. Patenaude
Rabun N. Patrick, Jr.
William M. Pearce
Bruce G. Pearson
Jeremiah W. Pearson II
Donald C. Pease
Wilber E. Pernell, Jr.
Joel N. Peterson
Lawrence E. Peterson
Joseph R. Phaneuf
Albert H. Phillips
Herbert E. Pierpan
Joseph W. Pinson
Raymond G. Pinson
Michael L. Piper
Kenneth W. Pipes
John Pipta
Reginald G. Ponsford III
Corbett G. Pool
Raymond E. Porter
Richard A. Prestera
Norman E. Pridgen, Jr.
Russell C. Prouty
David B. Prue
John L. Pycior
Harold F. Pyle, Jr.
James E. Quill
David A. Quinlan
Henry J. M. Radcliffe
John M. Reardon
Robert M. Reed
Robert J. Regan, Jr.
Donald P. Reichert
John P. Reilly
Owen B. Renfro
Edward O. Reusse, Jr.
Richard C. Rich
Tom V. Richardson
Kenneth L. Rider
John D. Riley
Karl Rippelmeyer
Willie G. Roberson
George K. Robinson, Jr.
Torrence W. Rogers
Ronald C. Rook
George C. Ross
Robert A. Ross
Ronald K. Roth
Donald W. Rourke
James R. Ruffini
William E. Russell
Jaime Sabater, Jr.
Robert E. Salisbury
Lawrence R. Salmon
Norman W. Sammis
Herbert M. Sanchez
Bert E. G. Sandvoss
Donald E. Santo
Richard C. Schamay
Joseph G. Schamber
Peter G. Scharf
Ronald W. Schmid
Richard W. Schulz
Robert W. Schussler
William F. Schwab
Lawrence E. Seaman, Jr.
James T. Sehulster
Adolfo P. Sgambelluri
Wayne E. Shaver
Louis E. Shaw
Russell R. Sherzer
Troy T. Shirley
Andy J. Sibley
Bobby G. Sikes
Lionel M. Silva
William N. Simmons
Jerry I. Simpson
John H. Slater
Robert W. Sloan
Hardy A. Slone
Frank M. Slovik
Gid B. Smith
Robert W. Smith
Vincent M. Smith
William S. Smith
Thomas J. Solak
Gary J. Somerville
Richard G. Sousa
Billy J. Speights
Louis M. Spevetz
Norbert J. Spitzer
Bayliss L. Spivey, Jr.
Richard M. Stacy
James L. Steele
David R. Stefansson
William C. Stensland
Roger E. Steward
James J. Stewart
Stanley R. Stewart
Donald, L. Stiegman
Marion F. Stone
Alan B. Stout
William C. Stroup
John A. Studds
William W. Stumpf
Francis X. Sullivan
Harold D. Sullivan
Michael L. Sweeney
William T. Sweeney
Warren E. Sweetser III
Andrew P. Taylor, Jr.
Jack K. Taylor
Lawrence A. Taylor
Joseph R. Tenney
John B. Terpak Jr.
Albert K. Thompson
Orville M. Thompson
Richard K. Thompson
Jack L. Throckmorton
George V. Thurmond
William A. Tilley, Jr.
Gary E. Todd
Henry L. Trimble III
Lonnie S. Underhill
Thomas D. Ungar
Abromo L. Vallese
Rocco F. Valluzzi
James E. Vanfleet
Achille J. Verbeck, Jr.
Nat H. Vincent
Forest E. Walker
Hugh L. Walters
Richard T. Ward
Michael F. Waters
Robert C. Watson
James B. Way
Ralph D. Webster
James E. Wells
John L. Whaley
Roy Whitehead, Jr.
Howard M. Whitfield
Justin H. Wickens
Robert W. Weigand
Morgan L. Wilkinson
James L. Williams
David J. Willis
Ronald, N. Wilson
Peter D. Winer
Herbert T. Winston
David L. Wiseman
Herbert H. Wood
Randolph L. Wood, Jr.
Moffatt F. Wylie
David A. Wyrick
Joseph J. L. Yetter
Rafael Zalles
Roger Zensen
Kenneth N. Zike
Robert F. Zumbado

The following named officers of the Marine Corps for permanent appointment to the grade of captain:

