and to establish the National Wheat Council; to the Committee on Agriculture.

By Mr. CHARLES H. WILSON of California (for himself, Mr. NIX, Mr. WALDIE, Mr. CLAY, Mrs. SCHROEDER, Mr. ADDABBO, Mr. HELSTOSKI, Mr. BIAGGI, Mr. CORMAN, Mr. HARRINGTON, Mr. FULTON, Mr. ST GERMAIN, Mrs. BURKE of California, Mr. MOAKLEY, Mr. YOUNG of Georgia, Mr. EILBERG, Mr. NEDZI, Mr. STUDDS, Mr. RODINO, Mr. STOKES, Mr. STARK, Mr. FAUNTROY, Mr. DELLUMS, Mr. MOSS, and Mr. WHALEN):

H.R. 13181. A bill to amend title 39, United States Code, to eliminate certain restrictions on the rights of officers and employees of the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHARLES H. WILSON of California (for himself, Mr. DOMINICK V. DANIELS, Mr. MITCHELL of Maryland, Mr. MURPHY of New York, Mr. YATRON, Mr. FORD, Mr. KARTH, Mr. BRASCO, Mr. RIEGLE, Mr. HAWKINS, and Mr. EDWARDS of California):

H.R. 13182. A bill to amend title 39, United States Code, to eliminate certain restrictions on the rights of officers and employees of the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WOLFF (for himself, Mr WALSH, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. CARNEY of Ohio, Mr. ROE, Mr. RONCALIO of Wyoming, Mr. ROSE, Mr. ROSENTHAL, Mrs. SCHROEDER, Mr. STUDDS, Mr. TIERNAN, Mr. WINN, Mr. MITCHELL of New York, and Mrs. CHISHOLM):

H.R. 13183. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. WALSH, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. CARNEY of Ohio, Ms. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BERGLAND, Mr. BOLAND, Mr. BROWN of California, Mr. CLAY, Mr. CLEVELAND, Mr COHEN, Mrs. COLLINS of Illinois, Mr. CONTE, Mr. CONYERS, Mr. CRONIN, Mr. DANIELSON, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. ESCH, Mr. MORGAN, and Mr. MURTHA):

H.R. 13184. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr WALSH, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. CARNEY of Ohio, Mr. FISH, Mr. FRASER, Mr. GILMAN, Mr. GROVER, Mr. HARRINGTON, Ms. HOLTZMAN, Mr. HORTON, Mr. KAZEN, Mr. KOCH, Mr. KYROS, Mr. MARAZITI, Mr. MINISH, Mr MITCHELL of Maryland, Mr. NIX, Mr. OWENS, Mr. PEPPER, Mr. PEYSER, Mr. PODELL, Mr. RANGEL, and Mr. REGULA):

H.R. 13185. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. YATRON (for himself, Mr. MEZVINSKY, Mr. DANIELSON, Mr. CARTER, and Mr. COHEN):

H.R. 13186. A bill to direct the Comptroller General of the United States to conduct a study of the burden of reporting requirements of Federal regulatory programs on independent business establishments, and for other purposes; to the Committee on Government Operations.

By Mr. YOUNG of Georgia:

H.R. 13187. A bill to establish a national homestead program, in cooperation with local housing agencies, under which single-family dwellings owned by the Secretary of Housing and Urban Development may be conveyed at nominal cost to individuals and families who will occupy and rehabilitate them; to the Committee on Banking and Currency.

By Mr. BIAGGI:

H.J. Res. 922. Joint resolution to amend the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", to the Committee on the Judiciary.

By Mr. FINDLEY (for himself, Mr. ROSENTHAL, Mr. FRASER, and Mr. HARRINGTON):

H.J. Res. 923. Joint resolution to bring Atlantic Community policy toward the Government of Greece before the Council of NATO; to the Committee on Foreign Affairs.

By Mr. HANLEY (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. ANNUNZIO, Mr. BRINKLEY, Mr. CLAY, Mr. DAVIS of Georgia, Mr. DERWINSKI, Mr. FAUNTROY, Mr. FISH, Mr. HELSTOSKI, Mr. HICKS, Mr. HINSHAW, Mr. JOHNSON of Pennsylvania, Mr. LEHMAN, Mr. MATSUNAGA, Mr. MELCHER, Mr. MILLER, Mr. MURPHY of New York, Mr. NICHOLS, Mr. NIX, Mr. PEPPER, Mr. RINALDO, and Mr. ROBISON of New York):

H.J. Res. 924. Joint resolution to provide for the designation of February 20 of each year as "Postal Employees Day"; to the Committee on the Judiciary.

By Mr. HANLEY (for himself, Mr. ST GERMAIN, Mr. SANDMAN, Mr. SISK, Mr. TIERNAN, Mr. UDALL, Mr. WHITE, Mr. WHITEHURST, Mr. WILLIAMS, Mr. WINN, Mr. WON PAT, Mr. OWENS, Mr. KOCH, Mr. CAREY of New York, and Mr. FORD):

H.J. Res. 925. Joint resolution to provide for the designation of February 20 of each year as "Postal Employees Day"; to the Committee on the Judiciary.

By Mr. ANDREWS of North Carolina:

H. Res. 941. Resolution providing for the disapproval of the recommendations of the President of the United States with respect to the rates of pay of offices and positions within the purview of the Federal Salary Act of 1967 (81 Stat. 643: Public Law 90-206) transmitted by the President to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

By Mr. KYROS:

H. Res. 942. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the appendix to the budget for the fiscal year 1975, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland (for himself, Mr. LOTT, Mr. BROWN of California, Mr. HANLEY, Mr. HINSHAW, Mr. YOUNG of Florida, Mrs. COLLINS of Illinois, Mr. EDWARDS of California, Mr. DENT, Mr. O'HARA, Mrs. HOLT, Mr. VEYSEY, Mr. GUBSER, Ms. ABZUG, Mr. DU PONT, Mr. JONES of Tennessee, Mrs. CHISHOLM, and Mr. BYRON):

H. Res. 943. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the importing, inventorying, and disposition of crude oil, residual fuel oil, and refined petroleum products; to the Committee on Rules.

By Mr. MATHIS of Georgia:

H. Res. 944. Resolution relating to the serious nature of the supply, demand, and price situation of fertilizer; to the Committee on Agriculture.

By Mr. MILLS (for himself and Mr. SCHNEEBELI):

H. Res. 945. Resolution providing funds for the expenses of the Committee on Ways and Means in the second session of the 93d Congress; to the Committee on House Administration.

By Mr. SCHERLE (for himself and Mr. RANDALL):

H. Res. 946. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

360. The SPEAKER presented a memorial of the Legislature of the State of California, relative to education benefits for Vietnam veterans; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BROYHILL of Virginia introduced a bill (H.R. 13188) for relief of Samir Ghosh, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

NORWALK'S CVA—A SUCCESS STORY

HON. STEWART B. McKINNEY
OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. McKINNEY. Mr. Speaker, the college crunch of the late 1950's and early 1960's was more than just a population explosion and space problem for at the time, we seemed caught up in a new syndrome known as "You've got to go to college."

The pressures this concept brought to bear on a number of our young people was much more than some could handle and falling short of the dreams of others, some simply opted for the drop out, academically and socially.

In recent years, a more realistic attitude has begun to prevail and some of our more progressive communities have made the point that there are those youngsters who are either not equipped or not inclined to continue on with an academic career. Their response has not been to shuttle them to one side but to utilize and nurture God-given talents which heretofore have remained untapped.

One alternative has been the creation of and/or expansion of vocational arts institutions so that these youngsters can put their skills to good use.

The concept, Mr. Speaker, is sound but what of the results? I know of no national survey to answer this question but it gives me great pleasure to report on some of the results gained at the Center for Vocational Arts in Norwalk, Conn.

Established in 1965 to accommodate students who were not inclined toward regular academic pursuits, the school is now in its eighth year under the very competent guidance of its director, John H. Henshall.

Recently, Mr. Henshall surveyed 48 of the 52 members of the recent graduating class and the results, to say the least were astounding.

Of the 48, 10 are now enrolled at institutions of higher learning; 24 are working at full-time jobs for which they were prepared at CVA; three are in the Armed Forces and two are in the Job Corps.

In all, I feel that the students, the staff and Mr. Henshall all are to be commended for the contributions they are making to their community, State and Nation and I know my colleagues join with me in wishing them all continued success.

In a recent article, Francis X. Fay, the education editor of The Hour, the newspaper serving metropolitan Norwalk, detailed the results of the Henshall report. I commend Mr. Fay's account to my colleagues and request it be reprinted in the RECORD at this point:

GRADUATES PROVE VALUE OF PROGRAM AT CVA

(By Francis X. Fay Jr.)

The success of the Class of 1973 since graduation from the Center for Vocational Arts in Norwalk should give satisfaction to the Board of Education.

The school was established in 1965 as a haven for students unwilling or unable to cope with the environments at the two high schools in the city. But for some years it was looked upon by many as a repository for the inept and confused. Yet, whenever a move developed to eliminate the facility—as it did two years ago in a budget crunch—there evolved from the faculty, administration and student body of the school a response large and sensitive enough to abort the idea.

Now comes word from Director John H. Henshall of the first meaningful survey of a graduating class—taken just a few weeks ago by Mr. Henshall. He contacted 48 of the 52 members of the graduating class and discovered:

Ten, have enrolled as full time students at institutions of higher learning.

Twenty-four are working fulltime at jobs for which they are prepared at CVA.

Seven are working in fields unrelated to their training.

Three have joined the armed forces.

Two are in the job corps and two married.

Six of the 10 who opted for higher education are at Norwalk Community College, one is at Sacred Heart University, one at Norwalk State Technical College, one at Pratt Institute and one at Tennessee State University. The 24 working fulltime at positions for which they were trained are in automotive, food services, landscaping and horticultural, office services and maintenance and repair services. Next year the school will be graduating students with knowledge of machine shop and welding occupations.

SERVES SPECIAL PURPOSE

Mr. Henshall revealed his survey this week by way of explaining the importance for CVA to a committee of the Norwalk Chamber of Commerce studying the need for a vocational school in Norwalk. While favoring the idea of a fully equipped vocational school in this city, the educator stressed the fact that the CVA facility serves a special purpose which should not be eliminated.

That purpose was defined last November in a study of the facility by the sub-committee of the Community Action Program as "providing youths with an individualized training program through which they might obtain a knowledge and understanding of job opportunities, working conditions, financial returns and security offered by the vocational area of their selection."

The report went on to illuminate the operation of the school as a co-ordinated effort by the local board of education and the state board to provide "semi-skilled" occupational training not provided by the J. M. Wright Technical School in Stamford.

EXPECT INCREASE

CVA has an enrollment of 160 students this year, but should jump to 200 next year with the two new course opportunities. Thirteen of the students are from out of the city and are instructed on a tuition basis at the rate of $1,500 per pupil paid for by the education boards of their home towns. The current CVA budget is $159,000 of which approximately $50,000 is reimbursed by the state. This budget covers 11 fulltime teachers and instructors and one part time teacher.

The Chamber of Commerce is interested in a new vocational school in Norwalk from the standpoint of the 75 industrial and manufacturing companies it represents plus those which may be attracted in the future. Such a vocational facility would provide "highly skilled" training in a variety of areas including industrial and construction trades. This year 105 students from Norwalk are being bused daily to Wright Tech in Stamford. This is quite a jump from the total who chose the school in the past.

The chamber report notes that the number represents only one-half of a percent of the total high school students in the Norwalk public school system. It points out that the normally anticipated figure enrolling in such programs around the state is closer to five percent.

The chamber report recommends a vocation-technical secondary school in Norwalk while encouraging the continuance of CVA and the mission it undertakes. It also suggests local manufacturing firms and trade unions intensify apprentice activities to produce the skills needed.

There are 16 such schools in the state, the chamber report indicates.

Yet Norwalk, which ranks as the eighth most populous city in the state, has none. Wright Tech enrolls 256 students, but has to turn down many applicants. Norwalk students comprise 27 percent of the Wright Tech enrollment, Stamford students 63 percent. The report expresses the belief that this percentage breakdown is "out of proportion in comparison to the total population of the two cities."

The chamber has asked State Rep. Louis J. Padula to move for such a facility in Norwalk through the state legislature.

During the past five years, Norwalk lost some industry and saw the expansion of other local industry outside the city. In that period unemployment went from three to nine percent. Although there was a shortage of clean industrial space at that time, there is now an excess of it. There has been an increase of industry during the past two years, but unemployment is still five percent.

GAS LINE READING

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. UDALL. Mr. Speaker, the petroleum shortage has raised cries for nationalization or at least for strong Government efforts to manage various aspects of the oil industry.

At the same time, it has raised equally strong cries for getting the Government out of controlling supplies and prices, leaving matters to the free market system.

Without necessarily accepting arguments of those who would free oil entirely from Government interference at this time, one must acknowledge that the free market advocates offer some pretty potent arguments. An example is the lead article in the Wall Street Journal of February 27. I want to offer it here as an item of interest. But first let me pass on an idea that was presented to me recently. It goes something like this:

Tell the oil industry, "It's your baby. Get oil and make it available. Let the market determine who gets what and the price charged."

Meanwhile, work through the present general tax reform efforts underway in Congress to correct any unfair advantages which oil may have over other business or which may unduly accrue to one segment of the oil industry.

Finally, realize that all talk of free enterprise, market pricing, et cetera, is meaningless unless you have, in fact, competition in oil and in energy generally. So, recognize that there is a grave question about competition and the current situation demands concentrated efforts to eliminate anti-competitive factors from the industry. You go about this by establishing a Leon Jaworski-type operation. Do not call it a special prosecutor, perhaps, but regard it as sort of an Office of Oil Competition. Pull in good antitrust people from the Federal Trade Commission and the Department of Justice, plus additional experts. They will attempt to insure that the oil industry is or becomes truly competitive. Naturally, such problems as concerted action by oil producing States would have to be taken into consideration by our competition enforcers.

Well, that is the idea for what it is worth.

And here is the interesting Wall Street Journal editorial I mentioned:

GASOLINE: 59.9 CENTS, NO LINES

Harassed motorists in the Northeast are tiring of waiting to buy gasoline, and are making life difficult for assorted governors, Congressmen and energy czars. The politicians are intervening in the marketplace—ordering 3% more gasoline to that state, 5% to another, upping the price of gas 2 cents a gallon to supersede the former increase of 1 cent a gallon—all in the name of protecting the consumer from $1 a gallon gasoline.

Actually, if the politicians got themselves out of the picture entirely, the market for gasoline would clear at 59.9 cents. That is, of course, our estimate. Energy czar William

Simon tells us his guess is 75 cents, the same figure cited by Harvard's Hendrik Houthakker, who has done as much work as anyone else on petroleum elasticities. George Perry of Brookings guesses 80 cents. Professor Houthakker cheerfully acknowledges that these figures are "very conservative," and in fact, "probably too high."

Consider: There are no gasoline lines in Canada's eastern provinces, where near-total dependence on imported crude oil has in effect maintained a free market. The market has cleared at a price of 70 cents per imperial gallon, which is a fifth larger than a U.S. gallon. In U.S. gallons, that is a price of 59 cents.

There also are no gasoline lines in West Germany. The price there is $1.21 a gallon, including an excise tax of 74 cents. Since U.S. taxes average 12 cents a gallon, U.S. motorists will be even with German motorists in competing for the world's oil supply when the U.S. retail price gets within 62 cents of the German one. That is, when the U.S. price reaches 59 cents.

Alternatively, base the calculation on crude oil prices. The oil industry works with an admittedly rough rule of thumb: With taxes and so on constant, a $1-a-barrel increase in crude prices will mean a 3.5 cents-a-gallon increase in gasoline prices. Starting with the more-or-less current U.S. prices of $7.50 for crude and 45.9 cents for gasoline, this means that 75 cents gasoline would imply crude at $19.14, and $1 gasoline would mean crude at $29.14. The cartel's recent price has been $10.50, which means gasoline at 53.4 cents. Kuwait recently specified still higher bids, though there were no takers. But if you make the crude price $13.10, you get gasoline at 59.9 cents.

A great many normally intelligent people find it hard to believe that the gasoline market would clear at 60 cents, or even 75 cents, because they have persuaded themselves that gasoline is the only commodity in history with zero elasticity of demand. So far as we can ascertain, the data base for this conclusion consists of $30,000-a-year government aides interviewing each other on whether they care what the price is. They care more than they admit—just watch the two-car families use the compact more than the station wagon—but in any event a very small percentage of gasoline is purchased by $30,000-a-year government aides.

Historical studies of gasoline elasticity do exist. Two months ago we guessed that the clearing price would be 57 cents, based on Professor Houthakker's earlier studies. These studies were based on small changes in both price and demand, and if anything our experience with sharper price changes over the last year or so suggest that the drop in demand as price increases is larger rather than smaller than the initial studies predicted.

Now of course, estimates are only estimates. No one can guarantee that the price will settle out at any particular level. For one thing, supply has been made uncertain by the crude oil allocation programs, which has disincentives to import oil. If the market were allowed to operate the addition of U.S. buying power to the world scene would no doubt force prices up a few cents in Canada and West Germany. But it is very difficult to see how the U.S. price could rise much above the equivalent price in the rest of the world. Rather, strong evidence suggests a price not in the neighborhood of 75 cents, but of 60 cents.

This price is already being charged by some stations relying heavily on imported oil. That they continue to make sales is no measure of the elasticity, because domestic gasoline from other stations cannot be transferred and sold at 60 cents. But the fact that the price has already reached this level is suggestive in one sense: The gasoline problem will inevitably be solved by getting the price of gasoline up to the clearing price. In fact, Mr. Simon's whole operation is an effort to get the price up to clear the market as fast as Congress will allow.

In other words, all that agony for motorists, and all those letters to Congressmen and governors, are not the price of avoiding $1 gasoline now and forever. They are the price of postponing 60 cent gasoline from now until summer or fall. It's not much of a bargain. The rest of the world has no lines for gasoline; only the United States is punishing itself by straining to hold back the inevitable.

COMPREHENSIVE WASTE MANAGEMENT AND RESOURCE RECOVERY ACT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ROGERS. Mr. Speaker, today, I and most of the other members of the Subcommittee on Public Health and Environment introduced H.R. 13176, the "Comprehensive Waste Management and Resource Recovery Act," which would revise and extend the Solid Waste Disposal Act which expires on June 30, 1974.

This proposed bill would extend the authorizations for the solid waste management program for 2 years. More importantly, it would establish a set of national objectives, which State and local solid waste management and resource recovery programs would be expected to achieve to the maximum extent feasible. These objectives include such goals as protection of public health and welfare, and reduction of potential or actual materials and energy shortages.

The proposed bill envisions the development and implementation of comprehensive waste management and resource recovery plans. Initiative for the development and implementation of these plans would rest primarily with local and State governments. Review of these plans by the Environmental Protection Agency is provided for, but EPA's review must take into account all of the national objectives, including minimizing the costs of waste management systems and responsiveness to differing local needs and conditions. The bill would also authorize Federal regulation of hazardous waste management and disposal.

I would encourage comments from my colleagues as well as the general public. I would hasten to add that the introduction of the Comprehensive Waste Management and Resource Recovery Act should not be viewed as a fait accompli. All of the cosponsors of this legislation are hopeful that by proposing specific legisation we will encourage a lively debate on the issues involved. We hope to hold hearings on H.R. 13176 in the very near future so that the subcommittee will have sufficient time to consider proposed amendments well before the statutory deadline.

LIBRARY OF CONGRESS STUDY DOCUMENTS "INADVERTENCE" OF CONGRESS IN PROVIDING ACCELERATED DEPRECIATION REAL ESTATE TAX LOOPHOLES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. VANIK. Mr. Speaker, each year, real estate accelerated depreciation tax preferences cost the Treasury roughly $600 million per year. Yet a Library of Congress study, conducted at my request, shows that this major real estate tax loophole—accelerated depreciation—was inadvertently adopted by the Congress. It was adopted without forethought or study, carelessly, and sloppily.

Yet the accelerated depreciation loophole, used by wealthy investors and syndicates, distorts our Nation's housing policies, encourages shoddy construction, artificially high prices, and rapid turnover of real estate management. The problems caused by this tax "incentive" are well described in a speech by former SEC Commissioner William Casey on September 28, 1972. From data in that speech and from additional information provided to me by the SEC in a letter of January 17, 1974, it appears that the use of "Tax Shelter Real Estate Offerings" has run into the billions of dollars. Using the SEC data, compiled with the assistance of the National Association of Securities Dealers, the following figures are available:

Year, number of issues, and amount

[In millions of dollars]

1971—405	$4,200
1972—306	3,327
1973—223	2,169

Fortunately, the trend in these tax shelter offerings has been downward. But this is probably due to the interest rates—interest rates so tight that even tax shelter speculators are unwilling to start new projects. There is no guarantee that the use of this tax shelter will not soar upwards as interest rates and other market factors change.

Of course, we are all for increased and improved housing. But the present system of tax-inspired housing and rental development is one of the most inefficient, costly, and inequitable ways to obtain that housing. It is well at this point to quote from Commissioner Casey's speech:

COMMISSIONER WILLIAM CASEY'S SPEECH

We must also square the real estate syndicator's desire for tax shelter with sound investment objectives. This shelter comes from prepaid interest, points, finder's fees, commissions, accelerated depreciation and capital gains upon resale. The greater the portion of the investor's dollar that goes for these items the greater the tax shelter. Dollars invested that will be tax deductible are called "soft dollars," the remaining being "hard dollars." The syndicator's goal is to create as many "soft dollars" as possible, and the most marketable product is the investment that includes the greatest percentage of "soft dollars" in the first year's payment, since the syndicator's primary target is the person

looking for a maximum tax shelter in the current year. Thus, the tax sheltered package must convert as much as possible of the initial payment into items like prepaid interest. The problem is such a package is usually highly reckless from a sound investment point of view and also presents an opportunity for exorbitant and undisclosed profits and fees to the principals involved. We saw one deal come to us where 67 percent of the money to be raised was going to the principals.

* * * * *

This technique presents tax disadvantages to the seller in that it creates substantial ordinary income. The seller raises his price to compensate for this, and the syndicator passes on this highly inflated price to the investor. The syndicator thus has a conflict between bargaining for an attractive deep "tax shelter" or for a fair purchase price. Since the tax shelter is hard to find and the fairness of the price easy to cover up, the syndicator is induced to accept the inflated price.

The tax incentive also provides peculiar disclosure problems. If the issuer really isn't a partnership for federal tax purposes, it will be deemed an association taxable as though it were a corporation, and the rationale for the whole thing collapses.

Right now we don't require a ruling from the Internal Revenue Service; we'll take the opinion of qualified tax counsel. However, the prospectus must drive home the consequences to the investor if counsel is wrong; tax lawyers, after all, have been known to err. If the deal is really only suitable to high tax bracket investors, we also try to get that across.

It is particularly shocking that these tax loopholes have been encouraged without any clear examination, any thoughtful decision by the Congress. As the study indicates, "accelerated depreciation" for buildings "just happened." The Library study concludes with a quote from former Assistant Secretary Surrey in 1968, who said:

Acceleration of depreciation for buildings in 1954 appears to have been a happenstance, coming along as an inadvertent appendage to the liberalization directed at machinery and equipment. No conscious decision was made to adopt the present system as a useful device to stimulate building or to provide us with more or better housing, let alone lower-income housing. The present tax system for buildings just happened.

Mr. Speaker, it is time that this tax loophole for housing and buildings was reexamined and overhauled. I believe that we can develop a more efficient national housing policy. I believe that we can build homes for middle- and lower-income persons without making millionaires out of a few tax speculators. Reform of housing tax laws must be high on the agenda of this year's tax reform hearings.

I will insert the entire study in a subsequent issue of the RECORD.

THE CIVIL RIGHTS COMMISSION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. RANGEL. Mr. Speaker, in a recent issue of the New Republic Robert W. Dietsch wrote an informative article on the present struggle and goals of the U.S. Commission on Civil Rights. The article follows:

THE CIVIL RIGHTS COMMISSION—MAKING DO

(By Robert W. Dietsch)

The United States Commission on Civil Rights was created by Congress in 1957 as a political copout. It was given no enforcement authority, very limited subpoena power, a life of only two years and a tiny budget. The agency was limited to fact finding and reporting. Yet it has lived on and grown into a potent force. Congress has now extended its life another five years; its budget is up to around $5.5 million (too small, but larger than ever before); it has a staff of 200; it has been given fresh power to investigate women's rights and the rights of ethnic minorities and it has a new chairman—Arthur S. Flemming.

The commission also has withstood five years of neglect by the White House. Richard Nixon's attitude was well illustrated when he fired the Rev. Theodore M. Hesburgh as commission chairman. The firing occurred immediately after Mr. Nixon got his "mandate" from the 1972 election, and no successor had been named until this month. Father Hesburgh, president of Notre Dame University, is one of the country's outstanding civil rights spokesmen. Under his leadership and because of the respect surrounding him, the commission commanded a sizable audience when it released fresh studies or lambasted someone or some organization—including the federal government—for not doing more in civil rights or not living up to the law. Under Father Hesburgh the Civil Rights Commission had become the voice of conscience in the government.

As a further example of Mr. Nixon's indifference, of the 144 "goals" compiled from a multitude of federal agencies by the Office of Management and Budget there is none that deals with equal educational opportunity, access to public accommodations or other civil rights targets.

It took Mr. Nixon more than a year to name a successor to Father Hesburgh, and in explaining the delay the White House contended the President wanted to "find the right man." But Mr. Flemming was under Mr. Nixon's nose all the while: he served as chairman of the White House conference on aging from 1971–72 and then became the President's special consultant on aging—a post he will keep. Mr. Flemming's Republican associations go back to the Eisenhower administration, as secretary of Health, Education, and Welfare. He is 68.

Father Hesburgh said recently that Mr. Nixon was letting the Civil Rights Commission "die on the vine." In broad terms this has been true. Nonetheless, under staff director John A. Buggs, a former vice president of the National Urban Coalition, the commission today is deep into investigations of the rights of Indians, Puerto Ricans and Mexican Americans. It is gearing up for hearings into women's rights and is eyeing how white ethnics fare in TV shows. It will undertake a major retrospective survey of the effects of court decisions on school desegregation and voting rights laws, and it has contracted with the Rand Corporation for a national study on the impact of school desegregation, a study that Buggs describes as possibly "the most significant piece of social science research in the 1970s."

Most presidential and federal commissions go about their business for a year or two, file a report, and disappear into limbo. The Civil Rights Commission, however, deals with problems that are never solved, and it is a credit to Congress that its life has been repeatedly extended. To be sure, the extensions have at times resembled the perils of Pauline. One time the commission's life was extended at the last minute as a rider to a peanut growers' subsidy, an event that Father Hesburgh said "somehow seemed appropriate in view of the minuteness of our budget." Another reason for commission success has been its independence and bipartisanship. No more than three of the six commissioners can come from one political party, but just about all the commissioners over the years have been apolitical. The commission is equally responsible to the executive branch and Congress, and Congress has insisted on the agency's independent right to initiate its own projects and targets.

A good example is its series of reports on "The Federal Civil Rights Enforcement Effort," begun in 1970. The reports have been embarrassing to the administration and to a long list of federal agencies. The 1974 report will look at civil rights law compliance, or lack of it, by regional federal offices. And the commission's staff work has been thorough and accurate. That helps keep credibility.

Father Hesburgh has written that "to a large extent the commission's recommendations represent ideas whose times have not yet come . . . A principal purpose of making what some believe are politically unrealistic recommendations is to bring these recommendations into the arena of public dialogue, with the conviction that this will hasten the time for adoption. Experience has shown that the commission's view is not as unworldly as some might think. In 1959, the commission, after having documented the extent of voting rights denials, recommended a system of federal voting registrars. This recommendation was dismissed by many at the time as politically unrealistic, but it became the basis for the Voting Rights Act of 1965, and that act became the most effective civil rights law the nation ever enacted. A series of commission recommendations made in the late 1950s and early 1960s resulted in Title VI of the Civil Rights Act of 1964, prohibiting discrimination in federally assisted programs." A tabulation shows that 60 percent of the agency's recommendations have been adopted in some form. Not a bad record for an organization that cannot put anyone in jail, prosecute anyone or terminate anybody's federal contract.

Lack of enforcement powers has nonetheless been a frustration to commissioners and staff. After uncovering instances of discrimination and inequity the commission must call on other federal agencies to make remedial action. One change that would be helpful is power to require a timely answer from government officials to the reports and recommendations of the commission.

DEATH OF A LOYAL AND DEDICATED HOUSE EMPLOYEE

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. QUIE. Mr. Speaker, I regret to inform the many friends of Mrs. Louise Finke in the House of Representatives and in the congressional offices of her death. Mrs. Finke was assistant to Minority Staff Director Bob Andringa on the Education and Labor Committee.

Louise was a truly remarkable and wonderful woman, and all who knew her were aware of her selfless devotion to her job. She was our strong right arm in the housekeeping duties on the committee, and did a superlative job of keeping Members and our staffs informed of committee action on bills. Louise was always the sort of person who arrived early

and stayed late without being asked when there was a job to do. In fact, she jeopardized her health often with the late hours she spent typing reports which had to be done, and done quickly. Everyone on the Hill knows that we operate under constant pressure and the staff bears the burden of this yeoman work without which we could not operate. There are many unsung heroes and heroines on Capitol Hill who do the work and who are only appreciated by those of us who benefit. Louise was such a person. She was not looking for personal gain, glory or reward. She wanted to help her country and Members of Congress. In a business which is notorious for ego and ambition, Louise was the exceptional person without ego who served humbly and happily as a conscientious public servant, who did her work with pride and we were proud of her.

Louise, as do many thousands of young women, came to Washington in her youth, and spent 27 years working for Congress. She began as an assistant clerk in Senator MILTON YOUNG'S office in 1947, leaving in 1951 to become executive secretary to Representative Fred G. Aandahl. When he became Governor, Louise, who is from Bismark, N. Dak., joined Representative Otto Krueger as administrative assistant, followed by similar work for Representative Don L. Short, and later worked for Representative DON H. CLAUSEN as legislative secretary before joining the minority staff on the Education and Labor Committee in 1965.

Louise had the responsibility of keeping up to date a readable status report on all important legislation which was before the committee. Since committee action on bills totals in the hundreds each Congress, compiling this report and keeping it current was a formidable task. But Louise gladly undertook the painstaking job of compiling the material, staying late to type it, then mimeographing hundreds of copies for Members and others.

I will miss Louise. She was kind and gentle, and she tried to put into practice in her daily work the Christian teachings she had learned as a girl in North Dakota. She was an active member of the Luther Place Memorial Church in the District of Columbia. She worked for the Lord, she said, and her work in the House was, for her, being on mission for Him. I am proud that Louise chose to work with us on the Education and Labor Committee and of the work she did for us all.

CONGRESSIONAL PAY RAISE

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHLEY. Mr. Speaker, the Senate is expected to vote tomorrow on the scheduled salary increase for top-level congressional, judicial, and executive positions.

Aside from the fact that there will never be popular support for a congressional pay raise, the main objection of many Americans to this three-part 7.5 percent proposal is that it seems to exceed the 5.5 percent annual guideline that has been established for the rest of the country. Since there has been no increase in these salaries since 1969, however, this raise—which would total 22.5 percent by 1976—works out to about 2.8 percent annually for the 8 years from 1969 to 1976.

During the past 5 years, unhappily, the cost of living has increased by nearly 30 percent, which means that the purchasing power of our take-home pay declined by that same amount. Thus, the three-part 7.5 percent proposal will not even restore the value of the congressional salary that existed in 1969. And this does not take into account the further increase in the cost of living which certainly can be expected between now and 1976. For this reason, I think it is more accurate to speak of the current proposal as a partial salary adjustment, rather than a salary raise.

In the final analysis, however, perhaps the most important consideration involved in the proposed increase is its timing, and that timing is terrible. The public is understandably upset with any and all elected officials, and if our Government is to regain any measure of credibility, we must restore a measure of respect for public officials. One way to start reestablishing a semblance of confidence and trust in American Government is, of course, to disapprove the pay raise at this time. I say this with some reluctance because my wife and I have two young children as well as other responsibilities and have to make ends meet just as everyone else does. Nonetheless, on balance I have concluded that this is the course of action most in the public interest and so I urge the Senate to vote against our salary adjustment tomorrow.

FIVE YEARS OF STRUGGLE FOR FEDERAL FUNDS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FORD. Mr. Speaker, for several years now, those of us who advocate a much greater Federal commitment to educating our Nation's children have supported a coalition of people and organizations which worked toward this end. The recent release of long-impounded education funds and the signing of the 1974 appropriations bill into law climaxed a long, arduous, and intelligently conducted campaign and marked our most successful year to date. Mr. Robert W. Frase, a friend and a distinguished writer, recently wrote an excellent article on the efforts of the many people who contributed to this success. At this point, I insert the text of this article which appeared in the January 21 edition of Publishers Weekly into the RECORD for the benefit of my colleagues:

FIVE YEARS OF STRUGGLE FOR FEDERAL FUNDS

On December 18, 1973, President Nixon signed the Labor/HEW Appropriations Bill for the fiscal year ending June 30, 1974, which contained $6,023.7 million for education and library programs. This compared with $3,180.3 million in the first Nixon Administration budget for the fiscal year 1970. Thus, after five years of struggle between the Administration on the one hand and education and library organization and the Congress on the other, an increase of 89% for these appropriations was achieved. Even considering the accelerated progress of inflation during this period and increased enrollments, this was a substantial accomplishment; but it involved numerous pitched battles in every one of the five years. (Table 1 shows the ebb and flow of the campaign over the years for selected programs and for the total of all education and library appropriations in the HEW Bill.)

In addition, on December 19, 1973, the Department of Health, Education and Welfare announced that it would release some $466 million in education and library funds which had been withheld from expenditure from the 1973 fiscal year appropriation.

For the library and instructional materials and equipment programs, which were particularly hard hit by proposed budget cuts, the increase over the five-year period was even greater. Table 2 shows the excess of appropriations over budgets during the 1970–1974 period and also the excess of appropriations over the first year in which zero funding was recommended in the budget, on the realistic assumption that once one of these programs was liquidated it would not be revived. The following is a brief narrative account of the highlights of the campaign in each of the five years. Because of space limitations, many details have had to be omitted. The subject deserves full-scale analysis as a case history of the legislative process; and it is to be hoped that some scholar or graduate student will undertake to do this while the memories of the major participants—in the Congress, in the executive branch and in the professional and interest groups—are still fresh.

THE 1970 FISCAL YEAR BILL

The first of the five-year battles over education and library appropriations, involving the appropriation for the federal fiscal year ending June 30, 1970, began in April, 1969, and continued into March of the following year. President Johnson had submitted a fiscal 1970 budget for the Office of Education programs of $3,591.3-million prior to the inauguration of President Nixon on January 20, 1969. In March, the new Administration revised this budget downward to $3,180.3-million and in addition recommended no funds at all for several programs, including the school library program (Title II ISEA) and the audiovisual and equipment program (Title III NDEA), as well as lesser but still drastic cuts such as a reduction by half in funds for Title I of the Library Services Act relating to public libraries.

These proposed reductions and eliminations galvanized education, library and related organizations into action. In April they formed a coalition group, the Emergency Committee for Full Funding of Education Programs, with John Lumley, Director of Federal Relations for the National Education Association as chairman, and Charles Lee, retired former staff member of the Senate Education Subcommittee, as executive director. (The Full Funding Committee subsequently dropped the word "Emergency" from its name.) The book industry formed its own special committee to work with and supplement the efforts of the larger coalition, the ABPC, ATPI and BMI Joint Committee on Federal Education and Library Programs, under the chairmanship of Alfred C. Edwards of CBS–Holt, with Theodore Waller of Grolier as vice-chairman and Curtis Benjamin of McGraw-Hill as treasurer.

The first dramatic breakthrough for the Emergency Committee was on the floor of the House of Representatives on July 31, 1969, when a "package amendment," sponsored by

Congressman Charles Joelson of New Jersey but drawn up by the committee, was passed over the opposition of the Appropriations Committee and the Administration, which added $894.5-million to education and library appropriations. This was an extraordinary event: never in the history of education appropriations had the House Appropriations Committee been "rolled" in this fashion on the House floor. This accomplishment was particularly difficult in the circumstances of the time, when the unrecorded House teller vote still existed, and no one could ascertain how a member of the House voted on amendments unless the member could be recognized going through the "yea" or "nay" counting line of tellers by someone in the gallery. The Emergency Committee and its supporting organizations brought in the necessary constituents and other observers to man the House gallery as well as to set up a "whip system," organized floor by floor in the House office buildings to get the supporters of the Joelson amendment over to the floor when it was time to vote. The techniques for such an operation had been developed by the civil rights coalition in earlier years, and the Emergency Committee had the indispensable aid of a veteran of those earlier coalition battles, Kenneth Young of the AFL-CIO.

The vote on the Joelson amendment was a startling and heady victory, but the battle over the 1970 appropriation bill was to continue for another seven months, well into the following calendar year. The Labor-HEW appropriations bill was not passed until January of 1970, and then was promptly vetoed by the President. When the House failed to override the veto, a substitute bill had to begin all over in the House Appropriations Committee, which cut education and library program funds in the new version in the hope of securing a Presidential signature on the second bill. In the Senate this second bill was still further reduced by Senator Cotton's amendment, which required the President to withhold up to 2% of the 30-odd billion dollars in the bill and authorized withholding in individual parts of the bill by as much as 15%. However, the original Cotton amendment was so drafted that it would have permitted the elimination or virtual elimination of specific programs. In fact, this was the intention of the Administration; for example, it was the Administration plan to reduce the $50-million in the bill for the school library program to $10-million. Only at the last minute on the floor of the Senate was Senator Eagleton able to secure agreement to an amendment to limit the 15% to specific programs; and thus the school library program emerged in the bill with a base figure, after the discretionary cut, of $42.5-million rather than $10-million.

On March 5, 1970, President Nixon signed the revised bill, which totaled $3,813.8-million for education and library programs, over $600-million more than his budget figure; and no significant programs, including library programs, were eliminated as he had proposed.

The coalition for education and library appropriations had had an extraordinarily successful first year.

THE 1971 FISCAL YEAR

The ink was not yet dry on the signature on the 1970 bill in March of 1970 before the battle resumed in earnest on fiscal 1971 appropriations. This time the overall budget for education and library programs did not represent any drastic cut from the previous level—it was about the same as appropriations for 1970—but individual programs were still marked for severe reduction or even actual elimination, which was the case for Title III of NDEA. In the process of fighting the previous year's battle, the educational forces had also achieved an important secondary objective—a separate appropriation bill for the Office of Education (cutting it out of the large Labor-HEW bill), which the Congress also agreed to give priority in time. By July, 1970, this separate Office of Education appropriation bill, containing over $450-million more than the Administration budget, had been passed, and then was promptly vetoed. The House overrode the veto on August 13 by a vote of 289 to 114 and the Senate followed with a vote of 77 to 16. The organizations in the Full Funding Committee again assembled in Washington large contingents of lobbyists from the grass roots to influence the votes to override the veto. Not until October, however, did the Administration grudgingly release all of the funds in the bill.

In the course of this year, there occurred a very important change in the rules of the House of Representatives: the unrecorded teller vote was in effect eliminated, and thus the necessity of having large numbers of observers in the House gallery to identify votes on amendments and to establish a whip system in the House office buildings to get out the votes was eliminated.

The education and library coalition had had a second highly successful year.

THE FISCAL 1972 BILL

The struggle in this year was less dramatic, partly because the Administration actually raised its total budget for education and library programs over the appropriation level of the previous year. In the House, an attempt at another package amendment adding $728-million to the separate Office of Education bill over the amount recommended by the Appropriations Committee similar to the Joelson effort, the Hathaway amendment, failed; but the Senate added some $800-million to the House bill for education and library programs, much of which was subsequently lost in conference. Thus, when the President signed the 1972 Office of Education Appropriations Bill, the total funds contained in the bill were over $300-million above the budget, and individual programs such as the Library Services Act and Title III of NDEA emerged at much higher figures than the budget level.

In the 1972 bill, the Full Funding Committee did not do as well as it had in the two previous years, but it still maintained its forward momentum.

TABLE 1.—FEDERAL EDUCATION AND LIBRARY FUNDING, 1969-74—SELECTED PROGRAMS AND TOTALS—FISCAL YEARS ENDING JUNE 30

[In millions of dollars]

	1969[1]		1970		1971		1972		1973		1974	
	Budget	Spent	Budget	Spent	Budget	Spent	Budget	Spent	Budget	Spent	Budget	Spent
Title I ESEA: Disadvantaged	1,200.0	1,123.0	1,226.0	1,339.0	1,339.0	1,500.0	1,500.0	1,565.0	1,597.5	[2] 1,810.0	([3])	1,719.5
Title II ESEA: School library resources	46.0	50.0	0	42.5	80.0	80.0	80.0	90.0	90.0	[2] 100.0	0	90.2
Title III ESEA: Supplementary centers	189.2	166.0	116.0	116.4	120.4	143.4	143.4	146.4	126.3	[2] 171.4	([3])	146.4
Title V-A-NDEA: Guidance and counseling	17.0	17.0	0	14.5	0							
Title III NDEA: Materials and equipment	17.9	78.7	0	37.2	0	50.0	0	50.0	0	[2] 50.0	0	28.5
Title I LSCA: Public library services	35.0	35.0	17.5	29.8	29.8	35.0	15.7	46.6	30.0	[2] 62.0	0	44.2
Title II-A HEA: College library materials	25.0	25.0	12.5	9.9	9.9	19.9	5.0	11.0	11.0	[2] 12.5	0	10.0
Title VI HEA: College equipment and materials	14.5	14.5	0	0	0	7.0	0	12.5	0	[2] 12.5	0	11.9
Total Office of Education and Education Division of HEW (not the sum of listed programs above)	3,486.0	3,617.4	3,180.3	3,813.8	3,966.8	4,420.1	4,953.4	5,281.7	5,485.5	[2] 6,305.4	5,276.6	6,023.7
Increase of total appropriations above the budget				633.5		453.3		328.3		819.9		758.5

[1] Last year of the Johnson administration.
[2] Includes fiscal 1973 funds impounded and subsequently released after long delays, generally not until December 1973.
[3] Proposed to be absorbed in a bill for educational revenue sharing.
Note: The "Spent" column shows amounts appropriated less some relatively minor executive withholdings.

THE FISCAL 1973 BILL

This year's struggle was to prove to be the most bitter, complicated and protracted of all. Because of delays in enacting authorizing legislation for certain education programs, primarily in the higher education field, a separate Office of Education appropriation bill was not brought out by the House Appropriations Committee, but education and library programs were put back into the large Labor-HEW bill. On the House floor, another Hathaway package amendment adding $364-million for education and library programs was successful. The final Labor-HEW bill sent ito the President in August contained $781-million above the budget for then authorized education and library programs; but the bill was promptly vetoed, and the veto was not overridden in the House. A second Labor-HEW bill also containing funds only for then authorized programs, this time $301-million over the budget for education and library programs, was passed and was vetoed prior to a relatively early Congressional adjournment (in an election year) on October 18. Meanwhile, a supplementary appropriation of $1,076-million—largely for higher education programs—which had finally been supplied with the necessary authorizing legislation, was passed and signed.

In the absence of a 1973 appropriations bill for the bulk of the education and library programs when the Congress adjourned for the year, funding was dependent on a "continuing resolution" which permitted the Administration to spend at the lesser amount—the budget figure or the fiscal year 1972 appropriation—for individual programs. Under this resolution, the Administration naturally spent at the lower of the two levels, which for some programs was zero. When the Congress returned in January, 1973, no effort was made to pass a third Labor-HEW appropriations bill for fiscal 1973, but instead another continuing resolution carrying through for the balance of the fiscal year ending June 30, 1973, was enacted in late February and signed. However, this final continuing resolution was of a new and different nature, requiring the President to spend for individual education and library programs at the lower of the House or Senate figures in the first vetoed Labor-HEW bill for fiscal 1923.

The President signed his continuing resolution, but the Administration proceeded to ignore its provisions and to expend for individual programs only the amounts in the President's budget. For some programs, this was a drastic reduction. For example, for Title I of the Library Services Act, the budget amounted to only $30-million as compared with the $62-million mandated in the

continuing resolution; and for Title III of NDEA, the budget was zero as compared to $50-million.

COURT CHALLENGES TO FISCAL 1973 WITHHOLDINGS

The result of this withholding was to shift part of the battle on education and library funding to the courts. Various organizations—notably the National Audio-Visual Association—had legal analyses prepared as early as November, 1972, which argued that the state grant education and library programs based on statutory formulae required the President to spend the appropriated formula amounts. This argument was greatly buttressed by two legal memoranda taking the same position, which had been prepared for the White House in December, 1969, by Supreme Court Justice William H. Rehnquist when he was an Assistant Attorney General. The first successful legal action against impounding came in another field, however, when the State of Missouri achieved a favorable result in an effort to secure the release of impounded federal highway funds. Encouraged by his development, and importuned by various organizations, the states of Georgia, Arkansas, Kansas, Illinois and others filed in various federal district courts to secure the release of impounded Title III NDEA funds, and subsequently other education and library funds. This movement on the part of the states to go into court swelled in July, 1973 when the Senate added the Chiles amendment to an appropriation bill, putting the Congress on record that in one way or another it would see to it that the states and localities secured the impounded 1973 funds to which they were entitled.

By the fall of 1973, over 25 favorable decisions had been obtained in federal district courts, usually in the form of temporary restraining orders or preliminary injunctions. After one last effort to get the Congress retroactively to change its position on impounding of appropriated 1973 funds, the Administration, rather than taking the issue to higher courts, finally capitulated on December 19, 1973, with the announcement that it would release all HEW impounded 1973 funds. At that time some $466-million in 1973 education and library program funds remained impounded, including $52-million for the Library Services Act, $10-million for the school library program, $48-million for NDEA III, and $12.5-million for HEA-VI.

Thus the Congress, by persistence and trial and error, had found a way to counteract the Nixon Administration strategy of vetoes upheld by one-third of the House of Representatives. The device was a continuing resolution which had to be signed by the President if a large part of the government was not to come to a halt, and wording the resolution in such a way that the courts would require most of the monies to be spent.

TABLE 2.—CUMULATIVE TOTALS OF SELECTED LIBRARY AND MATERIALS/EQUIPMENT PROGRAMS ABOVE BUDGETS

[In millions of dollars]

	1970 budget	1974 appropriation	Cumulative total 1970–74 appropriations: Above yearly budgets	Cumulative total 1970–74 appropriations: In excess of 1st zero budgets
Title II ESEA: School library resources	Zero	$90.2	$152.7	$402.7
Title III NDEA: Materials and equipment	Zero	28.5	215.7	215.7
Title I LSCA: Public library services	17.5	44.2	124.6	44.2
Title II-A HEA: College library materials	12.5	10.0	24.9	10.0
Title VI—HEA: College materials/equipment	Zero	11.9	43.9	43.9
Total of listed programs			561.8	716.5

Note: For the impact of the loss of Federal library programs on book publishing in a single year, see "Federal Library Funding Cuts—How Will They Affect the Book Market?" PW, Sept. 3, 1973.

With the release of the impounded funds, the victory for the education and library coalition on the fiscal year 1973 appropriation was the greatest of any year up until that time—an appropriation for the Education Division of HEW and the Office of Education which was over $800-million higher than the President's budget.

THE FISCAL 1974 BILL

In the 1974 budget the Administration proposed its most drastic reduction yet in education and library programs, $1-billion below the amount appropriated by the Congress for 1973 in the final continuing resolution. It also proposed the complete elimination of all federal programs for libraries and educational materials and equipment, although spending by local school districts for the purposes of some of these programs, such as school libraries, was optionally permissible under the Administration's proposed legislation for educational revenue sharing. On this year's Labor-HEW bill, however, the House Appropriations Subcommittee, which had tended to tilt in favor of the Administration budget proposals, had a change of heart and reported out a bill which contained almost $900-million more than the President's budget for all education and library programs and $176-million more for library programs alone. The committee bill survived attempts at cuts on the House floor, on June 26, 1973, but then was delayed until October in the Senate.

In an effort to keep faith with the newly found support in the House Appropriations Subcommittee, the education and library organizations and education-minded Senators refrained from efforts to add substantially to the House bill during the Senate debate on October 4. After the conference of the two houses, the bill emerged on November 8, 1973, with $946-million for education and libraries over the budget figures, but then unexpectedly the conference report was rejected on the House floor on November 13, largely in a dispute over the statutory formula for the allocation of Title I ESEA (disadvantaged) funds.

At this point, the education and library organizations still expected an Administration veto and were girding themselves for a massive effort to secure the votes to override the veto in the House. If a veto were to be upheld, the prospect loomed of another year with no appropriation bill at all, a further continuing resolution, withholding of funds by the Administration, more Federal district court suits, and battles on Administration appeals to higher courts to block the release of the impounded funds. It was not a bright prospect.

When the Senate-House conference committee resumed work after the House rejection, the Administration suddenly shifted its tactics and came in with a proposal to authorize the withholding by the President of up to $400-million from the bill, but with a limit of a 5% withholding on any individual program. Under this formula, accepted by the conference committee, about $181-million could be withheld from federal education and library programs. The two houses passed the bill and, after an advance announcement by a White House press officer that the bill would be signed and the funds would be spent, the President quietly signed the bill with no accompanying statement on December 18. Even with the 5% withholding provision, the total amount in the bill was $747-million over the budget for education and library programs. This was actually less than the amount appropriated in the continuing resolution for the previous year by almost $300-million; but this "reduction" was overbalanced by the announcement on the following day, December 19, that the Administration would release the $466-million in impounded funds and the prospect that the Administration may have given up, at least temporarily, its strategy of vetoes and impoundments.

Fiscal 1974, therefore, was another very good year for the Committee on Full Funding of Education Programs, perhaps the best since the battle had begun five years earlier.

PROSPECTS FOR FISCAL 1975 AND BEYOND

The great victories of the education and library coalition on the 1973 and 1974 appropriation bills and in overcoming the tactic of executive withholding are by no means guaranteed to carry over to the fiscal 1975, 1976 and 1977 federal budgets, which are all that remain to be initiated by the present Administration. Indeed, if the history of the last five years provides any forecast of the future, it can be expected that the Administration's fiscal 1975 budget, due to be made public in late January or early February, 1974, would again call for reductions in federal spending for the total of education and library programs and for renewed attempts to eliminate some of them. The overall budget position will exert pressure in this same direction, with new federal expenditures required for domestic energy development and a probable falling off of federal tax receipts with a sagging economy.

The Congress, however, monitored by the organizations in the Committee for Full Funding and their members back home in the states and congressional districts, is likely to continue to resist cuts in this area and gradually to increase total funds available for this purpose at the expense of other federal expenditures. The possibility of vetoes and vetoes sustained or overriden depends, especially in the election year of 1974, on many factors, but the continued aftermath of Watergate tends to weaken essential Administration support among members of the Republican Pary in the Congress.

THE SECRETS OF SUCCESS

Why has the Full Funding Committee been so successful over the past five years? The reason certainly has not been financial strength. Resources for the central operation, financed by small voluntary contributions from individuals, organizations and institutions, have been modest in the extreme. Expenditures have been limited to the salaries of an executive director and his secretary, modest office space, duplication mailings and telephone. The Committee has continuously operated in the red, although 1973 saw a sounder financial base than some earlier years.

The secret lies, rather in a combination of the following factors:

(1) The strength of a coalition of organizations working together in a common enterprise rather than working at cross purposes. However, not all competition has been eliminated, and the organizations which work the hardest and most effectively have tended to be rewarded with proportionately larger increases over the budget figures for their particular organizations. Thus, the salvaging of the library programs, for example, resulted both from the specific efforts of the American Library Association on behalf of these programs as well as its yeoman support of the coalition objectives.

(2) A good cause, appealing to the Congress as a whole and to certain key members and their staffs.

(3) An increasing desire on the part of the Congress to assert its role in determining national spending priorities within overall budget totals, which the Congress has been willing, in recent years at least, to permit the Administration to set.

(4) An Administration which with some exceptions generally took a "take it or leave it" attitude toward the Congress and attempted to shift the balance of power heavily toward the executive branch, which gradually but progressively eroded support, even in initially sympathetic quarters such as the House Appropriations Committee.

(5) Astute, experienced and imaginative leadership among the Washington represent-

atives of the active constituent organizations and in the executive director. Except for the executive director, the key personalities in the Full Funding effort have gradually changed over the years, but the quality of organization representation has been maintained.

(6) Strong support from members of the constituent organizations in the field in working with their Congressmen and Senators.

(7) A spirit of never giving up or taking anything for granted. Symbolic of this attitude have been the working sessions of the coalition at 7:30 a.m. breakfast meetings almost every week while the Congress has been in session over the past five years.

THE PARACEL ISLANDS AND THE U.N.

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHBROOK. Mr. Speaker, on February 13 of this year, 22 Vietnamese student associations which comprise the Vietnamese Student Association of America, petitioned Secretary General Waldheim of the United Nations, for assistance in persuading Red China to withdraw its troops from the Paracel Islands. Previously, on February 3, representatives of these groups demonstrated in front of the Communist Chinese office here in Washington, protesting the aggression of the People's Republic of China in forcibly conquering the Paracel Islands which belong to Vietnam.

As the ideas of freedom are international, the Vietnamese students were joined by Ambassador Alex Ostoja-Starzewski of the Commonwealth of Poland-in-Exile, who also cosigned the letter to the U.N.

The letter to the U.N. follows:

THE VIETNAMESE STUDENT ASSOCIATION IN WASHINGTON, D.C.,
Arlington, Va., February 13, 1974.

Hon. KURT H. WALDHEIM,
Secretary General, United Nations,
New York, N.Y.

DEAR MR. SECRETARY GENERAL: On behalf of Vietnamese students residing in the United States and Canada and our friends who have cosigned the present letter, we are hereby lodging an energetic protest against the forcible seizure of the Hoang Sa (Paracel) Islands by the troops of the People's Republic of China.

These archipelagos, based on historical, geographical, and legal grounds as well as on effective administration and possession are undeniably an integral part of the Republic of Viet-Nam.

The Vietnamese people consider the occupation of the Paracel Islands a provocative and belligerent act, a brazen infringement on the sovereignty of the Republic of Viet-Nam and a grave danger to the maintenance of peace and stability in the region.

We strongly condemn the aggression of the People's Republic of China and demand that the invaders immediately withdraw their troops from the Paracel Islands.

The leaders of the People's Republic of China in the recent past have repeatedly stated their willingness to participate in the establishment of world peace. They have also constantly criticized the presence of American forces in South Viet-Nam as a dangerous factor endangering world peace. Many members of the United Nations joined the People's Republic of China in its stand against American involvement in South Viet-Nam despite the fact that American soldiers were in Viet-Nam as part of the American help requested by the Government of the Republic of Viet-Nam and did not come by gunboat like the forces of the People's Republic of China.

While our planes and boats are no match for the sophisticated MIGs and gunboats, however, the determination of our people and the gallant fighting spirit of our armed forces will prevail until the aggression by the forces of the People's Republic of China will be defeated and the Paracel Islands will eventually be restored to the Republic of Viet-Nam.

Taking all these facts into consideration, we humbly request your help and assistance as well as the help and assistance of the individual member nations of the United Nations in order to persuade the Government of the People's Republic of China to abandon their imperialistic plans against our territory and to withdraw their forces from the Paracel Islands.

Should, however, the United Nations remain deaf and blind to the attack of the forces of the People's Republic of China on our territory, it would evidence that the members of the United Nations have become dependent on the superpowers and are not able to raise their voices in protest against flagrant aggression committed by one of the superpowers and act independently from them. This, of course, would represent a tragic fact and we sincerely hope that our protest will be heard and will contribute to the eventual restoration of our sovereignty over the Paracel Islands by appropriate actions taken by the United Nations.

Hoping for positive action and an early reply, we are,

Respectfully yours,
BARON ALEX OSTOJA STAZEWSKI,
Ambassador of the Commonwealth of Poland-in-Exile.
VU DO HIEN,
Vice President.

The following other associations are cosigning the present letter:

1. The Vietnamese Catholic Students Association in America: Nguyen Long Hai and Pham Van Hoi;
2. The Association of Nationalist Vietnamese Students and Residents: Thai Ba Thi;
3. Students for a Free and United Viet-Nam: Nguyen-thi-Ngan;
4. The Vietnamese Students Association at Southern Illinois University: Phan Anh Tuan;
5. The Association of Vietnamese Students and Residents in Ottawa: La Hanh Hung;
6. The Vietnamese Students Association in Columbus and Cincinnati (Ohio): Le Trong Tao;
7. The Vietnamese Association of Fayetteville (N.C.): Tran Thi Tuyet;
8. The Vietnamese Students Association at C.P.U. (Cal.): To Van Khanh;
9. The Vietnamese Students Group at the University of Southern California: Ton That Cuong;
10. The Vietnamese Students Association at California State University: Vinh-Quang;
11. The Vietnamese Association in Washington, D.C.; Yu-Thanh-Long;
12. The Association of Vietnamese Students and Residents in the Bay Area (California): Truong-Ngoc-Bau;
13. Vietnamese Mutual Development Council, California: Cao-Dong-Khanh;
14. The Vietnamese Association of Students and Residents in New England: Yu-Khac-Khuong;
15. The Vietnamese Association of Students and Residents of Houston (Texas): Pham-Tien-Hung;
16. The Vietnamese Students Association at the University of Nevada: Nguyen-Tan-Dat;
17. The Vietnamese Students Association in Buffalo: Phan-Anh-Dung;
18. The Vietnamese Students Association at the University of Ohio: Nguyen-Xuan-Huy and Hua-Dan-Quyen;
19. The Vietnamese Association of Montreal (Canada): Nguyen Huy Phat;
20. The Vietnamese Association at the University of San Francisco: Lu-Ngoc-Anh;
21. The Vietnamese Students Against Communist Chinese Aggression: Phan-Ngoc-Khai;
22. The Vietnamese Students Association in Austin, Texas; Phan Viet Huy;
23. Baron Alex Ostoja-Starzewski, Ambassador of the Commonwealth of Poland-in-Exile to the United States; and
24. Polish American Revival Movement: Zygmunt Nowicki, President.

DEFENSE DEPARTMENT POLICY

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BROOMFIELD. Mr. Speaker, much has been said over the years about Government waste, but very little has been done about it. Last spring a constituent of mine, Mr. Nathan Feldman, informed me of a Defense Department policy that was so wasteful it boggled the mind. I am pleased to report that through Mr. Feldman's curiosity and persistence, this wasteful policy has been changed and the results could save millions of tax dollars.

Because of a decision made by the Pentagon bureaucracy 5 years ago, Government surplus uniforms and blankets were ordered mutilated before being offered for resale. This meant that usable clothing that would normally bring a good price from surplus dealers was mutilated and sold as scrap at a tremendous loss to the Government. Material that originally cost the Government billions of dollars was sold for a fraction of what it could have been worth because of some mindless bureaucrat's decision.

Mr. Feldman kept track of Government sales involving this material and found the volume of waste to be astronomical. He decided to look into the matter but his efforts to obtain action from the Defense Department were ignored. Finally, he came to me with his incredible story of waste.

With the help of the General Accounting Office we were able—after months of effort—to convince the Defense Department that this shredding policy was a terrible mistake and they agreed to rescind the order.

The results of Mr. Feldman's victory in his one-man war on waste were made dramatically clear during a recent sale of surplus items at the Richmond depot. A sale of shredded raincoats and overcoats under the old policy brought the Government roughly $2,600. A recent sale of similar items after the shredding was stopped yielded over $50,000 to the Government. In just one sale the Government has saved over $40,000. When this

is multiplied by the number of sales in a year, it can be seen that future savings will be tremendous.

These dramatic results are a tribute to Mr. Feldman's persistent efforts, as well as a great savings to taxpayers. He has proven that a citizen can, indeed, fight "city hall," or even the Pentagon, and come out on top.

FEDERAL COURTS GIVE RESIDENT ALIENS PERMISSION TO HOLD U.S. CITIZENS' JOBS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. RARICK. Mr. Speaker, last month's Federal court ruling that resident aliens have equal rights with American citizens to compete for Federal jobs must be regarded as another attempt to push the American people out of their own jobs. If we extend this rationale to giving foreign aliens a quota of our jobs, one obvious result can only be more unemployment in our country.

The next logical step would be for our Federal judges to rule that the resident foreigners have voting rights.

Mr. Speaker, I certainly urge the U.S. Attorney General to appeal this decision before it too is treated as a "law of the land."

I insert a related newsclipping at this point:

[From the San Francisco Examiner, Jan. 30, 1974]

RESIDENT ALIENS WIN RULING

(By Drew McKillips)

The U.S. Court of Appeals for the Ninth Circuit ruled yesterday that resident aliens in the United States have the right to apply for and hold federal jobs.

The opinion, if applied nationally, means that an estimated seven million aliens have equal rights with American citizens to compete for three million U.S. government positions. The federal government is the largest employer in the nation.

In the 19-page opinion the court said that the refusal to grant aliens the right to hold federal jobs was unconstitutional because it was a denial of due process.

"The flat prohibition against aliens obtaining employment in the civil service is such discrimination as to be a denial of due process unless the government can show a compelling interest for maintaining its classification," the decision said.

Bruno Ristau, an assistant U.S. attorney for the Department of Justice handled the case for the government. He told The Chronicle from Washington yesterday that it would be up to the solicitor general to decide whether to appeal the ruling to the U.S. Supreme Court.

Ristau said he had not yet seen a copy of the opinion.

"We will first have to study the opinion and see on what basis the ruling was made against the government," he said.

Ristau said that if the government does not appeal the judgment it would have the affect of becoming national law.

"If we do not appeal that would mean that the Justice Department agreed with the opinion on a national basis and not just for the Ninth Circuit," Ristau said.

"You certainly can't have one law for aliens in the western states and have another circuit setting law for aliens in other states."

The court opinion came in the case of five Chinese aliens who sued the United States Civil Service Commission because they were denied the right to fill out applications for federal jobs.

One of the plaintiffs was Francene Lum, a woman with a doctorate who sought a job as an education evaluator with the Department of Health, Education and Welfare.

Another plaintiff was Mow Sung Wong, who was trained to be a mail clerk under a state program financed with federal funds. When Wong graduated from the job training program and applied for the federal mail clerk's position he was told he was ineligible because he was an alien.

The case came before U.S. District Judge Robert F. Peckham who, in 1971, ruled in favor of the government. Yesterday's opinion reversed Peckham's finding.

COMMUNITY CHALLENGE: BARRIERS TO THE HANDICAPPED

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. STEED. Mr. Speaker, the winner of the 1974 Oklahoma "Ability Counts" essay contest, sponsored by the Governor's Committee on Employment of the Handicapped, is Miss Donna Mayo, a student at Lawton High School.

Donna is a resident of Fort Sill and is an English student of Mrs. Barbara Moore.

Students taking part were asked to investigate how handicapped workers in their communities are overcoming employment barriers to take their rightful places in the world of work. Prizes include scholarships and savings bonds.

Donna, as the first-place winner, and her teacher will be with us this spring, having won a trip to Washington.

The first-place essay is as follows:

COMMUNITY CHALLENGE: BARRIERS TO THE HANDICAPPED

(By Donna Mayo)

The scene is a small rundown house in Apache, Oklahoma. The time is 1934. A mother weeps for her ten-year-old boy whose life changed when he had both arms amputated below the elbow. His mother thought he could never have a good future, but Lawrence Kuykendall decided otherwise. "Don't cry, Mama," he said, "I'll make it."

Mary Kay, a young girl deformed from birth, attends the Comanche County Center for Handicapped Children five days a week. The braces her mother occasionally does not have time to fit on Mary Kay's legs are necessary to keep her pelvic bones from growing weaker.

Mr. Jim Rogers, a young man in his twenties, is working as a mechanic when he begins having problems with his eyes. Within a year he is legally blind in one eye and can no longer continue work as a mechanic. His whole life changes because of this unfortunate affliction.

All three of these people are a part of the more than 18,000,000 handicapped people in the United States today. These three and many others live in Lawton, Oklahoma. Throughout their lives, these handicapped people face many barriers. My community is working to eliminate these obstacles.

One who meets Mr. Lawrence "Kirk" Kuykendall for the first time might think he can not do much at all. "Kirk," however, took the word "can't" out of his vocabulary when he came back from the hospital with only stubs for arms. Without any formal therapy, he taught himself to play basketball and football, to swim, and to ride horses. He has held jobs as motor vehicle instructor and ATC sports director at Fort Sill and as disc jockey at KSWO Radio in Lawton. He once owned and operated a grocery store in Anadarko, and he is now editor of a local paper called Community Guide. Lawrence has had a happy and successful life because my community gave him a chance to overcome the barrier of employment discrimination which all handicapped people face.

Mr. Ken Kaspereit, Chief of Recruitment and Placement for Civilian Personnel at Fort Sill, hired Lawrence Kuykendall as well as many other capable handicapped workers. This Civil Service agency does not practice job discrimination against any sex, race, religion, or handicap. It has 3,500 employees; 239 of these are physically handicapped, and 16 are mentally retarded.

Mary Kay, a pretty blonde-haired little girl of six, attends the Comanche County School for Handicapped Children. The grade school years are, for most children, a period of learning, excitement, and dauntless optimism. However, this premise is severely tested by the children at this school for handicapped children. Here any child or young adult between the ages of eighteen months and twenty-one years, not eligible for public schools, is accepted. The twelve paid personnel here receive a combined monthly salary of less than $1,600 per month. There are also approximately 150 volunteer workers who are the backbone of the school. Lt. Col. (Ret.) Robert E. Greiner, director, shows hope, faith, and most of all, love for the children. As he held four-year-old Heather, a beautiful little crippled girl, he said, "The love shown by the handicapped far surpasses that shown by anyone else." Heather kissed him on the cheek, and he said, "This is my pay." It is truly a school of love and care.

Mr. Jim Rogers, blind in one eye, now works as a Visual Services Counselor with Mr. Clint Hightower, who helped him choose a new career when he became legally blind several years ago. The main goal of this agency is to help the blind help themselves by becoming independent and doing things themselves. Visual Services also provides talking books, scholarships, health care, and other necessary services for the blind.

In 1957 the Oklahoma City Chapter of Goodwill Industries established a branch in Lawton. In 1961 this branch became independent, and today it serves my community by providing a sheltered workshop for the handicapped who cannot find work elsewhere. The handicapped people working for Goodwill Industries are getting paid, a fact which helps preserve their dignity. Mr. Don Landrum, director of Goodwill Industries for Southwest Oklahoma, feels that the handicapped are the silent minority of our world today. They aren't protesting, but maybe they should be.

Too often we furnish our world to fit the able-bodied and forget the handicapped. My community is recognizing the needs of this group more and more. The Lawton Municipal Airport was just enlarged and refurbished. It now has a ramp outside, wide front doors, low drinking fountains, and wide bathroom doors. Lawton's new courthouse, which is currently in construction, will also have these features. Because my community is currently rebuilding most of its downtown business and shopping area, many architectural barriers to the handicapped are being eliminated.

It is necessary for every American to see the light of a new day for the handicapped.

We must accept their humanity. The handicapped belong to this community just as much as anyone else does. We have a responsibility to recognize them, too, and in Lawton, Oklahoma, we are trying to fulfill this responsibility.

INTRODUCTION OF A BILL TO EXTEND THE BENEFITS OF THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT TO COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE; FEBRUARY 28, 1974

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ROGERS. Mr. Speaker, the Public Health Service Commissioned Corps is one of the seven uniformed services of the United States. PHS commissioned officers are governed by a personnel system, including appointment, promotion, pay, leave, and retirement which is similar or identical to the personnel system of the Army, Navy, and Air Force. Like officers of the other services, PHS commissioned officers are subject to assignment to any location in the world through Public Health Service orders. The Congress has recognized the similarity between service in the Public Health Service and service in the Armed Forces, and PHS officers enjoy many of the rights, benefits, and privileges provided to members of the Armed Forces under Federal law. In addition, an officer serving in the Commissioned Corps could fulfill his selective service obligation when the draft was operative.

One of the basic elements of the Public Health Service Commissioned Corps is mobility. Commissioned officers spend many years of their career at stations which are located in a State other than their home State. In many instances, this results in the officer having to pay a State income tax in two or more jurisdictions. To this extent, the officers involved would in effect receive a reduction in pay as compared to their fellow officers in the other uniformed services who are only required to pay an income tax in the State of their domicile.

On December 31, 1970, President Nixon signed into law Public Law 76–860 which extended to commissioned officers of the National Oceanic and Atmospheric Administration (NOAA) the provisions of the Soldiers' and Sailors' Civil Relief Act. This means that the Commissioned Corps of the U.S. Public Health Service is now the only member of the uniformed services which is not covered under the Soldiers' and Sailors' Civil Relief Act.

In view of these circumstances, it is my firm belief that PHS officers should be given the same treatment with regard to State income taxation as is afforded under the laws of the Federal Government and the laws of the various States with respect to the members of the other uniformed services. Mr. Speaker, this benefit is long overdue. It would not entail the expenditure of any Federal funds and is an inequity in our law that should be corrected at an early date.

Therefore, I am today introducing a bill to amend the Public Health Service Act to extend to commissioned officers of PHS all rights, benefits, privileges, and immunities provided under the Soldiers' and Sailors' Civil Relief Act of 1940, as amended.

Historically, the Public Health Service has a long and proud history. It began as the U.S. Marine Hospital Service in 1798, when an act of Congress providing for the care of sick and injured seamen was signed by President John Adams.

During the last 170 years, the service has continued to grow and strengthen its activities to protect and advance the health of the world. Depending on location, the service maintains over 200 facilities which provide medical and hospital care to merchant seamen, uniformed service personnel and their dependents, American Indians, Alaskan Natives, Federal prisoners, Peace Corps volunteers, and various refugee groups.

In addition, many Public Health Service officers work in Federal programs, providing consultation and assistance to State agencies concerned with health. At any one time, there are many officers on loan to foreign governments and other Federal agencies, all working in various health-related endeavors.

From 1962 until the end of the Vietnam war, surgical teams and sanitary engineers from the Public Health Service have been stationed in South Vietnam, working with the Vietnamese provincial governments, providing medical care and consultation in health matters.

Public Health Service officers also work closely with the Atomic Energy Commission and the Department of Defense nuclear weapons testing activities by conducting appropriate environmental surveillance programs. They also conduct specialized training courses for uniformed service personnel as well as other individuals throughout the country.

Recently medical, dental, optometric, and other public health professionals of PHS have been assigned to rural and urban areas in the United States where critical health manpower shortages exist in an effort to assist in the delivery of health care to the people of those areas.

Mr. Speaker, in recognition of the vital role of commissioned officers of the Public Health Service in improving health care delivery, I urge the Members of the Congress to join me in support of this legislation.

SELF-DEALING AT ITS WORST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHBROOK. Mr. Speaker, in the published hearings on the Soviet grain deal of the Senate Permanent Subcommittee on Investigations, an interesting section appears detailing part of the chronology of events of that deal. I quote:

MAY 9, 1972.—Clarence Palmby wrote a memo to Secretary Butz, Secretary Peterson of Commerce, Henry A. Kissinger and Peter M. Flanigan. The memo is a report of Palmby's meeting on this date in Washington, D.C. with the USSR representatives on proposed grain sales. The discussions lasted 1¼ hours and concerned the Soviets' desire for more favorable credit terms. The following is quoted:

"There were brief references to the possibility of (1) purchase under the barter program (2) direct purchases from US Government stocks (3) some relationship between natural gas and grain."

Mr. Palmby informed the Soviet officials that he could not conceive of the barter program as being either useful or applicable and that whether purchases involved grain from Government or private stocks, the channel of purchasing would be through private commercial exporting firms.

Mr. Palmby, while Assistant Secretary of Agriculture, was a central figure in the United States-Soviet grain deal. Palmby left the Department of Agriculture and on June 8 joined Continental Grain Co., as a vice president. On July 5, 1972, Continental Grain sold over one-third of the wheat that the Russians were to buy.

Perhaps Mr. Palmby "could not conceive" of a barter program or other method of arranging the wheat deal than through a $750 million line of credit which he suggested in a May 18, 1972, memorandum to Secretary Butz. It seems somewhat odd that Clarence Palmby "could not conceive of" other arrangements than American taxpayer-subsidized credit to the Soviet Union.

THERE IS BUT ONE PROBLEM AND SOLUTION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. LANDGREBE. Mr. Speaker. I wish to bring to your attention the following letter to the editor that appeared in the Lafayette, Ind., Journal Courier on February 25, 1974. Can there be any doubt about Jo Ann Reagans deduction that what this great Nation needs today is revival of our beliefs in, our complete trust in God. As we in the House of Representatives cast out votes on the pension guarantee bill seems a most appropriate moment for me to place this following item in the RECORD:

THERE IS BUT ONE PROBLEM AND SOLUTION

LAFAYETTE, IND.

What would you do for America?, the Journal and Courier asked people in a Feb. 19 article:

"Uncertainty about the problem, most agreed, makes it tough to find a simple solution," the article commented.

Why is it a nearly 200-year-old nation founded on Christian principles of faith finds itself in turmoil and almost chaos? Go ahead. Blame Nixon, your Congressman, the police, your neighbor—even God—if you really want to pass the "depleted buck"; but never, never blame yourself for allowing the Nativity scene to be eliminated on the White House lawn last "Xmas." Or the pledge to be altered, Bibles to be taken out of classrooms, or even the firing of a teacher for Bible reading in a classroom.

Legalize abortion, prostitution, gambling, and dope—why not? Eliminate every good thing. Then we can wander around like the Israelites in the Wilderness for 40 years. David slew Goliath on simple faith, although some will deny God had anything to do with it. David was just a good shot. Are the American people so blind and over-educated that they cannot see the problems and solutions are one: A simple and genuine need for God?

JO ANN REAGAN.

JUSTICE DOUGLAS CALLS FOR PEOPLE'S ACTION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, over the years, many prominent people have spoken out against withholding information from the people, either by the Government, or by the corporation. My Subcommittee on Foreign Operations and Government Information has been very concerned with this problem. On February 20, the Honorable William O. Douglas, Associate Justice of the Supreme Court, addressed 1,000 people at Southern Illinois University at Edwardsville.

"He—Justice Douglas—advocated establishment of large, nationwide, organized public interest groups on a variety of issues to combat what he termed entrenched power and secrecy in both the Federal Government and large corporations," the Highland (Illinois) News Leader commented.

Justice Douglas continues to speak out on the problems of the American people. Mr. Speaker, I ask that the complete news article be inserted in the RECORD.

JUSTICE DOUGLAS CALLS FOR PEOPLE'S ACTION GROUPS

"America is on a big downward spiral, and it is going to continue unless people demand action, espouse causes and become very articulate," William O. Douglas, associate justice of the U.S. Supreme Court, warned Tuesday, Feb. 12, at Southern Illinois University at Edwardsville.

Justice Douglas urged formation of "committees of correspondence" to become informed and act on problems facing the country. He advocated establishment of large, nationwide, organized public interest groups on a variety of issues to combat what he termed entrenched power and secrecy in both the federal government and large corporations.