James R. Acreback
Jerald R. Agenbroad
Robert R. Ahlbrecht
Travis M. Aiton
Gary R. Albin
Alan K. Albrecht
Thomas E. Albright
Laney D. Alexander
James J. Allamon
John H. Allen
Charles R. Allison III
David S. Althaus
John F. Amend, Jr.
James A. Amendolia
Lester E. Amick III
Cecil J. Amparan
Gordon E. Anderson
John C. Astle
George B. Atkinson
John F. Auderer III
Stephen L. Austin
Richard G. Averitt III
Raymond P. Ayres, Jr.
Paul S. Bacon
Peter R. Badger
Robert L. Bailey
Ronnie J. Bailey
Gary L. Bain
Jerry K. Baird
David L. Baker
William J. Baker
Wheeler L. Baker
Charles Balchunas
David W. Baldwin
John T. Balha
James R. Ballard
John J. Banning
John C. Barber
Peter J. Barber
Richard E. Barber
Irvin D. Barkman
James E. Barksdale
William H. Barnetson, Jr.
George D. Barnett
Charles J. Barone
Bradley E. Barriteau
James J. Barta
Allen C. Bartel
Richard J. Bartolomea
Richard L. Barton, Jr.
John M. Basel
Douglas L. Bash
Clarence E. Bates, Jr.
Frank M. Batha, Jr.
William P. Bau
Gordon W. Bauer Jr.
Edmund Bauernfeind
Arthur S. Bausch
Theodore T. Bean
James H. Beaver
Hugo T. Beck
Emil R. Bedard
William A. Beebe II
Stephen E. Beiser
Joseph A. Bekeris III
David E. Belatti
George Beley
James D. Bell
Charles A. Bellis Jr.
Richard W. Berger
Stephen R. Berkheiser
Maurice F. J. Bernier
James L. Anderson
Leroy V. Anderson
Ralph C. Anderson
William D. Anderson
William T. Anderson
Gary D. Andresen
James F. Andrews III
Russell E. Appleton
Robert J. Arboleda
Rodney A. Arena
Michael J. Arent
William D. J. Armstrong
Stephen G. Arps
Rufus A. Artmann Jr.
Victor C. Ashford
Edward D. Ashman
Michael D. Ashworth
Robert A. G. Berns
Gerald L. Berry
Timothy L. Berry
Donald L. Best
Joseph A. Betta
Lee H. Bettis Jr.
John A. Bicknas
Archie J. Biggers
Norman K. Billipp
John L. Bilodeau
Willie R. Bishoff Jr.
Donald R. Bishop
Walter Robert Bishop
David L. Bjork
Patrick C. Blackman
William B. Blackshear
Marvin S. Blair, Jr.
Frank R. Blakemore
John P. Bland
James R. Blanich
David W. Blizzard
Paul J. Bloom, Jr.
Michael P. Boak
Robert J. Boardman
Alec J. Bodenweiser
John A. Boivin
George J. Bolduc
James N. Bonner
Jay F. Boswell
Paul J. Bourdon
Robin R. Bowen
Earl T. Bowers, Jr.
Michael S. Bowling
James R. Bowman
John W. Bowman, Jr.
Lamar Boyd
Lynn L. Boyer III
Michel A. Boyle
Sevath A. Boyum
Frank A. Bozanich
Thomas A. Braaten
Kenneth L. Bradley
Robert J. Bradley
Clifford A. Brahmstadt
Wayne H. Brandon
Hopkins P. Breazeale III
Charles D. Breme
Ian Brennan
John L. Brennan
George L. Brewer
Robert R. Brewton
James Brigadier
William R. Brignon
Melvin J. Brinkley
James A. Brinson, Jr.
Larry W. Britton
Michael V. Brock
Thomas F. Broderick
George M. Brooke III
Dennis K. Brooks
Homer W. Brookshire, Jr.
Constantinos T. Brown
John P. Brown
Jon L. Brown
Michael B. Brown
Paul E. Brown
Ray A. Brown
Richard M. Brown
Ross A. Brown
Terrance D. Brown
Thomas E. Brown, Jr.
Thomas M. Brown
William A. Brown
Ronald D. Browne
Randolph D. Brunell
Kenneth H. Bruner
Charles P. Brust
Fred B. Bryant, Jr.
James F. Buchli
Robert J. Buechler
Allan S. Buescher
Roger D. Bullard
George J. Bunda
William R. Bunker
Mark C. Bunton
Glenn F. Burgess
Victor L. Burgess
Phillip G. Burke
Joseph H. Burney
Dwight E. Burns
Kenneth R. Burns
Patrick M. Burres
Walter R. Burroughs
Michael A. Burrous
Thomas Buscemi, Jr.
Larry E. Butler
Dwight R. Byers
James P. Byrnes
Rocco J. Caldarella, Jr.
Douglas Caldwell
William K. Callahan
Richard L. Callihan
Carl P. Campbell
Edgar M. Campbell
Larry E. Campbell
Jose R. Campos
James M. Canario
Joseph L. Cannava, Jr.
John W. Capito
John C. Cargill
Thomas M. Carlin
Joseph R. Carlisle
George A. Carlson
Nicholas F. Carlucci, Jr.
Gary L. Carnicle
Daniel M. Carradice
Patrick G. Carroll
Hugh T. Carter
Ronald B. Carter
James A. Cathcart
Michael R. Cathey
David W. Causey
Lee A. Cerovac
Merritt N. Chafey IV
Justice M. Chambers, Jr.
Charles R. Champe
Richard Chandler III
James M. Chapin
Roger G. Charles
Andrew L. Charlson
Jerry D. Chase
John P. Chase
Jonathan C. Chase
Clarence B. Cheatham, Jr.
Bruce B. Cheever II
Maurice L. Chevalier
Jimmie W. Childs
Richard J. Choate
Clayton C. Christensen
Jac A. Christiansen
Kenneth L. Christy, Jr.
Lyle C. Christy
John C. Church
Franklin J. Cizerle
John J. Clair III
Clair W. Clark II
Henry J. Clark
James L. Clark
James P. Clark
Michael A. Clark
James M. Clarke
Dennis C. Clayton
William C. Cleveland, Jr.
John J. Cochenour
Michael G. Coe
Thomas P. Coffey
Clovis C. Coffman, Jr.
George S. Coker
John R. Cole
Charles A. Collins
Clelland D. Collins, Jr.
Earl M. Collins
William E. Collins
Newton A. Collyar
Robert Colonna
Gary E. Colpas
Richard A. Combs
James G. Conard
Patrick J. Connor
William C. Conrad, Jr.
John W. Consolvo, Jr.
Blair P. Conway
Stephen P. Cook
Thomas M. Cook IV
Edwin J. Cooke
Robert W. Coop
Donald R. Cooper
Larry A. Cooper
William L. Cooper
Dillard W. Copeland
Dennis Copson
Kermit C. Corcoran
Alfred G. Cordes
William C. Corley
Albert J. Cormier
Ronald J. Cornetta
Fletcher R. Cosby
Gary M. Costello
Billy R. Courtney
Walter S. Cover
William V. Cowan III
John W. Cox
Timothy J. Coyle
Bradford L. Craddock
James P. Craig II
David E. Crais
Ronald E. Crane
Jimmy R. Cranford
Chandler C. Crangle
Richard A. Crawford
John P. Cress
Randolph E. Crew
Thomas W. Crew II
Clifford J. Crews
Edward E. Crews
James E. Cripps
John A. Crites
James C. Crockett
Michael J. Crow
Richard A. Crowe
Fred R. Crowley
Louis M. Croy, Jr.
Stephen Cucchiara
William L. Culver
David J. Cummings
Edward B. Cummings
Waldo B. Cummings, Jr.
John T. Cummins, Jr.
Timothy J. Cunningham
Terry M. Curtis
William C. Curtis
Ronald L. Czarnecki
Karl E. Dahlberg
Paul R. Daigle
Louis H. Dailey
Terrence R. Dake
Robert J. Dalton
John H. Daly III
Howard D. Daniel
Paul R. Darling
Glenn R. Darst, Jr.
William L. Daugherty
Paul D. David
William L. Davila
Dellwyn L. Davis, Jr.
Elmer H. Davis, Jr.
James H. Davis
Jimmie F. Davis
Michael A. Davis
Michael P. Davis
Thomas E. Davis
William J. Davis
Carson R. Day
James C. Day
Thomas C. Dean
Robert C. Debussey
Samuel C. Decoteau
Walter E. Deese
Jack E. Deichman
Wayne A. Deines
Joseph Dellacorte
Dennis G. Delmauro
Robert C. Delones
Michael P. Delong

James D. Delp
Thomas R. Delux
John R. Dempsey
Charles F. Depreker
Lee H. Desbordes, Jr.
Henry A. Detering
Robert P. Devere
James R. Devore
Eric D. Dick
Harry L. Dietz
Melvin L. Dilday
Michael J. Dineen
Richard Dinkel
Daniel J. Dirkes
Wilbur C. Dishman
Charles L. Dismore
Stephen J. Dlugos II
Conrad Dogil
Alfred M. Doktor, Jr.
Dennis J. Dolan
Francis J. Donnelly
William R. Donnelly, Jr.
Robert C. Dopher, Jr.
Jefferson D. Dorroh II
Orron S. Dougherty
Roy R. Dougherty
Dennis L. Doyle
Edward J. Doyle, Jr.
Orvis R. Doyle
Wayne C. Doyle
Paul F. Drnec
Charles E. Drumm, Jr.
Serge R. Dube
Doyle D. Dudley
Richard D. Duff
Donald R. Dunagan
Clarence T. Dunstan
Robert E. Dzialo
Darryl F. Dziedzic
Donald L. Dziggel
John H. Eager
Robert L. Earl
Thomas B. Edwards II
Robert J. Eisenlohr
Victor B. Elder II
Jay L. Elliott
Arthur H. Ellis, Jr.
Dalton R. Ellis, Jr.
Richard H. Ellis
Ketron H. Ellison
Edwin E. Eloe
Gary L. Elsten
Clark D. Embrey
John P. Emmett, Jr.
Don D. Enloe
Richard G. Ericson
Carl H. Ertwine
George J. Eschenfelder
William P. Etter II
Wyatt S. B. Eustis
David P. Evans
John S. Evans, Jr.
Michael L. Evans
William C. Evans
Robert S. Evasick
Michael G. Evinrude
Walter R. Fabinsky
Freddie J. Falgout
John T. Fanning
Charles E. Farrell
Dennis L. Faust
David E. Feiring
Jonathan P. Feltner
Michael J. Ferguson
Ralph E. Fields, Jr.
Stephen M. Findlay
Andrew R. Finlayson.
Patrick J. Finneran, Jr.
Charles E. Finney
Kenneth A. Fish
Don W. Fishero
Jay B. Fitch
John W. Fitch
William C. Fite III
Thomas E. Fitzpatrick
Charles W. Fleischer, Jr.
James E. Fleming
Kenneth L. Fleming IV.
Ronald D. Fleming
Morris O. Fletcher
John R. Fogg
John J. Folan, Jr.
Brian D. Ford
David L. Ford
Edward S. Ford
George S. Ford
James L. Foresman
Jon R. Forster
James D. Fortune
John T. Foster, Jr.
Robert W. Fout
Charles R. Fox
Wesley L. Fox
Thomas L. Franklin
Robert L. Frantz
Richard H. Freeman
Stephen P. Freiherr
James E. French
Claude R. Fridley
Barton J. Friebolin
Michael J. Friel
Douglas D. Frisbie
William H. Frizell
Leonard R. Fuchs, Jr.
Carlton W. Fulford, Jr.
Philip N. Fultz
James L. Furgerson
Arthur J. Furtney, Jr.
Charles S. Gaede
Tony R. Gain
John P. Galligan
Charles H. Gallina
Joseph W. Gallo
David A. Garcia
Larry T. Garrett
Algimantas V. Garsys
Michael H. Gavlick
Richard H. Gayer
John J. Gaynor, Jr.
Harold S. Gazaway
David T. Geaslin
David M. Gee
Vincent L. Gennaro, Jr.
Howard L. Gerlach
George E. Germann
Perry H. Gesell
Graydon F. Geske
George F. Getgood
Henry P. Giedzinski
Robert W. Gillespie II
Michael L. Gilman
Clayton S. Gilmore
John F. Gimber
John P. Glasgow, Jr.
Robert E. Gleisberg
Richard S. Glenzer
Daniel M. Glynn
Eugene L. Gobeli
James A. Goebel
William G. Gooding
William G. Goodwin
John B. Goody
Bernard M. Gordon
George W. Gorman
Thomas Gotta
Lee C. Gound
Joaquin C. Gracida
Michael J. Graf
William J. Graham
Robert L. Graler
Laurens B. Grandy, Jr.
U. S. Grant, Jr.
Perry H. Graves III
Ainslie A. Gray, Jr.
Kenneth R. Gray
Samuel T. Gray
Joseph R. Green
Maurice O. V. Green
John R. Gregory
Richard H. Gresham
Alfred Grieshaber, Jr.
Bruce E. Griesmer
Frank W. Griffin
Theodore W. Griggs III
James D. Grosshans
James W. Groulx
John J. Gruehl
Allen D. Guins, Jr.
Jimmie C. Gulliford
Steven P. Hadar
John R. Hagan
Michael W. Hagee
William F. Haizlip, Jr.
James C. Hajduk
Terrance C. Hall
Thomas L. Hall
Thomas J. Halpin
Paul S. Hamilton
David W. Hammel
Barry L. Hanchett
Jerry E. Hankins
Edward Hanlon, Jr.
Norman F. Hanner
Jeffrey T. Hansen
Robert W. Hansen
Willis H. Hansen
Jerry T. Harber
Eugene R. Hardman
Donald R. Hardy
Jeffrey M. Hardy
Bruce L. Harjung
Dennis M. Harke
Kenneth L. Harmon
George A. Harper
Robert J. Harper
Griffin H. Harrell
David D. Harris
John R. Harris
Robert W. Harris
John T. Hart
James P. Hardneady, Jr.
William F. Harvey
Charles E. Hatch
William M. Hatch
Edward Hatton III
David W. Haughey
David M. Hauntz
Floyd C. Hayes
Jerome D. Hayes
Paul Hayes
William T. Hayes
Raymond T. Haynes
Franklin J. Heacock
Donald R. Head
Gale E. Heaivilin
John E. Hebert
Eldwin D. Heely
John B. Heffernan
Harvey R. Hegstrom, Jr.
Bruce A. Heitz
Ronald A. Hellbusch
Howard L. Helms
James J. Henderson II
Wallace Q. Henderson
Garland C. Hendricks
Gary O. Henkel
William C. Henning
Donald H. Henze
John C. Hering
Theodore N. Herman
Edward W. Hermansen Jr.
David F. Herr
Richard L. Herrington
Peter M. Hesser
Melvin J. Hewitt
Robert Hickerson
Robert T. Hickinbotham
John L. Hickman
Richard D. Hickox
Preston E. Hicks
Geoffrey Higginbotham
Phillip G. Higgins
William R. Higgins
Edward A. Highers
Robert G. Hill
Klaus P. Hille
Anthony S. Hilliard
Judson D. Hilton, Jr.
Marlin D. Hilton
Allyn J. Hinton, Jr.
John J. Hoagland
Thomas A. Hobbs
Harold D. Hockaday
James C. Hodges
James W. Hodges
Marshall G. Hodges
Miles M. Hodges
Terry L. Hodges
Richard W. Hodory
Charles O. Hoelle, Jr.
Timothy G. Hoff
William H. Hoff
Emile W. Hoffman
Richard C. Hoffman
George R. Hofmann, Jr.
Franklin D. Holder
Thomas W. Holden
Robert J. Holihan, Jr.
John N. Holladay
Steven L. Hollister
Charles W. Holmes
Joseph R. Holzbauer
Franz H. Honeycutt
Raymond J. Hoogendoorn
Richard F. Hoogerwerf
Richard G. Hoopes
William O. Hooper III
Raymond A. Hord
Edward A. Horne
Joseph R. Horton, Jr.
Nathaniel A. Hoskot, Jr.
Carl T. Hover
Patrick G. Howard
Lewis E. Hoyt
Jerome J. Hudak
John M. Hudock, Jr.
Lucien N. Hudson, Jr.
Richard B. Hudson
Dennis C. Huff
James L. Huff
Paul B. Hugenberg, Jr.
Charles E. Hughes
James R. Hughes
Kent S. Hughes
David D. Hundley
James L. Hurlburt
Donald R. Huskey
James W. Hust
Charles J. Hutcheson
Homer G. Hutchinson II
Robert H. Hutchinson
Larry W. Hutson
Joseph L. Hutton, Jr.
David H. Ingram
Douglas K. Isaly
Robert P. Isbell
William P. Isbell
Robert F. Itnyre
Peter M. Iverson
Frank M. Izenour, Jr.
Jackie C. Jackson
Marvin L. Jackson
Albert E. James, Jr.
Tommy L. James
John A. Janega
Laurens J. Jansen
William M. Jarosz
Richard J. Jenkins
Herman R. Jennette, Jr.
Richard M. Jessie, Jr.
Jack D. Jewell
Joseph T. Jewell III
Albert P. Johns
Carl R. Johnson
James E. Johnson
Kenneth D. Johnson
Melford M. Johnson
Ronald P. Johnson
Russell L. Johnson
William F. Johnson
William J. Johnston II
Anderson Jones
Donald S. Jones
James F. Jones
James L. Jones, Jr.
Ronald S. Jones
Walter F. Jones
Robert C. Jonson
Luis A. Juarez
Harold D. Kadolph
Frank J. Kaiser
Lee D. Kane
Michael R. Kanne
George M. Karamarkovich
Lawrence G. Karch
Richard A. Karoly
Robert J. Karow
Lawrence A. Kassin
William W, Kastner III
Theodore M. Katana
Peter T. Kearney
Wayne S. Keck
Thomas A. Keene
Joseph A. Kelleher
George R. Keller, Jr.
Edwin C. Kelley, Jr.
Philip C. Kellogg
Michael B. Kelly
Michael S. Kelly
Samuel J. Kelly, Jr.
Thomas E. Kelly
Dale J. Kennedy
Edward R. Kenney
Harod C. Kern III
Ronald R. Kersey
Daniel W. Kessler
Gerald L. Keys
John A. Kieffer, Jr.
John P. Kiley
Ernest M. Kimoto
Richard C. Kindsfater
Charles W. King
Gary W. King
Frederick L. Kingery
Virgil G. Kinnaird III
John S. Kinsman
Novatus N. Kirby
Patrick Kirk
Stephen E. Kirwan
John J. Kispert, Jr.
Jack W. Klimp
Richard L. Kline, Jr.
Manfred A. Koebig, Jr
Richard T. Kohl
Nicholas L. Kopchinsky
Donald E. Koppenhaver
Michael H. Korstange
Walter J. Kowalewski
George W. Kralovec III
Peter L. Kranker
Jon J. Kratz
John J. Krauer
Leo M. Kraus
Randall D. Krekeler
Lester A. Kroeger
George B. Kruczkowski
Earl A. Kruger
Douglas M. Kruse
Leo E. Krusemark, Jr.
Robert J. Kuhlman, Jr.
Coleman D. Kuhn, Jr.
Richard H. Kunkel, Jr.
Richard C. Kurth
Gregory S. Kuzniewski
Robert C. Labbe
Michael J. Labelle
Dietrick, Lamade III
Harold B. Lamb II
Wesley D. Lamoureux, Jr.
Robert M. Lancaster
Russell E. Laney
Bruce A. Lang
Howard W. Langdon, Jr.
Robert K. Lange
Michael D. Langston
Timothy L. Laplaunt
Michael J. Larson
Jacob L. Larue
Fred C. Lash
Ronald J. Laughlin
John R. Laurent II
Joseph A. Lavigne
Francis X. Lawler, Jr.
Edmond H. Lawrence
William S. Lawrence
Luther L. Lawson III
Michael R. Layman
Shawn, W. Leach
George D. Leaming
Martin, Lebowitz Fitzhugh B. Lee
John S. Leffen, Jr.
David S. Legas
Stephen B. Leslie
Edward G. Lewis
Robert C. Lewis
Tyrone L. Lewis
Frank Libutti
Newton A. Lieurance, Jr.
Ralph B. Lilja
Achim W. Lind
Steven P. Lindsey
Robert W. List
Dennis L. Lister
Frank E. Littlebury
Lawrence H. Livingston
Andrew M. Lloyd III
Clifford B. Lockett, Jr.
Horace L. Logan III
Robert E. Logan, Jr.
Charles M. Lohman
Everett Long III
Ronald A. Longtin, Jr.
Gary L. Loomis
Earle S. Scott III
William R. Lounsberry
Charles L. Lowder
Paul J. Lowery
William E. Lucas
James W. Lucey
Freddie M. Luckie
Forest L. Lucy
James T. Luken, Jr.
Robert K. Lunday, Jr.
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Theodore H. Lyons
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Justin M. Martin II
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Dean H. Matzko
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Herman L. May, Jr.
George B. Mayer, Jr.