Great lobbies in Washington, many of them corporate lobbies, "really run the government behind the scenes. The lone individual stacked against these lobbies has very little chance," Douglas said. "Only by banding together for permanent activities can you possibly meet the challenge of the corporation."

Douglas described Washington as "filled with special interest groups." The Pentagon, he said, has two lobbyists for each member of Congress. There are also approximately 3,200 government advisory committees in Washington which are mostly corporate controlled, Douglas said.

The Supreme Court judge criticized federal tax laws which, he said, allowed corporations to take tax deductions for lobbying expenses. "If you are a consumer group or an environmentalist group trying to raise money to oppose these lobbyists you don't get a tax deduction if you engage in lobbying," Douglas said. "The whole structure of federal tax laws is arraigned against the people who are opposed and on behalf of the lobbies who are doing their (special interest) work. It isn't right. The laws should be changed, and you are the only people that can change them."

"The American Petroleum Institute for 1974 has a budget of $15.7 million for lobbying. It's a tax-exempt, non-profit business project," Douglas said.

In a wide-ranging attack on government bureaucracy, Douglas criticized the business-dominated advisory committee of the Bureau of the Budget, a group of 65 men he said "set the priorities" of the federal budget. Douglas said there are no consumer or environmental interests represented on the advisory group. "Priorities are established without publicity, without public discussion," he charged.

Douglas said the advisory group was partly to blame for the energy crisis. "Since World War II only one per cent of the research and development funds which have been channeled through the Bureau of the Budget have been directed toward development of solar energy. You want to know why? Because nobody owns the sun," Douglas said.

The Federal Advisory Committee Act of 1972 requires representatives from other than big business on all government advisory groups, Douglas said. He credited Sen. Lee Metcalf (D-Mont.) with pressing for passage of the remedial legislation.

CRITICIZES FEDERAL AGENCIES

"One thing that's sure about an agency in Washington—it never works itself out of existence, it keeps going. This is Parkinson's Law," Douglas said. The jurist aimed criticism at specific federal agencies:

U.S. Army Corps of Engineers—"The Army Engineers are authorized to improve rivers. They have so radically improved the rivers that they are becoming non-existent." Douglas condemned channelizing of rivers saying that fishing, boating and camping grounds are now gone, replaced by spoil banks and flumes.

Soil Conservation Service, Douglas said he supported the agency when it was first established by Franklin D. Roosevelt, but the agency "soon taught the farmers everything they knew" about contour plowing. To keep in business, the SCS "took a leaf from the Army Engineers and has now gutterized 8,000 miles of rivers in 40 states," Douglas said.

Tennessee Valley Authority, Douglas described the TVA as "the greatest strip miner of all time." He said the agency builds dams whether they are needed or not.

Atomic Energy Commission. "In June, 1973, the AEC lost 115,000 gallons of plutonium waste. A bucket of it would kill everybody in the world they say. Yet they reassured everyone by putting out a statement for people not to worry because it never got below 200 feet (in the ground) and the water table is 300 feet down," Douglas said. Plutonium waste, which the AEC says has a half-life of 24,000 years, is created by nuclear energy plants. Douglas said a half million gallons of plutonium waste have been lost at the Hanford, Wash., nuclear plant since World War II, and that plankton in nearby rivers is now radioactive and fish are endangered. He urged his audience of approximately 1,000 to "join the swelling ranks of scientists who are saying let's put an end to nuclear energy research."

Central Intelligence Agency. "The CIA does not need to report how it spends money. The Budget Bureau can give the CIA funds from other agencies without congressional approval," Douglas said. He also reported discovery of a new National Reconnaissance Office established in Washington. "Nobody in the Senate or House knows what it does or who mans it," he said.

The jurist aimed some of his sharpest barbs at secrecy in government. "You are the sovereign, not the White House, not the Congress, not the Supreme Court, and you should know what's going on in government," he said.

Douglas called for a restructuring of society, in which government would be more open and responsive to people, and citizens would take a more active role in public affairs. "Values must be expressed by people and the people have been submissive in recent years," he cautioned.

Douglas said his years in Washington have convinced him the judgments of people in Edwardsville on nuclear energy, forestry or sewage would be much more responsible than the judgments of experts in Washington.

LAND USE PLANNING

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DELLENBACK. Mr. Speaker, Tuesday the Rules Committee voted to table indefinitely consideration of H.R. 10294, the Land Use Planning Act of 1974. I was deeply disappointed to learn of this action. I feel strongly that this legislation provides States and local governments with a major tool to help them control the burgeoning growth patterns which have been in part responsible for a depletion of our Nation's energy resources and also for the environmental degradation of much of our land.

This bill would provide grants to the States to develop a land-use planning process, taking into consideration the effect of any planning on areas of critical environmental concern, areas impacted by key facilities, and areas of more than regional concern. The bill does not force any particular plan on a State, but rather allows State and local governments to develop their own plans, being certain to involve the public extensively in every phase of development.

One of the major concerns expressed about this bill is the fear that it will, in some way, allow a taking of land without compensation. This is not so. The land use planning bill does not reduce or alter the constitutionally guaranteed rights of property owners and clearly states that nothing in the act shall be deemed to enhance or diminish the rights of owners of property as provided by the Constitution of the United States.

The Interior Committee, of which I am a member, reported this bill by more than a 2-to-1 vote recommending passage after extensive hearings and very deliberative mark-up. This indicates the committee's strong support of the concepts put forth in the land use planning bill.

I feel it is essential that we pass a land use planning bill in the near future in order to assure that growth which does occur throughout not only my State of Oregon, but throughout the entire Nation, will be orderly and nondestructive. I hope that the Rules Committee will reconsider their unfortunate decision.

VFW VOICE OF DEMOCRACY CONTEST

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. SMITH of Iowa. Mr. Speaker, the winning contestant from Iowa in the Veterans of Foreign Wars Voice of Democracy contest this year is a young man who resides in the district which I am privileged to represent in the Congress. The young man's name is Kevin Reynolds and he is from Newton, Iowa. I need not elaborate upon the great competition involved in this contest and the tremendous effort, skill, and discipline necessary to achieve the top spot for Iowa. In order for those who will not have an opportunity to hear his speech, they will at least have an opportunity to read it, and I am, therefore, inserting it into the RECORD. It is as follows:

VFW "VOICE OF DEMOCRACY" SPEECH

In 1776, before signing the Declaration of Independence, Benjamin Franklin commented: "We must all, indeed all hang together, or we shall most assuredly hang separately." Ben Franklin believed that America was a country bound by unity, and I also believe in that same concept: Bound by unity and supported through, "My Responsibility as a Citizen."

In looking at our responsibility to citizenship, I am going to speak with you about four basic ideas: rule of law, belief in the democratic tradition, participation of both majority and minority, and finally freedom of political activity. These four, along with our founding forefathers and I believe, are what comprise the meaning of citizenship to most Americans and other people throughout the world as well.

My Responsibility as a citizen is rule of law. We have a government of law. Howard Flieger (Flee'jer), an American journalist, agrees when he states that "The law, like the dew, falls equally on everything and everybody." It is our duty to uphold and obey the law, and perhaps more importantly, take an active part in the revision of laws and reforms of the court system in this country. Journalist Flieger asks, "Want to cuss the president? Your priviledge. Want to defend him? OK. Want to argue about it? There's no law against it. Try it in some other countries and you'll wind up in jail—or, worse, in an insane asylum. Disagree with the powers that be in such places and you'll be branded as crazy, a menace to society—their society. And finally states Mr. Flieger: "False arrest is almost unheard of in the United States. False imprisonment is even more rare. If you are accused of a crime and can't afford a lawyer, the court will provide you with one." A responsibility called rule of law. Americans should be proud of it.

My Responsibility as a citizen is based on a belief in the democratic tradition. The United States is a government of the people, for the people, and by the people. In our Constitution these basic foundations were laid, therefore beginning a chain of events leading to our present day democracy.

To Gordon Sinclair, a Canadian radio and T.V. broadcaster, this was readily apparent in WWII. He suggests certain thoughts which I believe are very important when one considers the benefits of an American citizenship. "Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions and billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States. Later, in 1956, when the franc was in danger of collapsing, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris. And now, you talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles. You talk about American technocracy, and you find men on the moon, not once but several times—and safely home again." All of these events were spearheaded by our belief in the democratic tradition, so writes Mr. Sinclair.

My responsibility as a citizen is participation of majority and minority. Mr. Flieger notes that, "In the United States there are more than 300,000 churches. All Americans can worship as they want in the faith of their choice—or in none. We all have the right to dissent. If you don't like the government, or your landlord, or the quality of life, you can say so—loud, clear, and often. Nobody can make you be quiet." So concludes Mr. Flieger: a healthy participation of both majority and minority is needed for the full meaning of being a citizen.

Freedom of political activity is my responsibility to citizenship. We must all keep and uphold our rights to vote and to take part in the political processes of our country. We can also uphold this right by participation in election campaigns, the funding of the party of our choice, and by being awake and alert in the issues and the answers to our country's problems. We can be Democrats, Republicans, Independents, or simply choose not to vote at all if we want. It is this right that most people soon and often forget and take for granted.

These four things are my responsibility as a citizen. We must uphold them, cherish them, and tell other people about them, in order that we may all be better citizens of the United States of America.

SECRET POLICE SEARCH LITHUANIAN HOMES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DERWINSKI. Mr. Speaker, observers are expressing unrestrained glee over the action by the Soviet Union in permitting Alexander Solzhenitsyn to leave the country, however, we should not be misled into thinking that the Soviet Union is becoming a champion of human rights.

I insert into the RECORD an article in the New World, a publication of the Catholic Archdiocese of Chicago, in the February 22 issue which tells of the continuation of the Soviet suppression of religious freedom in Lithuania:

SECRET POLICE SEARCH LITHUANIAN HOMES

Moscow.—Secret police in the Lithuanian Soviet Socialist Republic have begun a massive search of homes, offices and churches in an effort to find dissidents responsible for illegal publications and protest actions, an underground newspaper shown to newsmen here reported.

The paper, called Chronicle of the Lithuanian Catholic Church, indicated increasing unity between religious and nationalist activists in Lithuania.

The Chronicle, which has survived a nationwide two-year effort by the secret police to suppress dissent, reported numerous cases of alleged religious repression and violations of civil rights. The paper indicated that a loose organization of underground centers had now developed in Lithuania.

The paper reported widespread distribution of the Chronicle, clandestine printing of prayer books, secret construction of printing presses and large-scale collective protests to authorities.

The paper reported that one dissident cell in the Lithuanian capital of Vilnius lost its illegal homemade printing press when secret police searched a private home.

Lithuania, which was forcibly annexed by the Soviet Union in 1940, has about three million Catholics in a population of 3.1 million.

FPC DATA ON ENERGY SAVING EFFECT OF DAYLIGHT SAVING TIME INCONCLUSIVE—BMT NATION HAS REDUCED ELECTRICITY DEMAND BY 10 PERCENT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. VANIK. Mr. Speaker, on January 28, I asked the FPC and several other Government agencies for information on whether or not the switch to daylight savings time was indeed saving energy.

I would like to enter in the RECORD at this point a copy of the letter which I received from the Chairman of the Federal Power Commission today on this subject.

The Federal Power Commission report indicates an average net reduction of 2.5 percent in electricity consumption. When this decline in use is joined with a projected 7.5-percent increase in demand which did not materialize, the net energy saving appears to be in the range of 10 percent—a tribute to the voluntary cooperation of the American people. The sample January electricity savings, if continued, are the equivalent over a year of approximately 100 million barrels of oil.

Further, it must be noted that the figures on electric energy usage are not Government figures. Chairman Nassikas uses the figures provided by the Edison Electric Institute. It seems to me that this kind of statistic should be maintained by the Federal Power Commission in order to provide official data on energy usage and projected needs.

I am disappointed, however, that the FPC was unable to "quantify" the amount of energy saving due to the switch to daylight savings time. The winter switch to DST was one of the most unpopular and controversial actions taken during the early stages of the energy crisis. The switch to DST during the winter months caused enormous anguish and worry to millions of parents of school-age children. The FPC and other Federal agencies have a duty to the American public to determine how much savings—if any—was accomplished through the switch to DST.

The letter follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 27, 1974.

Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN VANIK: This is in reply to your letter of January 28, 1974, inquiring

as to the statistics presently available on the effect of winter Daylight Saving Time on the Nation's energy consumption.

The Commission's staff has been monitoring the consumption of electric energy both before and after the advent of winter Daylight Saving Time on January 6, 1974. The electric energy consumption during the week ending January 5, 1974 (the last week of Standard Time), and the weeks ending January 12 and 19 as compared to the corresponding weeks in 1973 are shown in the attached tabulation.

The normal rate of growth of electric energy consumption in the Nation during 1973 might have been expected to be 7.5 percent had it not been for conservation, and it is apparent from the statistics in the attached table that electric energy consumption is substantially below what would have been expected otherwise. This reduced use is due to a number of factors including the effects of the milder than usual weather, conservation by the general public, voltage reductions in some areas, and Daylight Saving Time. We have been unable to quantify the individual effects of these various factors but Daylight Saving Time is one of the influential ones.

The staff does not monitor uses of nonelectric related energy and has no specific information on the extent to which conservation measures or winter Daylight Saving Time have affected overall energy use.

I trust this information will be helpful to you.

Sincerely,

JOHN N. NASSIKAS,
Chairman.

WEEKLY ELECTRIC OUTPUT

	1974 (millions of kilowatt-hours)	1973 (millions of kilowatt-hours)	Percent difference, 1974/1973
Week ending—			
Jan. 5	34,695	34,331	+1.1
Jan. 12	36,558	38,111	−4.1
Jan. 19	35,531	35,368	+.5

Source: Information based on Edison Electric Institute reports.

SUPPORT FOR PENSION LEGISLATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHBROOK. Mr. Speaker, I am pleased to have played a role in developing the pension reform legislation which is before the House today. Information acquired during my service on the Education and Labor Committee has convinced me of the great need for this legislation.

At the present time more than 30 million Americans are covered by private pension plans. It is expected by 1980 that over 42 million workers will be covered. Today more than $8 billion in benefits are paid to approximately 6 million retirees. Voluntary private pension plans are now making contributions to the retirement security of about 50 percent of the private nonfarm labor force. It is estimated that this figure will reach 60 percent by 1980.

Based on these figures, it is readily apparent that Congress must act now to protect the rights of workers covered by pension plans. Protection of these rights would be assured by passage of H.R. 2.

H.R. 2 requires the vesting of accrued benefits of employees with significant periods of service. In addition, it requires pension plans to meet minimum standards of funding. These two provisions will go a long way toward maintaining the integrity of the private pension system.

I have some reservations, however, about the section of the bill dealing with plan termination insurance. Inasmuch as H.R. 2 establishes stringent vesting and funding standards, as well as taking other precautionary steps, I have serious doubts as to whether termination insurance is needed.

Since the section dealing with plan termination insurance is the only thing marring a basically good bill, I urge my colleagues to join with me in supporting this legislation.

A BILL TO REVISE CERTAIN PROVISIONS RELATING TO ELIGIBILITY FOR CIVIL SERVICE RETIREMENT DEFERRED ANNUITIES, TO PROVIDE FOR COST-OF-LIVING INCREASES IN SUCH ANNUITIES, AND FOR OTHER PURPOSES

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, there are a large number of our citizens who have devoted portions of their lives in the civilian service of the U.S. Government but who, for personal, political, or geographic reasons terminated that service with vested rights in retirement. One group of former Government employees, those who were separated from the service or transferred to a position in which the individuals did not continue in Federal employment after 5 or more years of service, these individuals are the target of the legislation which I am introducing today. I believe, Mr. Speaker, that these individuals, while awaiting retirement eligibility, for reasons of consistency and fair play in our dealings with those who honorably served their Government, are entitled to computation of their deferred annuity consistent with the cost-of-living adjustments as computed for annuities paid any other Federal retiree. I urge the Congress, Mr. Speaker, to adopt the bill I propose, which contains under title 5, USC section 8338 amending language as follows:

In the computation of each annuity authorized by this section, such annuity shall be increased by each cost-of-living adjustment of annuities of retired employees made under section 8340 of this title in the period beginning on the date of separation or transfer described in subsection (a) of this section and ending on the commencing date of such annuity.

We will, Mr. Speaker, be legislating equity, by bringing up to par the annuities of a segment of former Federal employees who are now denied the benefits of congressional recognition of the ravages of inflation.

This legislation will also make certain adjustments in the timespan categories of these deferred annuity retirements. When adopted along with the cost-of-living entitlement, these deferred annuity retirees will be eligible to receive an annuity at the age of 62 after completing 5 but less than 15 years of civilian service, or at the age of 61 years after completing 15 but less than 20 years of service, or at the age of 60 years after completing 20 years of civilian service.

Mr. Speaker, I firmly believe we can perform an act necessary to justice and democracy by adoption of this legislation I set before you today. In our concern for equality across the board for all of our citizens we must not neglect the rights of any of our retirees. They have, just as we all strive to do, worked faithfully within the system and are entitled to all of its benefits.

SOUTH CAROLINA GENERAL ASSEMBLY SUPPORTS NOVEMBER 11 VETERANS DAY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DORN. Mr. Speaker, the South Carolina General Assembly has adopted a splendid concurrent resolution urging the Congress to restore November 11 as the official national observance of Veterans Day.

As chairman of the Veterans' Affairs Committee and as sponsor of legislation that would restore the traditional observance I commend this timely resolution, introduced by Senator T. Ed Garrison, to the attention of the Congress.

A CONCURRENT RESOLUTION

Memorializing Congress to enact such legislation as will restore November 11 as the observance of National Veterans Day

Whereas, Veterans Day is not observed uniformly by the various states; and

Whereas, the lack of uniformity in the observance of this day has contributed to the loss of meaning, significance and reason for commemorating the great sacrifices which the veterans have made for America and its cherished freedoms; and

Whereas, the restoration of November eleventh as National Veterans Day would enable the states to program meaningful events that would restore the day to its former importance and national significance. Now, therefore.

Be it resolved by the Senate, the House of Representatives concurring:

That Congress be memorialized to enact such legislation as will restore November eleventh as the observance of National Veterans Day.

Be it further resolved that copies of this resolution be forwarded to each United States Senator from South Carolina, each member of the House of Representatives of Congress from South Carolina, the Senate of the United States and the House of Representatives of the United States.

TRIBUTE TO WOLFGANG J. NAUKE, NEW YORK STATE COMMANDER, VETERANS OF FOREIGN WARS

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. GROVER. Mr. Speaker, on Tuesday, March 12, we will have our annual occasion to dine with a group of outstanding patriots and community leaders, the Veterans of Foreign Wars. I wish to anticipate that occasion by honoring one of these dynamic American citizens, New York Comdr. Wolfgang J. Nauke, a good friend and my comrade in the Nathan Hale Post No. 1469. Commander Nauke's nickname, Wolf, belies his personality, for as much as he is an experienced administrator and a disciplined leader, he is also a warm and understanding person.

I am privileged, Mr. Speaker, to submit for the RECORD a biographical sketch of Commander Nauke, American:

WOLFGANG J. NAUKE, NEW YORK STATE COMMANDER

Wolfgang J. Nauke was born in Dresden, Germany, on November 16, 1921. At the age of five he and his family came to the United States.

Attended elementary school and Huntington High School in Huntington, Long Island.

Entered the Armed Forces in 1942. Served with the 109th Medical Battalion attached to the 34th Infantry Division and 114th Station Hospital. Served in the European Theatre in North Africa and Italy, and was discharged in 1945.

In 1946, he married the former Lee Alessio, of Huntington. They have three sons.

Wolfgang has been active in the V.F.W. since 1952. He was elected Post Commander of the Nathan Hale Post No. 1469, in 1955 and was awarded a National Citation for his outstanding leadership. In 1955 he was elected President of the Board of Directors of the Post Membership Association, and served until 1960. After completing his term as Commander, he was appointed Adjutant for the year 1956–57. In 1957 he was elected Quartermaster and has been elected to that office unanimously every year to the present. In 1961 he was acclaimed All-State Post Quartermaster. He was elected Suffolk County Commander in 1961, and during his term of office, he was active against Communism. He had many speaking engagements throughout the State of New York. His activities in this field were noted by Senator Barry Goldwater, and on March 6, 1962, a flag was flown over the United States Capitol in honor of Commander Nauke, and so recorded in the Congressional Record. The flag was presented to him by Elizabeth Englehart, on completion of his year.

Wolf is a member of the Military Order of Cooties Pup Tent No. 65, Jephtha Lodge No. 494 F & A M, Grumman Ex-Service Mens Club, Grumman Glider Club, New York State Sheriff's Association. He has been employed with Grumman Areospace Corp. Administrative Assistant, Maintenance Division, for 21 years.

He was appointed Youth Director for the State of New York, while serving as Suffolk County Commander. He has held many offices on the State level, among which were; Legislative, Rehabilitation Hospital Committee, Americanism Chairman, Patriotic Instructor, Historian, Inspector, Chief of Staff, Junior Vice Commander, Senior Vice Commander.

At the 54th State V.F.W. Convention at Buffalo, New York in June 1973, Wolf was elected to the office of State Commander of the Veterans of Foreign Wars.

OIL SHALE

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. RONCALIO of Wyoming. Mr. Speaker, after 40 years of effort, we are witnessing the beginning of development of one of America's last great frontiers, the extraction of shale oil from vast publicly owned reserves in Colorado, Utah, and my State of Wyoming. The highest bids received on the first two prototype tracts of the Department of Interior's prototype leasing program, $210 million on the 5,120 tract c–a, and $117.7 million on 5,094 acre tract c–b, gives an indication that the petroleum industry is prepared to move ahead with the development of this resource.

It has been estimated that the recoverable oil available from oil shale is twice that available from the Mid-East, 60 times that in Alaska's North Slope, and 15 times the total U.S. proven reserves. There is no doubt that immense quantities of the shale oil are present. Tract c–a is estimated to have 1.3 billion barrels of oil and tract c–b contains approximately 723 million barrels. Yet, we have read that the Department of Interior was prepared to accept bids on these tracts as low as $9 million. It is apparent that Interior failed to fully calculate the amount of shale oil present and its true worth in today's energy situation.

We must, therefore, review the Interior Department's leasing program and respond to pending oil shale development with responsible legislation. S. David Freeman, former White House energy policy staff member and present director of the Ford Foundation's energy policy project, put it this way in a February 10, 1974, Washington Post article:

> The alarming fact is that the Interior Department knows very little about how much the public owns and what it is worth; it knows even less about the harm that may happen to marine life, wildlife, the face of the earth or to people's cherished lifestyles if development proceeds. A likely prospect is that ownership of the petroleum in the ground will simply pass from government into oil industry hands.

Although there are uncertainties about the best methods of extracting shale oil, large scale operations costs, and percentages of shale oil that can be removed, one thing is certain: Firms moving oil into the oil shale business stand the possibility of making enormous profits. Fluctuations in the price of crude may affect production and the rush to move ahead on development, but the present new crude price in the $10 a barrel range, is sufficient incentive. Industry executives have reportedly calculated that at $10 a barrel they could realize an annual rate of return on capital of nearly 20 percent. At even $6 a barrel, an annual return of 11 percent might be realized.

In short, the incentives for oil shale development are present in today's market picture without any lease incentives or giveaways.

Under the Department of Interior's prototype leasing program, royalties are set at 12 cents per ton for oil shale containing 30 gallons of shale oil with provisions to increase or reduce this amount depending on the shale oil contained and market price. Only 16 cents per barrel would be collected as royalties on 30 gallon oil shale.

With the value of crude shale oil reaching or surpassing the value of conventionally produced crude, such a low royalty is irresponsible and contrary to the public's interests.

Legislation which I am introducing today is designed to base royalties for shale oil produced on public lands on a percentage-of-market-value basis. This is the same approach taken under the Mineral Leasing Act for conventionally produced oil and gas and is a reasonable manner for collecting royalties on shale oil. My bill would increase royalties to 12½ percent of the value of the oil or other minerals taken from the oil shale lease.

Oil shale country today is sparsely populated land in no way prepared for the impending oil shale boom. The start-up of the industry will create an estimated 4,000 jobs by 1981. The small existing towns and communities in the area desperately need assistance in planning for the growth impact. One new community being planned near Grand Valley, Colo., anticipates a population of 4,000 in 4 years. The costs of planning, construction of water and sewer lines, and streets is estimated to be $10,000,000 before any building construction is even begun. This type of massive growth development will be multiplied throughout the oil shale area.

My bill therefore creates an oil shale area impact fund to provide loans to those communities and counties which are directly impacted by significant population growth due to oil shale development. These loans may be used for planning assistance for providing schools, transportation, and highways, medical care and facilities, water and sewage facilities, and other services.

My boyhood home of Rock Springs, Wyo., is already experiencing a boom which gives us a small glimpse of the type of growth anticipated. An article from the February 19, 1974, Rocky Mountain News describes the conditions in Rock Springs and I include it in the RECORD at this point:

WYOMING OFFERS COLORADO GLIMPSE OF SHALE DIFFICULTY

(By Jeff Rosen)

Say "boom town" to people in Rock Springs, Wyo., and they chuckle and shake their heads.

A grocer and a motel owner, the mayor and the city clerk, a policeman and a construction worker had the same reaction to the two words.

The reason is simple—Rock Springs is booming, Green River, 14 miles to the west, is booming, and everything in between is booming.

With growth have come enormous problems.

Trailer parks are filled almost before they're built.

They're crammed into canyons and ravines and pushed onto odd-shaped lots. And there's still an acute housing shortage.

"If you come here with a family," said Police Lt. Bob Overy, "it'll take you weeks to find a place to hang your hat."

GLIMPSE OF THE FUTURE

Rock Springs provides a glimpse of the future that awaits Colorado's oil shale country if a commercial oil industry invades the sleepy towns and desolate canyons. It is a future of prosperity and vast attendant problems, of growth so fast that locals are reeling.

Moreover, the Wyoming experience may be dwarfed by what will happen to Grand Valley, Rifle, Meeker and Rangely—Colorado towns which are much smaller than Rock Springs was before the boom.

The 1970 census showed a population of 11,674 for Rock Springs. Utility companies estimate the present figure exceeds 20,000, and the growth seems to be accelerating.

Green River's 1970 population was 4,340. It's now more than 8,000. And the region as a whole probably has nearly 40,000 residents.

The construction of a $400 million power plant 35 miles to the east and huge chemical mines to the west are the two main forces behind the boom. The power plant, owned by the Idaho Power Co. and Pacific Power and Light Co., has a construction force of nearly 3,000, although pre-construction studies projected a maximum of 1,200.

The mines produce vast amounts of trona—a source of soda ash which is an industrial chemical used in paper, glass and detergents. In the past five years, the trona industry has exploded because other methods of producing soda ash have high environmental costs.

UNPREPARED FOR INFLUX

Rock Springs was almost totally unprepared for the influx caused by these two industrial developments. There wasn't any housing, so people brought tents and trailers. There were not enough grocery stores, and foods vanished from shelves daily.

The town had just built a new high school which alleviated the classroom problem to some extent. But junior high schools have been forced to operate with two shifts to accommodate the new pupils.

The caseload at the local mental health clinic increased tenfold in five years. And a $5 million bond issue has just been approved for construction of a new hospital.

Town streets were designed for a relaxed little community. They wind with the terrain following an old creek bed. Traffic has increased fivefold, jamming intersections and plaguing police officers.

Cars bear license plates from a dozen different states and the county has had to add another letter to its plates to accommodate the new registrations.

Burglaries, thefts, assaults and barroom brawls have become common. A small brothel is rumored to be operating out of one hotel.

"What would I do if we had it to do all over again?" said one town official. "I'd tell them to move the power plant to Canada and the trona mines to Australia. There's no way we could have planned for this. We'd have had to start 10 years ago with millions of dollars."

In some ways, Rock Springs has been lucky. Water is plentiful. Sewage plants are only now operating at capacity. The town is served by a major interstate highway, and there is land around for expansion.

More importantly, it is a town that has boomed before, though not to the same degree.

Until 1958 the Union Pacific Railroad mined huge amounts of coal from seams around and directly under Rock Springs and Green River. The towns were full of miners and railroad workers.

DECADE OF STAGNATION

When trains switched to deisel power the mines were shut down. Signs were posted laying off hundreds of workers and the region's population plunged. There followed a decade of stagnation which made many in Rock Springs long for new industry and activity.

"I guess we got more than we bargained for this time around," said Paul Wataha, the town's mayor for the past 17 years. "It's an entirely different situation than we had before. I don't think the living conditions are good here any more, and I don't see any way of improving it soon.

"But the people are a little more willing to put up with that kind of thing than they would be in a quieter town."

Charles Richardson, general manager of the local newspaper, is certainly willing to put up with the boom. Circulation is increasing, and business and advertising are better. "On balance," he said, "I think it's good. We're having some bad growing pains and orderly growth would be better, but we're not going to get it, and this won't kill us."

The power plant and the trona mines and plants are increasing county property tax valuations by $20 million each year. But Rock Springs isn't reaping much of the benefits It's tax base goes up only about $250,000 a year—not enough to keep pace with demands for new services.

The new industries have attracted many transient workers to the area—men who stay only a few months and then move on. Some are men who can't be counted on to show up regularly.

Absenteeism has been a serious problem during construction of the power plants, as has finding and keeping skilled workers. Consequently, construction fell behind schedule, the construction force had to be increased to its present size, the boom accelerated and with it the absenteeism and hiring problems.

The plants and mines have also caused labor problems in the town itself by luring municipal employes, grocery clerks, bartenders and a host of others to higher paying jobs. Wages have been increased to offset this trend. But with wages, prices are going up.

"Everybody's making money," said Lt. Overy. "But it costs more to live, too. It's a different town than it was. There's more people and there's more money and you can't tell up from down."

He laughed and shook his head.

MORE ROYALTY

My bill would also open up the 37½ percent of these royalties from oil shale that are returned to the State. Under current law, these may be used only for highways and schools. This legislation would allow use of these funds for public roads and transportation systems, support of public schools and education, and for planning and assistance to communities impacted by any mineral resource development as the legislature of the State may direct. We are experiencing not only beginning of an oil shale boom, but also mineral resource development and overwhelming growth related to coal and other minerals. Certain areas in the tristate area can expect to double population by the end of the century. This language will allow flexibility in the use of royalties returned to the States to better cope with anticipated growth.

Given the value and enormity of this great public resource and the impact of its development, I feel the legislation I am introducing is necessary to protect the public's interest and meet the problems associated with massive new development in an unprepared region. The States involved have begun to prepare for development, and I commend them. We must supplement their efforts by Federal legislation to provide these States with further means to advance the national well-being by accommodating expeditious development of this vast resource in an equitable and orderly manner.

DIVERSION OF OIL SHIPMENTS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. GILMAN. Mr. Speaker, Energy Administrator William Simon recently criticized the Shah of Iran's statements about our oil supply as being "reckless and irresponsible." That type of diplomacy certainly does not put any oil on the troubled waters of the Middle East.

The Shah of Iran's previous statement that the United States is getting as much oil from the Middle East as it has ever gotten deserves not derision, but a full investigation.

During my own visit to Iran last August, Iranian oil officials there informed me that American based oil companies were actually receiving from Iran increased production of oil but were not shipping that oil back to the United States. It was being sold in the more profitable markets of the Far East and Western Europe.

Last November, in the course of hearings by our Foreign Affairs Subcommittee on the Near East and South Asia, I put this question to Wingfield Chamberlain, Energy Resources director of the Bureau of Resources and Trade Assistance of the Department of Commerce:

Once we go about encouraging increased production (of oil) after arriving at a peace in the Middle East, how do we make sure that our major oil companies are going to be shipping that oil back to the United States?

When questioned further about the possibility of this oil not reaching our shores, Mr. Chamberlain replied that there was no indication that the United States was not receiving its fair share of oil from Iranian sources.

Now this question arises once again and this time the Shah himself questions the destination of Iranian oil. It is my belief that our major oil companies owe their first allegiance to the United States in a time of emergency need. Profit cannot override that obligation. If they are indeed receiving more than adequate oil supplies and selling in more profitable markets abroad, then that is a matter for a thorough investigation by the Chief Executive, by the State Department, and by Congress.

But it is not a matter for cursory review by the chief of the Federal Energy Office. Mr. Simon's responsibilities do not embrace foreign relations, and in making this type of ill-considered state-

ment he is not only jeopardizing our foreign relations but is also endangering a peace we have worked so hard to build in the Middle East. It would be far better for Mr. Simon to resolve our domestic problems. In the interim, it would be well if we took a hard look at the Shah's suggestion that our oil companies are diverting their products to more profitable markets.

WE HAVE FORFEITED OUR RIGHT TO MANAGE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

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

WE'VE FORFEITED OUR RIGHT TO MANAGE

(This editorial was written by James D. McClary, national president of the Associated General Contractors of America and board chairman of Morrison-Knudsen Co., Inc.)

Looking back, there probably was no specific time or event that marked the beginning of the loss by American business of a great part of its right to manage. And if there was a particular villain in the act, even his face is difficult to remember. At best, we must say we have forfeited much of our right to manage, though there certainly were hands eager to take it from us.

A study of how and where we forfeited our right to manage inevitably includes the invasion of that right by government. Not that we can or should seek to thwart the duly-passed laws of our legislative bodies. Our system allows for relief from unjust and ill-advised statutes, and the process through which these matters must pass permits the airing of diverse views. There are accepted methods of changing that which we feel is harmful to business and to the country.

But what about invasion by a prolific and inbred bureaucracy? What about the interpretation and administration of laws beyond anything contemplated by Congress in its wildest moments?

The bureaucratic grand delusion is that it has a mandate from higher authority to meddle in the affairs of others. It is convinced that it, and it alone, knows what is best for us and for the country.

I am talking about the career bureaucrat; the one who stays in office through administration after administration, the one without loyalty to any cause, and no mandate to respond to any constituency. The one who views regulatory laws such as OSHA, OFCC, EEO, EPA, etc., as special license granted for the express purpose of control and harassment of business, with a concurrent increase in the size and power of federal department after department.

Each time a new law is passed, a new regulatory body is created, new staff and inspectors are hired, and the whole machinery thus created requires additional large amounts of money to operate. We are of course paying the bills for this misbegotten monster and it literally bites the hand that feeds it.

Today we are witnessing the wholesale transformation of valid congressional sanction into bureaucratic action which completely usurps management's time-honored position. A request for information authorized by law becomes the excuse for demanding masses of information not legally required by any statute. This ever-expanding bureaucracy will soon be asking for a seat on our board of directors if we don't put a stop to it!

I think the time is long past to begin to resist this kind of abuse. Unfortunately, we have allowed ourselves to become conditioned to respond promptly to any government agency request for information; we spend hours complying. This has got to stop. We have to pick up some new habits. We have to start saying "No"—"By what authority do you request this data?"

Fortunately this breed of misguided federal employee has a flaw—he does not have the valor of his misbegotten convictions. He is vulnerable to strength and cannot stand exposure. If he does get up the nerve to fight, there are courts, thank heaven, to which appeal can be made and from which redress can be obtained.

But unless you and I resist, these ideas and this harassment, through usage and acceptance, gain the effect of law. Our right to manage has been eroded because, in the past, we individualy have not taken a stand when called upon to do so. We must have the courage and the desire to control and eradicate this particular parasite.

Won't you join me?

POSTCARD REGISTRATION BILL

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FRENZEL. Mr. Speaker, the tentative whip notice for next week indicates the House will work on H.R. 8053, the egregious post card registration bill. I hereby serve notice of my intention to move for the adoption of the following amendments whenever the bill is under consideration:

AMENDMENTS TO H.R. 8053, AS REPORTED OFFERED BY MR. FRENZEL

Page 13, line 21, strike out "the Commonwealth of Puerto Rico,".

Page 13, line 25, strike out "an elector for President and Vice President,".

Page 14, line 9, strike out "and any election" and all that follows through "delegates to such a convention".

Page 18, immediately after line 6, insert the following new subsection:

(d) Registration forms may be prepared in a language other than English.

Page 18, immediately after line 6, insert the following new subsections:

(d) Registration forms shall be prepared in a language or languages other than English for each State with respect to which the Administration determines, from the most current and accurate data available, that at least 5 percent of the residents of such State or 50,000 such residents (whichever number is less) do not speak or understand English with reasonable facility. The Administrator shall certify any such State as a bilingual State.

(e) In any State certified as a bilingual State under subsection (d) bilingual registration forms shall be provided in the predominant foreign language or languages (as determined by the Administrator) and in English, and any instructions, notices, or accompanying materials shall be prepared in such foreign language or languages as well as in English.

(f) In any State not certified as a bilingual State under subsection (d) registration forms may be provided in a foreign language or languages other than English.

Page 18, line 16, strike out "a sufficient quantity" and all that follows through "rural or star route" and insert in lieu thereof "one postcard for each person 18 years of age or older".

Page 19, strike out line 7 through line 11.

Page 20, line 2, strike out "may" and insert in lieu thereof "shall".

Page 20, line 4, strike out "is authorized to" and insert in lieu thereof "shall".

PROPOSED AMENDMENT TO H.R. 8053
H.R. 11713

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 "Voter Registration and Election Administration Assistance Act of 1973".

SEC. 2. The Federal Election Campaign Act of 1971 is amended by redesignating title IV as title V; by renumbering sections 401 through 406 as sections 501 through 506, respectively; and by inserting immediately after title III the following new title:

"TITLE IV—ASSISTANCE FOR VOTER REGISTRATION AND ELECTION ADMINISTRATION REFORM

"SHORT TITLE

"SEC. 401. This title may be cited as the 'Voter Registration and Election Administration Assistance Act'.

"DEFINITIONS

"SEC. 402. As used in this title—

"(1) the term 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

"(2) the term 'political subdivision' means any city, county, township, town, borough, parish, village, or other general purpose unit of local government of a State, or an Indian tribe which performs voter registration or election administration functions (as determined by the Secretary of the Interior); and

"(3) the term 'grant' means any grant, loan, contract, or other appropriate financial arrangement for the purpose of voter registration or election administration.