William G. McBride, Jr.
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Michael E. McClung
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Frank D. Powell
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Bobby R. Pruett
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Kenneth R. Ptack
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William E. Ramey
Sepp D. Ramsperger
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Joseph D. Reich
Lawrence C. Reifsnider
Thomas L. Reilly
Joseph H. Reinhardt
Douglas E. Reinika
Johnny D. Restivo
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Wayne H. Rice
William M. Rice
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Tibor R. Saddler
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Ralph E. G. Sinke
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Douglas B. Skinner
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Gilbert E. Smith
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Lawrence D. Smith
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Michael Z. Smith
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Terrance L. Smith
Thomas A. Smith
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Deforest D. Spindler
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Jeffrey L. Spoon
Robert L. Spooner
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Larry J. Springer
Richard E. Squires
Jonathan B. Stad
Norman S. Stahl
Charles I. Stanfield
Paul H. Stansel
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Martin R. Steele
John J. Steger
Craig R. Steinmetz
Peter R. Stenner
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Edward R. Stepien
Bert A. Stevenson
Jack A. Stevens
Charles E. D. Stewart
James R. Stewart
James V. Stiger
Myles C. Still
Keith H. Stivers
Norman R. Stocker
Carl C. Stoehr II
James E. Stoll
Terry W. Stone
Milton D. Stonebarger
Thomas D. Stouffer
Robert R. Stout
John B. Strange
James M. Strickland
William H. Stubblefield
Kenneth R. Stuber
Robert G. Stump
Joseph E. Sturtevant, Jr.
John M. Suhy
James F. Sullivan
John J. Sullivan
John J. Sullivan, Jr.
Patrick J. Sullivan
Richard D. Sullivan
Donald R. Swaby
Terry P. Swanger
William G. Swarens
James B. Swartzenberg
Bronson W. Sweeney
George P. Sweeney III
William P. Symolon
Herbert P. Syska, Jr.
Stephen I. Szabolcs
Victor E. Taber
Stephen A. Tace
Robert Tait, Jr.
Joshua D. Tallentire
Ronald T. Taunt
Bayard V. Taylor
Cecil V. Taylor
James R. Taylor
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Milton J. Teixeira
Monty J. Tennes III
William K. Terrell
Richard F. Thayer
John W. Theisen
John C. Thomas
Joseph G. Thomas
Daniel L. Thompson
Don O. Thompson
Robert F. Thompson
William F. Thompson
William G. Thrash, Jr.
Owen J. Toland
Thomas A. Toth
Joseph B. Towle
Dale S. Town
Edward C. Traasdahl
Edward L. Trainor
Clyde R. Trathowen
William E. Treadwell
Thomas R. Trompeter
Gordon E. Tubesing
Alan J. Tucci
John P. Tucker
William D. Turnbull
David J. Turner
Thomas A. Turner, Jr.
Ellsworth J. Turse, Jr.
Colin B. Tweddel
William A. Tweed
Perry J. Unruh
William P. Vacca
John M. Valovich
Jay H. Vandyne
Peter H. Vanzandt
Kenneth E. Ventris
Chauncey D. Venuto
Richard F. Vercauteren
David A. Vetter
Michael C. Veysey
Peter N. Vidito
Gerald J. Viliano
Eric P. Visser
Joie D. Vitosky
Richard L. Vogel
Carl B. Volinski
John R. Voneida
Thomas A. Voth
David C. Votruba
Sidney S. Wade, Jr.
Edward J. Wages
Jack R. Wagner

Robert A. Walden
Frank N. Waldrop
Bob C. Walker
Laurence A. Walker
Richard W. Walker
Thomas U. Wall
Patrick G. Waller
Robert W. Waller
Jon M. Walters
Thomas D. Walters
Joel C. Ward
Richard K. Ward
Samuel J. Ware
Clifford B. Warren III
Robert G. Warren
Robert W. Watkins
David J. Watson
Edward L. Watson
James L. Watson, Jr.
Harry B. Wease
Charles G. Weaver
Arthur S. Weber, Jr.
David L. Weber
Harry R. Weber III
Terrence M. Weber
Larry D. Webster
John Wegl
Ronald A. Weigand
William C. Weinmann
Daniel L. Welker
John D. Wells, Jr.
Laurance W. Wells
Marshall R. Wells
Donald T. Welsh
Joseph R. Welsh, Jr.
Richard M. Wenzell, Jr.
Alfred M. West
Norman E. West, Jr.
Randall L. West
Newell J. Weston
George E. Wetmore III.
John K. Wetter
William A. Wheeler
Benny E. White
Carlton P. White
Richard D. White
Eddie D. Whitehead
Michael C. Wholley
Frank G. Wickersham II.
Gerrit L. Wiescamp
Frank P. Wilbourne III.
James A. Wiley
Thomas L. Wilkerson
Kenneth J. Wilkinson
Digby H. Willard
Benjamin L. Williams
James M. Williams
James R. Williams
John F. Williams, Jr.
Johnny R. Williams, Jr.
Joseph H. Williams
Lester H. Williams, Jr.
Mark D. Williams
Michael J. Williams
Richard F. Williams
Roger L. Williams
Roger S. Williams II
Robert F. Wilman
Richard G. Wilmes
Brooks C. Wilson
Roger E. Wilson
James R. Wingerter
John H. Winslow
John D. Wintersteen
William D. Wischmeyer
Frank A. Wiseman
Stephen M. Wistrand
John A. Witsell, Jr.
Jackson L. Witter
David W. Wofford
Terry L. Wojcik
James Wolfe, Jr.
William C. E. Wolfe
Anthony A. Wood
Larry A. Wood
Larry L. Woodruff
Gary L. Woods
Theodore R. Woollens
Walter W. Wooten
Brian T. Wright
Carroll L. Wright
Edward F. Wright, Jr.
Eugene O. Wright II
William F. Wright
William S. Wright
John W. Wuethrich III
Thomas F. Wunderlich
Dale F. Wyrauch, Jr.
William R. Wyser III
Michael G. Yankoski, Jr.
Richard J. Yeoman
Jon C. York
Walter R. Young
Nels C. Youngstrom, Jr.
Richard I. Zabovnik
George A. Zahn, Jr.
Edward R. Zaptin
John S. Zdanowski
Jon L. Zellers
Michael V. Ziehmn
Albert J. Zima
David W. Zimmerman
Lawrence R. Zinser

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant:

Paul R. Ahrens
Robert A. Aikman
Frank C. Alvidrez
Donald P. Amiotje
Charles P. Annis
Gary D. Appenfelder
Peter N. Ard
Craig M. Arnold
Thomas A. Bailey
John L. Balcom
John M. Ballard
Barney K. Barnett
James R. Battaglini
Douglas P. Bayne
Mark T. Beck
Roger P. Beebe
Curtis M. Beede
Ivan M. Behel
Thomas E. Benim
Chris Bennett
Fred S. Bennett
Harry K. Bennett
George H. Benskin III
Harold W. Biesemeier, Jr.
David W. Birch
Thomas E. Bjerke
Scott A. Blair
Gerry E. Blanchard
Robert E. Blankenship
Michael C. Blazanin
David R. Bloomer
James S. Bloxom
Richard A. Boeckman
Johal R. Boteler
John F. Bouldry
William L. Bowling
Denham W. Bowman
Michael H. Boyce
Charles E. Boyer III
David R. Boyer
Errett J. Bozarth II
Stephen H. Brighton
Clyde S. Brinkley, Jr.
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Mark W. Brown
Michael M. Brown
Stephen R. Brown
Craig L. Bryson
Richard E. Buller
Gary B. Burcal
Ralph G. Burnette, Jr.
Richard E. Burton
Walter Burzinski
Kenneth O. Bush
Ronald D. Bussey
Gary A. Butler
Michael J. Byrne
Robert D. Cabana
James T. Carney
George E. Carpenter
Charles T. Carroll
Timothy A. Capron
Mark F. Carnevale
Melvin H. Carson
William B. Carter
William H. Carver, Jr.
Michael J. Carnevale
Dee H. Caudill
Thomas A. Caughlan
David L. Chadwick
Ronald W. Chambless
William H. Chaplin
Michael J. Chapman
Stephen A. Cheney
James P. Chessum
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John S. Cipparone
Alfred F. Clarkson, Jr.
Gary W. Claunch
Robert Clydesdale
James P. Cobb
John R. Cohn
William B. Collins
George W. Colvin
Michael R. Compton
Larkin E. Conatser
Vincent P. Conroy
Kevin A. Conry
James T. Conway
John M. Cooke
Kathryn P. Cooney
Max A. Corley
Alfred A. Cortez
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Sam B. Crimaldi
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Douglas R. Davis
Edwina E. Davis
Hartley R. Davis III
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Van D. Dewitt
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Thomas J. Dodson
Geoffry M. Doermann
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Peter A. Dotto
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Kenneth G. Drescher, Jr.
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Troy L. Duncan
Thomas E. Dunkelberger
Charles J. Dunleavy
Roderick M. Dunlop
James M. Durham
Mark S. Dyl
Michael C. Eddings
Michael E. Edwards
Russell H. Erickson
Michael S. Eustin
Lajuana G. Fagan
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Paul G. Gausch
Jerome L. Geil
Theodore R. Gendron
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Dwight E. Gray
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Barry P. Griffin
Terry A. Gusic
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Christopher Halverson
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James R. Harper
Gerald F. Harris
Thomas E. Harris
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Walter P. Havenstein
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Gregory T. Hedderly
Ordean F. Hegrenes
Lambert C. Heikes
John H. Heinz
Jeffrey F. Hemler
Glen E. Hensley
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Peter E. Hermann
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Patrick J. Hughes, Jr.
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Carl D. Inskeep
Elmer R. Jackson
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Robert A. James
Thomas M. Jamison
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Joseph E. Leinenbach, Jr.
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James R. Morris
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Henry Napoleon, Jr.
Lunda J. Neithammer
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Melinda A. Nepfel
George Newstrom
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Ronald W. Peterson
Gregory P. Petro
Glen R. Phillips
Michael W. Phillips
Gerald W. Pickett
John R. Pierce
Clifford C. Pittman
Thomas G. Poeltler
Richard A. Poggemeyer
James A. Polk
John P. Poole
Lewis C. Pope, Jr.
John F. Porter
Bruce W. Prout
Paul F. Pugh
Granville D. Pullen
Harold E. Queen II
James E. Queen
John A. Quinn IV
Donald J. Radomski
Scott E. Ragland
Donald W. Ramsey
Bruce A. Randall
Danny P. Reid
John W. Rerucha
Larry R. Rice
Stephen A. Riggs
George H. Risch, Jr.
Carl R. Ritterspach
Raymond M. Robertson
John R. Robinson
George L. Rodgers
Robert W. Roesch
Ronald D. Rogers
Mark C. Ronning
Paul F. Roques, Jr.
Greg Rorerts