"ESTABLISHMENT OF GRANT PROGRAM

"SEC. 403. The Secretary of the Treasury shall, in accordance with the provisions of this title, make grants to the States to carry out programs to encourage voter registration, education, and participation.

"APPORTIONMENT OF GRANTS

"SEC. 404. Amounts appropriated to carry out the provisions of this title for any fiscal year shall be apportioned to each State in an amount which bears the same ratio to the aggregate amount so appropriated for such fiscal year as the voting age population in such State bears to the total voting age population in all the States.

"DELEGATION OF AUTHORITY

"SEC. 405. The Chief Election Officer of each State shall be charged with responsibility for administering grants made under this title. The Chief Election Officer may, after properly and equitably distributing each grant made under this title in accordance with State law, delegate all or part of his responsibility under this title to appropriate officials of the political subdivisions of the State to which any distribution of a grant is made.

"USE OF FUNDS

"SEC. 406. (a) Each State may, in its discretion, allocate all or part of any grant made under this title to political subdivisions of such State. Each grant made under this title shall be used for programs related to voter registration and election administration, including but not limited to—

"(1) programs to increase opportunities for voter registration, such as mail registration, expanded registration hours and locations, mobile registration facilities, election day registration, re-registration programs, door-to-door canvassing procedures, and other methods which the State may deem appropriate;

"(2) programs to improve election admin-

istration procedures, such as the purchase of additional voting machinery, organization and planning of election administration activities, improvements in ballot preparation and absentee ballot procedures, coordination of election activities, and other methods designed to facilitate the smooth functioning of the election administration process;

"(3) planning, evaluating, and designing the use of electronic data processing or other appropriate procedures to streamline and modernize voter registration and election administration, with special emphasis on techniques which would allow voter registration closer to election day;

"(4) programs for the prevention and control of fraud;

"(5) education and training programs for State and local election officials;

"(6) establishing nonpartisan programs for the purpose of voter and citizen education;

"(7) other programs designed to improve voter education and participation that are approved by the States or political subdivisions thereof.

"(b) No State or political subdivision thereof shall use all or part of any grant made under this title to finance any activity funded by such State or political subdivision on December 1, 1973, unless such State or local financing is continued at the same level as existed on such date.

"(c) Nothing in this title shall be construed to require action by any State or political subdivision thereof. In any case in which a State or political subdivision thereof does not use all or part of any grant made under this title to carry out programs authorized under this title, the unused portion of such grant shall be returned to the Secretary of the Treasury at the end of the fiscal year for which the grant was made and the Secretary shall cover the funds so returned into the Treasury as miscellaneous receipts.

"REVIEW OF PROGRAMS BY THE COMPTROLLER GENERAL

"SEC. 407. (a) The Comptroller General shall audit and review annually the programs of at least five States receiving grants under this title.

"(b) The Comptroller General shall disseminate to all the Chief Elections Officers of the States a summary of the types of programs he found to be most effective and found to be least effective.

"(c) The Comptroller General shall collect, analyze, and arrange for the publication and sale by the Government Printing Office of information concerning voter registration and elections in the United States.

"(d) The General Accounting Office shall conduct a study of the reasons for the decline in voter participation and the role of registration obstacles in low voter turnout during the period beginning January 1, 1960, and ending December 31, 1972.

"(e) The Comptroller General shall submit to the President and to the Congress annually a report concerning his activities under this title, together with such recommendations as he may deem appropriate.

"CENTRALIZED VOTER REGISTRATION LISTS AND CONFIDENTIALITY

"SEC. 408. (a) The Federal Government is prohibited from maintaining a centralized voter registration list.

"(b) Nothing in this title shall be construed as allowing the disclosure of information which permits the identification of individual voters.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 409. For the purpose of carrying out the provisions of this title, there is authorized to be appropriated the sum of $35,000,000 for the fiscal year ending June 30, 1975.".

PROPOSED AMENDMENT TO H.R. 8053

Mr. FRENZEL moves to amend the bill H.R. 8053, by striking out all after the enacting clause and inserting in lieu thereof the text of the bill H.R. 11713; and to amend the title so as to read "A bill to amend the Federal Election Campaign Act of 1971 to establish a program of Federal financial assistance to encourage and assist the States and local governments in voter registration and election administration, and for other purposes.

MOTION TO RECOMMIT

Mr. FRENZEL moves to recommit the bill (H.R. 8053) to the Committee on House Administration with instructions to report the same to the House forthwith with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the text of the bill H.R. 11713.

AMENDMENT TO TITLE OF H.R. 8003; (IF MOTION TO RECOMMIT IS ADOPTED)

Amend the title so as to read: "A bill to amend the Federal Election Campaign Act of 1971 to establish a program of Federal financial assistance to encourage and assist the States and local governments in voter registration and election administration, and for other purposes.".

A TRIBUTE TO THE BALTIC STATES

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FORSYTHE. Mr. Speaker, the month of February marks the anniversaries of independence of the courageous Baltic nations of Eastern Europe—Lithuania, Estonia, and Latvia. The United States followed the lead of the major European powers in extending de facto recognition to the free and independent governments of these nations.

Despite centuries of domination and suppression by various European tribes, Russians and Germans, these nations proclaimed their independence in 1918. In 1922, Secretary of State Charles Evans Hughes announced that the United States was extending diplomatic recognition to the Baltic States, noting that the independent governments had existed for a significant period of time and had successfully maintained political and economic stability within their borders.

While the United States still recognizes these nations, we can only recognize exiled governments, for in 1940, the Soviets broke treaties and agreements, invaded the Baltic Republics and began a reign of terror and suppression which continues today. In an effort to break the spirit and nationalistic fervor of these freedom-loving people, the Communists have executed or deported hundreds of thousands.

But these actions have failed to squelch the spirit of these free-thinking people and their desire for liberation and independence.

As leader of liberty in the free world, the United States must not fail to recognize and commend these suppressed but determined nations, and we must support them in their struggle for lasting independence. The United States has never recognized the legality of the occupation of these nations by Soviet Russia. Because the Soviet regime lacks legal basis, we must consider it a temporary military occupation.

I join my colleagues in commending the proud and distinguished heritage of these nations.

HARD FOUGHT VICTORY FOR THE FARAH WORKERS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BADILLO. Mr. Speaker, I was indeed pleased and gratified to learn in recent days that the 22-month strike against the Farah Manufacturing Co., by the Amalgamated Clothing Workers of America, has ended, with full recognition of the union. In am informed that labor and management, at long last, are now sitting down to negotiate a contract and that the Farah workers will finally have a voice in matters affecting the conditions under which they work and other issues related to their employment.

Although we have witnessed many labor disputes in the past, the Farah strike was especially bitter. In addition to drastic demands for production made of the workers by the Farah Co., the firm's employees—the vast majority of whom are Mexican Americans—found it most difficult to secure a living wage, particularly with inflation seriously eroding their paychecks. The company refused to permit the employees to exercise the right of collective bargaining or to enter into discussions with the Amalgamated Clothing Workers.

When a number of strikers participated in an orderly and peaceful picket of one Farah plant, some 700 were arrested and exorbitant bail was set for their release. It was reported that unmuzzled police dogs were employed to patrol the picket lines. Unfortunately, the firm became more intransigent. The National Labor Relations Board eventually ruled that Farah had violated the rights of his employees, and last month ordered the company to reinstate striking employees who sought their former jobs.

As a member of the Citizens Committee for Justice for Farah Workers, I visited the strikers in El Paso in January 1973, and personally discussed their grievances and problems with them, their leaders, and union representatives. My visit and meetings convinced me of the need for a full investigation not only into the tactics employed by Farah, but also into the whole question of the exploitation of minority workers, with a view toward determining the requirement for new legislative authority. During my stay in El Paso, I had the pleasure of meeting with Bishop S. M. Metzger, the Bishop of El Paso, who stood behind the Farah workers all the way and to whom much credit for the success of the strike and the defense of the workers' rights belongs.

Mr. Speaker, the Farah strike was more than just another labor-management conflict. It represented the struggle of a long-ignored minority group to secure those rights and benefits held by other Americans. As the New York Times so aptly noted in an editorial earlier this week:

The settlement of the Farah strike marks an important advance in the battle of Mexican-American workers for industrial democracy and social justice.

I am hopeful that other Spanish-speaking Americans will be heartened by this development and will be encouraged to work for those rights and basic human dignity which have long been denied to our community.

I congratulate the Farah strikers on their perseverance and on the success of their efforts.

I present herewith, for inclusion in the RECORD, the text of the editorial which appeared in Wednesday's New York Times:

ONE UP, ONE TO GO

The settlement of the long strike in the Texas and New Mexico plants of the Farah Manufacturing Company marks an important advance in the battle of Mexican-American workers for industrial democracy and social justice.

After nearly two years of flouting the Federal labor laws to frustrate demands for union recognition, this huge manufacturer of men's trousers has bowed to evidence that two-thirds of the Farah employees want to be represented by the Amalgamated Clothing Workers * * * Regrettably, the cost of the company's resistance has been high both to itself and its employees. Even now several of its plants will have to remain closed because of the sharp cut in sales caused by a union-fostered boycott.

Now that the foundation has been laid for a cooperative labor-management relationship at Farah, perhaps California fruit and vegetable growers will see the wisdom of ending their war of extermination against the United Farm Workers, the struggling union that seeks to speak for their exploited laborers, mostly Mexican-Americans. A sordid partnership between the growers and the mammoth International Brotherhood of Teamsters has forced the farm union, under the crusading leadership of Cesar Chavez, to call new strikes in the Imperial Valley and to renew its pressure for a nationwide boycott of lettuce and grapes.

It is past time for the Teamsters to honor their repudiated promises to pull out of the fields and for the growers to cease their long campaign of hostility to the Chavez union.

TAX REFORM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DERWINSKI. Mr. Speaker, not only at the Federal level, but also at the State, city, and county levels, tax reform is increasing the frustrations with the heavy budget on the Government.

In my opinion, we can and should reduce the bureaucracy in every department and agency of the Federal Government. This can be done without affecting the services received by the public and would produce a major budgetary saving.

The Press Publications, serving Dupage County, Ill., featured an editorial in its February 16 issue on tax reform.

The editorial follows:

FOR TAX REFORM

It is truly unfortunate that a majority of the organizations formed to oppose tax increases or to work for tax reform should become allied, directly or indirectly, with political organizations.

An association with either national political party, or any local group with political connections, tends to destroy immediately half or more of the potential membership.

Even worse, it tends to weaken the merit of any argument for tax reform on the assumption that political gain or loss is involved.

Events of the past 30 or 40 years should indicate to any reasonably intelligent human taxpayer that it matters little which political power is in office in Washington, Springfield or anywhere else. Taxes keep going upward.

There is only one way to prevent, postpone or deflect the constant inflationary spiral of taxes, and that is a return to private enterprise.

There is no better place to start that in your home town. There is no better time to start than now!

TRIBUTE TO "SWEET ILLUSIONS"

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BELL. Mr. Speaker, this month the Joel Malter Co., of Los Angeles, Calif., is releasing the first copies of a new novel, entitled "Sweet Illusions," by a young California writer, S. L. Regberg.

The publication of "Sweet Illusions" is earmarked not only by the fact that Mr. Regberg is one of America's youngest novelists to be published in a hardbound edition, but that the work itself offers a vital insight to the ideals, illusions, and disillusions of American youth today.

The literary arts have traditionally been an immensely difficult world for young writers to penetrate, and the Malter Co.'s faith and confidence in a 20-year-old's observations warrant commendation. To be required reading for a course at the University of California at Los Angeles, the work will hopefully stand as a reminder to the decision-makers of major publishing houses that artistic and thematic contributions need not be limited by age or previous financial successes. Its publication and acceptance will hopefully also be encouragement to other young artists to continue in the medium of their choice—for themselves as well as for the rest of us who are the grateful recipients of their contributions.

The first draft of "Sweet Illusions," completed in 1970, was reviewed by a visiting professor at UCLA, Albert M. Schwartz. Dr. Schwartz wrote in part—

"Sweet Illusions" is one of those very rare little books that packs the imagination, insight, and intellect to be read over and over; and Regberg is perhaps the most promising new author.

The issue is classic: the forces of tradition and formality challenging the survival of the protagonist, Johnny Perewink. However, the solution is a refreshing—but unattainable—sense of "intuitive morality," morality without formality, and a rejection of schismatic political radicalism. Regberg is likely to inspire a little of the humanism in all of us.

It is for these reasons, Mr. Speaker, that I direct the attention of the U.S. Congress to the release of S. L. Regberg's novel, "Sweet Illusions." A tribute to the publishers, and an inspiration to all young American writers.

SIX ENERGY CZARS IN YEAR ADD TO FUEL CRISIS CONFUSION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. HUNGATE. Mr. Speaker, a leading article in the Chicago Tribune of Monday, February 18 discusses the fuel crisis at considerable length and also refers to the role of one of our colleagues, Representative NEAL SMITH of Iowa in investigating the impending crisis and warning that it would occur. Congressman SMITH the able and energetic chairman of the Small Business Subcommittee began hearings and arguing action on this problem 4 years ago!

The article obviously represents a great deal of investigative reporting and provides good evidence of the need for the passage of a bill which is currently pending, H.R. 11793, which would set up a Federal Energy Administration to formulate and coordinate an energy policy within the Administration. So that all may have a copy of this article, I am inserting it in the CONGRESSIONAL RECORD. It is as follows:

SIX ENERGY CZARS IN YEAR ADD TO FUEL CRISIS CONFUSION

In 1973, the United States had more czars than Imperial Russia had in the 19th century.

Ours were energy czars and there were at least six of them last year. They were called czars because their official titles were unclear bureaucratic labels and the descriptions of their duties vague.

The Oil and Gas Journal tried to make sense of it all for its petroleum industry readers last August but found its goal elusive. The Journal explained:

"Actually, the National Energy Office, set up April 18 under Charles J. DiBona, was abolished June 29. The machinery has undergone such a dizzying succession of changes . . . the lawyers haven't quite caught up."

Adding to the confusion in Washington was a scarcity of definitive government data on the oil situation and so energy administrators—and others—leaned heavily on industry in making government energy decisions.

When the Arab oil embargo hit, then energy czar John Love had not had time to bring order to energy office affairs left by his four predecessors. As a consequence, the government's program to cope with the new crisis—go 50 miles an hour, turn down the heat, no-gas Sundays, etc.—was lifted almost intact from an industry report submitted in July by the National Petroleum Council.

But the federal planners balked at adopting the central recommendation of the industry report—immediate gasoline rationing. Failure to ration, the industry report warned, would result in great shortages and unemployment by this spring.

Obviously, the federal bureaucracy discounted that dire warning—except czar Love. He said the chief reason he quit his post was the White House's refusal to accept rationing.

As he left, Love glumly predicted consumer riots at the gasoline pumps this summer.

Altho the oil industry has been less than unanimous in assessing the energy crisis and its cures and causes, it has been as harmonious as a barbershop quartet compared to the cacophony from government agencies.

Rep. Neal Smith [D., Iowa] is one of the few men in the House who understands the origins of the current crisis. For the last five years, Smith has directed a subcommittee study of fuel shortages.

As a consequence, many of his peers consider him the House version of Sen. Henry Jackson [D., Wash.], the energy crisis expert in the Senate who has made sure that his expertise is widely known.

Smith found a simple fact in his study: "One thing became apparent soon in our hearings: We needed a national energy policy. It had to be coordinated."

What we have now, said Smith, approaches chaos for it grew as "little pieces stuck here and there all thru the administration."

"Within the Department of Interior alone, energy was all split up," Smith said. "Some handled oil and were very content. They had a very cozy relationship with the oil industry people. The Atomic Energy Commission handled nuclear power, the Federal Power Commission regulated natural gas.

"With these things stuck all thru the government, it was an ideal situation for the big energy companies. They could play off one agency against another, dealing with fourth-level people.

"If someone didn't go along, they could apply pressure from the top to put them in line."

Indeed, in the years of a federal energy policy void, a bureaucratic Newton's law apparently was at work: For each action by one government bureau, there was an equal and opposite reaction by another.

A few examples may establish the pattern:

In September, 1972, King Faisal of Saudi Arabia offered to provide the United States with long-term guarantees of needed oil supplies. He offered to invest his oil's dollar profits in building refineries and marketing outlets in the United States.

Federal energy planners liked the offer, seeing it as a hedge against growing shortages. But the State Department vetoed acceptance of Faisal's offer, saying the U.S. would work with Europe to solve fuel problems rather than negotiate alone, which still is U.S. policy. After that Faisal talked about a political oil embargo.

In early 1972, Canada sought to sell more oil in the United States. The approach was met with new federal restrictions against importing Canada's oil. Later, the restrictions were lifted in the face of shortages but unhappy Canadians had started cutting their oil exports to the U.S. in March, 1973.

For years, the Federal Trade Commission had probed possible oil industry violations of antimonopoly laws: It issued a report last July attacking major oil firms for controlling the market.

But, apparently, the Justice Department had given a number of major firms assurance they won't be prosecuted for violating antimonopoly laws in some of their dealings with one another in the Middle East.

In 1971, the Justice Department sent a letter to 15 oil companies advising them of the extent they could cooperate—in possible violation of the law—in negotiating oil prices with foreign governments. The Justice Department has refused to make the letter public to congressmen. Justice's position has been that release of the letter would hurt national security.

When the FTC issued its report critical of the oil majors' control of the market, the Treasury Department issued a point-by-point attack on the FTC report and called it unfair to the industry.

When serious fuel shortages started turning up last winter, the Office of Emergency Preparedness spent much of its energy arguing with the Cost of Living Council so oil firms could charge more for fuel oil.

A Cabinet task force advised President Nixon in 1970 that the Oil Import Quota System had cost consumers $5 billion in higher prices, that it wasn't working, and that it should be replaced. The President, noting the recommendation wasn't unanimous, declined to follow it.

Bickering about fuel problems within the federal bureaucracy has been matched by the debates pitting the executive branch against the Congress.

A favorite gambit of congressmen is to investigate the fuel problem. Committees in both the Senate and the House have studied and restudied fuel shortage problems on a regular basis since 1969. Early, in 1970, studies in both houses agreed that the major U.S. fuel policies were nonexistent, or contradictory, or unworkable.

The 1970 congressional reports called for a single federal authority to handle fuel problems, and urged adoption of a national energy policy, and elimination of such counterproductive programs as the Oil Import Quota System.

Altho it may be impressive that there were perceptive congressional suggestions four years ago, the lawmakers never enacted a legislative package to implement them.

That, suggests Rep. Smith, is probably because congressmen don't have much more foresight than bureaucrats.

"There's a natural lethargy in Congress, anyway," Smith said. "We tend to wait for a crisis to act. But when our committee made suggestions and then the administration said we were wrong, it meant the crisis had to go beyond normal proportions for us to act.

"It's only been in the last eight weeks that Congress has even started to look at the overall energy picture. The administration has, too, now."

In 1970, President Nixon gave Gen. George Lincoln, director of the Office of Emergency Planning, enough other titles—including chairman of the Oil Policy Committee—to make Lincoln the first of the energy czars.

Lincoln's office was in charge of America's major oil program, the Oil Import Quota System. It had been intended to keep less-expensive foreign oil from flooding the U.S. market and discouraging domestic oil production.

"Gen. Lincoln set up an advisory council of the major oil companies," Rep. Smith said. "For three years in a row, he took the majors' advice to keep our imports below demand. This put a little squeeze on the market—squeezing the independent companies, not the majors."

Altho Gen. Lincoln seemed to sense that the import quota program wasn't working, he never was able to modify it into a success. In 1971, he directed his advisers to study revising quota levels for 1972 to avoid fuel shortages.

They studied the matter right into late November, 1971—and concluded it was too late to make any big changes. So they advised raising 1972 quotas slightly, a suggestion first made by major oil firms.

Lincoln did so and directed his advisers to start studying 1973 quotas at once so drastic changes could be made for that year.

Thruout 1972, Gen. Lincoln tinkered with quota amounts, raising them and devising complicated formulas to sidestep them. He did this to satisfy U.S. oil refiners who said they couldn't buy enough crude oil to meet consumer demand. Gen. Lincoln repeatedly denied there was shortage, preferring to call the market "tight."

"At that time, of course, it was the independents who were out of fuel; the majors had enough," Rep. Smith said.

By the fall of 1972, Gen. Lincoln took to blaming fuel shortages on the weather rather than U.S. restrictions on oil imports. In October, 1972, he said that, "barring a cold snap in the next month, there might be what could be considered a normal inventory situation by the end of the first week in November."

In December, Lincoln said, "The recent abnormally cold weather underlines the need for a vigorous conservation program, led by industry and state and local government, as well as increases in refinery production of fuel oil."

But at about that same time, Lincoln told a top staff member to send a memo to the rest of the staff, saying in effect that Gen. Lincoln was tired of getting misinformation about fuel shortages from them.

The memo called a meeting at which the staff was expected to give honest answers to his questions.

"A response which simply reiterates information previously provided will not be satisfactory," the memo said. "We must tell him what he wants to know or explain why the information is not available.

"In this regard, everyone is urged to take a really hard look at the problem. . . ."

The Government finally scrapped the import restrictions last April, citing uncertainty as the reason the system hadn't worked to keep America's domestic oil industry as it was supposed to be.

Current energy czar William E. Simon said of the import restrictions when they were dropped that "probably the greatest shortcoming in this present program is its uncertainty. Industry cannot plan in an uncertain climate.

"Our import allocations were subject to annual realignment. We were making the 'guestimate.' In recent years, the program has been altered frequently, and now it is a patchwork of exceptions."

Most of those exceptions were granted by government officials at the request of oilmen. The more confused government handling of the quota system became, the more divided was industry's appraisal of it.

In September, 1972, an Oil and Gas Journal editorial said Gen. Lincoln's constant changes in the 1972 quota allowances "reflected the failure of present oil policy" and said that "the import program no longer has any meaningful standards or objectives."

The same day the editorial was published, an Exxon executive, Randall Myer, told Lincoln his handling of the import restrictions displayed a flexibility that should please oil executives.

Federal handling of fuel problems needn't have been so aimless over the years. Confusion in Washington had a model to follow in the certainty with which oil producing states, such as Texas, handle their oil problems.

Since the early 1930s, when abundance drove the price of crude oil down to 10 cents a barrel and some oilmen threatened to dynamite the free-flowing wells of East Texas, the state has regulated oil production.

A state agency, the Texas Railroad Commission, sets limits on the production of each well in the state in an effort to match supply and demand and to conserve reserves.

This has guaranteed a market for all the oil pumped in Texas and has established stable prices for Texas crude oil.

Before 1971, when U.S. oil wells still had the capacity to outproduce U.S. fuel requirements, the three-member Texas commission and a sister commission in Louisiana successfully kept production at the level of market demand.

State officials could succeed where Gen. Lincoln and the federal government couldn't for two reasons: They had a specific policy goal and a well-trained agency to carry out the policy.

Oil producing nations thruout the world have sent representatives to Texas to study how the commission keeps track of Texas oil production. In 1955, a commission employe went to Saudi Arabia to become an official government adviser on oil production.

Unlike the federal government, the railroad commission doesn't rely upon cooperation and suggestions from oilmen to operate.

The first strict controls of oil production in the East Texas fields had to be established under martial law, with the militia on hand to enforce them.

These days, there's no need for the militia.

"We get good cooperation from the companies," says Jim Bouldin, the commission's production director. "If we don't get cooperation from someone, it just takes a phone call to shut him down."

THE REAL PROBLEM WITH DAYLIGHT SAVING TIME

HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. McKAY. Mr. Speaker, it remains to be seen whether year-round daylight savings time will actually save any energy. One thing already is clear, however; this is not a popular proposal. Farmers complain that their feeding schedules are ruined, parents worry about their children going off to school in the morning darkness, and the energy conserved is questionable.

There is a more basic objection to daylight savings, Mr. Speaker, and it has been articulated by a scientist from my district, Dr. Don Murphy. His arguments and an enlightening commentary were printed in an editorial in the February 24 Ogden Standard Examiner, written by Murray Moler. I recommend it to my colleagues.

WASATCH FRONT CLOCKS ARE ACTUALLY SET AHEAD HOUR AND HALF FOR "DAYLIGHT" TIME

The soundest argument we've seen yet against year-round daylight "saving" time for the Wasatch Front is that advanced by a Weber State College scientist.

Dr. Don R. Murphy of the Department of Geology and Geography at WSC points out that under true sun time, the clocks in our part of Utah are actually set ahead an hour and a half in the current campaign to save energy.

Dr. Murphy, speaking as an individual rather than as a WSC faculty member, explains that an understanding of both sun time and standard time is essential to any well-based discussion of this controversial topic.

Sun time is calculated by what he terms the "true-time" position of the sun.

"If a clock in Ogden were set to sun time," he adds, "it would read 12 o'clock noon at the instant when the sun was at it highest position in the sky."

At that same moment a sun time clock in Tooele would read approximately 11:58 a.m. and a sun time clock in Heber City would indicate about 12:02 p.m.

Such a time-keeping system was adequate in olden times when transportation was slow and plodding and long-range communications didn't exist.

Even when the Golden Spike was driven at Utah's Promontory Summit on May 10, 1869, joining the nation's first trans-continental rails, there was confusion.

Watches in the pockets of Central Pacific and Union Pacific railroaders at Promontory showed local time. But this had little in common—differing by minutes, as well as hours—with those on other sections of the line.

Eventually, the railroads and telegraph forced adoption of a standard system of telling time, in our country and around the world.

An international conference divided the 360 degree circumference of the globe into 24 time zones. The base station was at Greenwich, a suburb of London, England.

Each time zone then established averages about 15 degrees of longitude. Boundaries of the belts, as the Ogden scientist points out, often are situated in respect to local convenience, such as state or national boundaries.

"Each of these 15 degree wide time belts is astride a multiple of 15 degrees of longitude," Dr. Murphy writes. "This means that the mountain time belt, which is astride 105 degrees of longitude—the exact position of Denver—extends from approximately 97 degrees 30 minutes west longitude in western Kansas, Nebraska and South Dakota to 112 degrees 30 minutes a few miles west of Tooele, Utah."

By this reckoning, about 30 per cent of Utah—its western third—is actually within the Pacific Time zone.

However, business and schools in western Utah—to avoid confusion—observe Mountain Time, although SP trains operating west of Ogden use Pacific Time as soon as they head out over Great Salt Lake.

"In effect, therefore, the Mountain Time belt extends from the flat plains of western Kansas, Nebraska and South Dakota to far western Utah," Dr. Murphy adds, "with the Wasatch Front being located in the extreme portion of this zone."

He cautions that the purpose of his discussion is not to suggest that the Wasatch Front belongs within the Pacific Time zone.

Instead, he primarily wants to point out the "disadvantages of our position within the Mountain Time zone."

"When it is noon," he explains, "by sun time in Denver—at 105 degrees west longitude—the clocks in Denver will read 12 o'clock noon. At that same instant, clocks in Ogden will also read 12 o'clock, but by the sun it is only about 11:30 a.m.

"However, at the same instance in Ainsworth, Neb., the clock will also read 12, but by the sun it is almost 12:30 p.m."

When daylight saving time is superimposed upon our standard time, some very dramatic differences are experienced.

A school child in Roy who presently must be at school at 9 a.m., must leave home at 8:30 a.m. when it may be still dark. Darkness prevails then because, by the sun it is actually only 7 a.m. and—on the short days of winter—the sun's not yet over the mountains.

On the eastern side of the Mountain Time zone, a child leaving home at 8:30 a.m. need not face darkness because by the sun it is already 8 a.m.

We agree with Dr. Murphy that the adaptation of daylight savings time this winter has caused some inconvenience in Utah. It may not have imperiled western Nebraska children; however, darkness hits them an hour earlier than it would on standard time.

Dr. Murphy feels it's too late in 1974 to go back to standard time—the sun's coming up fairly early now that it's late in February.

"However," he urges, "elected representatives from Utah should keep in mind our unique geographic location on the far western edge of the Mountain Time belt and attempt to return Utah to standard time on the fourth Sunday of October 1974. This would spare us a repetition of the needless inconveniences and dangers we are experiencing during the present winter."

Well said. We're asking members of the Utah congressional delegation to note this well-founded argument.

PROPOSED CHANGE IN MINING REGULATIONS WILL BE REVIEWED

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. JOHNSON of California. Mr. Speaker, I rise today to commend our colleague, the gentleman from Montana, the Honorable JOHN MELCHER, for scheduling hearings next Thursday and Friday, March 7 and 8, on the new mining regulations proposed by the U.S. Forest Service.

I had expressed deep concern over these regulations because I felt that the Forest Service through Executive action was trying to change one of the most basic laws of this Nation; namely, the mining laws as set forth in the act of May 10, 1872. My concern probably best can be expressed by the language of the official comments which I filed with the Forest Service of the Department of Agriculture immediately upon my return to the Nation's Capital for the opening of the 2d session of the 93d Congress on January 21, 1974. Mr. Speaker, I insert this letter in the RECORD at this point:

JANUARY 21, 1974.

Mr. JOHN R. MCGUIRE,
Chief, Forest Service, Department of Agriculture, Washington, D.C.

DEAR MR. MCGUIRE: One of the first things I want to do upon my return to Washington today is to express my strong opposition to the proposed regulations relative to mining operations on National Forest lands. My objections to these regulations published in the *Federal Register* of December 19, 1973 are both specific and general in nature.

Specifically I take exception to the $2,000 minimum bond required for mining operations. Noting that the $2,000 figure is a minimum and that the actual amount of the bond required would depend upon the whims of the local ranger, I would comment that in most instances your major mining operations could afford such a bond, however, the small operator, and this nation's mining industry has always depended on the individual to do much of its prospecting, could not. Even the minimum bond would be oppressive.

Secondly, I would emphasize that the mining laws of 1872 specifically do not provide for fees for mineral exploration and development and the posting of such a bond in fact would create a fee structure which is not provided for in the law.

Thirdly, the language of the proposed regulations is too loose and subject to too much interpretation in the field. You, as Chief of the Forest Service, would have little control over how these interpretations were made and administered since the regulations deny the individual miner the right of appeal beyond the regional forester. While I can understand the need for the delegation of authority, I do not believe you can delegate away the individual's right to full appeal procedures nor his right to full judicial review. As I interpret these proposed regulations this is just what would result if they were placed in force.

I would like to say that even if these specific complaints were corrected I would have to oppose the regulations. This is because I believe they reflect a general philosophy of discrimination against the mining industry, and specifically the small operator.

We are hearing much about our energy crisis. The President has set as a goal for this nation self sufficiency in our petroleum products. This is because if our import pattern were not changed we would soon be de-

pendent upon foreign sources for more than half our crude oil supplies.

This nation faces much the same situation in its minerals industry. We do not mine anywhere near the gold that we need for our domestic non-monetary uses. We are dependent upon foreign sources for such diverse mineral products as antimony, bauxite, beryllium, chromite, and the list goes on and on. A crisis of similar or greater proportions to that we face today in energy could well develop if our mineral supplies were cut off, therefore, I believe very strongly that this is a time in which to encourage the mining industry rather than to hamstring it.

And finally, I emphasize that these proposed regulations, as I see them, would, in effect, amend the mining laws of 1872. Under our system of government it is not legally possible to amend laws by administrative decree. If you desire to amend the mining laws of 1872 it is essential that this be attempted through the regular legislative process including the full hearings and consideration by the appropriate committees of Congress and votes by all the members of the U.S. House of Representatives and the U.S. Senate.

With these thoughts in mind I would strongly urge you to abandon the proposed regulations and instead draft a program which would encourage our mining industry.

Sincerely yours,

HAROLD T. (BIZZ) JOHNSON,
Member of Congress.

I would emphasize once again that this Nation is facing an energy crisis.

Just yesterday the House of Representatives approved by a substantial margin the Energy Emergency Act and sent it to the White House for what I hope will be approval. The goal of the Congress and the goal of the executive branch of Government as is frequently stated by the President, is self-sufficiency for the Nation as far as energy resources are concerned.

The energy crisis is, of course, serious, but I believe that a potential crisis of equal or even greater proportions exists in our dependence upon minerals much of which now are obtained only through imports. This Nation must develop a greater measure of self-sufficiency and this cannot be accomplished by placing innumerable and often insurmountable roadblocks in front of our prospectors.

I anticipate a full review of our mining problems, our mineral supply and the lack of self-sufficiency in this area and an evaluation of the impact of the proposed regulations will be forthcoming as a result of the hearings scheduled March 7 and 8 by my good friend, chairman of the Public Lands Subcommittee on the House Committee on Interior and Insular Affairs and the members of that fine subcommittee.

JUNTA SET CHILE ON ROAD TO RECOVERY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. HUBER. Mr. Speaker, there has been a great deal of misinformation, in my view, circulated about recent events in Chile. Whatever one thought of Allende's politics, I do not think anyone would characterize him as an outstanding economist. Prior to his downfall, nearly everyone was agreed that Chile was rushing headlong into bankruptcy. Recently Barron's, in their January 14, 1974, issue, made a very convincing case that Chile has turned around and may now be headed back on the road to economic health. I commend the article, which follows, to the attention of my colleagues:

[From Barron's, Jan. 14, 1974]

THE JUNTA HAS SET CHILE ON THE ROAD TO RECOVERY

(By Robert M. Bleiberg)

News from Chile, which last fall commanded screaming headlines on front pages all over the world, these days is more likely to be found—if at all—well inside the paper. Thus on December 28, an alert reader of The Wall Street Journal might have learned, from a box on page 10, that Chile had just "bundled off $19.5 million, mostly in small bills, aboard a commercial airliner to Miami, Fla., to pay the first installment of a U.S. debt." According to General Eduardo Cano, president of Chile's central bank, his fellow citizens for the first time in living memory have been willing, nay eager, to turn in their hoarded dollars for the national currency; it apparently took the U.S. tellers nearly a week to count the pile. Again on January 7, the Journal carried the brief word that the Chilean government had returned to Dow Chemical Co. two polystyrene plants seized by its ousted Markist predecessor. Dow reportedly described both plants as operational; however, "considerable replacements of new equipment, a large supply of spare parts and extensive repairs and maintenance" are needed to put them in "top operating condition."

Much the same may be said of the whole country. When the military deposed Salvador Allende Gossens (who promptly committed suicide), it willy-nilly became a receiver in bankruptcy, economic and political alike. According to the Journal's Everett G. Martin, whose eye-witness account showed a balance sadly lacking elsewhere, inflation at the time of takeover was running at an annual rate of more than 300%, far and away the worst in the world. The Treasury was going broke—the new rulers reportedly found $3.5 million in the central bank vaults, enough to finance shipments from abroad for twenty-four hours. Three years of Marxist management, added Mr. Martin, "have left industry desperately in need of imported raw materials . . . farm production is down to what it was in 1936, when Chile had only half its present 11 million population to feed."

Thanks largely to the excesses of its Marxist regime, moreover, Chile had been polarized. In protest against Allende's totalitarian policies, crippling strikes had erupted, not only among self-employed truck drivers threatened with nationalization ("the discreet charm," sneered American academics, "of the bourgeoisie"), but also among the proletariat in Chuquicamata and other nationalized copper mines. Santiago had chosen to ignore—indeed, to encourage—the seizure by radical elements of factories and farms. The head of state was busily building up caches of arms and training extra-legal military forces; as The Economist of London (which also distinguished itself in its coverage) somberly observed, "his defenders will argue that these were purely measures of self-protection, but the fact remains that Dr. Allende had created a private army that had no precedent in Chilean political tradition." According to The Economist, he also sought to foment unrest, if not mutiny, in the Chilean Navy, and once warned of a civil war that would claim a million lives.

In the event, the clash that he did so much to trigger claimed fewer than five thousand, a tragedy for those involved but a loss of life relatively modest either by 20th Century revolutionary standards or by the dimensions of the bloodbath which Allende's comrades, to judge by proscription lists which have come to light, were evidently getting ready to unleash. Since then, despite persistent clamor from critics abroad, notably Newsweek magazine, the military junta has continued to act with restraint; summary executions have come to a halt, and those accused of high crimes and misdemeanors will have their day in court.

On the economic front, meanwhile, there's progress to report up and down the line. As the case of Dow Chemical indicates, much of the property illegally seized from Chileans and foreign nationals alike has been returned; tentative overtures, aimed at reaching agreement with Anaconda, Cerro and Kennecott on compensation, are afoot. The new Chilean government has assumed full responsibility for Santiago's staggering foreign debt, and, as the episode of the small bills cited above suggests, has taken the first steps toward restoring its international credit.

Perhaps most significant for the country's future, it has moved to slow down inflation and restore personal incentive, measures which, in short order, have shown up in increased production, notably of copper. Nobody—Barrons' least of all—likes military rule, a fact of life which the generals would do well to remember. But unfortunately (as has just been demonstrated) there are worse ways to live.

Surely, Chileans seem to think so—opposition to the coup was surprisingly light, and, despite the lurking presence of a heavily armed Red underground, overt resistance has all but vanished. For good reason. Under Allende's doctrinaire Marxism, life in Chile had become a nightmare. In a naked effort to ruin the middle class, Santiago had loosed virulent inflation: "In April," so a middle-management executive told Everett Martin, just before Allende was toppled, "my salary covered our living expenses for 20 days. In June, we were out out money after only eight days. We have to live off our savings as long as they last, but at this rate, we won't get to the end of the year." Burdened by price ceilings and uncertain tenure—government payrolls bulged with militants who organized and incited the seizure of land, livestock and other private property—farm production plunged and imports of food reached staggering heights. Reserves of foreign exchange dwindled, shortages proliferated, strikes broke out. And as things went from bad to worse, Allende's followers, it's now known, plotted the liquidation of their political foes.

To Chile's good fortune (not to mention that of the Western Hemisphere, which has narrowly escaped the emergence of another Cuba), the latter struck first. Now the junta—with surprising initial success—is briskly trying to set things to rights. Thanks in part to new wage incentives, longshoremen, once notorious for absenteeism, have returned to their jobs on the docks; major U.S. shipping lines, notably Prudential-Grace, have resumed full service to the principal ports. Though over-all statistics on production and trade are lacking, key industries are unmistakably reviving.

On this score, the greatest success has come in copper, source of 80% of the nation's foreign exchange, where miners, traditionally militant and prone to walk off their jobs, have gone back to work with a will. Under Allende, the Corporacion del Cobre (Codelco), which operates the former U.S. mining properties, was run—to quote its new executive vice president, who once worked for Anaconda—"as a social institution and not as a company organized to produce copper," The new broom has made a clean sweep. Since September, the home

office staff has been slashed from 900 to 600 largely through dismissals of political appointees. "There is not a single politician left. We are all technical men." Qualified personnel have returned, and production is on the rise. In the first nine months of 1973, output limped along at 45,000 tons per month, nearly 7% below the previous year's level. Contrarywise, in October, first full month under new management, it jumped to over 60,000 tons, a figure exceeded in November-December. This year Codelco is shooting for 740,000 tons, which would exceed the 1973 total by nearly one-fourth and set a new high.

Thanks to the beginnings of economic recovery at home, the junta has been able to make a start at restoring its credit abroad. A sharp decline in the rate of inflation, and the promise of further efforts to stabilize prices, have revived a semblance of confidence in the currency—by some estimates, nearly $50 million in U.S. dollars were turned in for escudos. Santiago has promised to repay its huge foreign debt—$3.5 billion, roughly two fifths of GNP, and the U.S. equivalent of, say $400 billion. With its first installment of $16 million it has offered an earnest of good faith (fresh assurances doubtless will be given the Paris Club of Chilean creditors, scheduled to meet next month). Chile even has publicly stated its intention of carrying on negotiations "aimed at providing just compensation" for nationalized U.S. interests.

All of which strikes us as encouraging. In mid-October. The Economist wrote as follows: "It is necessary for Chile's military rulers to show more respect for personal liberties and freedom of expression, and to make a greater effort to involve civilian leaders in the political system they have set up. After less than a month in power, they have made some serious mistakes, but at this stage none of them is irreversible. They must be allowed time to feel their way and to tackle the enormous problems bequeathed by the Allende regime. And over this difficult transitional period they deserve a bit more of the benefit of the doubt than the Western press in general has been prepared to allow them." Newsweek et al., please copy.

AGENTS FOR OIL COMPANIES

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. MEZVINSKY. Mr. Speaker, a number of my constituents who are local agents for one of the major oil companies have advised me of a matter which must be brought to the attention of the public.

These oil agents work on a commission basis; they receive no other salary or compensation. The recent rise in oil prices has, of course, been reflected in their commissions. In late December, they received a letter from their employer informing them that, effective January 1, 1974, their maximum commissions will be based on established prices in effect on September 1, 1973. The explanation offered was that increases in agents' commissions cannot be passed along to the consumer and the company cannot afford a reduced margin of profit.

The oil company decision will have drastic effects on agents throughout the Nation, forcing many of them out of business. The agents' costs are rising rapidly and, because of the shortage of fuel, his overall volume is decreasing. The company is thus asking the agent to absorb a cut in his income at the same time the company itself is reaping enormous profits.

I believe that this situation, in effect, squeezes the small businessman and consumer. I have asked the Federal Energy Office to investigate this matter and I believe that once current congressional hearings on the structure of the oil industry make the necessary data available, legislation must be drawn up to prevent such inequities in the future.

COMMUNITY PUBLIC HEARINGS ON PUBLIC EDUCATION IN THE DISTRICT OF COLUMBIA

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DIGGS. Mr. Speaker, during the hearings and markup sessions on District of Columbia home rule during the past year, the House Committee on the District of Columbia agreed to consider separate legislation on public education in the District as soon as the home rule bill was out of the way.

On January 25, 1974, I mailed to city officials, community leaders, parent groups and interested citizens copies of a rough draft proposal developed by the staff of the House Committee on the District of Columbia to reorganize public education in the District. The rough draft, which has not been introduced in Congress, was developed after extensive contacts with elected and appointed city officials and residents of the District of Columbia.

In an effort to assure a thorough community airing of the draft legislation before the committee took any action, I sent letters to the heads of the several agencies affected—the Board of Education, the Board of Higher Education, and the Board of Vocational Education—asking whether they would be willing to hold joint hearings on the matter or participate in hearings conducted by the City Council, which will have legislative jurisdiction over all public education if the charter provision of the District of Columbia Self-Government and Governmental Reorganization Act is approved in the May 7 referendum.

I received responses from the president of the Board of Higher Education, Ms. Flaxie Pinkett, and the Board of Vocational Education, Dr. Samuel M. Nabrit, indicating a willingness to cosponsor community hearings on the rough draft proposal.

HEARINGS SET MARCH 23 AND MARCH 30

As a result, the City Council's Education Committee, the Board of Higher Education, and the Board of Vocational Education have scheduled hearings on March 23 and March 30 in the City Council chambers.

I am disappointed that the Board of Education voted 6 to 5 not to cosponsor this hearing, but I trust that individual Board members and administrative and educational personnel of the school system will contribute their thoughts on the future of education in the District during those public hearings.

VITAL QUESTIONS WHICH MUST BE RESOLVED

Among the questions which need to be discussed if Congress is to act effectively to foster public education and training programs in the District are the following:

First. How should policy be coordinated between these segments of public education to insure a continuing process of education rather than being fragmented in unrelated parts?

Second. How should faculty and academic personnel pay and retirement systems be shaped when the Mayor and Council adopt a unified personnel system for the District?

Third. Can the construction budget for public educational facilities be jointly planned?

Fourth. Should not the elected school board and institutions of higher education be given more authority over contracting for services and over the design and repair of buildings?

Fifth. Should not the Board of Education and other agencies have greater reprograming authority over appropriated funds?

Sixth. Should education agencies be excepted from the broad powers of the Mayor and Council to reorganize or abolish all agencies under the Home Rule Act?

Seventh. How can the Mayor and City Council be involved in the early phases of shaping educational policy so that the legislative power of the Council and the budget and administrative role of the Mayor will contribute to a strengthened educational system?

Mr. Speaker, it is my hope that every parent, student, resident and citizen of this community will look to these hearings as an opportunity to raise the level of discussion regarding public education in the Nation's Capital.

HEW SHOULD RECONSIDER CLOSING MENTAL HEALTH STUDY CENTER

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DELLUMS. Mr. Speaker, it has come to my attention that as part of a cutback move in the National Institute of Mental Health of the Department of Health, Education, and Welfare, there are plans to close down its community mental health laboratory, the Mental Health Study Center. The MHSC, located in Adelphi, Md., has a 25-year history of useful and important research in the field of community mental health and has been particularly effective in regard to children's mental health. It has pioneered in research in the development of community mental health services such as after-care to former mental patients, consultation and edu-

cation, in the use of family and group treatment, in the early identification of school dropouts, on juvenile delinquency, runaways, child abuse, and in the area of deinstitutionalization of mental health and child care facilities. In the course of its research, the Mental Health Study Center has also provided direct services and has helped develop better services to residents of the Prince George's County area. This has managed to put NLMH in a favorable light in the eyes of local citizenry who are active in its support.

I think it would be a deplorable mistake to close down this excellent mental health research laboratory, and I believe that the loss of productivity in the area of mental health and usefulness to local delivery of high-quality care cannot be calculated. I strongly suggest that HEW give this matter immediate attention in order that the MHSC can continue as an intact community mental health research laboratory.

WELFARE RIGHTS ORGANIZATION POSITION ON INCOME MAINTENANCE POLICIES

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DELLUMS. Mr. Speaker, for nearly 10 years, the National Welfare Rights Organization has been advocating for a guaranteed annual income which would include every individual in our society. I strongly support NWRO's stand.

I feel that it is the responsibility of the Government to distribute more equitably the burden of supporting the country and to supplement incomes of those who are not able to get adequate remuneration for their labor or who are unable to work outside the home.

Individuals currently on welfare rolls and unable to find or take a job outside of the home have a right to expect an adequate income to maintain themselves and their dependents. Such individuals have too little income to purchase minimum goods and services most people in our society regard essential. I strongly believe that Congress should take action to raise incomes of those persons at the bottom of income distribution, bringing them up to at least some minimum level.

Prevailing notions of what constitutes an acceptable standard of living changes from time to time, but this does not make it impossible to eliminate poverty. Poverty results from many factors: Low paying jobs, low labor force participation, ill health, old age, lack of education, lack of marketable skills, and discrimination.

Yet, it is clear that real needs of deprived people are ignored by our Government. So it is time for people in need to demand what is rightly theirs. In the richest nation on Earth I find it is unconscionable that more than 15 million people are forced to live at substandard levels while the Government shells out billions of dollars in welfare programs for the rich through tax advantages and outright handouts to industry.

The National Welfare Rights Organization has provided us with a very informative report concerning a guaranteed annual income. According to the report:

In 1969, the NWRO adequate income plan called for $5,500 as an adequate annual income for a family of four. In 1971, the plan was revised upwards to $6,500 for a family of four and again in 1974 the plan has been revised to $7,500 to reflect rises in the cost of living.

The amounts $5,500, $6,500, and $7,500 were not arbitrarily choosen by NWRO, but were taken from the Bureau of Labor Statistics' own calculations of what it costs to purchase goods and services to maintain an established urban family of four. Below is a breakdown of the $7,500 budget:

	Monthly	*Yearly*
Food at home	$245	$2,936
Food away from home	40	475
Rent	105	1,265
Household furnishings and operations	30	361
Apparel and upkeep	57	679
Personal care	17	205
Medical care	54	650
Local transit fares	45	543
Reading and recreation	32	386
Total		7,500

The $7,500 appeal will be directed toward all poor people. The plan includes the working poor, welfare recipients, and those persons whose income approach an adequate standard for support, but who are forced to bear an inequitable tax burden for the support of the governing machine.

My reason for supporting the NWRO adequate income plan is that if offers a more equitable tax structure for the poor. In 1967, 76 percent of taxable income was subject to the 14 to 19% rates in the first six tax brackets and only 3 percent was taxed at rates of 50 percent or more. That means that 76 per cent of taxable income came from people with taxable income between $2,000 and $8,000 per year. Three percent came from those with a taxable income of $22,000 or more.

While the Federal income tax is considered one of the most "progressive" taxes, the poor are subjected to regressive taxes such as the social security payroll tax, sales tax, and property tax. The plan proposed by NWRO would exempt families and individuals from paying any tax until their income was deemed adequate by NWRO standards. Taxes would be low for a family or individual whose earnings exceed an adequate income level until earnings are well in excess of what is required to maintain an adequate standard of living.

Mr. Speaker, I feel that if government can change its priorities, it would be able to afford to care for all people. In 1974, billions of dollars will be spent by the Department of Defense for bomber airplanes, and only a small fraction of the budget has been allocated for the poor.

It is for this reason that I urge my colleagues to strongly support legislation to provide our deprived poor with a guaranteed adequate income.

"CASE FOR A FEDERAL OIL AND GAS CORPORATION" NO. 2

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. HARRINGTON. Mr. Speaker, since the beginning of the Arab oil embargo and the energy crisis, the administration has outlined various policies by which a goal to become domestically self-sufficient in energy, may be attained by 1980. As a means of reaching this objective, intense pressure has arisen to step up oil and gas exploration and production on the Outer Continental Shelf.

As I have mentioned previously, U.S. Geological Survey estimates that the Outer Continental Shelf has a petroleum recovery potential of two to three times the amount of oil the industry has produced in its entire history. The increased emphasis on offshore drilling is illustrated by Department of the Interior figures indicating that 1 million acres of Federal offshore land was leased in 1973, that leasing is expected to increase fivefold by 1975, and tenfold soon therafter.

To discuss one typical issue close to my own State, pressure to undertake exploration and production of petroleum from the Georges Bank portion of the Atlantic OCS—directly off the coast of Massachusetts—may build rapidly as New Englanders confront a growing deficit in energy supply.

It is imperative, if offshore drilling does increase on the Georges Bank, that we continue to protect the environment from potential oil spills by insuring adherence to stringent environmental standards.

I am concerned with two distinct areas here: the regional factors which must be fully explored before any study of offshore oil development in New England can be called complete, and the national policy issues which must be resolved before one can say that offshore oil development in New England is, in fact, necessary.

I cannot tell you what the effect of oil spills on marine life will be, or what the likelihood of such spills are. But I can offer some disturbing information on what Massachusetts already confronts in this area. According to the U.S. Coast Guard, which has recently begun to keep track of oil spillages, Massachusetts waters were subject to 129 oil spills involving about 70,000 gallons in 1971. In 1972, the count rose to 147 spills involving 97,000 gallons. Along the Atlantic coast as a whole, 2,400 spills involving 12,690,000 gallons were recorded last year.

These spills resulted from vessels moving through coastal waters and have nothing to do with offshore development of undersea resources. When and if such development occurs, we can, no doubt, expect the rate of spillage in Massachusetts to increase dramatically.

I have submitted legislation which proposes to set up a Federal Oil and Gas Corporation, which provides—

That no facility may be constructed or operated unless such facility meets and complies with all of the requirements of any Federal statute relating to environmental quality, or any regulation issued under such statute. As herein, "environmental quality" means those aspects of life and those objectives which are delineated in—the National Environmental Policy Act of 1969—and which it is the purpose of such Act to protect.

This federaly owned Corporation would not be set up to make huge profits, but to serve the needs of the American public. Hence, it would have an increased responsibility, compared to privately owned corporations, to protect the environment while engaged in production.

The major factors contributing to oil and gas blowouts in offshore rigging has been identified by the industry to be primarily problems of ill-trained personnel and/or inadequate procedures, rather than the lack of adequate technology. The Federal Oil and Gas Corporation would have to be more conscious than the private petroleum producers of the need to perfect personnel training and improve procedures.

I wish to close by stressing that the Federal Oil and Gas Corporation would be set up to serve the energy and environmental requirements of the public by "providing competition in the energy industry and, through research and development, assuring adequate supplies of these fuels without harm to the environment." The Corporation's mandate to provide adequate energy while preserving environmental standards will make it a leader in creating the reconciliation of energy and environmental values this Nation and this planet requires, if they are to survive.

HOUSE AND SENATE MEMBERS SHOULD GET IN LINE TO BUY GASOLINE

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ESCH. Mr. Speaker, I rise today on a point of personal privilege that should be of concern to all Members of this body. There are many politicians who have attempted to use the current fuel shortages for personal political aggrandizement. It is also popular among some to find a "whipping boy" in order that they might stand apart from the rest as the ultimate "Mr. Clean." During the past 24 hours, a news release attributed to the Senator from Wisconsin (Mr. PROXMIRE), suggested that it is important that Members of the House and Senate should be "required to get in line to buy gasoline" in order to experience first-hand the problems of our citizenry. I take this opportunity to point out this statement to the Members of the House and to personally present my strong objections to that which is insinuated. Both myself and my family have personally been in the long lines during the past several weeks in the Washington area. We have formed car pools and worked out other arrangements in order to conserve our fuel supply. We have accepted this without publicity as our personal responsibility. I know that most Members of this body have had similar experiences. Perhaps the Members of the other body have special privileges and have special sources of gasoline. I know of none that exist for Members of the House. If the Senator has such information, he should be forthcoming with it. If not, I should think that he owes a personal apology to his colleagues in Congress.

SALT IN THE SUGAR ACT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FINDLEY. Mr. Speaker, Tuesday's Journal of Commerce carried the following editorial on the Sugar Act. The Journal's logical and factually based arguments deserve the attention of everyone who is interested in easing the burden of the American consumer and in ridding the Sugar Act of two unnecessary and unjustified features. The editorial follows:

SALT IN THE SUGAR ACT

It now appears almost certain that Congress will once again extend the Sugar Act, which is slated to expire this year. For some months it looked as though it might not; it looked, in fact, as though it might consider seriously a proposal from the Department of Agriculture that the quota system established in 1934 be dropped and a free market system put in its place.

Sharply rising sugar prices throughout the world, combined with consumer resistance to higher food prices in this country gave some impetus to the USDA plan, but the White House never endorsed it officially and without that support, the department has backed away from it.

Since domestic sugar producers want the quota system kept intact, as well as many foreign producers who benefit from it, sugar does not yet appear in for the treatment Congress approved last year for wheat, feed grains and cotton. There is simply not enough steam behind the drive for a change and not enough determination among its supporters to get it into motion. Nor is there likely to be for as long as U.S. sugar prices remain in the unique position of being lower than those quoted abroad.

They were in that position for nine of the 12 months of 1973, when the New York domestic spot price for raw cane sugar averaged 10.29 cents per pound. During that same period the world market price averaged 9.61 cents.

But of late the U.S. spot price has been getting out of hand. The average from Jan. 1 to Feb. 19 was 13.64 cents, according to the Lamborn Report. Last week it shot up to 18 cents, thus shattering the so-called "3 per cent corridor" prescribed by USDA as a means of controlling excessive fluctuations.

This upsurge was accompanied by scenes in various commodity markets that in normal times would be described as wild. It was also accompanied by unusual deals in the world markets, such as Brazil's agreement to barter 210,000 tons of raw sugar to Japan in exchange for Saudi Arabian crude oil, a deal cited in our Commodity Ring last Thursday.

Washington cannot, of course, be blamed for a market situation that is worldwide in scope. In sugar, demand is outrunning supply. But we do question why the government should continue to subsidize domestic sugar production in a market gone as wild as this.

The extent to which it does so is not particularly large; it amounts to about $90 million a year. But the extent to which the government forces up domestic prices is. First there is the tariff of 62.5 cents per hundred pounds, raw value, on all foreign sugar entering the country. (The Philippines currently enjoy a lower rate, but only to July 1.)

Then there is the excise tax of 53 cents which, when added to the tariff, means that .15 cents plus is added to the price of every 100 pounds of foreign sugar entering the market. The excise tax is regarded as an offset to the subsidy, but actually it is more than an offset to the extent that it produces about $20 million per year more than the farmers get in subsidies.

In dollar terms the tribute is normally considered bearable, but it strikes us as odd that it should still be collected by a government that claims it is doing all in its power to keep domestic prices down. It is not, of course, only in terms of sugar policy that Washington seems to be going in two directions simultaneously, but such policies do tend to strain public credulity.

One effect of the upward thrust under sugar prices has been to give corn products a favorable position vis-a-vis sugar. This, in turn, has prompted proposals that corn products be brought under the Sugar Act. If this should happen, one can only speculate on what further ways of escalating food prices might be proposed.

But if it is one thing to agree, as we do, that the Sugar Act will probably be around for some years yet, it is quite another to accept the excise tax and the subsidy payments as permanent fixtures of the American economic landscape. There is no longer the faintest justification for either. We agree with Illinois' Congressman Paul Findley that both should go.

ESTABLISH A PRESIDENTIAL PANEL ON BIOMEDICAL RESEARCH

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ROGERS. Mr. Speaker, today I introduced H.R. 13175, a bill which would establish a Presidential panel on biomedical research policy. This panel would advise the President with respect to programs and policies within the National Institutes of Health.

This bill is being introduced not to indicate my full support of its provisions, but to provoke public comment on the necessity for proper program balance within NIH. In the past the Congress has targeted areas of concern to the American people to be supported within NIH. Recent examples are special efforts with respect to cancer and heart disease. I believe that Congress has this responsibility and fully support this targeted approach. However, a glance at the budget for the past few fiscal years indicates that, contrary to the intent of Congress, the OMB has required the NIH simply to

rob Peter to pay Paul. For example, this year the Cancer and Heart Institutes have received substantial increases in their proposed authorizations in the President's budget, but all other Institutes received only a $1 million boost in the aggregate—a drop in their purchasing power, when inflation is taken into consideration. This drop is absolutely contrary to our intent when we wrote the heart and cancer bills. For this reason, I believe that public comment on the approach proposed in H.R. 13175 will be in the national interest.

MY RESPONSIBILITY AS A CITIZEN

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. MANN. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy contest for young men and women. The winner this year from South Carolina is an outstanding student at Bob Jones Academy in Greenville. His name is Steven Duane Froehlich, son of Mr. and Mrs. Harry J. Froehlich, and I think his mature presentation and comprehension of the responsibilities of a citizen deserve this body's attention. Steve's winning script, "My Responsibility as a Citizen," follows:

MY RESPONSIBILITY AS A CITIZEN

(By Steve Froehlich)

What if I were to dump my trash in the street, not vote, run through my neighbor's flowerbeds, waste someone's valuable time, drive no more than five miles per hour over the speed limit, be ten minutes late for work? It would make me a pathetic citizen.

Since I am a citizen, a member of the United States of America, one who has the privileges and protection of the United States Government, then I owe somebody something. I owe it to the Government to obey, enforce, and improve the laws. But going merely five miles per hour over the speed limit is only breaking the law a little bit. Why, everybody else does it. Besides, the cops would never stop me. . . . Is the law broken or not?

I owe it to my fellow American to keep my nose out of his business and not infringe upon his rights. Few people would ever see me let that gum wrapper slip through my fingers. Does that make it okay? Hundreds of people have trash and garbage kicked up under their cars as they whiz along a freeway. Is this any worse?

How often have I sat in a pay phone for ten minutes waiting to think of something "important" to say? Meanwhile, the line of aggravated people waiting grows.

How often at a teller's desk or service window have I done time-consuming business which should have been and could have been done elsewhere? Elsewhere—someplace where no one will get mad at me for taking my good sweet, time.

Do I care enough to sacrifice that extra cup of coffee in order that I might be on time for work?

I owe it to the men and women who died for the American cause and to the generations to come to protect and preserve America. To the average American, it would be a common occurrence if I were to discard my vote. If I don't vote, then I will have no excuse to complain about any unfair laws, unconstitutional practices, crooked politicians, or anything else that needs changing. If the leaders of yesterday would have cared more about the future, the youth of today would have a much better world to live in. If I don't even vote, what kind of leader will I make tomorrow? I could complain about how everybody else is making a mess of the world, but that wouldn't help, that couldn't help one bit.

There is little chance that I will be a political great in life for only one person in two hundred million is President, fifty are governors, about five hundred are Congressional and cabinet officials, and the rest of the people who serve as our Government put a small dent in the remaining population. Yet, as one, I have the power of influence. I can voice my opinions—maybe not over television or radio, but over the back fence or in the car pool. I couldn't count how many people would be influenced for the right as I see it just because of a few words spoken in defense of my beliefs—maybe none maybe a hundred, who knows? If because I trample my neighbor's petunias he no longer respects me, I have failed. He no longer will listen to my opinion and rightly so. I have suddenly become an irresponsible citizen.

Responsibility is the fulfillment of my obligations to the best of my ability. My obligations—I have mentioned a few but they are infinite. If I want to be a responsible citizen, I will take care of what I do, even the little things. Especially the little things for I probably will never voice my views among the eminent of the political society. But I can let my neighbors and friends know what I think and feel and show them that I practice what I preach. There is no written law that says I must be a responsible citizen, but responsibility shows how much I love America. I want to prove that I love America. I want to prove that I am a responsible citizen.

LOCAL WRITER HONORS FREDERICK DOUGLASS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FAUNTROY. Mr. Speaker, among those whom we honor during Black History Week is Frederick Douglass. The article by Jan Peter Ozga, a local writer, demonstrates how much America loses in education and understanding by ignoring the remarkable achievements of blacks such as this man who was born a slave but who later became one of the most learned persons of his day. I urge my colleagues to read the article and visit the Capitol Hill home of Douglass which has been turned into a museum for African art. Located at 316 A Street NE., it is only a short walk and well worth the time.

The article follows:

BLACK HISTORY WEEK: ITS HEROES, ITS ART

(By Jan Peter Ozga)

While most of us will observe Valentine's Day with cards, flowers, or candy to loved ones, still others with a sense of history and black pride will pay tribute to the famous black abolitionist, Frederick Douglass.

For residents of this area, such a commemoration can be more participatory by a visit to the historic Museum of African Art-Frederick Douglass Institute of Negro Arts and History on Capitol Hill. This restored house in the shadow of the Supreme Court building was the home of Douglass during his later years.

Another enclave rich with lore on Douglass and other black notables is the special section of Howard University's library, the Moreland-Springarn Room.

Douglass was born February 14, 1817 in Tuckahoe, Maryland to a black mother and white father. Young Frederick spent most of his youth being shuffled among various slave owners. His experiences during this time ranged from benevolent to cruel, receiving an informal education from a compassionate mistress in Baltimore, but being the victim of sadistic treatment from a notorious "slavebreaker," who did not justify his reputation with Douglass.

In 1835 while in his late teens, Douglass became the property of what he called his best master, with the ironic name of Freeland. However, freedom was more important to the idealistic Douglass than his temporary comfort with slavery; and soon, he began plotting his first escape north with other local slaves. The plan was foiled by the dreaded "kidnappers" created by the Fugitive Slave Act. But, instead of being sent to the Deep South (the usual punishment for rebellious slaves living close to the north, and supposedly, freedom), Douglass curiously was returned to his kindly Baltimore family and started working in a shipyard. Here he was to learn that not only slave masters were capable of unprovoked violence. Fellow white workers occasionally attacked him, seeing the ambitious Douglass as a threat to their jobs.

Douglass' second trip to Baltimore proved to be his eventual passport to freedom. One day in September 1838, presenting false documents, he boarded a train to New York, and through the legendary "Underground Railroad," continued to New Bedford, Mass., where he again toiled in a shipyard and later in a brass foundry.

Within his first year in New England, Douglass met William Garrison, publisher of the abolitionist newspaper, Liberator. Garrison was impressed by the maturing Douglass' physical presence, he now was over six feet tall, with long dark hair, grey, piercing eyes and was quite articulate—the natural ingredients for an effective speaker. Garrison persuaded Douglass to denounce slavery, and his assessment proved accurate, as the fiery Douglass delivered impassioned oratories throughout the New England area.

However, even in the free north and liberal Massachusetts, prejudice against blacks was still in evidence. It remained for a trip to Britain in 1847 and 150 pounds raised by English friends to finally set Douglass free, legally and emotionally. Although he enjoyed a pleasant life in England, a stronger commitment to his enslaved black brothers soon drew him back to America, where in Rochester, New York, he founded the North Star (later called the Frederick Douglass Paper). His new publication became the major means of communicating his anti-slavery messages.

Douglass' relentless expose of the inherent evils of slavery probably did as much to awaken the conscience of white America as did the more heralded Harriet Beecher Stowe novel, "Uncle Tom's Cabin," whose hero is now disdained by contemporary blacks for his submissiveness and pacification of more militant slaves.

Partly caused by Douglass' sustained opposition to the insulting presence of slavery, the Nation erupted into Civil War. Immediately Douglass was active in this effort, helping to recruit blacks into the Union Army, a duty for which he never received a promised commission. Ever outspoken, however, Douglass was quick to call attention to the inequities suffered by hard fighting, equally dedicated black soldiers in the white dominated military.

After the war was over and legal slavery had been abolished by President Lincoln's

Emancipation Proclamation, Douglass finally received some deserved recognition when President Grant appointed him assistant secretary of the Santo Domingo Commission. Between the years 1877–86 he served as recorder of deeds for the District of Columbia. In 1889 he became the first "man of color" to hold a United States post of significance when for two years he was America's minister and counsel general to Haiti.

Just before his death on his 78th birthday, Douglass outlined a program for race relations, one which called for racial equality to be a national, bi-partisan goal.

Reflecting on his own life, Douglass humbly acknowledged, "While I cannot boast of having accomplished great things in the world . . . I cannot, on the other hand feel that I have lived in vain."

A visit to Howard University and his forber residence on Capitol Hill will reveal the understated truth of his personal evaluation.

THE COMING METRIC DISASTER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. RARICK. Mr. Speaker, this Congress will soon consider metrication of the United States, a scheme to convert all the weights and measures in this country to the metric system. Of course, this system of measurements has been used in the United States for many years by scientists and laboratory technicians. But to the average citizen, the metric system remains an alien system, incompatible with their everyday lives, and of little practical benefit.

There has been so much hoopla in the press indicating that a national conversion to this foreign measurement system is "inevitable," that many Members of Congress have actually begun to believe it. Before we attempt to ram this system through Congress and into the textbooks, courthouse land records, tool boxes, grocery stores, gas stations, and dry-goods shops of this country, we should take a serious, critical look at what we are forcing on the American public as a "voluntary" system.

In a soon-to-be-published book, "The Coming Metric Disaster," George C. Lovell, an industrial engineer and former member of the U.S. metric study team, assesses what we might expect from a nationwide conversion to metric. I insert a portion of his well-documented study in the RECORD:

THE COMING METRIC DISASTER

(By George C. Lovell)

Preoccupation with Watergate and the dubious moral climate which has pervaded the top echelons of our government have created an environment for the successful culmination of what the future will record as the slickest snow-job in U.S. history. Even as this commentary appears in print, metric legislation may have been passed by the Congress and signed into law by the President. While this will be a great victory for metric advocates, who for the past 150 years have been predicting dire consequences for our economy and society if we did not "go metric" forthwith, it will be a blow to our system of free private enterprise while at the same time will guarantee this country's loss as the world's leading industrial nation by the year 2000. It will be a crueller blow to most citizens because the onerous effects become progressively more severe on progressively lower stratas of our society.

The legislation will contain red-herring in the form of "voluntary" and "predominantly metric." Because the use of metric has been legal and voluntary since 1866, one must carefully scrutinize the Congressional Hearings to decipher what "voluntary" means.

Succinctly, if one cannot produce to metric specifications as required by Government Contract (by 1985) or is competitively placed at a disadvantage with his giant counterparts, then he voluntarily closes shop or goes bankrupt. During the Senate Hearings, Senator Pell stated, "We should . . . pass legislation (making) the metric system the only legal system of measurement in the United States if we are to obtain our objective." The current bill, a compromise to get the show on the road and the bureaucratic framework established, is just a phase in the long-range plan to restructure society even if the patient does not survive the operation. The House and Senate Hearings included testimony refuting every claim of the metric advocates, claims which prove to be siren-like illusions based on slanted, rigged, deleted or downright fabricated evidence.

The Congressional Committees, having made it clear by their statements and actions that their minds had long since been made to take the plunge, contemptuously dismissed all con arguments or pleas to at least get sound data upon which to make a valid decision. Even the preliminary General Accounting Office findings, highly critical of the supporting evidence, was swept under the rug and further GAO investigations terminated. Odd! The Committees contended that going metric was inevitable, so let's get on with it. Yet, even that shibboleth was held suspect by the Chairman of the House Committee (which it is).

FOREIGN TRADE

In truth, we stand to lose in excess of $20 billion in foreign trade, year after year, in an all metric world; not to mention the $60 billion price tag for conversion estimated by the National Bureau of Standards. The latter was included in a draft version of the Final U.S. Metric Study Report submitted to the Metric Study Advisory Board and to the then Secretary of Commerce, Maurice Stans. After review by that office, the $60 billion estimate was deleted from the approved version sent to the Congress with the substitution of the concept to "let the costs fall where they may." What a bonanza for our severest foreign industrial competitors (e.g., Germany and Japan)! Little wonder that some anti-metric critics ask whether there was any overseas unreported cash contributions during the recent Presidential election since the Administration had pledged metric legislation during the coming session of Congress.

While the loss of $20 billion or more is small compared to the $2 trillion economy which we will have before the year 2000 it does represent over a million jobs and it does hurt small business the most. The composition of that sum is split, about $10 billion in loss of export and $10 billion in increased imports. The multinationals incidentally play a key role in this shift. They have invested over $100 billion in overseas manufacturing plant and contrary to public impressions, they are not necessarily metric. We now export over $3 billion a year of inch-specification parts and equipment to support those facilities. By the year 2000, this would normally expand to $5 billion a year. In an all metric world, this export trade would disappear for it would be cheaper to purchase metric specification parts and equipment already in production locally. Granted that overseas shop drawings have metric readouts; a standard one-inch bolt, for example, will read 2.54 cm. But, it still is an inch-bolt and changing its name will not make it fit a metric-based nut or hole. (Have you ever tried to put together a nut and bolt when the threads didn't match?) This same rationale would hold for any exported manufactured products and many things now exclusively or predominantly produced to inch-specifications (e.g., oil-field equipment, industrial fasteners, automobile wheels) would gradually disappear as our metric-based foreign competitors moved in.

On the import side of the ledger, as U.S. producers switched to metric standards, the U.S. trade deficit would grow sharply because the competitive advantage will swing further to foreign producers who will have had production experience with such standards whereas U.S. producers would have to acquire it. There will be added costs to U.S. producers from retooling, double inventories, errors due to unfamiliarity with the new system, and costs arising from the necessity to continue producing to the old specifications for many years to service existing inch-based equipment. These added costs would automatically give the foreign metric-based producers an additional cost advantage there by opening the gates to a flood of imports.

The inevitable howls and protests would cause the U.S. to institute import quotas, higher tariffs, and so on. Thus, the U.S. would be in the ridiculous position of having gone metric to facilitate the international flow of goods and then instituting measures to stop it!

Small businesses would be hardest hit by the double-whammy impact from metrication. Many would go bankrupt. The first whammy would be the adverse effect from imports noted above and the second blast would come from the resulting competitive disadvantage relative to the larger companies.

Consider a company with two or more plants. In any decision to go metric, one plant can be switched over while the other continued producing to inch-based standards. This would avoid the costs and confusion attendant to dual inventories, dual production lines, etc. A larger company with five plants could make the switchover even more smoothly, adding one plant at a time as the metric-based demands increased over the years. The smaller entrepreneur at one location has no such option. This disadvantage is not confined to manufacturing. A similar analogy can be made for the neighborhood delicatessen, dry goods store, automotive repair shop, and so on.

THE WORLD IS 90 PERCENT METRIC

The above facts suggest that perhaps the world isn't 90% metric after all, as the metric advocates so loudly proclaim. Actually, two-thirds of the world's production of manufactured goods is made to inch specifications. The analogy of language comes to mind. No matter where in the world you travel, you will find people who speak the English language, yet no one contends that 90% of the world speaks the English language! So why do we accept the 90% metric-world claim as true?

Another metric myth is the impression that metric usage is overtaking inch-based usage. Again, just the opposite is true. Metric advocates point to the $100 million investment in a metric designed automobile plant in Ohio to show how rapidly U.S. industry is converting to metric. What is not pointed out is the more than $5 billion of inch-based production facilities put in place during the same period—an astounding 50 to 1 ratio! Even on a worldwide basis, inch-based specifications are increasing at a greater pace than metric-based specifications. (This is one of the fall-outs of the multinational phenomena.)

The only industries that have really converted to metric are those closely related to the scientific laboratories such as the pharmaceutical industry. But these do not entail

the fitting together of parts, inventory headaches, training of help, and the like, only the replacement of weighing scales and the stamping of metric weight on the labels at virtually no cost. By comparison, the automobile industry, through careful planning and the gradual phasing in of components, would require 12 years to complete the changeover at a cost approaching $2 billion.

HIDDEN COSTS

There is a whole field of icebergs in the murky sea of "going metric." Some of these iceberg tips in the economic area have been pointed out. In the consumer area, the impact is more disturbing. The problems stem from the impossibility of getting rid of the inch-based things which surround us. Some adverse results are economic, some financial, and some political. No matter, there will be endless inconveniences and constant confusion which, in some cases, will be with us for centuries.

Consider the multitude of "orphans" as metric specifications replace inch-based products. Metric doors and windows do not fit U.S. window and door openings. When any of these need to be replaced at some future date (termites, water drainage, rot, vandalism, etc.) our children will discover that these are no longer shelf items and need to be on special order, with extensive delays, and added labor costs. The case of wood flooring will be more exasperating as will the 2.5 meter boards (to replace 8 foot lengths) etc., etc., etc. It has been estimated that this category of hidden costs will alone add $3 billion a year to home improvements.

Illustrations will cascade to mind if you just think about it for a while or discuss it in a mixed crowd. Pick automobile repairs, as a sample. Not only is there the added costs from dual inventory of stock, etc., consider the chain reaction resulting when a mechanic slips a metric bolt into an inch-standard threaded hole (or vice-versa) and it is jammed or the threads stripped. Would you like to be driving *that* car? or riding in an airplane under like circumstances?

Similar examples abound in the engineering fields and these are included in the 150 or so reasons why we should not "go metric" compiled by Mr. Batchelder, owner/operator of Batchelder Engineering Co., Chester Depot, Vermont.

CONFUSION UNBOUNDED

The metric cake recipe calling for a 30x 20x5 pan, ½ kilogram of flour, 20 grams of baking powder, 5 milliliters of vanilla, etc., and bake at 185 degrees—or the new metric stove when the recipe calls for 400 degrees and the highest oven reading is 250 degrees; setting the air conditioner thermostat at 70 degrees because the weather report calls for a hot humid 32 degrees; getting arrested for going 25 (MPH) in a 25 (KPH) speed limit school zone; buying 50 liters of gasoline instead of 10 gallons (there is no metric unit comparable to a gallon); buying .946 liters of milk instead of a guart or 454 grams of oleo instead of a pound! Think of the howls when the milk carton is rounded out to an even liter and the price raised 7¢ or more even though the carton looks and feels the same as the old quart! (It actually will be about 6 mm taller—a quarter inch to you!) The same scenario when the oleo carton becomes a ½ kilo or 500 gram package; buying meter-goods instead of yard-goods; trying to translate grocery costs in metric from the familiar pound units; trying to match metric threads with inch threads in a pipe and then botching the job because you accidently reversed the metric/inch adapter anyway!; and on and on and on.