Ralph C. Rosacker II
Bowen F. Rose
Stephen L. Roth
Robert O. Rumble
Joseph L. Russo
Arthur J. Rybicki
John W. Sams
Joseph C. Santillo
John F. Sattler
Stanley C. Schlegel
William E. Schmidt
Karl T. Schwelm
Robert G. Schwetje
Gerald M. Scienski
George R. Scott
James M. Searing
Peter A. Seitz
Robert H. Settle
Betty R. Sewell
Charles N. Sherman
Charles R. Sherrill
James S. Shi
Richard Y. Shintani
James O. Shuler
Harold L. Siemens
Laurence E. Simpson
Larry J. Sims
Paul D. Skinner
Michael H. Smith
Paul R. Smith
William R. Spain
Martin J. Speer
Leonard E. Spiker, Jr.
James A. Spooner
Ronald E. Spratt
Kenneth F. Stang
Susan E. Steiner
Terry A. Stephan
Bruce S. Steward
Clay O. Stiles
Steven H. Stokes
David K. Storey
James A. Storey III
Lynn A. Stuart
Robert C. Stuart
Jonathan W. Stull
Patrick H. Sullivan
Thomas P. Sullivan
Frank W. Sultenfuss III
Mario J. Summa
Michael J. Swords
David P. Sztuk
Thelbert F. Taylor, Jr.
David M. Thomas
Arleigh E. Thurston
Michael K. Thweatt
Jerome P. Todd
Terry L. Tonkin
Patrick J. Travis
Richard F. Travis
Peter L. Treleaven
Dennis S. Tremelling
Gene A. Tromly, Jr.
Joseph S. Uberman
John B. Ullman
Leroy D. Vansciver
Gerald J. Varela
Michael J. Verbarendse
James S. Vintar
Robert C. Vogel
Michael Vontungeln
Gregory J. Vonwald
Paul H. Voss
John H. Wagner
James H. Walker
Richard W. Walker
Sheldon E. Walker, Jr.
Michael J. Walsh
Thomas A. Walsh
Robert E. Walton, Jr.
Bruce M. Ward
Donald G. Warfield
Brett N. Watermann
Dale M. Watson
David B. Weber
Terry T. Weiss
Gary C. Wells
Michael H. Wesner, Jr.
Elliot W. Whitney III
John H. Whitney
William G. Wickum
Hugh N. Wiggins
Paul A. Wilbur
Janice K. Williams
Hensley C. Williams
Phillip E. Williams
Christopher S. Wilson
Timothy O. Wilson
Wallace E. Winslow
James M. Wire
Ronald F. Wnek
John C. Worl
Robert P. Wray
Larry W. Wright
Margaret M. Wrynn
Charles M. Yahu
Nancy K. York
John P. Yost
Alden P. Young
Dale D. Young
Stephen M. Young
James M. Younkins
Peter A. Zaudtke
Michael J. Zurat