METRIC IS EASIER AND OTHER FALLACIES

If you want to be disillusioned, try it in practical illustrations. I have yet to meet a metric advocate who has done so and Galileo's experience comes to mind. The elitists of that day refused to look through his telescope—for fear of the truth.

My lot is 100 x 175 feet or 17,500 square feet. It took me one second to compute this because of the multiple 10 idea—but it was not metric. Our monetary system is decimalized, but it is not metric. In metric, my lot is 30.48 x 53.34 meters or 1624.8032 square meters. A lot 88 x 110 feet would be 9680 square feet or 26.9984 x 33.528 meters which comes to 95.450552 square meters. My metric friends tell me I'm doing something wrong. In metric, all one needs to do is move the decimal back and forth—don't you believe it! When you think of all the parcels of land all over the country and all the transactions recorded in the public records, you can see why we will be up to our eyeballs in decimals! And that is only the beginning! Think of all the land surveys, and distances based on the mile from a central point in Washington, D.C.—the official land tracts based on a mile square—the maps and the distances between places; and try to convert to metric remembering that one mile equals 1,609.344 meters! In cubic measurements, one usually has an answer with 12 decimals; thus, a 2 inch cube, or 8 cubic inches, ends up as .000131096512 cubic meters.

To get around this decimal problem, metric has a table of 15 prefixes. Thus, the above cube would be 131.09512 tetra meters (or is it nano, or giga, or micro?) This leads to another flaw in the metric wonderland—the "Teaching math is easier" syndrome.

Because we cannot get rid of inch-based things which surround us, we will need to learn both systems—on top of these add the layer of 15 prefixes which must be taught, memorized, and understood—and on top of this add another layer of conversion factors; inch-to-metric and metric-to-inch which must be taught, memorized and understood. There are other deeper and more subtle problems to the metric educational fallacy which England now is discovering to her dismay. One educator contends that fractions will no longer be taught and this theme was touted in one of the world's most widely read digests! They may be beating a dead horse, however, a music teachers friend of mine observed. He reports that fractions may have already been deleted from the curriculum for most teenagers today are unable to comprehend or relate to the simplest half-notes, quarter-notes, eighths and sixteenths!

THE MEDIA

Those of us who are aware that the current successful metric drive is one great hoax have been perplexed by the attitude of the media. There has been a glut of articles extolling the virtues of a metric U.S.A. These same publishers, who normally are willing to at least discuss the opposition point-of-view, invariably reject presentation of such material on the basis of "Like it or not", "metric is inevitable" and so on. Well, the metric advocates have contended for 150 years that metric is inevitable and they have been wrong all along. That myth is easier to dispel now if only common sense would be called into play before incalculable and permanent harm is done. It is the nature of U.S. citizens to wait until the crisis is upon them before examining it. But as in the case of the current energy flap, the problem should be faced up to long before it hits. We can recover from the energy crisis—but, since it will take a decade before the people realize what a disaster going metric really is, it will then be too late. I agree, that what with corruption, energy shortages, high taxes, inflation, and all the rest, what we didn't need is another problem—but here it is and you better look at it now, "Like it or not!"

EQUAL RIGHTS FOR THE HANDICAPPED

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BOLAND. Mr. Speaker, Rosemary Barszcz, one of my constituents in the Second Congressional District of Massachusetts, has had a life-long struggle to be accepted as a useful member of society. Rosemary has been a victim of cerebral palsy since birth and has worked against overwhelming odds to become an active member of her community and her State. She is an energetic worker for the Young Democrats in Massachusetts and is now involved with the Massachusetts Legislative Commission To Investigate the Needs of the Physically Handicapped.

I am proud to know this courageous young lady who has been a friend of mine for many years.

Rosemary has received the recent distinction of having an article which she wrote, published in the national magazine, Women's Day. I present this moving article, "Equal Rights for the Handicapped" for your attention:

EQUAL RIGHTS FOR THE HANDICAPPED

(By Rosemary Barszcz)

A domestic war has been going on for years—a war against the isolation and discrimination that inhibit thousands of disabled Americans from reaching their highest potential and becoming an integral part of society.

The physically handicapped are living in a prison without walls, hemmed in by architectural, transportational and attitudinal barriers. My story, although not unique, is an example of the typical "prisoner." Born with cerebral palsy and confined to a wheelchair. I've been fighting battles all my life—a war to gain acceptance as a normal human being. In my plight I've met with discrimination in the fields of employment and education, in the business and private sectors.

I found a long battle to get accepted as a first-grade student in the regular public school system. I went on to graduate in the upper fifth of my high school class. Despite my good academic record. I was barred from admission to a local college on the mere grounds that special students were not allowed. I've never considered myself special, but apparently many people still cling to this unjust stereotype. Fortunately, one college admissions director, Mrs. Esther Hansen, gave me a break—the one chance I needed to prove my worth. Now I'm a junior at American international College and on my way to securing a bachelor of arts degree. But I anticipate many more battles, especially in employment, where discrimination against the handicapped runs rampant.

The point is, what about the many handicapped citizens who just don't have the strength and nerve to fight the many battles, to stand up for their rights? What is being done to help these people? What is being done to guarantee that the mother of every handicapped child will be able to send her child to a school within her district and not have to put him in an institution as a last resort? What is being done to reach and rehabilitate the thousands of handicapped children left to spend the rest of their lives in outmoded institutions? What is being done to provide jobs beyond putting tops on

pencils and stapling doll clothes to cardboard at fifty cents an hour? These are only a few of the many questions that remain unanswered and unnoticed by many.

It's time we removed the moldy crust covering this subject and let it out into the open air. Let's project a target on the real needs instead of trying to speculate, instead of pouring millions of dollars into administrative positions and programs that just aren't working. The government bureaucracy's maze of red tape makes it extremely difficult for a handicapped person to acquire necessary services. When it takes a client five years to get a wheelchair from the Massachusetts Rehabilitation Commission, isn't it time for a change?

I do not hold all the answers in the palm of my hand, but I do have a few suggestions that merit consideration by the people in power in state capitals and in Washington, D.C.

How are we even to begin to help America's disabled citizens if we don't know how many people we're dealing with? The Bureau of Vital Statistics in Washington has no figures on the number of disabled Americans. Congress should direct the bureau to compile a list of all handicapped citizens and the extent of their disability. State and local censuses should also contain this information.

The governor of every state should issue a mandate requiring every city and town to provide every disabled citizen with an education equivalent to that of his able-bodied peers.

If we can afford to build roads that go nowhere, if we can afford to send a shuttle into outer space, why can't we come up with an economical means of transportation for all here on earth? Members of state legislatures and of the United States Congress should address themselves to this provocative question.

The present 10 percent of federal housing for the elderly allotted for the handicapped is just another attempt to isolate America's disabled from the normal sphere of society. If we can build high-rise apartments for the wealthy, why can't we provide adequate housing for the not-so-wealthy? State legislatures and local housing authorities, along with Housing and Urban Development, should direct their attention to this area.

Members of state legislatures and Congress should generate a sense of public awareness with respect to the acceptance of the handicapped as full-fledged citizens capable of maintaining some degree of self-sufficiency. They should consider the handicapped an untapped resource. They should not view them as a series of problems to be faced but as a challenge that must be met.

Granted, effecting these proposals costs money. But when you compare the cost of my war with the cost of the war in Vietnam, I'm sure you'll agree that mine will prove more profitable, less complicated and more beneficial to humanity.

BULGARIAN INDEPENDENCE DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BIAGGI. Mr. Speaker, it is an honor for me to join with millions of Bulgarians, both in this country and worldwide, on the occasion of Bulgarian Liberation Day, 1974. As it has been for the last quarter century, this year's celebration will be a hollow one marked by the present realities of Bulgaria's far-from-liberated state.

Bulgaria has had a tumultuous history, particularly in the 20th century. It began in 1908, when after a prolonged struggle, Bulgaria was able to free itself from the Ottoman Empire, and become fully independent. The Bulgarian nation thrived under independence and its future looked promising.

However, the onset of World War II spelled trouble for the Bulgarian nation. By 1941, Bulgaria had been sucked up into the rapidly growing Axis led by Hitler's Germany. They remained under this rule until 1945.

The post-World War II period found Bulgaria as well as most of Eastern Europe falling under the tyrannical rule of the Soviet Union. This rule has endured through the present day, and despite such brave efforts as the Hungarian uprising of 1956, and the liberalization of Czechoslovakia in 1968, Russian control over Eastern Europe remains strong. The quarter century of Russian rule have been especially hard years for the people of Bulgaria. These years have been marked by economic regression, as well as social and political repression. Yet throughout all these adversities, the yearning for freedom has remained strong in the hearts and minds of the Bulgarian people.

As we take time to reflect on the occasion of Bulgarian Liberation Day, 1974, let us not forget that the nation which is responsible for the repression and persecution of Bulgarians, is the same nation with whom we are working so feverishly to gain détente. Let us not forget that even within their own country the Soviets rule with an iron hand. The plight of the Soviet Jews as well as the recent case of the courageous Alexander Solzhenitsyn point up with stark realities, the brutal tactics the Soviets must employ to gain allegiance from their citizens.

We, in the United States, must proceed with caution in all our future dealings with the Soviet Union. We must make any future agreements contingent on the Soviets promoting a policy of self-determination for the millions of captive people they control. The people of Bulgaria have experienced the joys of freedom and remain hopeful that it will return to them again. Let us work to help them achieve this goal; 1974 can be the year that Bulgarian Liberation Day becomes an event which we can truly celebrate.

AMNESTY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. YOUNG of Florida. Mr. Speaker, the following article, which was published in the American Legion's Firing Line was sent to me by Mr. Robert Francis of St. Petersburg. I respectfully call this article to the attention of my colleagues:

COMMANDING THOUGHTS: AMESTY

Before the termination of hostilities in Vietnam, the General Board of the National Council of Churches, which is the policy-making body of thirty-three Protestant and Eastern Orthodox communions, issued a policy statement concerning amnesty. It urged, according to the *Boston Globe* of December 3, 1972, that amnesty be granted to the Americans who have deserted or refused to serve out of opposition to the Vietnam War. The statement further stipulated that this should apply to all except those who have "committed acts of violence against persons," and, even in those instances, it was suggested that "each should be reviewed individually to determine if amnesty is appropriate." "To hunt them down and prosecute them now is to add vindictiveness to victimization, neither of which is a proper basis for imposing criminal penalties, and will only increase rather than heal the nation's hurts," the December 3, 1972 statement said.

If this should become national policy, it would, as then National Commander Joe L. Matthews of The American Legion said, "make a travesty of the sacrifices of those who served and would tend to cheapen the value of honorable service. The courts and the President of the United States have courses of action available to them whereby each individual case of draft evasion can be decided on its own merits, and the Legion believes that is the only way to deal with this question. The American Legion is opposed to any blanket amnesty, now or at any time, and we are not even favorable inclined to discussions of the subject until after the fighting has ended our prisoners of war repatriated and our missing in action accounted for."

The fighting has ended, our prisoners of war repatriated but our missing in action are not accounted for. But, the proponents of a "universal, no-string amnesty for all categories of war resisters" are planning different strategies for advancing this campaign.

A national committee has recently been formed and the lobbying on Capitol Hill has already started. This committee is known as the Safe Return amnesty Committee. A flyer, recently circulated by Safe Return, states that a Washington office has been opened and it is staffed by Vietnam-era vets, who are lobbying and regularly distributing amnesty material published by the Committee to all members of Congress. The flyer also stated that in mid-May of this year it "organized and held, with Bella Abzug's staff, the Ad Hoc Congressional Hearing for Unconditional Amnesty." Family members of war resisters were heard on Capitol Hill at these hearings, chaired by Congresswoman Abzug. Speakers for public events and debates are also provided and the Committee "acts as a clearing-house for people seeking suggestions and ideas on implementing local amnesty work."

With the aid of Safe Return, FORA—Families of Reisisters for Amnesty—has been organized. It is reported that several hundred family members have joined and that chapters are in the process of formation in such cities as San Francisco, Portland, Detroit, New York, Seattle and New Jersey. The functions of FORA are to conduct petitioning; to urge letter-writing campaigns; to distribute the new FORA resister-bracelets and, in some areas, to work on local electoral referendum on amnesty.

National Commander Robert E. L. Eaton has restated the unwavering position of The American Legion: "For reasons which we believe to be totally valid, we have reaffirmed our opposition to amnesty for draft evaders and deserters and urge an individual review of each case under existing judicial and executive procedures. Personally, I don't think the cause of amnesty is going any-

where, but it would be a mistake not to be prepared to deal with it. The American Legion is so prepared and, if the need arises, we will battle it every step of the way. We are ready to *'Be Counted Again.'"*

CATHOLIC LEADER BACKS IDA FUNDING

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FRASER. Mr. Speaker, Bishop James S. Rausch, general secretary, U.S. Catholic Conference, has made a fine statement which criticizes the recent action of the House in voting down the proposed replenishment of funds for the International Development Association. He views this vote, as I do, as evidence of failure on the part of leadership in our country to make a strong case for assistance to the world's poorest nations. On this point, Bishop Rausch says:

If the House action accurately reflects the national sense of priorities, it provides us with a severe indictment of the political leadership of the Congress and the moral leadership of both the Congress and the churches on an issue of immense importance today.

Let us hope that the ill-advised action of the House will be mitigated by an affirmative vote for IDA in the Senate and that the conference committee will agree upon generous funding.

Bishop Rausch's statement was released by the U.S. Catholic Conference on February 4. I include it to be printed in the RECORD in its entirety:

STATEMENT BY BISHOP JAMES S. RAUSCH

The House of Representatives voted overwhelmingly to end U.S. financial assistance to the world's poorest nations. It did so by refusing to provide development funds to the International Development Association (IDA), an agency of the World Bank set up specifically to assist the 21 poorest nations by providing long-term, low-interest loans.

This House action reflects the profound malaise which presently dominates the American scene, and it once again exhibits the terrible vulnerability of the poor to the actions of the powerful.

If we have learned anything from the energy crisis, it is that we live in an interdependent world. Our lives have been directly influenced, and even changed, by the decisions of others. What we must understand, however, is that this process goes on all the time for the poor of the world. Their lives are constantly shaped by the decisions of the powerful of the world.

The action taken by the House will have an impact far more drastic and damaging on the poorest people on earth than anything we Americans have experienced during the energy crisis. That impact must be understood in its political and human dimensions.

Politically, the U.S. refusal to contribute its pledged share of funds to IDA creates a chain reaction. The other developed nations in the IDA consortium are released from their obligations if one partner defaults. The entire program therefore, was literally devastated in the House.

Humanely, the impact of the vote is appalling. The IDA funds provide medium and long-range developmental assistance to people in the situation Robert McNamara, President of the World Bank, describes as absolute poverty. The per capita income in many of these countries is less than $100 per year. In many, also, starvation is a distinct possibility for large numbers of their people in the coming year.

In addition to the potentially devasating effect the House vote may have on the lives of the world's most desperate people, the vote also underestimates the American people. Representatives opposing IDA stated that, although it may be true that these nations have genuine needs, that argument will no longer wash with their constituents while numerous necessary projects for Americans' needs go begging for funds. American voters are faced with rising food costs and interest rates, critical shortages and unemployment, and Congressman do not believe that, at this time, it is in the best interests of the nation or their own political careers to vote in favor of increasing foreign aid.

If the conditions of impoverishment in which millions of people subsist were presented to the American public, it is our contention that the voters would respond favorably. For example, Americans consistently respond generously to appeals made by Catholic Relief Services and Church World Service to alleviate human misery.

It is the task of the nation's political leadership to make such a case to their constituency. To do less is to play politics with these peoples' very lives. It is to pit the subsistence needs of the poor of the world against the needs of lower and middle class Americans in a conflict which neither really wins. Further, it signifies that there is no attempt to confront the real causes of poverty either here or abroad.

If the House action accurately reflects the national sense of priorities, it provides us with a severe indictment of the political leadership of the Congress and the moral leadership of both the Congress and the churches on an issue of immense importance today.

We therefore urge the Congress to reconsider the matter and vote in favor of replenishing the funds for IDA. We, for our part, will communicate our deep concern about this issue and urge American Catholics to support the replenishment of the International Development Association.

HISTORIC AMBIANCE, OUT THE WINDOW

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. THOMPSON of New Jersey. Mr. Speaker, I wish to draw our colleagues' attention to yet another scandalous assault upon the dwindling historic and esthetic treasures of our Nation's Capital City. In this instance, I am doubly disturbed because the assault betrays not only the bureaucracy's usual insensitivity toward this city's rich history and architectural beauty, but also its shocking disregard for Congress own efforts to protect this national patrimony from the wrecking ball.

This time, it is the neighborhood of the White House itself that is threatened. That area, rescued and so beautifully restored through the leadership of Presidents Kennedy and Johnson, now is on the verge of losing three of its most charming and historic buildings, including one rare gem dating back to the 1820's. In their place, GSA plans to erect another of its huge marble monoliths for the Federal Home Loan Bank Board, to sit glowering down at the Presidential residence as if it held a mortgage on the place.

What outrages me particularly, Mr. Speaker, is the fact that GSA has pushed ahead with this project despite the fact that one of the present buildings has long been declared a national landmark, while the other two were recently listed on the National Register of Historic Places at the request of the Secretary of the Interior. In doing so, moreover, GSA has thumbed its nose at the Advisory Council on Historic Preservation, which Congress set up to provide policy guidance in just such situations as this one. Without even so much as a public hearing, the GSA has presumed to overrule both professional advice and the spirit of the law, merely to give the Bank Board members a fancy address near the President's.

Although the wrecking crew has already moved onto the premises, it remains to be seen whether GSA will get away with it. My good friend, Congressman STARK of California, is mounting a determined rear-guard fight to defend these architectural treasures, and he may win a court injunction to halt demolition before the wrecking ball has done permanent damage. I hope other Members who share my concern for preserving the best of our Nation's architectural heritage for our children will join me in supporting PETE STARK's effort. And I commend to each one the excellent Washington Post piece by Wolf von Eckardt which describes the battle shaping up—and, unfortunately, the odds PETE faces in trying to protect our architectural heritage.

The article follows:

HISTORIC AMBIANCE, OUT THE WINDOW

(By Wolf Von Eckardt)

It seems silly to destroy three pleasant historic buildings and—far worse—the charming, historic ambience of the White House precinct, for the vainglorious "prestige" of some bureaucratic bankers.

But that is what the Federal Home Loan Bank Board, aided and abetted by the General Services Administration, is hell-bent on doing.

The doing, furthermore, violates at least the spirit and intent of the National Historic Preservation Act of 1966, according to Rep. Fortney H. Stark (D-Calif.).

The threatened buildings are along 17th Street NW. between G and F, opposite the Executive Office Building. The oldest of them, the Winter Building, has long been declared a national landmark. Last Thursday Secretary of Interior Rogers C. B. Morton declared the other two, the Nichols Cafe and the Riggs Bank, eligible for listing on the National Register of Historic Places.

True, George Washington never slept there. But neither did he ever sleep in the White House and it is the White House, the President's mansion, and the appropriateness and dignity of its surroundings, that we should be concerned about.

The presidential mansion is relatively small, but nicely enclosed in a park and protected by the far more imposing Treasury and Executive Office Buildings flanking it. That is lovely, historic, traditional, familiar—call it what you will. It is the way we

all now think it ought to be. It makes a unique ensemble.

Some time ago, this uniqueness was threatened. Turn-of-the-century Beaux Arts planners wanted to rebuild the French Empire-style Executive Office Building to match the Neo-Classic Treasury and frame Lafayette Square with Neo-Classic monoliths.

The White House, in other words, was going to be hemmed in by massively monumental and colonnaded stone piles, rather like a modest little king hidden amidst a parade formation of bully bodyguards in gaudy uniforms.

But then we thought better of it. It seemed rather un-American. We wanted to preserve as much as we could of the casual, civilian (if not residential), varied and pluralistic setting that seemed civilized, in the sense that Thomas Jefferson thought of civilization.

So President Kennedy cleaned up the wonderful former State, War and Navy Building now known as the Executice Office Building and stopped that Lafayette Square nonsense. He got architect John Carl Warnecke to restore the old townhouses around the Square and put the big office bullies where they belong, which is behind.

President Johnson saved the charming phony French Renaissance Court of Claims, which used to be the old Corcoran Gallery and is now the Renwick Gallery. Now we had something. We had a visually varied, interesting and human White House precinct—human (to explain that often misused word) in the sense that people can take delight in this setting because the variety of its buildings stimulates their eyes and the history these buildings represent stimulates their minds.

The view down 17th Street toward the Corcoran Gallery is very much part of this picture. The enormous exuberance of the Executive Office Building needs the contrast of the small and varied Riggs, Nichols and Winder buildings. If you match its enormity with a bland big office, you put it down, as it were. Visual lese majesty.

And who are these GSA-assisted bullies?

I am sure the Federal Home Loan Bank Board is a most worthy institution. But if I understand the purposes of federal home loans correctly, they are to help people obtain decent safe and sanitary homes in a suitable living environment. This coincides with the worthy purposes of the federal urban renewal program. You would therefore think that the board would be glad to help the cause and take its building and its 1,500 employees to the downtown urban renewal area, which badly needs some evidence that our federal government has some confidence in its own programs.

But no. The worthy board, you see, seems to have a hang-up about being federal. It wants to be with the big boys, the real banks, in a "prestige area" and a big, big showy building. Poor board.

Eleven members of the House Banking and Currency Committee, rallied by Rep. Stark, fought the home loaners on this. But all the other feds, the federal ex-officio members, on the Planning Commission rallied to their support. So now the Bank Board is ready to destroy the prestige of this prestige area with a huge monolith along G Street that would take the whole block between 18th and 17th.

The old buildings, ambience and all, have to go because the members of the Federal Home Loan Bank Board apparently want to look out the window on 17th Street and wave to the President's aides in the Executive Office Building.

The Advisory Council on Historic Preservation said no. Established by Congress, the council consists of 10 citizens appointed by the President plus seven cabinet officers, the chairman of the National Trust for Historic Preservation, the Secretary of the Smithsonian and the Administrator of the General Services Administration.

You should think that the administrator of the General Services Administration would follow the advice of the administrator of the General Services Administration. Nope.

The Advisory Council advised against the home loan bulldozers on the grounds that all three buildings have historic and architectural merit. The Winder Building, built in 1847, is one of the few remaining pre-Civil War office buildings in the city. It was built for federal use with modest decorum and utility. The Nichols Cafe is even older. It was probably erected about 1829 and there are few houses of its style and quality in the city outside of Georgetown. The Riggs Bank is only 44 years old, but it is fun. It has a lovely, richly ornamented interior in the Italian Renaissance style.

The General Services Administration awarded a $118,640 contract to demolish these buildings with the Julian C. Cohen Salvage Corporation of Bladensburg.

GSA has also failed to schedule a public hearing to air this offense against the spirit of our historic preservation laws and the established congenial urban order.

If the Federal Home Loan Bank Board cannot be moved downtown, where it should be, it should at least retain a creative architect who can incorporate the old buildings into its new complex.

As Lafayette Square shows, it can be done and done well.

SPIRIT OF VOLUNTEERISM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. EILBERG. Mr. Speaker, the quality and spirit of a nation can often be measured by the amount of work its people volunteer to do on behalf of the country and other persons who need help.

This is a time of great trouble and dissatisfaction in our country, but I am happy to report that the spirit of volunteerism remains strong and vital. No matter how great our problems seem to be people are still waiting to give their time to help others.

On February 25, 1974, ceremonies were held at the Veterans' Administration hospital in my city, Philadelphia; 111 individuals and 47 organizations were honored for their volunteer service to the men being cared for at the hospital.

These men and women deserve our thanks and honor for their work.

At this time I enter into the RECORD the names and awards received by these individuals and organizations:

LIST OF NAMES AND AWARDS

HONORABLE MENTION

Joanne Ade (NA), Barbara Afanassiev (NA), Louise G. Alberts (DAR), Frank Anderson (NA), John Ashmen (NA), Carolyn Babbs (NA), Lydia Baker (ALA), Joan Bamford (SA), Sharon Batcheklar (NA), Evelyn Bedford (NA), Janna Bertin (NA), Joseph Biello (AMVETS), Christine Marie Beirbach (NA), Helen Doris Braun (NA), Gertrude B. Brenner (NA), Dolores B. Bridges (MOCA), Catherine Briscoe (VFWA), Katherine A. Brownsey (NA), Jean Marie Byrne (NA), Laura M. Calvanese (SOI), James Carpino (NA), Darlene Chism (NA), William B. Clarke (AMVETS), Anne B. Clarkson (IAWVA), and Albert S. Cobb (NA).

John Collins (NA), Mary H. Corbett (NA), Gary Lee Crans (NA), Anne E. Cunningham (CDA), Elizabeth Davy (DAR), Debbie Denicola (SHS), Millie H. DePrima (SCEL), Martha Dressel (NA), Herman Davis (SHS), Virginia Duffy (MOCA), Anna Dugan (CDA), Elizabeth Durante (CDA), Deborah Everts (NA), Elizabeth Frick (AMVETS A), Phyllis Garell (SA), Mary A. Gillins (NA), Bernice Glashofer (JWVA), Emmett Gordon (NA), Katherine Gormley (AGSM), Marjorie Greene (ARC), Linda Haentz (NA), Mabel Hagherty (SA), Charlotte Hall (SA), June Hastedt (NA), and Kay Havlick (ARC).

Iqbal Hussain (NA), Emma C. Jackson (ALA), John Jaskolski (ARC), Christian A. Jercha (NA), Paulette Johnson (NA), Angela Jones (NA), Winifred Jones, Patricia A. Kane (NA), Mary Kendust (NA), Theresa Kerner (CDA), Hannah Klenk (SA), Suzanne Knapp (ARC), Gertrude Lawhorne (VFWA), Anna Marie Lee (NA), Georgeanne Lewis (NA), Margaret Lippincott (AMVETS A), Faie McCann (WAC), Henrietta McCloskey (AMVETS A), Clara McGhee (NA), Veronica McLean (NA), Helen Magee, Carlton A. Mansfield (MSA), Otha Mapp (NA), Linda Marshall (NA), and Florence A. Martin (AMVETS A).

Alvin A. Massigner (ARC), Rose DiDomenica Matt (CWVA), Margaret Miller (NA), Anthony Morgan (NA), Camilla Morton (AWM), Irene Nedd (DPSC), Samuel Nedd (DPSC), Helen Norris (NA), Karl Edward Norris (NA), Shabbir H. Pabani (NA), Pauline M. Patrizi (SOI), Wynona Perry (DAVA), Fannie Peterson (ALA), Mary Ellen Picket (NA), Josephine Rotay (ALA), Myron C. Reiner (VFWA), May M. Richards (NA), Nelsie Richardson (VFWA), Marie Robichaw (ARC), Beatrice M. Ruggiera (SOI), Virginia Russ, Emely Salvatica (NA), Sarah Sgrignioli (SOI), Sarah M. Sheppard (AWM), Margaret E. Siegman (NA), and Jane Marie Smith (NA).

Isaac Smith (JWV), Fred Snell, (NA), Denise Staley (ARC), Marilyn Stepp (MOCA), Captain K. Strehle (SA), John Taylor (NA), Katherine West (ARC), Florence Toupe (NA), Mary K. Twiford (NMC), Ralph Twiford (NMC), Theodore A. Lee (NA), and Vicki Shumate (NA).

Abdul Waheed (NA), Earl V. Walls (NA), Emily A. White (DAR), Gloria W. Wilbourne (ARC), Beatrice Williams (NA), Alice Whychoff (NA), David Wylie (NA), Edward L. Young (NA), Carol Jane Youngblood (NA), Walter S. Zulewski (AMVETS), Theresa A. Peterson (ALA), and Rosemarie Miller (NA).

YOUTH AWARD—50 HOURS

Janice Allen (ARC), Yolanda Bailey (NA), Debra Harris (SHS), Dawn Kealey (NA), Larry Smith (NA), Pearline Wright (ARC), Julie Baker (NA), Kenneth Norris (NA), Joanne Twiggs (NA), and Sharon Ross (ARC).

CERTIFICATE OF APPRECIATION—100 HOURS

Cleonia Adkinson (SHS), Elizabeth Armstrong (NA), Anthony Austin (NA), Shirley Ball (SH), Renee Michele Bynum (AFNA), John F. Carr (OLD GUARD), Eleanora Cerquitella (ALA), Patrick Concannon (VFW), Adele Coyt (NA), Louise P. Dolman (DAR), Agnes Duncan (NA), Wanda M. Fuller (AFNA), Dorothy Greene (CDA), Beryl Cross (NA), Rachel Henley (NA), Ileen Jones, Robert Jones (SHS), Ethel Kehn (NA), Sigmund Kempner (VWWII), Kevin Kendrick (NA), and Reginald Ketter (NA).

Gertrude Lawhorne (VFWA), Karen V. Leak (ARC), Edward Lonergan (SHS), Jane W. Lundahl (DAR), Marybeth McClellan (NA), Florence E. Miles (MOLB), Raymond J. Montoni (NA), Bette Nelson, (VFWA), Marion Newell (NA), Edward Nolan (AL), Bertha Schimpf (VFWA), Anna Stay (ALA), Roscoe G. Thornton (NA), Elsie H. Titus (CDA), Gloria Ann Weaver (AFNA), Helen Doris Weaver (AMVETS), Joseph Williams

(SHS), Olivia Wong (NA), Susan Reid (NA), and Donna Skerrett (NA).

CERTIFICATE OF MERIT—300 HOURS

Augusta Campbell (MOPHA), Katherine Grein (CDA), Reine Land (ARC), Harry Lincoln (NA), Inez Lincoln (NA), Andrew J. McCann (AMVETS), Dense L. Powell (AFNA), and Grace Wilkenson (AWM).

CERTIFICATE OF OUTSTANDING SERVICE—500 HOURS

James A. Fields (DAV), Wiley Harmon (VFW), Helen Hoeffer (NMC), Anne C. Lauff (AWM), Benjamin C. Powell (JWV), Marion E. Roberts (DAR), Myer B. Squires (AL), Ronald J. Tempest (NA), and Jennie Weintraub (JWV).

CERTIFICATE OF DEVOTION TO VOLUNTEER DUTY—1,000 HOURS

Helen Hoback (NA), Vada Hyde (NA), Harold O. Nelson (AL), Dorcas Norris (NA), Charles Peterson (NA), Paul S. Stewart (MSA), Lida Wright (NA), and Bernard Zolot (NA).

CERTIFICATE OF SERVICE AWARD

Esther R. Biddle (ALA), Catherine Carr (CWVA), Rose Cloud (SCC), Rose Gorman (CWVA), Eleanore W. Greene (ALA), Frederick Haas (VWWI), Agnes Hausler (VFWA), Elizabeth Hicks (ARC), Horace T. Hopkins (AL), Edward Johnson (NA), Marie Kenney (ALA), Eleanor Kilpatrick (AWM-MOPHA), Joseph R. Klotz (NA), and Florence C. Krug (ARC).

Anne McKenna (VFWA), Mae McElvaney (VFWA), Ann Miller (JWVA), Mary Mosteller (ARC), Michael Radvansky (315 I), Dorothy C. Rose (ARC), Tillie Rose (NA), Catherine Rotay (ALA), Samuel Schiff (JWV), Catherine Thompson (AWM), William J. Toy (VWWI), Bernadette Ward (ALA), and Mae Weisgrow (DAVA).

VA BRONZE PIN—1,750 HOURS

Elizabeth Aro (ALA) and Elizabeth Jones (CWVA).

VA SILVER PIN—2,500 HOURS

John Barnes (NA), Charles W. Leons (AL), and Frances Urwiler (ALA).

VA GOLD PIN—5,000 HOURS

William J. Tadley (VWWI) and Wilson H. Shive (VWWI).

VA PLAQUE-DEDICATED SERVICE AWARD—7,500 HOURS

Sara Myers (AL).

THE 100 PERCENT ATTENDANCE AT VAVS MEETINGS

(September, November, February, May—Fiscal Year 1973)

American Gold Star Mothers, American Legion, American War Mothers, B'Nai B'Rith Women, BPO Elks, Catholic Daughters of America, Catholic War Veterans Auxiliary, Daughters of American Revolution, Disabled American Veterans Auxiliary, IBPOEW (Dept. of Vet. Affairs), Jewish War Veterans Auxiliary, Masonic Service Association, Military Order of the Cootie Auxiliary, Military Order of the Lady BUGS, and Military Order of Purple Heart Auxiliary.

Navy Mothers Club, Phila. USAAC Post # 1, Reserve Officers Assn. of US, Salvation Army, Senior Citizens of E. Lansdowne, Supreme Cootiette Club, 315th Infantry Assn., Veterans of Foreign Wars and Auxiliary, Veterans of World War I, and Womens Army Corps Vet. Assn.

Organizations to receive certificates in recognition of exceptional or continued outstanding service to patients through VAVS:

American Gold Star Mothers:
REP: Katherine Gormley.
DEP: Maude Bailey.
DEP: Lillian Sinclair.
American Legion Auxiliary:
REP: Marie Kenney.
DEP: Frances Urwiler.
American Legion:
REP: Samuel J. C. Greene.
DEP: William E. Woolingham.
American Red Cross:
REP: Mrs. Dorothy Rose.
American War Mothers:
Rep: Catherine Thompson.
Dep: Grace Wilkinson.
AMVETS:
Rep: Joseph Biello.
Dep: Walter Zulewski.
AMVETS Auxiliary:
Rep: Henrietta McCloskey.
Dep: Catherine Carroll.
Brith Sholom:
Rep: Aaron Goldenberg.
Dep: Samuel Winkler.
Bnai Brith Women:
Rep: Mrs. Eugene Glazer.
Dep: Beatrice Silvers.
B.P.O. Elks:
Rep: Frank P. Nocitra.
Dep: Vincent DiDominic
Oscar Wexlin.
Catholic Daughters of America:
Rep. Kay Greim.
Dep: Elsie Titus.
Catholic War Veterans:
Rep: Joseph Kelly.
Catholic War Veterans Aux.:
Rep: Helen Magee.
Dep: Elizabeth Jones.
Daughters of the American Revolution:
Rep: Jane Lundahl.
Dep: Louise Alberts.
Elizabeth Dayy.
Defense Personnel Support Center:
Rep: Samuel Nedd.
Dep: Angeline Restifo.
Marzella Russell.
Disabled American Veterans:
Rep: Dante Bonatucci.
Disabled American Veterans Aux.:
Rep: Mae Weisgrow.
Dep: Rebecca Anderson.
Dep: (Hon.) Mary Olsen.
Volture Local 40–8:
Rep: Elmer R. Confair.
Dep: Richard B. Ross.
I.B.P.O.E. of W.:
Rep: Dennis C. White.
Deps: William A. Clay.
Emeline Wiggins.
Joseph Brown.
Italian American War Veterans Aux.:
Rep: Anne B. Clarkson.
Jewish War Veterans:
Rep: Isaac Smith.
Dep: Joseph Goldstein.
Jewish War Veterans Auxiliary:
Rep: Anne Miller.
Dep: Mildred Lermack.
Masonic Service Association:
Rep: Paul S. Stewart.
Dep: Ernest P. Knorr.
Military Order of Cootie:
Rep: Prince A. Clifton.
Dep: Joseph Corey.
Military Order of Cootie Auxiliary:
Rep: Dolores Bridges.
Dep: Marilyn Stepp.
Military Order of Lady Bugs:
Rep: Florence E. Miles.
Dep: Marie V. Nixon.
Military Order of Purple Heart Aux.:
Rep: Eleanore Kilpatrick:
Dep: Augusta Campbell.
Music Performance Trust Fund:
Rep: Jack Kopf.
Mothers of World War II:
Rep: Carrie Meck.
Dep: Stella Snyder.
National Catholic Community Service:
Rep: Elizabeth Dougherty.
Dep: Catherine Auerwick.
Navy Mothers Club:
Rep: Helen Hoeffer.
Dep: Katherine Twiford.
Old Guard, City of Philadelphia:
Rep: Col. Harry S. Burr.
Dep: Lt. Col. Harry Kimmel.
Order of Eastern Star:
Rep: Peggy Mooney.
Dep: Emma Appelgren and Beulah Witman.
Phila. U.S. Army Ambulance Corps:
Rep: Clifford Hoag.
Dep: Thomas H. Ellis.
Polish Legion of American Veterans Aux.:
Rep: Frances Piwnicki.
Dep: Helen Zarek.
Reserve Officers Assn., Ladies Clubs:
Rep: Mrs. Chas, Hangsterfer.
Dep: Mrs. William Barr, Jr.:
The Salvation Army:
Rep: Mrs. Major Irving Cranford.
Dep: Mrs. Mabel Hagherty.
Senior Citizens of East Lansdowne:
Rep: Margaret Siegman.
Dep: Amelia DiPrima.
Supreme Cootiette Club:
Rep: Rose Cloud.
Dep: Mary McKinley.
Dep: Ann Foster.
315th Infantry Association:
Rep: Michael Radvansky.
Dep: Cheston S. Hunter.
United Spanish War Veterans:
Rep: John R. Lynch.
Dep: J. A. Coleman.
United Spanish War Veterans Auxiliary:
Rep: Anna Parker.
Veterans of Foreign Wars Auxiliary:
Rep: Bertha Shimpf.
Dep: Anna Lee.
Rep: (HON.) Mae McElvaney.
Veterans of Foreign Wars:
Rep: Cassel Wechter.
Dep: Thomas C. Hart.
Veterans of World War I.
Rep: Wilson H. Shive.
Deps: William Toy, Prudence Sheperla and Elizabeth Bishoff.
Womens Army Corps, Vets. Assn.:
Rep: Judy McCann.
Dep: Anna L. Godsho.
Marine Corps League:
Rep: Ruth Jannotta.
Dep: Louise Uysase.

ESTONIAN DECLARATION OF INDEPENDENCE

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mrs. GRASSO. Mr. Speaker, on February 24, we observed the 56th anniversary of the Estonian Declaration of Independence.

It is indeed fitting that we as Americans set time aside to pay tribute to these freedom-loving people who since the 13th century have been waging a constant struggle for independence.

Certainly, modern history has not been kind to this small Baltic nation and its people. In the 18th century Estonia was devastated by war, and later her people were brought under Russian domination. The 20th century brought the hope of freedom when, in 1918, a declaration of independence was signed, and in 1920 freedom from the Soviet Union was attained. Yet, the breath of liberty was shortlived. With the coming of World War II, Estonia and its people were conquered first by the Soviets, then by the Germans, and then again by the Soviets, who now dominate these illustrious people.

Despite domination and persecution,

however, the people of Estonia have retained their great courage and national pride, as well as their hope that some day independence for their country will once again become a reality. The steadfast dedication of Estonians to freedom, and their diligence to the ideals that have made our country great are truly admirable characteristics.

The hard working and patriotic nature of these people is reflected in the many, meaningful achievements that have been made by Estonia-Americans in Connecticut and throughout our land. Truly their accomplishments reflect an understanding of the meaning and significance of liberty and justice for all.

Let us take this opportunity to renew the commitment of our country to provide freedom, peace, and self determination for Estonia and its people once again in the years ahead.

OIL INDUSTRY

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BLACKBURN. Mr. Speaker, recently I received a letter from a U.S. citizen who is now living in Spain concerning the current investigations of the major oil companies.

I believe that my colleagues will find this letter of interest, and I am, therefore, inserting it at this time:

PALMA DE MALLORCA,
BALEARES, SPAIN, *January 31, 1974.*

Hon. BEN B. BLACKBURN,
Congressman for the State of Georgia, Washington, D.C.

DEAR MR. BLACKBURN: As a concerned U.S. citizen, I wish to comment on the current investigations of the major oil companies by Congressional committees, as reported in the European press. Based on my first-hand acquaintance with the operations of one of them during twenty-five years in Venezuela before retirement, I believe there are some basic facts that should not be overlooked:

1. The oil industry has always been a difficult and highly complicated business. Due to the high percentage of failures in the search for oil and the need for tremendous capital resources, it is not an industry for small individual operators.

2. As the countries in the Middle East and South America could not find the oil themselves, the technical know-how and specialized experience of thousands of Americans was vitally necessary. Young geologists, engineers and other specialists all made their contributions, often working under primitive and even dangerous conditions in tropical jungles and deserts where the upper-class nationals would never venture.

3. Operations in foreign countries over the years have been beneficial both for the countries themselves, and for the United States. Jobs were created, housing for workers, schools, roads, etc., built, malaria eliminated in swamp areas, farming and other self-aid projects were started or subsidized. The per capita income and the standard of living in those countries were dramatically improved (even though the taxes and royalties paid to the foreign governments were not always used for effective development programs). The record is long, and one of which all Americans can be proud.

Not only did these "international" companies pay taxes in the countries where the operations were conducted, but also in the States. During World War II, the Allies could hardly have won the Battle of the Atlantic without the ample supply of petroleum from U.S. companies in Venezuela; and cheap oil at home, where foreign imports supplemented U.S. production, made possible the great post-war surge in business activities and private transportation. This postponed for many years the time when constantly increasing consumption would out-pace world oil supplies.

We U.S. employees trained local workers, and scholarships were provided for native students to study petroleum and civil engineering in Texas, Oklahoma, Louisiana, etc.—these young men are now at the head of government oil agencies or occupying high positions in local subsidiaries of the large American oil companies. Many of those who owe their country's prosperity and their own professional success to the assistance of the U.S. companies, are not necessarily kindly disposed toward the latter. This is perhaps understandable, human nature being what it is. In any event, the benefits provided and the good works done by the large oil companies were not intended as philanthropic gestures but were part of a sound and enlightened business attitude.

4. The original oil concessions were authorized before anyone could be certain that oil in commercial quantities existed, and over the years, the governments of the countries involved have insisted on renegotiating the original contracts to increase the percentage of income accruing to them. By and large, this was accomplished amicably, but in recent years, the producing countries have become more and more exigent, and their demands have increased to the point where unilateral cancellations of contractual obligations or even outright nationalizations, have become the order of the day. I am firmly convinced that this situation would never have reached the present critical stage if the U.S. Government had at any time shown support for the American oil interests. In fact, the negative attitude of our own government towards the large companies (even though the rights of U.S. citizens owning the companies were involved), contributed to the feeling on the part of foreign governments that they could get away with anything they wished to.

5. As the U.S. companies are recognized as the most efficient in the world in all aspects of the oil business, I trust that in dealing with the current energy crisis, Congress and the Administration will utilize to every extent possible their vast ability and knowledge. The Arabs and the South Americans would like to see the oil companies immobilized since they believe they can gain their ends more easily by dealing with politicians rather than with industry technicians. There are potential dangers in any direct dealings on oil between governments since a disagreement later on could spark off a grave international crisis, whereas heretofore, the American oil companies with no official status, have been useful as whipping boys (or lightning rods, if you prefer) when unpleasant decisions had to be taken.

6. As to concern over large oil company profits, money in as yet unknown quantities will be needed for new investments to make the U.S. self-sufficient in energy. That part of earnings not plowed back into the operations is paid out in dividends to the stockholders of the enterprises. The oil companies pay income tax on their earnings (with some dispensations authorized by law), and the shareholders in effect pay a second tax on the same money when they pay their Federal Income Tax on dividend income. If, due to unexpected developments and transitory conditions, there have been demonstrable "windfall" profits, Congress can easily decree a special tax on such "excess" earnings. However, it would be counterproductive to take away from the companies any major part of the enormous amount of capital they will need for the heavy programs ahead.

7. For maximum operating efficiency, movement of oil via pipelines and tankers, as well as distribution through refineries and a great network of outlets enroute to the consumer, require an exact precision in coordination and control. The international oil companies are handicapped in obtaining maximum utilization of existing facilities because of existing anti-trust legislation. Perhaps a temporary relaxation of same during the present crisis would be advantageous to our nation.

8. As to recommendations that a national petroleum company be formed to operate all aspects of the industry, I am sure that such a socialistic solution would be both philosophically unacceptable and completely impracticable in the U.S. Staggering complications would arise; and bureaucrats who have been unable to efficiently run a post office operation or even supervise a subsidized railroad system, could hardly be expected to operate the far more complex movement of oil from well-head to automobile tank or local heating unit.

9. It is sometimes forgotten that the large American oil companies are publicly owned. They belong to a great many individual shareholders, and the majority of these are, like myself, small investors with their life savings in these corporations. Exxon alone has about 800,000 stockholders, most of whom are U.S. citizens, consumers, voters and taxpayers, with a legitimate right to be concerned about action by Congress or the Administration which might adversely affect them.

Unquestionably, the present energy problems are annoying and have resulted in many protests throughout the U.S. However, I am hopeful that Congress, as our maximum deliberative body with the ultimate responsibility for grave decisions, will avoid hasty and ill-conceived solutions; and that your special committees will make full use of the experience and knowedge available from the leaders of our oil industry. In fact, to fail to do so would be like the commanders of a beleagured fortress putting their strongest warriers in chains as enemy forces appeared on the horizon!

Thank you, Mr. Blackburn, for taking the time to read this letter, and please accept my sincere best wishes for your personal well-being.

Respectfully yours,
CHARLES V. MONTAGUE.

THE VIRUS OF TERRORISM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DERWINSKI. Mr. Speaker, as we await some positive developments in the kidnaping of Miss Patricia Hearst, I believe that the system is undertaking some long-range political terrorist problems.

Terrorist-perpetrated Arab extremist and leftist guerrillas in Argentina and Uruguay have set tragic patterns that unfortunately may affect us as well.

An editorial in the Chicago Daily News of February 23, follows on this subject:

THE VIRUS OF TERRORISM

The virus of terrorism for political motives has come to the United States in one of its ugliest forms—kidnaping. And it could pose a challenge beyond anything U.S. law-enforcement agencies have ever faced.

Kidnaping for ransom is an ancient crime,

but in the past its sordid motive was personal gain for the criminals. Something new and frightening is added when innocent victims are held hostage with the avowed purpose of overthrowing the social system or the government.

In the California kidnaping of Patty Hearst, the demand is couched in Marxist terms of sharing the wealth with the poor. The captors of Reg Murphy in Atlanta, the self-styled "American Revolutionary Army," released him for $700,000 ransom but vented their spleen against what they see as the leftward trend of the government and the press. Extreme fanaticism is a common thread, but the demands are at opposite poles of extremism.

Another common thread is the link to the nation's press. The Hearst family is of course closely identified with publishing. Reg Murphy is the editor of the Atlanta Constitution. Whether the aim is to guarantee greater publicity for the guerrilla gangs or represents a genuine grudge against the press isn't any clearer at this point than the vague ramblings of the tape-recorded messages.

What is clear is that society faces a new threat. The first concern must be to do everything possible to obtain the release of the hostages. The second must be to avoid handing the kidnap gangs a "victory" that might then encourage others to go and do likewise. Whatever temporary success they may achieve can be offset only by a demonstration that such tactics cannot pay in the long run.

It's a delicate and dangerous task for the FBI and the other involved agencies. But a civilized society can do no less than to summon every resource to stamp out the virus of terrorism wherever it raises its ugly head.

LAST-MINUTE STAY OF DEPORTATION FOR HAVIV SCHIEBER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHBROOK. Mr. Speaker, on February 20, I inserted in the RECORD remarks and accompanying material concerning the case of Haviv Schieber, an anti-Communist, anti-Zionist citizen of Israel, who was slated for deportation to Israel 2 days later, at 5 p.m. on Friday, February 22. Around 2 p.m. on the 22d, Justice Thurgood Marshall granted Mr. Schieber a stay of deportation pending further action of the Court. Appeals are at present before the Attorney General and the State Department for discretionary relief or political asylum.

I insert at this point a copy of the order of the Court and the text of the appeal by Mr. Schieber's Washington lawyer to the Supreme Court:

[In the Supreme Court of the United States, October term 1973]

No. —

HAVIV SCHIEBER, PETITIONER

v.

THE IMMIGRATION AND NATURALIZATION SERVICE, UNITED STATES DEPARTMENT OF JUSTICE, RESPONDENT

APPLICATION FOR STAY PENDING PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT

To the Honorable Thurgood Marshall, Associate Justice of the Supreme Court for the United States and Circuit Justice for the Second Circuit:

Petitioner hereby applies for a stay, pending the filing and determination of a Petition for a Writ of Certiorari, of the judgment of the United States Court of Appeals for the Second Circuit rendered February 19, 1974. Said Second Circuit Judgment dismissed Petitioner's motion to reverse the June 20, 1973, and February 1, 1974 decisions of the Board of Immigration Appeals not to reopen Petitioner's deportation proceedings. (A copy of the Second Circuit's Order Dismissing Petitioner's petition for review has not yet been received by Petitioner but copies of the Board's decisions of June 30, 1973 and February 1, 1974, are attached hereto.)

If a stay is not granted, Petitioner will be subject to immediate deportation to Israel as of 5:00 o'clock p.m. Friday, February 22, 1974, and his cause will be mooted before this Court has an opportunity to review the judgment below on its merits. In addition, because of the urgency of the situation, Petitioner also requests, if needed, a temporary stay of the judgment pending receipt and consideration of Respondent's reply to this Application, and pending any argument concerning this Application that this Court may wish to hear.

I

1. This is an action by Petitioner to reopen deportation proceedings in order that he may apply (1) for discretionary suspension of deportation by the Attorney General under Section 244(a)(2) of the Immigration and Nationality Act, 8 U.S.C. Sec. 1254(a)(2) and (2) for political asylum pursuant to the provisions of the Department of State policy statement of January 4, 1972.

II

2. Section 244(a)(2) of the Immigration and Nationality Act provides as follows:

"As hereinafter prescribed in this section, the Attorney General may, in his discretion, suspend deportation and adjust the status to that of an alien lawfully admitted for permanent residence, in the case of an alien who applies to the Attorney General for suspension of deportation and—

(2) is reportable under paragraphs (4), (5), (6), (7), (11), (12), (14), (15), (16), (17) or (18) of Section 1251(a) of this title; has been physically present in the United States for a continuous period of not less than ten years immediately following the commission of an act, or the assumption of a status, constituting a ground for deportation, and proves that during all of such period he has been and is a person of good moral character; and is a person whose deportation would, in the opinion of the Attorney General, result in exceptional and extremely unusual hardship to the alien or to his spouse, parent or child, who is a citizen of the United States or an alien lawfully admitted for permanent residence.

3. A majority of the Board of Immigration Appeals ruled on June 20, 1973 that since in its view Petitioner was unlikely to obtain suspension of deportation under Section 244(a)(2) it would not reopen the proceedings so that he could apply. Petitioner contends that the Board was in error in making this assumption, and that the Second Circuit was in error in failing to give Petitioner an opportunity to show that the Board's assumption was reversible error. A dissenting opinion of the Board stated that:

"He appears eligible for the relief he seeks. I can detect no valid reason for denying him the opportunity to show to an immigration judge that he deserves the favorable exercise of the Attorney General's discretion. I disagree with the majority's predetermination that any application for suspension of deportation will have to be denied in the exercise of discretion."

The majority view of the Board was apparently implicitly approved by the Second Circuit in its February 19, 1974 Order dismissing Petitioner's petition for review of the Board's decision.

4. In holding that Petitioner was unlikely to prevail in any application to the Attorney General under Section 244(a)(2) of the Immigration and Nationality Act, the majority of the Board of Immigration Appeals relied on its previous ruling in *Matter of Lee*, 11 I & N 649, that where an alien has acquired the minimum residence required for discretionary suspension of deportation under Section 244(a)(1) of the Act by taking advantage of every administrative or other remedy available to him, the favorable exercise of the Attorney General's discretion is not warranted in the absence of particularly strong equities. Petitioner contends that this ruling contradicts the purpose of the statute and is subject to serious question inasmuch as it unfairly penalizes the lawful pursuit of administrative and legal remedies. Moreover, Petitioner has been forced to lodge numerous administrative and judicial appeals because of the consistent refusal of the Board of Immigration Appeals over the years to reopen its initial deportation proceedings so as to permit Petitioner to apply under Section 244 of the Act.[1] In addition, Petitioner contends that inasmuch as it is the Attorney General's decision to use or withhold his discretionary authority to suspend deportation proceedings under the Act, it is beyond the authority of the Board of Immigration Appeals to refuse Petitioner the opportunity to show that he deserves the favorable exercise of such discretion by the Attorney General.

5. Finally, Petitioner asserts that the equities are particularly strong in his favor. He is sixty-three (63) years of age and has been physically present in the United States for fourteen years. During all of that time he has been a person of exemplary moral character and there has been no contention whatever to the contrary. Indeed, he has made many contributions to this country. He is the owner and president of a successful building construction company in New York City which specializes in constructing low-income housing for residents of the City (for which he has received letters of commendation from the City of New York and others) and which employs members of minority groups as well as Vietnam War veterans. He is active in a number of civic and social organizations, including several organizations, including several organizations concerned with the long-range problems of international communism and a weekly Arabic-English newspaper published in New York City partly through his assistance. Petitioner is a Sustaining Member of the Westside Conservative Club in New York City and also Secretary of the Anti-Communism International Club which he helped organize, and Chairman of the Holy Land State Committee.

6. Petitioner has no ties of any kind in any other country, and to deport him in these circumstances at his age in itself would result in extremely unusual hardship to him. In addition, because of his active efforts to unite the Arabs and Jews in forming a Holy Land State as set forth in his letter to the State Department requesting political asylum, described in paragraph 9 of this Application, *infra*, deportation to Israel would certainly result in exceptional and unusual hardship to Petitioner.

7. Petitioner, who is a Jew, was born in Poland in 1911. In 1932 fearing the Nazi con-

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[1] Petitoner on previous occasions has requested the INS to reopen his deportation proceedings so that he could apply to the Attorney General for permanent resident status under Sec. 244(a)(1) of the Act, which provision requires a minimum of seven years residence (rather than the 10 required in 244(a)(2)) and no past convictions for crimes involving "moral turpitude". Petitioner's attempts have been to no avail, however, principally because he has been unable to persuade the INS that his Israeli crimes did not involve "moral turpitude".

quest or his country, Petitioner fled his native homeland and relocated in Palestine where he became active in efforts to establish a safe and viable homeland for all Semitic people, Jew and Arab alike. By 1949 he had become mayor of the small Israeli town of Beersheba. Following his service as mayor, in 1951, Petitioner became involved in the two minor convictions the Board of Immigration Appeals has consistently relied on as proof of "moral turpitude" sufficient to justify deportation and denial of an opportunity to become a permanent United States citizen. Petitioner has contended, and still contends, that these two minor convictions in Israel over twenty years ago were obtained because of his political activities. For example, he asserts that in order to protest the lack of postal service, he set up a mock mail drop near the police station and was consequently charged with theft of the two street tiles he used to construct the mail drop and with operating a post office without authority. The second crime relied upon by the Service involved his having allegedly stated in 1951 that he had a permit to build on abandoned Arab properties shelters for the large influx of immigrants coming into Israel and his having collected very small amounts of money from prospective tenants (which amounts he had turned over to the Democratic Party). For this action, Petitioner had received a suspended sentence of three months. In spite of Petitioner's insistence that all of his legal difficulties with Israeli authorities two decades ago were because of his political views and activities, he has been unable thus far to persuade the Immigration Board of Appeals that such is the case. And, notwithstanding the fact that Section 244 (a) (2) of the Immigration and Nationality Act specifically authorizes the Attorney General in his discretion to stay deportation and adjust an alien's status to one of permanent resident when, after conviction, the alien resides in this country for a minimum of ten years and proves that during all of such period he has been and is a person of good moral character, the Board of Immigration Appeals has steadfastly refused to permit Petitioner to apply for the benefits of that Section.

III

8. On October 15, 1973, Petitioner requested the Immigration and Naturalization Service to reopen his deportation proceedings so that he could apply for political asylum pursuant to the provisions of the Department of State Policy Statement of January 4, 1972. On October 16, 1973, Petitioner received a letter from the Service stating that the deportation scheduled for October 17th would be stayed pending a determination of Petitioner's application. However, three months later, on January 16, 1974, without any hearings in the interim, Petitioner received another letter from the INS stating that no additional stay appeared warranted. In response to this, on January 23, 1974, Petitioner's New York counsel filed a letter with the INS formally requesting political asylum for Petitioner pursuant to the provisions of the Department of State policy statement of January 4, 1972 on the ground that were he deported to Israel he would be persecuted because of his political beliefs which are contrary to those of the ruling party in Israel. No hearings were afforded Petitioner on this formal application and Petitioner heard nothing further until February 1, 1974 when the Board of Immigration Appeals handed down a decision refusing to reopen the proceedings so Petitioner could apply for political asylum.

9. As a basis for its decision of February 1, 1974, the Board of Immigration Appeals cited a portion of a State Department telegram that it had received (but which Petitioner had not received and had had no opportunity to comment on) that stated ". . . we do not believe [petitioner] has valid claim for political asylum. His membership in opposition party is no reason for him to fear political persecution upon return to Israel." In fact, Petitioner had never based his claim for political asylum on a contention that he was a member of an opposition party. Indeed, Petitioner had not since filing his January 23rd letter presented to either the Board or the State Department a detailed brief of the basis upon which he believed he was entitled to political asylum. Moreover, the State Department telegram went on to state, although this was not included in the Board's opinion, "should Mr. Shieber present additional information which to the Service seems to require further review, we will be glad to give further consideration to the case." Mr. Shieber's counsel has subsequently submitted on Petitioner's behalf a letter to the Department of State setting forth detailed information in support of petitioner's contention that he is eligible for political asylum. Included in this letter is the fact that Petitioner has actively supported establishment of a confederal Holy Land State in the Middle East in which Jews, Christians and Moslems would each have home rule, and, furthermore, permitted Egyptian authorities during the recent Yom Kippur War in the Middle East to record several messages by him urging Israeli troops not to rely on military might in defense of the present state of Israel but to pursue their goals through the establishment of a Holy Land State. These broadcasts, Petitioner is informed and believes, are highly controversial in Israel and are considered by the Israeli authorities as tantamount to treason and a call for revolution in Israel. Petitioner's New York counsel was advised by the Office of Refugee and Migration Affairs in the Department of State on Friday, February 15, 1974 that Petitioner's application for political asylum was under active review by the Department of State. (A copy of the letter submitted on Petitioner's behalf to the State Department is attached hereto).

10. The decision (apparently without opinion, although a copy of the Order has not yet been received by Petitioner) of the Second Circuit on February 19, 1974, granted the motion of the Immigration and Naturalization Service to dismiss Petitioner's request for review and reversal of the above-described Board of Immigration Appeals' decisions of June 20, 1973 and February 1, 1974. The Court granted a stay of its judgment until 5:00 o'clock p.m., Friday, February 22, 1974.

11. The decisions of the Board of Immigration Appeals, sustained in effect by the Second Circuit's dismissal of Petitioner's request for review and reversal, constitute an unlawful denial to him of due process and equal protection of the laws guaranteed to him by the Fifth Amendment to the Constitution.

12. For these reasons, Petitioner respectfully requests that the judgment of the Second Circuit be stayed pending filing and determination of a Petition for a Writ of Certiorari. Petitioner also requests this Court to provide any further relief that might be needed to stay deportation of Petitioner pending the filing and determination of a Petition for a Writ of Certiorari.

Respectfully submitted,

BRUCE J. TERRIS,
ZONA F. HOSTETLER,
Washington, D.C.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petitioner's Application for Stay Pending Filing and Determination of a Petition for a Writ of Certiorari was delivered by hand this 21st day of February, 1974, to: Honorable Robert Bork, Solicitor-General, Department of Justice, Washington, D.C.

ZONA F. HOSTETLER,
Washington, D.C.

FORMER CHAIRMAN OF PRICE CONTROL COMMISSION CALLS FOR AN END TO CONTROLS WHICH ARE STRANGLING OUR NATION'S ECONOMY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. KEMP. Mr. Speaker, Mr. C. Jackson Grayson, former Chairman of the Price Commission during phase II and presently the dean of the School of business Administration at Southern Methodist University, has made a well-reasoned plea for the abolition of wage and price controls—controls which are virtually strangling the economic productivity of our Nation.

This plea, in the form of an article which appeared earlier this month in the Wall Street Journal, is worthy of the attention of all members of this body who are committed to the strengthening of our economy—and the jobs and income which flow naturally from and to the people during periods of prosperity.

The article follows:

LET'S END CONTROLS—COMPLETELY

(By C Jackson Grayson, Jr.)

The wage-price control or decontrol debate has shifted from whether we are going to decontrol to (A) how far, (B) when, and (C) how?

A consensus prediction seems to be that (1) gradual decontrol will continue, (2) that some sectors, probably energy, construction, and health will continue under long term controls, (3) that the Stabilization Act will be extended, and (4) that a wage-price control "stand-by" mechanism will be created.

I find a growing attitude of almost "inevitability" that this is the course that we will (or should) follow among Congressmen, businessmen, labor leaders, the press and members of the administration.

I challenge the necessity, wisdom, or inevitability of any or all of these. Before it is too late, I urge instead: (1) end all controls totally by April 30, (2) let the Stabilization Act expire, and (3) do not establish the proposed "stand-by" control mechanism.

Total decontrol sounds frightening to some, particularly politicians fearing voter reaction. "How can I vote for decontrol?" complained one decontrol-minded Congressman. "A vote for decontrol sounds like a vote for inflation."

It is true that if all sectors were decontrolled, there would be some wage and price increases. Some might be large and rapid as the market moved to adjustment levels necessary to ration resources and attract capital and labor.

But the economy-wide increases on total release will not be nearly as large as some fear. Much of the economy has already been released, and forecasts are for a slackening economy.

Who will be sending prices and wages upward? The market. Purchasers (industrial and consumers) will be signalling "more" or "less" of a wage, good, or service. The market, not the controllers, will be allocating resources to society's most efficient uses.

NOT PERFECT, BUT . . .

Those who argue that this market mechanism is imperfect because of market power by business or labor or structural defects, should work to correct such faults rather than continue reliance on a mechanism that

is far more dangerous to the market mechanism than such alleged imperfections. This line of argument will tend to keep us in controls forever as a countervailing power to alleged blocks to competition.

Arguments will surely be made, in rebuttal, that price increases will hurt the poor more than the rich. By definition, this is true. The poor have less money. Any price increases hurt them more, controls or not.

But if society wishes to increase economic opportunity for those with lower income (as I think we should), this is best done by means other than controls. In fact, continued controls, in many ways, hurt the poor. They tend to drive low markup items from the shelves, provide those with higher incomes and better education opportunities to get around the system. And they increase unemployment for marginal workers whose productivity is not as great.

Other arguments against total decontrol will be raised. "Now is not the time. Wait a little longer."

In late 1972 it was the fear of large wage settlements in 1973 that postponed decontrol. These did not materialize despite a more flexible Phase 3 and rapidly escalating prices. Shortages (fuel, steel, fiber, paper, etc.) are now being advanced as a reason for continued controls: "Price increases will not increase capacity in the short run and will merely result in higher profits."

Continued controls are not going to help the shortage problem. If anything, they will prolong shortages because of the lack of increased incentive (profits) to invest and expand quickly. Management, labor, and capital will delay action or even flow elsewhere. The result could then reach a point where arguments would be made that the federal government must invest to expand capacity through direct investment (to wit, the proposed federal oil and gas corporation).

While some people would agree with the philosophy of total decontrol, they would stop short of energy decontrol. For the same reasons as given above, I would not.

Yes, prices will increase. (They are going to increase anyway, with controls.) Yes, prices would increase more rapidly with decontrol. But the solution to the shortages would also be faster as price served its function of rationing and as incentives were increased for supply of more energy sources. Again, help for people with lower incomes should be done with mechanisms other than continued wage/price controls.

Similar arguments can be made for also removing controls from other sectors popularly nominated for long term controls—construction, health, food.

Finally, continued selective decontrol, while appealing to those who believe they know how to manipulate the allocation system, is dangerous. It increases the distortions among industries and services of different sizes; but more importantly, it increases the distortion of the flow of capital and labor due to unforeseen effects of substitution, interdependencies, false price signals, and administrative lags among controls and non-controlled sectors. It was for these reasons that we shied away from industry-by-industry controls altogether in the Price Commission.

Our economic understanding and models are simply not powerful enough to handle such a large and complex economic system better than the marketplace. Partial decontrol (or its converse, partial control), tends to build a false belief in the minds of the public that controllers really "can" manipulate the system more efficiently, and will increase the cry for selective "recontrol" later on. After all, they knew how to selectively decontrol, didn't they?

I also don't believe that the Stabilization Act should be continued past April 30, even if decontrol were complete prior to that date.

If the act sat on the books, there would be tremendous pressure and temptation to reimpose control in the near future. Even in a stable economy, some prices rise dramatically, some stay stable, some decline. But the headlines go to the increases, and political pressures will be heavy to reimpose controls over this or that sector.

If Congressmen think they will have immediate political problems now from decontrol they should think what they are letting themselves in for over the next year or two as prices fluctuate and successive delegations descend on them. They and the Executive Branch will be continually besieged to put controls back on across the entire economy, or selectively on visible wage settlements and price increases.

I recommend that the act expire now. Then, if the nation wishes to re-embark on the controls road again, the decision would be subject to full public debate, and not decided by administrative decision in the Executive Branch.

PRESSURES AND POLITICS

Finally, I recommend strongly against establishment of the proposed stand-by wage/price agency. If such an agency were created, whether responsible to the Executive or Legislative Branch, it would be subject to continual pressure to reimpose controls, totally or selectively. The monitors would find it almost impossible not to take "action" (direct controls or jawboning) even when price increases represented pure demand shifts. Prices would be determined as much by politics as economics.

Secondly, the "responsibility" for control of inflation would be thought to rest in the hands of this agency instead of at the more fundamental levels of fiscal and monetary policy, increased productivity, structural reform to increase competition, and widespread acceptance of individual responsibility to help control inflation.

Third, such an agency would undoubtedly be staffed by able people, anxious to do a job. The temptation of such a combat-ready group to "fine-tune" the wage/price mechanism would well nigh be irresistible. Parkinson's Law would surely operate. Many bright economists would like nothing better than to get their hands on the throttle of the economy to install their honest beliefs about "necessary" government intervention in the market.

Fourth, its proposed main activity of "jawboning" is not innocuous. The most people, that term means public spirited appeals for restraint and cooperation on wages and prices. But, if past history is any judge, jawboning will also include threats to pass punitive legislation, to unleash a Justice or FTC investigation, to sell stockpiles to depress markets, to issue or leak derogatory stories to the press, and to issue or deny government contracts. At the personal level, jawboning can include subtle offers or denials of government appointments, or even threats to audit personal tax returns. All have been used. In my opinion, these are all abuses of power and contrary to the American sense of fair play and civil liberties.

Finally, the mere existence of such an agency would encourage price increases and discourage price decreases.

An unfortunate lesson learned from the various phases is that you'd better get wage/price increases while you can. Time and again, the "good guys" got hurt by exercising restraint. Many businessmen have told me that they will not reduce prices for fear that a new freeze, a new rule, or a new recontrol will catch them with their prices down. If such an agency were sitting there, symbolically hovering over the marketplace with a sniper's rifle, I think we would not see many price decreases, and would see instantaneous price increases. We would be institutionalizing inflation.

NEW SCENARIO IS POSSIBLE

Many of these points have been made before. Yet I am alarmed at the feeling of inevitability of the events of the next few months—partial decontrol, extension of the act, and creation of a stand-by mechanism. Businessmen seem resigned to this fact as a way of getting at least partially out. Administration officials apparently believe that this is the course to be followed to get congressional agreement. Many Congressmen believe that they can't completely decontrol because of public backlash.

The scenario does not have to come out that way. We can decontrol, with better long-range consequences for everyone, including the poor.

Why do I, who ran a price control program, argue as strongly as I do? I know price controls intimately and how people work in them. I know the distorting effects and political pressures. Controls do have some value, but for a limited time period and under special circumstances. After that, they should be abandoned.

More importantly, I know from first hand experience that allocations by the marketplace are far superior to any centrally directed system, and are most consistent with personal freedom.

It's easy to get into controls, but as we are now witnessing, hard to get out. It is time to act with courage. Let's get out, and let's get out completely.

CONGRESSIONAL OPINION SURVEY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. HELSTOSKI. Mr. Speaker, as chairman of the Veterans' Subcommittee on Education and Training, I noted during our hearings that the Veterans' Administration disagreed with some of the major recommendations of the Educational Testing Service's —ETS—study of the current and past GI bills.

Accordingly, an organization, the National Association of Concerned Veterans—NACV—formerly the collegiate veterans, has commissioned a congressional survey seeking opinions on the conclusions of ETS.

Mr. Speaker, I insert into the RECORD the letter of James M. Mayer, president of NACV; a brief fact sheet focusing on veterans' benefits; and a copy of the survey. I encourage all members to participate in this worthwhile NACV survey.

NATIONAL ASSOCIATION
OF CONCERNED VETERANS,
Washington, D.C., February 18, 1974.

DEAR REPRESENTATIVE: The National Association of Concerned Veterans (NACV), formerly the National Association of Collegiate Veterans, is a non-partisan organization of Vietnam era veterans. The NACV, with affiliated clubs in thirty-two states, is now seeking your assistance.

Public Law 92-540 required that the Veterans Administration (VA) provide "an independent study" by late April, 1973. The study was to compare the current GI Bill program of educational assistance with that of prior conflicts. One of the criteria for comparison was "adequacy of benefit level."

However, the VA did not assign the study to its author, the Educational Testing Service (ETS), until late May, 1973. The ETS study, delivered to Congress in September, 1973, recommends sizeable increases in current GI Bill education and training allowances.

After reviewing the ETS study, the VA observed that ". . . no general restructuring of the educational program seems necessary or advisable, especially with reference to the present benefit payment system."

Because of these contradictory conclusions, the NACV is very interested in gauging Congressional opinion about the ETS study's findings. Accordingly, the NACV respectfully requests that you answer and return the attached one-page survey. The reverse side of this letter contains further facts about the World War II and Vietnam GI Bills.

The option between an anonymous or a signed reply is strictly yours. Also, your schedule permitting, a reply within fourteen days would be greatly appreciated.

The NACV would be very grateful for your co-operation in this endeavor. Of course, the results of this survey will be made available to you and the Committee on Veterans' Affairs of both Houses.

Sincerely yours,

JAMES M. MAYER,
President.

VETERANS BENEFITS INFORMATION SHEET

1. In 1948, WWII single veterans received $75 per month in subsistence allowances, plus the VA paid the school up to $500 per year for each veteran's tuition, fees, books and supplies.

The 1948 tuition allowance covered the rates of nearly all the public colleges, and 89 percent of the private colleges.

2. From 1948 through 1972, the *average* public college tuition rates increased 215 per cent—from $194 to $419. During the same period, the *average* private college tuition rates increased 522 per cent—from $368 to $1900.

3. The Consumer Price Index (CPI) has increased from 72.1 in 1948 to 138.5 in January, 1974. This translates to an indicator of 1.9211.

4. Today, a single student veteran receives an allowance of $220 per month—or an annual amount of $1980.

5. The 1973–74 school year brought sharp increases to many institutions. Pages S 504–5 of the January 28, 1974, Congressional Record contain a state by state listing of the most current tuition charges.

To estimate the amount of money that a single student veteran has per month to live on in your state: add $216 (the average figure for fees, books and supplies) to the respective tuition rate. Subtract that total from $1980; and divide the remainder by 9.

CONGRESSIONAL OPINION SURVEY

Directions: A. Please circle the answer you feel most appropriate after each statement. B. All quotes used are from the ETS study and apply to the level of benefits prescribed by current law.

1. "In general, the 'real value' of the educational allowance available to veterans of World War II was greater than the current allowance being paid to veterans of the Vietnam Conflict when adjustments are made for the payment of tuition, fees, books and supplies." Agree, disagree, no opinion.

2. "When educational allowances for the Vietnam veteran are adjusted for the average tuition, fees, books and supplies at a 4-year public institution the benefits remaining are insufficient to meet the veteran's estimated living expenses." Agree, disagree, no opinion

3. ". . . the average veteran, when faced with insufficient resources to meet his estimated expenses for living plus institutional costs, must either arrange for additional financial resources outside the normal (federal) student aid funding sources or seek out a lower-cost institution when such is available to him." Agree, disagree, no opinion.

4. "The veteran residing in a state with a well-developed system of low-cost institutions has significantly more of his benefits available to help defray living expenses than would his counterpart living in a state without such a system . . . Current benefit levels, requiring as they do the payment (by veterans themselves) of tuition, fees, books and supplies, and living expenses, provide the basis for "unequal treatment of equals." Agree, disagree, no opinion.

Name (optional) ———.

Please use the reverse side if you wish to add a comment.

MONSIGNOR McFARLAND TO OBSERVE 50TH ANNIVERSARY OF ORDINATION

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. WHALEN. Mr. Speaker, I would like to pay tribute at this time to a much beloved and respected man, Msgr. Joseph Dean McFarland, who will celebrate his 50 years as a priest on March 15.

I also should note that in November of this year he will mark his 25th year as pastor of Holy Angels Parish in Dayton, Ohio, to which I belong.

Monsignor McFarland will concelebrate his anniversary Mass of Thanksgiving with Archbishop Joseph Bernardin in Holy Angels Church at 7 p.m. on Friday, March 15. Parish festivities will begin with a parish dinner at the University of Dayton Kennedy Union on Friday, March 8. A reception will be held on Sunday, March 17, from 2 to 4 p.m. in the parish school. The children of Holy Angels will honor Monsignor with a program on March 19.

The members of Holy Angels Parish, the citizens of Dayton and the Archdiocese of Cincinnati have been fortunate indeed to have had the benefit of Monsignor's guidance and inspiration over these many years. As I know from my own personal experience, he is simply a marvelous gentleman whom we all have come to love and respect as a member of the family and an exemplary man of God.

A native of Ohio, Monsignor McFarland was born on September 3, 1896 in Marion, the son of Thomas Joseph McFarland and Margaret Dean Moloney. He received his primary and secondary education at St. Mary Catholic School in Marion and graduated from the University of Dayton in 1918 with a bachelor of arts degree. In the fall of that year, he entered Mount St. Mary Seminary to prepare for the priesthood. In late summer of the following year, Archbishop Moeller asked him to continue his studies in Rome, Italy, where he entered the North American College on October 15, 1919. He was ordained in the Basilica of St. John Lateran in Rome on March 15, 1924. He remained in Rome until late June of 1924, having merited a doctorate in sacred theology from the Propaganda University. Six of his professors there later were to become cardinals.

Returning to the United States, he became Chaplain of Santa Maria Institute and pastor of St. Anthony Italian Parish in Cincinnati. A year later he was appointed to the faculty of the St. Gregory Seminary where he taught Latin and history for the next 9 years. While teaching at St. Gregory's, he took summer courses at Columbia University in New York and received a masters degree in political and social sciences. In the fall of 1934 he was transferred to Mount St. Mary Seminary as spiritual director. Three years later he was named pastor of St. Paul Parish, an intercity parish in Cincinnati where he remained for the next 12 years.

Monsignor came to Dayton in November, 1949 as pastor of Holy Angels and 14 months later also was named a judge in the Matrimonial Tribunal of Cincinnati, a position he still retains. In January, 1954 he was named a consultor of the Archdiocese, a position he held for more than 18 years. Also in January, 1954, Pope Pius XII made him a domestic prelate with the title of right reverend monsignor.