The following named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Leo L. Accursi
Arthur A. Adkins
Harry E. Akioka
Robert C. Anderson
Christopher M. Arey
Jacque A. Baseley
Floyd L. Bass, Jr.
Dale T. Baughman
Arthur J. Belville, Jr.
Joseph W. Bergeron, Sr.
Stephen E. Berger
Gary A. Besaw
Robert M. Biddle, Jr.
Lawrence J. Blair, Jr.
Rex P. Blankenhorn
Anthony D. Blice
Jonathan C. Block
Barry L. Bodine
David L. Bogardus
Elmer S. Bolles
Scott R. Borderud
Gregory D. Borgert
Thomas W. Bowen
James C. Braddy
Laurence R. Brakowiecki
Robert A. Brandon
James R. Brassell
Robert E. Brewington
Bruce H. Brothers
Franklin D. Broughton
Franz K. Brown
Edward L. Bryant
Edwin A. Burnette
Dean E. Butler
Michael J. Byers
Robert S. Byrd
John Caldwell
William B. Caldwell, Jr.
James A. Campbell
Cesare Cardi
David H. Carl
William W. Carr
Phillip K. Carreon
Denis Carroll
Wallace M. Carter
Stephen A. Case
Stephen W. Chambers
Benjamin L. Cheely
Wendell C. Chinn
Eric C. Christenson
James R. Christian
Wendell D. Clemons
Johann A. Clendenin
Michael F. Clough
Arthur H. Coffin
Raymond Cole
Melvin Collins
Francis J. Condino
Timmy W. Condrey
Michael G. Cooper
James M. Ashley
Dale L. Baird
Richard L. Barineau
Michael J. Barr
Bonie D. Barron
Whylen G. Cooper
Edward F. Corbett
David C. Covert
Walter M. D. Creech
Roger A. Critzer
Walter L. Crump, Jr.
William S. Culler
Donovan C. Cullison
Patricia E. Cucina
Raymond S. Cuddy, Jr.
Carl R. Curry
Michael T. Cygan
Calvin R. Davis
Philip A. Davis
Samuel J. Davis
Lawrence M. Day
John R. Daymude
Raymond J. Decker, Jr.
Robert W. Delbridge, Jr.
Mark E. Detering
Thomas A. Devaney
Daniel B. Diviney
Charles L. Dockery
Robert L. Donelow
Paul F. Donohue
Frederick L. Dowell
George H. Dunbar
George M. Eckman
Arthur E. Edinger
William R. Edwards
Carroll F. Egbert, Jr.
Frederick R. Eldredge, Jr.
Alex G. Endres
Richard L. Engelen
Michael E. Ennis
Howard E. Estey
Jeris L. Faircloth
Larry G. Fanning
Peter B. Farley
Roland C. Farr
John K. Feuerriegel
Stephen T. Fisher
Joseph T. Fitzgerald, Jr.
Donald L. Fleming, Jr.
Percy Flowers
Dennis R. Fogel
Billy J. Ford
Robert C. Fox
David B. Franke
Richard J. Frawley
Douglas N. Frazier
Michael L. Gale
Patrick F. Gallagher
Kevin A. Garvey
John R. Gaumer, Jr.
George M. Gebhardt
Robert W. Geer
Charles E. George III
Frank L. Gibson
Paul A. Gido
John R. Giger
Clifford J. Gion
Joe H. Glover, Jr.
Wyatt W. Grant III
Charles L. Griffin
William L. Groves
Ronald G. Guilliams
Robert P. Gwinn
James C. Halburnt
Dale A. Haley
Johnny J. Hall
Larry J. Hallbick
Lloyd T. Hardin, Jr.
James J. Harkness
Gregory L. Harm
Charles W. Harpe, Jr.
Michael P. Harrigan
Robert J. Harrington
Donald J. Hashagen
Sidney T. Hastings
Frederick L. Hauenstein
Glenn B. Hausold
Kenneth G. Hawkes
Danieil G. Hawthorne
George Heatley
Michael J. Hedin
Joseph P. Heine
Patrick T. Henry
Brian M. Hermes
Maria T. Hernandez
John W. Herstead
James T. Hickey
Robert Hicks
David C. Hilmers
Herbert C. Hinchliffe
David E. Hinkle
Rex L. Hinman
Sylvester Howard
Douglas G. Hodson
James C. Hoffman
Thomas A. Holton
James C. Holzmann
Joel P. Hood
Paul C. Hoover
James A. Horn, Jr.
Arthur J. Howard, Jr.
Robert C. Hubner
Eric G. Huckabee
Timothy P. Hudson
Thomas Hunnicutt
Michael J. Hutchinson
Richard B. Inghram
Charles H. Jackson IV
Edgar W. Jatho, Jr.
Robert Jenkins
Joseph F. Jennings
Francis Jiminez
Michael S. Jindra
Dallas W. Johnson
John W. Johnson
Johnnie Johnson
Robert B. Johnson
John J. Johnston
Nelson M. Jones
Wilford G. Jones
Robert T. Jordan
William J. Jorgens
Forest W. Justis
Torrence W. Kadyszewski
Thomas D. Kaminski
Henry W. Kappel
Darryl F. Keane
Lloyd W. Keaser
Robert E. Kenney
Arthur J. Kidd
Winfred T. Kincaid
James R. Kingham
Thomas E. Kingry
Ernest J. Kistler
Edward M. Klein
Gerard J. Kline
William L. Knapp
David L. Kolek
Peter J. Komen
David A. Kratochvil
Paul R. Kroeger
Thomas J. Lafreniere
Gregory D. Lamberth
William H. Ledford
Thomas C. Lenke
Paul J. Leon
Bonnie J. Lewis
David A. Lewis
Donald C. Lewis
Luitpold, J. Liebl
Brian K. Lile
Donald A. Linder
Richard J. Linhart
George H. Linnemeier II
Lloyd L. Loy
Dean T. Lucas
George J. Luchansky
Frank C. Lundberg
Michael T. Lundblad
John F. Lynch
Louis E., Machado
James J. Macinnis
Stephen Mack
Donald B. Mackenzie-graham
James W. Mannix
Lawrence R. Martin
Paul W. Martin
Gary B. Marzullo
Matthew T. Mason III
Michael W. Mather
James N. Mattis
Chester C. Mattox
Thomas P. McClowry
John S. McFarland
Patrick M. McGann
James B. McGee
Bernard J. McGuire
Steven M. McLaughlin
John W. McLeod
Julius A. McMillan, Jr.
Gregory F. Meagher Jr.
Patricia A. Meeler
Bruce E. Merrill
Richard P. Meserve
George A. Messier
Roger L. Messlage
Robert L. MetCalfe
Randolph M. Michaux
Michael P. Mihalik
Charles W. Miller
Patricia A. Miller
Harold L. Mitchell
Thomas P. Mitchell
Donald T. Mize
Donald N. Mizell
Jo A. Montroy
John T. Mooney
William J. Moore, Jr.
William P. Moort, Jr.
George W. Morgan
Richard W. Morrell II
Joseph Mouton
Richard A. Mu
David W. Murray
Richard M. Myers
Ronald F. Nelson
Harold P. Newhart
Billy R. Newman
Frank W. Nichols
Sheldon J. Norris
Clayton W. Noto
John A. Nugent
Patrick D. O'Boyle
Timothy R. O'Connell
Marion L. Odle
Gary J. Ohls
Fred D. Parish
John W. Parrish
Walter A. Payne
Edward A. Pernal, Jr.
Edward J. Perrott
George L. Peterson
Charles E. Petrusch II
Joe D. Phillips
Richard K. Polly
Jerry L. Poole
Michael K. Popper
Patrick G. Port
Preston P. Pratt, Jr.
Kenneth W. Quigley
William E. Rambow
Robert D. Rasmussen
Thomas A. Reavis
John W. Reed, Jr.
Thomas J. Rees
Frank C. Revels
Russell A. Romagna
Ralph W. Roraff
David W. Rose
Samuel J. Routson
Charles H. Rucks
Gregory M. Russell
James L. Rust III
Juan B. Sanchez
Thomas A. Santos
John W. Saputo
William H. Sbrocco III.
Teryl W. Scalise
Frank J. Scannello
Kenneth E. Schaub
Mark C. Schickner
Thomas M. Schuler
Randolph L. Schultz
Jerry O. Schutt
Kenneth A. Schwarz
Gene A. Scroggy
Ronald G. Seagroves
Peter R. Seal
Benjamin B. Selvitelle
Vincent A. Sessa
John L. Sexton
Jerry M. Seybert
Guy R. Sherry
John F. Shipley
Thomas C. Shoger
Wayne H. Sieler
William M. Sigler III
Glenn D. Simon
Robert B. Skadowski
James M. Sluder III
Perry Smiley
Edward M. Smith
Gary E. Smith
Michael D. Smith
Randall E. Smith
Nathaniel L. Snodgrass
Peter K. Solecki
Tommy L. Spangler
John E. Steele
Thomas G. Stefek
Blake R. Stephens
Cortez D. Stephens
Scott H. Stevens
Donald S. Stone
Terry A. Strassburg
Randolph B. Strautman
Charles T. Surles
Bonni L. Sutherland
Kenneth W. Tarrant, Jr.
John R. Taylor III
Jeffrey E. Thayer
Carl W. Thiem
Leon R. Thompson
Lloyd M. Thorne
John F. Thornell III
John M. Thornton
Julius S. Tindall
John F. Torsak
Lon A. Troxel
George T. Tucker
Ronald D. Twardy
John G. Upton
Frank A. Vargas III
James Vaughn
Arnold F. Vessey
Kenneth A. Vincent
Joseph M. Vizzier
Joel R. Voneida
William Wallace, Jr.
Larry E., Walther
Charles R. Waters
Ray E. Watkins
Alfred W. Webber
Lawrence N. Webster
Robert A. W. Wehrle
Randall B. West
John A. Wester, Jr.
James R. Wheeler
Michael J. Wheeler
William L. Whipple
Harold D. White
Llewellyn S. White
Otis J. Whitehead
Robert W. Widenhouse
Rodney J. Wijas
Ronald D. Wilczak
James H. Wilk
John A. Wilkerson
Cromwell O. Williams, Jr.
Gregory N. Williams
Robert G. Williams

Mark G. Williamson
William J. Williamson
David L. Willis
Cornell A. Wilson, Jr.
Eugene S. Wilson, Jr.
Larry S. Wilson
Edward D. Wilt
Gary F. Wines
Charles D. Wise
Larry V. Wise
Merton T. Witham
Donald E. Wolf
Thomas V. Wolf
Douglas K. Wood
Douglas L. Wood
Johnny A. Wood
Michael S. Woodson
John A. Woodward
Larry K. Worthington
Lee A. Wright
Roger J. Wright
Steven C. Wry
Stanley G. Wylazlowski
Patrick D. Wynn
Stephen M. Yoakem
Stephen T. York
Paul M. Young, Jr.
Robert L. Young
Stewart G. Young
Kenneth W. Zebal
Joseph M. Zeimetz
George E. Zhookoff
Paul E. Ziegler, Jr.
Robert R. Zimmerman
Andrew D. Zinn
David A. Zucker

EXTENSIONS OF REMARKS

PRESIDENT NOTES 165TH ANNIVERSARY OF LINCOLN'S BIRTH

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 1974

Mr. AREND. Mr. Speaker, each year throngs of Americans and foreign tourists in Washington pay tribute to our Nation's most revered President, Abraham Lincoln. No visit to the Nation's Capital is complete without stopping at the impressive Lincoln Memorial.

As many of our Presidents have done before him, Richard Nixon also paused on February 12 to honor this great American and most famous citizen of my State of Illinois.

Under leave to extend my remarks in the RECORD, I include President Nixon's tribute delivered at a wreath-laying ceremony at the Lincoln Memorial on the 165th anniversary of Abraham Lincoln's birth:

REMARKS OF THE PRESIDENT AT A WREATH-LAYING CEREMONY ON THE 165TH ANNIVERSARY OF ABRAHAM LINCOLN'S BIRTH

All of the distinguished guests on the platform and ladies and gentlemen and our guests who are listening on radio and television:

As I was reading about the Lincoln Memorial before coming down here this morning, I found that of all the great historical sights in the Washington area, the Lincoln Memorial is visited more often than any other by far.

As a matter of fact, I have learned, I will say to Mr. Walker of the Park Service, that the Memorial has been visited so often and has received so much wear and tear that it perhaps is going to have to have some substantial work done to build it back up so that it can take all the traffic.

The question that I would like to address briefly this morning on Lincoln's birthday is why, why is Lincoln, of all the American Presidents, more revered not only in America but in the world?

There are several reasons that come to mind. He freed the slaves. He saved the Union. He died of an assassin's bullet just at the height of his career at the end of the War between the States.

Then there are other factors which come to mind: The Lincoln character which has been described in so many, many hundreds of books, much better than I can describe it in a few words, the humility, the humor, the feeling and kindness for people, but perhaps more than anything else the strength, the poise under pressure.

When we examine the American Presidents, it is quite clear that no President in history has been more vilified or was more vilified during the time he was President than Lincoln.

Those who knew him, his secretaries, have written that he was very deeply hurt by what was said about him and drawn about him, but on the other hand, Lincoln had that great strength of character never to display it, always to stand tall and strong and firm no matter how harsh or unfair the criticism might be.

These elements of greatness, of course, inspired us all today. The particular factor that I would like to address, however, is one that Mr. Whitaker has alluded to in his gracious introduction. It has to do with Lincoln's vision about America's role in the world.

What we sometimes forget is that Abraham Lincoln was a world statesman at the time that America was not a world power. Here on these walls are inscribed many of his very familiar usages. One from the second Inaugural comes to mind when Lincoln said, "To do all that we may to achieve and to cherish a just and lasting peace among ourselves and between all Nations." This is Lincoln 110 years ago.

When America, torn by civil strife, and when America, even after it was united with both the North and South working together to build a greater country could not and would not even play a great role in the world for years and years to come, and yet Lincoln with that mystical sense of destiny and vision saw it all ahead when he said, "Ours is earth's last, best hope."

And now we come to today, 110 years later. Even Lincoln would have marveled if he were living today. This Nation now, the strongest Nation in the world, the richest Nation by far in the world and a Nation greatly respected all over the world, and the question he would have asked, as we must ask ourselves is, how will history look back on our time? What did we do with our strength? What did we do with our wealth? Did we use it only for ourselves, or did we recognize as Lincoln recognized that we had a destiny far beyond this great Nation, looking out over the whole wide world.

These thoughts come to mind that Lincoln might well have advised us: One, that in this period of time that America was never petulant simply because we do not get our way in the world councils every time, that America did not bully weaker nations simply because we were stronger, that America always used its strength, certainly in this century at least, used its strength to defend freedom and never to destroy it, to keep the peace and to defend the peace and never to break it.

I think Lincoln also would have had this admonition to his fellow Americans on such an occasion as this in this particular period in our history. He would have hoped that America with its strength and its wealth would not turn away from greatness despite the fact that some other nations in the world turn inward failing to assume their responsibilities for building a peaceful world.

Lincoln would have said, a great nation, a strong nation, a rich nation and a great people will use their strength and their wealth to build a world in which peace and freedom can survive for themselves and for others as well. This, I think, is the Lincoln heritage for today. It is the Lincoln admonition for tomorrow and I would trust for the next generation and perhaps for the next century.

I do not suggest all of this in any sense that America wants to dominate any other country, because we do not. I do not suggest this because America wants strength simply because of the jingoistic idea that we must be number one. That is not the reason.

I do suggest it because I know, as Lincoln would have known, that in today's world without America and its strength and its will and its respect and its determination, peace and freedom will not survive in the world. What a great challenge for a great people.

I conclude simply by paraphrasing what Lincoln said so many years ago so much more eloquently, we could meanly lose what is mankind's last best hope for peace and freedom, but we could also nobly save it.

Abraham Lincoln, who saved the Union, would say to us today, let this great Union, North, South, East and West, now save the cause of peace and freedom for the whole world.

Thank you.

DISTURBED CHILDREN: THE RIGHT TO LEARN

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 1974

Mrs. BURKE of California. Mr. Speaker, in my continuing effort to inform my colleagues of the need to provide meaningful Federal resources to educate and treat our handicapped children, I am inserting an article from the Washington Post of February 22, 1974, by George F. Will of the successes of special schools in educating schizophrenics, psychotics, and autistics.

Beleaguered parents trying desperately to find education for their handicapped children have been turned away because State laws refused to provide educational services to those they considered uneducable. Now, after some successful class action suits, States are being forced to acknowledge the basic right of all children, including those children who are severely handicapped, to publicly supported education. What is developing is a constitutional principle that says that basic State services, like education, must be afforded citizens despite the expense involved. As Mr. Will points out:

An insufficiency of funds will not be allowed to bear more heavily on handicapped children than on normal children.

I am hopeful that the Developmental Disabilities Act of 1970, which is presently being considered by the Subcommittee on Public Health and Environment, will recognize these same concepts and assure that the new Developmental Disabilities Act of 1974 provides for a full range of services to all children who are severely handicapped due to a medically determinable physical or mental impairment.

The article follows:

DISTURBED CHILDREN: THE RIGHT TO LEARN

(By George F. Will)

NEW YORK.—Appearing anywhere, the advertisement would have been jolting. Ap-