I am very pleased to add my words of congratulations to this distinguished and beloved clergyman, Mr. Speaker, and to praise him for the goodness of his work in the service of God. May God continue to bless him.

METHANE GAS CONVERTER IS POSSIBLE PARTIAL SOLUTION TO ENERY CRISIS

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ALEXANDER. Mr. Speaker, America has now embarked on a major quest for alternative energy sources in light of world petroleum problems. The Nation has been asked to spend $10 billion over the next 5 years in an effort to find and develop existing and new sources of energy.

This program is undoubtedly vital to the country if we are to maintain our great industrial and agricultural progress. However, I think it is important that we give high priority to developing on a mass scale those sources of energy which are currently available and where the technology is a relatively simple matter, to press forward immediately.

One that certainly deserves attention is the use of methane gas which is generated through natural processes from all types of organic wastes. The possibilities are literally mind-boggling because not only will methane produce an inexpensive fuel but also will help to solve serious environmental problems.

Dr. Charles Lee Keeton III of Washington, D.C., has written a provocative paper on this subject which I hope will spark greater interest in developing methane gas. The text of the paper follows:

HOME-MADE METHANE AND THE ENERGY CRISIS

(By Charles Lee Keeton 3rd., Ph.D.)

There have been many recent articles on the energy crisis, which have emphasized the need for less wasting of scarce natural gas and other low-pollution fuels. There have also been many articles which have emphasized that synthetic natural gas and other

fuels could be extracted from coal. However, there have been very few articles that have reminded us that natural gas (methane) can also be extracted from human and other organic wastes with a methane gas converter. According to a 1972 report of the U.S. Office of Science and Technology, at least one-third of our gaseous fuel needs could be met by extracting methane from organic wastes.[1]

By involving every person (via the recycling of his own body and other organic wastes), the methane gas-converter might give most users the feeling of having done something about the energy and pollution crisis. Many people lash out at "Big Business", the "Pollution Lobby", etc., in part from a feeling of hopelessness at being able to do anything. In short, I am suggesting in this article that a number of manufacturers ought to begin making the following two items:

(1) A methane gas-converter that would digest all organic wastes of the home or farm, and convert them to methane-gas to power the family car, tractor, home or farm. A number of such anaerobic-digestion converters, ranging in size from one made from two rubber tires, to one made from a 55-gallon oil drum, and even larger sizes of converters, are described by L. John Fry in his booklet, "Methane Digesters." The work is a prelude to a book Fry is writing about his very profitable pig farm in South Africa, which he powered entirely for six years with pig manure processed in a methane gas-converter.

The booklet above is available for three dollars by writing to Fry at 15 West Anapamu, Santa Barbara, Calif. 93101. Another world authority on the methane gas-converter is Ram Bux Singh, the Indian scientist; two long interviews with him are published in the Dec. 6 1973 *Congressional Record*, pp. § 22099–104. In sum, the more that one learns about the methane gas-converter the more one tends to agree with another authority, Prof. S. A. Klein of the University of California. He believes that the "abundance plus desirable burning properties add up to a low cost fuel that can replace wood, coal and oil as the major fuel source for home and industrial heating purposes."

(2) Big methane gas-converters for large businesses, public buildings, and as "energy nodes" for entire neighborhoods. Fry, the South African pig farmer mentioned above, produced 8,000 cubic feet of gas a day from his converter, which is enough gas to cook the daily food of at least 40,000 people. Other good markets for such converters would be race-tracks, stockyards, zoos, and feedlots, which at present allow much of their manure and litter to run off and to pollute nearby waterways.

With a methane gas-converter farmers and animal-keepers could convert animal manure and other organic wastes into methane gas to power their establishments; and, the dried human wastes from the converters would make superb fertilizer. Any excess gas and fertilizer could be sold to nearby consumers, who could use the gas to power their homes and engines, and use the fertilizer on their lawns and fields. If the family or individual lived in an apartment building, perhaps free methane gas would be thrown in with the other benefits that the apartment building offered. These would include hot water, space heating, lighting, cooking, drying, and air conditioning powered all or in part by methane gas produced from the building's combined organic wastes.

In short, I am advocating a methane gas-converter for virtually every home, apartment building, and even larger buildings. As John Shuttleworth, editor of *Mother Earth News*, put it: "Research must be directed away from the development of centralized, capital-heavy, tightly controlled, "dirty" energy systems . . . and towards the nurturing of decentralized, inexpensive, controlled-by-individuals-at-point-of-use, "clean" power-sources."

Such an on-site energy system utilizing the organic wastes produced on the site is most efficient. Such "total energy-systems" can operate at up to 75 percent efficiency in terms of converting fuel to useful energy (as compared to 34 to 36 percent efficiency of supplying electricity from the average central power-station). Such on-site "total energy-systems" would conserve fuel, produce far less pollution, and would disperse the sources of whatever little pollution there was as compared to concentrating the pollution in one central area with a central power-station. Such "total energy-systems" would also eliminate the up to 10 percent energy-losses that occur when electricity is transmitted and distributed from a central power-station to the consumers.

Such "total energy-systems" might ease the intense energy demands of the late-afternoon and evening hours, might help to prevent the reoccurrence of another 1965 New York blackout. When one realizes that one pound of human solid wastes (or solid wastes from any animal) will produce enough methane gas to cook the daily food of a family of six, one can readily grasp how the methane gas-converter could markedly reduce the threat of an "energy crisis" for all families using it. In addition, organic wastes ranging from grass cuttings, leaves, paper, kitchen scraps, pet droppings, cactus juice, kelp and other sea-weed, and agricultural organic-wastes of all kinds could also be used in the methane gas-converter. One pound of dry leaves, for example, will produce seven cubic feet of methane gas or enough gas to cook the food of a family for one week.[2]

The average BTU rating of one cubic foot of gas from a converter is about 650 BTU (British Thermal Units). This is significantly higher than the 450 BTU obtained with commercial coal gas sold in England. Ordinary natural gas out of the ground, and the promising new coal gasification process known as Hygas, both rate about 1,000 BTU per cubic foot. However, a considerable amount of energy (BTU) must be expended in order to extract the original substances out of the ground, process them, and to distribute the gas to the consumer. By way of contrast, the 650–679 BTU obtained with the methane gas-converter—in an on-site "total energy system"—requires the expenditures of little or no energy; and, is therefore nearly as high in usable BTU as natural gas out of the ground or the best coal gasification system, Hygas. In short, since the average American produces nearly one pound of solid wastes daily (i.e. one cubic foot of gas rating 650 BTU), perhaps the widespread adoption of the methane gas-converter would save a lot of Appalachia and our western states from being strip-mined.

I would like to suggest an additional benefit of the methane gas-converter. The average American uses about six gallons of water each time he flushes a toilet, and uses a total of about 100 gallons of water per day. Without the flush toilet, he would use only about ten gallons per day. One percent of a flushing pollutes the other 99 percent, which is the water. This has to be separated once again at the sewage plant from the human body wastes and purified. Since 50 percent of the water used in the U.S. is used in flushing toilets, billions of gallons of water could be saved every year by the adoption of the methane gas-converter.

In short, there is a real potential market for methane gas-converters. It is rather probable that many families with a converter woud also continue to use other energy sources, such as the local coal, oil, gas, and electric companies. Therefore, it seems obvious to me that such companies should begin making the methane gas-converter as still another company service to their customers. The coal, oil, gas, electric and other power companies had better start thinking of themselves as energy firms, and not merely as oil, coal, gas, and electric companies. If they do not, such firms may well repeat the mistake of America's carriage manufacturers who—after their greatest sales year in history in 1910—refused to think of themselves as being in the transportation business as well as in the carriage business. Prof. Arthur Harkins of the University of Minnesota put it well in a recent interview:

"The answer is to diversify. You can't have Breeder Reactors producing all your power—only some of it. The answer to coping with the future is, in terms of power, to have self-sufficient dwelling units using solar power, for instance, or cells or windmills, or whatever. There are many ways. And once you have a sufficient variety of systems going, the breakdown of some of them won't short out the entire machinery of society . . ."

When introducing the line of methane gas-converters, I would suggest that ads be initially placed in environmental magazines, i.e. magazines with "environment", "ecology", or "pollution" in their titles; and also in magazines such as "Futurist," "Mother Earth News," "Lifestyle!," and Britain's "New Scientist." Such magazines are an automatic sort of "test-market", and would enable the manufacturer to perfect his products as well as his advertising appeals before launching the product onto the larger, general market.

Keeping in mind the U.S. media's proclivities for blowing-up any youthful fad into monumental proportions, an enromous amount of free publicity could be gained from an early emphasis by the manufacturer among younger and more ecologically-concerned citizens—perhaps among the many ex-urbanites who have recently moved to rural areas. Once a "fad" got started among younger persons of recycling their organic wastes in a methane gas-converter in order to power their car and house, the more general and urbanized citizen would take it up. An enormous amount of good (and free) publicity, and an improved ecological "image" would adhere to the company manufacturing the above converters, particularly among the very groups who are today the most critical of the "Pollution Lobby".

In summary, a manufacturer of the above converters could begin lobbying in Congress to get all purchasers and users of such converters the right to write-off the cost from their federal income taxes. Not only would this improve the manufacturer's sales, but it would also make him a true defender of our threatened environment. The justifications for this tax write-off would include the following:

(1) Methane gas-converters might ease the unfair pressure (and criticism) on the energy producers, which would allow them to better serve the consumer without the frantic energy shortages which now face us. Methane converters might also tend to ease our foreign exchange and trade deficit problems. This would enable American business and America, itself, to deal as an equal in the world market, instead of as a petitioner which we are well on the way to becoming due to our great energy shortages. These

[1] Other experts claim that such converters could provide anywhere from 11 percent of U.S. natural gas needs to perhaps over 50 percent.

[2] The figure above of one pound of solid wastes to produce one cubic foot of gas is the rating from cow manure. Human, pig, and chicken manure actually average about four cubic feet of gas per pound. Ordinary kitchen garbage produces about three cubic feet of gas per pound.

shortages have to be made up, in part, by oil and other energy imports.

According to conservative estimates, Saudi Arabia not including Kuwait, Iran, Libya, and other oil-producers will have perhaps 100 billion dollars in gold/foreign exchange in 1980—as compared to about 10 billion dollars or less for the U.S. Actually, this estimate is most likely far too conservative. The World Bank made a projection in early-1974 (based upon a barrel of oil costing eight dollars in 1980) that estimated that the five Persian Gulf states of Saudi Arabia, Kuwait, Iraq, Iran, and Abu Dhabi would in 1980 control net foreign assets of about 280 billion dollars out of a total world reserves of no more than 400 billion dollars. The figure of 280 billion dollars is net, i.e. the surplus funds left over after the five oil producers had purchased whatever they desired from other countries.

But let us take the most conservative figure above. The 1971 international monetary crisis involved a total of only about 30 billion dollars held by many countries. Imagine what one country, namely Saudi Arabia, with 100 billion dollars by itself could do in the world's money markets, especially in collusion with other oil countries. The methane converter might help to prevent such an extreme concentration of money and oil-countries. The methane converter might also be a partial solution for energy-short "Third World" countries, who have pollution problems and lack the foreign exchange to pay for oil and other energy imports to power their modernization programs. The methane converter might enable all energy-short nations, including the "Third World", Western Europe, the U.S., Japan, and others to avoid a dangerous international struggle for oil and other energy sources.

(2) Methane converters might reduce the need to strip-mine and to litter our country with dams, high-power lines, and oil pipelines. Methane converters might take some of the pressure off of our atomic energy plants, which may well not be safe to operate at a high degree of energy-production by 1985—despite what the Government might be forced to claim in order to ease the U.S. consumers' clamor for more and cheaper power.

(3) Methane converters in the home and farm would enable the energy (BTU) in methane to be converted at a rate of up to 75 percent efficiency or higher. Gas-using items, such as gas ranges, furnaces, refrigerators, hot-water heaters, gas clothes-dryers, and gas-lights, would have an efficiency rate of about 75 percent. This rate compares rather favorably with the 34 to 36 percent efficiency-rate obtained in fossil-fueled electric plants, and the 25 to 33 percent obtained in nuclear-fueled electric plants.

In fossil-fueled electric plants, the energy in about two out of every three units (i.e. tons, barrels, etc.) of fuel cannot be converted into electricity, but is instead dumped into the atmosphere and water as waste heat (pollution). Likewise, in nuclear plants, the energy in about three out of four units of nuclear fuel cannot be converted into electricity, but is spewed into the water and atmosphere as waste heat (pollution). Such concentrations of pollutants in one central area, and the energy losses of up to 10 percent that occur when electricity generated in a central electric-plant is transmitted to the consumers, are avoided with the methane converter.

(4) Methane converters might ease the overload of organic wastes which descends upon our waste disposal-plants, and which is often burned to make electricity or processed into methane, methanol or oil. Unfortunately, the energy costs of picking up organic wastes, processing them in a central plant, and then re-distributing the electricity or methane/oil produced, might almost cancel-out the amount of produced energy. This is not an argument against burning organic wastes or processing them to make methane or oil—anything is better than dumping valuable organic wastes into landfills or into bodies of water.

However, I am suggesting that such wastes might be processed into methane gas more efficiently at their various points or origin—i.e. in a methane gas-converted in an on-site "total energy-system". Also, the heat produced in a central waste disposal-plant is lost largely as pollution—although about 53 percent of the total energy consumed in the U.S. is used for heating, and over one-third of this heat energy consumed is used for space heating.

The heat wasted in energy-generation in a central waste disposal-plant would be utilized in a "total energy-system" installed in the home or farm, to say nothing of all the other advantages already noted above of the on-site energy system vis-a-vis the generation of energy in a central plant. If a particular household did not want to use the fertilizer also produced in the methane gas-converter, the fertilizer could be dumped into the local sewage system. If many or most households had a methane converter, local waste disposal-plants could concentrate their primary efforts on the non-organic wastes, phosphates, plastics, and other hard-to-purify pollutants. These and other non-organic wastes might also be burned to make electricity or processed into methane or oil. In short, the decentralized on-site methane gas-converter would probably complement—not compete with—the centralized waste disposal-plant.

(5) Methane converters might greatly ease the water shortages in places like New York City, Washington, D.C., northwest Texas (where the wells may fail completely by 1985), Arizona, and Southern California. The wasteful flush toilet—which uses 50 percent of all the water used in the United States—would largely become a relic of the past if methane converters were put into common use.

(6) Methane converters might ease the problem of what to do with the more than two billion tons of cattle, pig, chicken, and other animal manures produced yearly in the U.S., which is enough manure to cover an area of over 500 square miles to a depth of over four feet. Farmers and animal keepers could sell their excess methane gas to local consumers to power their houses and cars, and thereby substantially reduce water and air pollution. The nitrogen-rich fertilizer from the methane converter—which is three time rich in nitrogen than compost—could be made into excellent animal feed. Or, the fertilizer (wet or dried) could be spread on lawns, vegetable gardens and fields in addition to the standard inorganic-nitrogen and other commercial fertilizers. The organic fertilizer from the methane converter is extremely rich in humus material, and would act as a binder to hold the inorganic-nitrogen fertilizers in the soil.

The methane gas-converted would, therefore, halt much of the nitrogen, phosphate, and other fertilizer run-off. It is this inorganic fertilizer run-off (in combination with the manure run-off from feedlots and other animal concentrations) that has caused considerable occurrences of the famous algae 'blooms'. These are alleged by some ecologists to have turned Lake Erie and other waterways into areas increasingly devoid of living things.

(7) Inorganic-nitrogen fertilizer is made from natural gas, and many pesticides and other agricultural products are also made from fossil fuels. At present, our energy-intensive farming requires five calories of energy (i.e. fossil fuels) in order to realize one calorie of food in return. Higher energy costs will therefore cause higher food prices; and will also probably cause food shortages in our larger cities—and in country hamlets—where food and supplies must be hauled long distances by trucks.

The food shortages and the high prices charged for whatever food that was available might well drive many big-city dwellers back to the country to till the soil with horses and mules. Of course, more horses and mules would mean a greater demand for animal feeds, such as wheat, corn, oats, and other grains, which would require many millions of acres now being used to raise food for humans. This shift of acreage would be quickly reflected in higher bread and food prices in the stores.

In short, if American farmers must at present invest five calories of fossil fuel in order to realize one calorie of food in return, does this not imply agricultural and financial bankruptcy for the U.S.? Unless organic farming is also increased to the greatest extent possible, the three "F's" (of insufficient fuel which causes fertilizer and food shortages) may result in the fourth "F".

Famine.

The methane gas from the methane converter could run our farm machinery; and the nitrogen and humus-rich fertilizer from the converter could renew our soils. This, in turn, would help to keep down the costs of raising food and other farm products. Our farm lands will be rapidly exhausted in the next few years in order that our farmers can grow enough farm export-crops to reduce the deficit in our balance-of-payments abroad—a deficit increasingly brought about by our great need to import fossil fuels for use in machinery and fertilizers.

The methane gas-converter could break this vicious ecological circle of exhausting our soils to pay for oil imports—by providing perhaps one-third of our natural gas needs (or at least enough to power, heat and light the average American home) while restoring our depleted soils.

(8) In conclusion, the adoption of methane gas-converters, and the methods of promoting them that I mentioned above, could probably contribute to the formation of many thousands (or perhaps millions) of new jobs. The U.S. might well be able to grow a new generation of Americans who are aware of the valuable role which the free enterprise system plays in a free country. This kind of education is by itself surely worth a tax writeoff for all buyers and users of methane gas-converters in an on-site "total energy-system".

CONFERENCE REPORT ON NATIONAL ENERGY EMERGENCY ACT

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. LEHMAN. Mr. Speaker, I voted yesterday with the overwhelming majority of my colleagues for the conference report on the National Energy Emergency Act. Although I have some serious reservations on portions of the conference report, nonetheless I realize that no legislation dealing with such an enormously complex matter will be able to please everyone.

I voted to retain section 110 of the bill, which will place a price ceiling on domestic oil in the range of $5.25 to $7.09 per barrel. The national average price for new crude and stripper wells is now $9.51 per barrel, while less than a year ago, the average price for domestic crude oil was $3.86 per barrel. Moreover, the National Petroleum Council, only a few months

ago, estimated that the price of oil necessary to assure the United States self-sufficiency by 1980 is $4.35 per barrel. The Independent Petroleum Association of America more recently estimated the necessary price at $6.65 per barrel. Both estimates are well within the price range allowed in the legislation, and consequently consumers should see lower prices, while at the same time oil production ought not to be slowed for lack of a profit.

I also voted to retain section 105, which authorizes the Federal Energy Administrator to issue regulations for the conservation of energy, with such regulations being subject to a congressional veto. This is a workable means to deal expeditiously with the energy shortage, and although contrary to the customary legislative process, will temporarily enable the Federal Government to act quickly, while preserving the right of Congress to say "no."

I did vote to delete section 104, which gives the President the authority to ration gasoline. However, a majority of my colleagues believe that the President should have this authority, and the section remains in the bill.

The rationing proposals that I have seen are unfair, arbitrary, and discriminatory. Areas that have taxed themselves to provide public mass transit will receive less than those who depend on the free expressways. The cost of administering rationing would alone add up to 2 cents per gallon, and impose on the public another enormous Federal bureaucracy. Furthermore, I strongly believe that gas rationing encourages a black market situation, which would work a hardship on all of us.

I did not vote against the conference report altogether because this provision remained in the bill. Section 104 will permit the President to implement gas rationing only after he has exhausted every other method of conserving gas, and then only after hearings and judicial review.

One of the most significant provisions in the bill from south Florida's standpoint will require adjustments in the allocation program to reflect regional disparities in use and population growth. As one of the fastest growing areas in the Nation, this provision will force the Federal Energy Administration to recognize the particular problems that south Florida is having with the allocation program as it stands now.

A summary of the conference report follows:

TITLE I

Creates a Federal Energy Emergency Administration.

Gives standby rationing authority to the President on finding that all other actions are not sufficient to preserve public health, safety, and welfare.

Authorizes the Administrator of the FEEA to issue regulations restricting public and private consumption of energy, subject to Congressional veto.

Requires the Administrator, where practicable, to order major fuel burning installations to convert to coal if they have the capability and necessary plant equipment to do so. The Administrator is authorized to prescribe a system for allocation of coal to users in order to carry out this Act.

The Administrator is required to develop a contingency plan for the allocation of supplies of materials and equipment necessary for energy production. Also the Emergency Petroleum Allocation Act is amended to give priority in the allocation program for the production of minerals which are essential to the requirements of the United States.

The Administrator is authorized to require designated domestic oil fields to be produced at their maximum efficient rate of production (that is, the maximum rate at which production may be sustained without detriment to the ultimate recovery of oil and gas under sound engineering and economic principles). The Administrator may also order refineries to adjust their operations to produce greater amounts of specified refined products.

The Petroleum Allocation Act is amended to require adjustments in the allocation program to reflect regional disparities in use, population growth, or unusual factors influencing use.

A ceiling price is placed on domestic oil production under a formula which would result in an average price of $5.25 per barrel. The President could raise the ceiling for classifications of crude production to prices which are 35% over the ceiling. Resulting cost reductions in the price of crude mandated by this section must be passed through to lower the prices of residual fuel oil and refined petroleum products (including propane).

Major oil companies are prevented from unreasonably canceling, failing to renew, or otherwise terminating their franchise agreement with retailers of petroleum products. Wronged retailers may apply to Federal court for damages or injunctive relief.

Inequitable discriminations among users are expressly prohibited. Also the Administrator is cautioned to assure that his regulations do not impose unreasonably disproportionate burdens on any sector of industry.

The Administrator is authorized to restrict exports of coal, petroleum products, and petrochemical feedstocks. Restrictions on the export of such products are required if either the Secretary of Commerce or the Secretary of Labor certifies that such exports would contribute to unemployment in the United States.

The President is required to minimize adverse impacts of actions taken pursuant to this Act upon employment. The President is authorized to make grants to states to provide unemployment assistance for those whose unemployment results from the administration and enforcement of this Act. Such benefits would extend from six months to two years.

The Secretary of Transportation is to lend technical assistance to state and local agencies and is authorized to provide grants for the development and conduct of carpool promotion programs.

Violators may be subject to a civil penalty of $2,500 for each violation and a criminal penalty for willful violations of up to $5,000.

The Administrator is given broad authority to delegate his functions within the Federal Energy Emergency Administration and to officers of state and local boards. State laws or programs which are inconsistent with provisions of this Act or any regulation, order or rule thereinunder are preempted.

The Administrator is authorized to make grants to states to implement and enforce various provisions of this Act. Also, he may issue grants to states for the purpose of assisting them in the development and enforcement of state or local energy conservation programs which are the basis of an exemption from Federal programs.

The Administrator is directed to issue regulations calling for full energy information from those engaged in the exploration, development, processing, refining, or transporting of any petroleum product, natural gas, or coal.

Title I authority is terminated at midnight, May 15, 1975.

There are authorized to be appropriated to the Federal Energy Emergency Administration $75 million for the remaining portion of fiscal year 1974 and $75 million for fiscal year 1975. For the purpose of making grants to states, there are authorized to be appropriated $50 million for the remainder of fiscal year 1974 and $75 million for fiscal year 1975. To provide unemployment assistance authorized under section 116 of the bill, there is authorized to be appropriated $500 million for the remainder of fiscal year 1974. A $5 million authorization has been included to permit the funding of the carpool promotion program.

The Small Business Administration and the Department of Housing and Urban Development are authorized to make loans to homeowners and small businesses to permit the installation of insulation and other energy-saving equipment.

TITLE II

The EPA Administrator is authorized to suspend air pollution requirements for stationary sources until November 1, 1974, if sources cannot obtain clean fuels.

Sources which convert to the burning of coal are exempted from any pollution requirement which would prevent burning of coal. Exemption is effective until January 1, 1979, and may be extended for one more year. Exemption may be overridden if conversion to coal results in significant threat to health.

The EPA is required to review and consider revision of state air pollution control plans for any area in which coal conversion takes place.

The Conference bill postpones new car emission standards one year and authorizes a second year of postponement if the Administrator finds that it is necessary to prevent a significant increase in fuel use.

The Federal Energy Emergency Administrator is required to the maximum extent feasible to allocate low sulfur fuels to areas designated by the Administrator of EPA as having the greatest need. A $3.5 million study of the health effects of sulfur oxides is authorized.

The Secretary of Transportation must submit to Congress within 90 days an "Energy Mass Transportation Assistance Plan".

The Administrator of EPA is required to report to Congress on the implementation of the Clean Air Act Amendments by January 1, 1975.

The Administrator of EPA and the Secretary of DOT are required to report to Congress within four months on the feasibility of improving fuel economy of new cars by 20% between 1974 and 1980.

OPPOSES SECTION OF PROPOSED REGULATIONS OF FOOD STAMP PROGRAM

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. DICKINSON. Mr. Speaker, the Department of Agriculture has set forth proposed changes in the regulations for the food stamp program in the Federal Register, and the deadline for comments on the proposal is March 4, 1974. I have written to oppose a section of the proposed regulations which states that those not working due to strike or lockout will

not be denied food stamps. A copy of my letter as well as a copy of a letter from the National Labor-Management Foundation on this issue follow:

FEBRUARY 25, 1974.

Re Paragraph 271.3, Chapter II, Title 7 CFR.

Mr. JAMES H. KOCHER,
Director, Food Stamp Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. KOCHER: In reference to the proposed rulemaking on the above captioned, I would like to offer the following as a substitute for the section reading "(4) No household shall be denied participation in the program solely on the grounds that a member of the household is not working because of a strike or a lockout at his place of employment":

"A household shall not participate in the food stamp program while its principal wage-earner is, on account of a labor dispute to which he is a party or to which a labor organization of which he is a member is a party, on strike: *Provided*, That such ineligibility shall not apply to any household that was eligible for and participating in the food stamp program immediately prior to the start of such strike, dispute, or other similar action in which any member of such household engages: *Provided further*, That such ineligibility shall not apply to any household if any of its members is subject to an employer's lockout."

I believe such a change in the regulations would be beneficial to the food stamp program and would insure the integrity of our collective bargaining system. I certainly do not feel that innocent people should starve, but it is the responsibility of the unions, not the taxpayers in general, to take care of their members, and therefore, strikers should not be eligible for food stamps except in the instances set out above.

Thank you for your attention to this recommendation, and I hope you will give it every consideration in formulating the final regulations governing the Food Stamp Program.

Sincerely yours,

WM. L. DICKINSON.

NATIONAL LABOR-MANAGEMENT FOUNDATION,
February 26, 1974.

Mr. JAMES KOCHER,
Director, Food Stamp Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. KOCHER: The National Labor-Management Foundation is very much opposed to the proposed revision of the Food Stamp Act governing the operation of the Food Stamp Program. Our objection is directed particularly at paragraph 271.3, amended to include persons who are not working because of a strike or lockout at his place of employment. Rather than tightening up on the interpretation of the law, we feel that the Food and Nutrition Service is reading more into the recommended changes than it has the authority to present. This is a very important matter, because the Federal government has no business subsidizing one side of a labor dispute which is what your proposed revision most clearly does.

It is our belief that the intent of Congress was not to subsidize workers who have good jobs and are able to support their families, but who voluntarily choose not to work.

When food stamps are diverted to strikers, the poor and those genuinely in need are the losers. Unnecessary federal spending is accelerated; settlement of labor disputes is made more difficult and costly; prices are increased; and the result is inflationary.

When the Senate Agriculture Committee considered legislation which would prohibit the practice of providing food stamps to strikers, Senator Talmadge expressed the view that the Department of Agriculture had the authority to change these regulations. It certainly was not our understanding that they would be changed in the manner now being proposed. The propriety of these proposed revisions is questionable.

The issue is not a question of feeding starving children. We are not talking about the poverty-stricken people for which the food stamp program was originally intended. We are talking about highly paid unionists, earning in some cases up to $20,000 or more a year, who want the public to give them food at discount prices at the expense of Americans who remain at work. The issue is that food stamps and other welfare programs were not designed by the government as a tool for organized labor. Despite this they are being increasingly used that way. The issue is that food stamps and welfare payments to strikers amount to a government subsidy of strikes and make strikers less inclined to reach a settlement.

Labor unions and management are on a collision course on the question of food stamps and welfare to strikers. The general public also is concerned about this matter. We urge that food stamps for strikers not be made part of any compromise with union officials. You have an opportunity to resolve this issue with your power to revise the rules. You have it in your power to preserve the food stamp program for the 13,000,000 involuntarily unemployed by disallowing food stamps for those who voluntarily do not choose to work. A prohibition against appropriations being used to fund food stamps for strikers should be supported because it will have a tendency to reduce the number of strikes, to reduce the length of strikes, to maintain government neutrality in labor relations, and to prevent weakening the character and reputation of self-reliance for which American workers are known.

By indirection, if a ban on food stamps for strikers is not imposed, it will put the stamp of approval of the Department of Agriculture on the striker who is willing to have his working neighbor pay for his support while he refuses to work and accepts a public dole.

We urge you to reconsider the "softening" of granting food stamps to those who voluntarily are out of work and not write it into the rules in a way which invites blatant misuse of the food stamp program.

Sincerely,

JOSEPH L. KOACH,
Legislative Director.

U.S. MILITARY INTEREST IN THE INDIAN OCEAN: DIEGO GARCIA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. FRASER. Mr. Speaker, Howard Wriggins, director of the Southern Asian Institute, Columbia University, is a fine scholar with broad knowledge of South Asia. He recently sent a letter to the Washington Post labeling as "a serious error" the administration's plan to transform the Indian Ocean island of Diego Garcia now into a naval base.

The fact that political leaders of Australia, New Zealand, Indonesia, India, and the Malagasy Republic also criticize the decision indicates to me that the Congress should look long and hard at the proposal.

Professor Wriggins' letter was published by the Post February 26. It offers us sound advice. I include it to be reprinted at the end of these remarks, accompanied by New York Times news items printed on successive days, February 8, 9, and 10:

U.S. MILITARY INTEREST IN THE INDIAN OCEAN

I have just returned from a five-week visit to Pakistan, India, Ceylon and Iran, discussing problems of development and foreign policy with journalists, politicians, university colleagues and local and foreign observers. I am forced to conclude that for the United States to take the initiative at this time to change Diego Garcia from a modest communications facility to an active naval base would be a serious error. Taken now, such an initiative can only complicate our problems in the Indian Ocean for the future.

In my view, we should not begin to build that base at Diego Garcia until we, and the countries on the shore of the Indian Ocean, see what the Russians do once the Suez Canal is reopened. If the Russians do then what the Pentagon and proponents of naval power say they will do, i.e. greatly enlarge their naval activity in the Indian Ocean, they will provoke severe anxieties in the littoral countries. Only then will a stepped-up United States naval presence be seen by local statesmen as a welcome American effort to balance Russia's newly threatening presence. If on the contrary, we proceed now to build the base, it will be the United States that will be held responsible for whatever superpower naval race may then ensue. If we are held responsible, it can only generate hostility to our future activities and thereby severely limit their future effectiveness and increase their future cost.

This is not to say that the naval appropriation ought not to be raised. Many vessels are said to be obsolete by comparison with their Soviet competitors. But starting now on Diego Garcia is not the way to deal with the problem of bringing the fading United States navy up to date.

When will we learn that, as in chess, it is sometimes wiser to allow an opponent to make the first move? By thus exposing Russian intentions for all to see—if those are indeed Moscow's intentions—we can better counter that initiative. In this area, an American response to Moscow's buildup would be welcomed. For us to take the initiative now will place on us the onus of precipitating a naval contest no one in the area desires.

Too often the momentum of military technology or the planner's bureaucratic or budgetary time tables carry us further and faster than it is necessary to go. Here is a case where diplomatic judgment surely ought to preponderate. It is time that the Department of State, the White House and the appropriate congressional committees looked hard at the apparently modest Diego Garcia item in the budget. Our longer run political and military interests in the Indian Ocean will be better served by holding back a bit longer to see what Moscow does, rather than plunging ahead, as we have so often in the past.

W. HOWARD WRIGGINS.

New York.

U.S. PLAN TO SET UP ISLAND BASE IS CHILLING RELATIONS WITH INDIA

(By Bernard Weinraub)

NEW DELHI, February 7.—Plans by the United States to establish a permanent naval and air base in the Indian Ocean have abruptly chilled American-Indian relations.

Within the last two days Prime Minister Indira Gandhi and Foreign Minister Swaran Singh, have expressed sharp disapproval at the expansion of the small United States naval station on the British-owned island of

Diego Garcia, about 1,000 miles south of the tip of India.

Mr. Singh yesterday called the issue "a matter of great concern to India" and expressed the Government's "total opposition" to the establishment of an American naval base in the Indian Ocean. At present, neither the United States nor the Soviet Union has any sizable bases in the Indian Ocean.

MRS. GANDHI SEES THREAT

Today, Mrs. Gandhi, campaigning for Congress party candidates in the important state elections in Uttar Pradesh, said that India faced increasing external dangers because of the purchase of arms by "some of our neighboring countries and activities of some powers who are planning to set up a nuclear base in the Indian Ocean." Her initial allusion was to Pakistan; her second involved Diego Garcia.

American officials say it is Government policy neither to confirm nor deny the presence of nuclear weapons anywhere, but privately they discount reports that Diego Garcia is to be used as a nuclear base. These officials say that the new "modest support facility," costing about $30-million, will be largely used for refueling and logistic support. The current contingent of 200 men is expected to be expanded to 500 or 600 within the next two years.

At this point some Americans fear that the Defense Department's move could hurt the relationship between the United States and India, which has undergone a quiet improvement in the last year. Anti-American propaganda subsided, there were efforts to improve trade, and the United States and India agreed to end the mounting rupee debt caused by the sale of American food to avert famine in the nineteen-sixties.

BEHIND INDIA'S REACTION

Today it was made known that India had expressed her "deep concern" to both Britain and the United States.

"Our view is quite clear," said Foreign Minister Singh. "We have told the Americans that the bringing in of naval units, including aircraft carriers in this region, without any ostensible objective, has caused concern to all littoral countries, including India, and that this type of show of force will never be relished by any country in the region. We have adopted a clear categorical position."

India's reaction to the establishment of the naval base is largely attributed to her desire to keep the Indian Ocean out of big-power competition and to maintain a "nuclear free zone." The new base will represent the first permanent American presence in the Indian Ocean. Western officials point out, however, that Soviet ships have far outnumbered American vessels in the area in recent years.

The new base was planned in view of the expected increase of Soviet naval power and activities in the Indian Ocean once the Suez Canal is reopened. American officials are known to be eager to establish a counterbalancing naval force in an area that controls the sea lanes to Middle East oil.

Reports here say that the United States will lengthen the runway on Dego Garcia, deepen the harbor and set up facilities for ships of the Seventh Fleet and the Royal Navy. The Americans will operate the base, and it will be available for British use.

Under 1966 and 1972 agreements with Britain, the United States operates a small communications station on the island as part of the Defense Department's global communications network. The station went into operation last spring.

INDIAN OCEAN BASE IS OPPOSED BY AUSTRALIA AND NEW ZEALAND

WELLINGTON, NEW ZEALAND, Feb. 8.—Australia and New Zealand have joined in opposing a British-American agreement to build up military facilities on the island of Diego Garcia in the Indian Ocean.

Madagascar also denounced the move.

In Canberra yesterday, the Australian Minister for Foreign Affairs, Senator Donald Willesee, said that the move to build up military facilities on Diego Garcia did not contribute to the achievement of the long-term objectives of Australia in the region.

Australia is a member of, and has given its firm support in the United Nations ad hoc committee on the Indian Ocean zone of peace and has endorsed Asian Nations proposal for a neutrality in the A.S.E.A.N. region."

Today Prime Minister Norman E. Kirk of New Zealand said in a statement that his country supported the concept of the Indian Ocean as a zone of peace, free from great-power rivalry, tensions and military escalation." He added:

We therefore did not welcome the build-up of any nation's military or naval presence in the area."

On Tuesday, Britain announced that an agreement had been reached with the United States for the expansion of military facilities on the British-owned island between Australia and Africa.

Under the agreement, the United States would spend $30 million deepening the berthing facilities, lengthening the airstrip and expanding the communications center on the island.

In Tananarive, Madagascar, the Government today denounced the agreement and asked that all Indian Ocean territories be consolidated into a zone of peace."

Tass, the official Soviet news agency, suggested in Moscow today that the United States was seeking to make a show of strength" designed to intimidate Indian Ocean and Persian Gulf countries with their wealth of oil deposits."

SENATOR PELL OPPOSES PLAN

WASHINGTON, Feb. 8.—A Senate Foreign Relations Committee member today charged that the American-British agreement to expand military facilities on the Indian Ocean island was likely to set off an escalation of the arms race.

Senator Claiborne Pell, Democrat of Rhode Island, announced he would oppose the plan.

SUHARTO CRITICIZES U.S. PLAN FOR INDIAN OCEAN ISLE BASE

JAKARTA, INDONESIA, Feb. 9.—President Suharto expressed concern today over the United States' plans to expand military facilities on the Indian Ocean island of Diego Garcia.

The move is clearly negative to our wish and will not be favorable to peace in this region," Mr. Suharto said.

Yesterday the Indonesian Foreign Minister, Adam Malik, said that such a move would hurt international efforts to make the Indian Ocean a zone of peace.

Britain, which owns the island, announced the agreement under which the United States would spend $29-million in 1975 for storage facilities, a runway extension and barracks on the island.

SKYLAB—AN ACCOUNTING

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. TEAGUE. Mr. Speaker, Skylab 4 astronauts have now returned to earth with the significance of their mission only now beginning to be understood. The Christian Science Monitor of Thursday, February 7, 1974, sums up some of the more significant aspects of the Skylab program. David F. Salisbury, staff writer of the Christian Science Monitor, sets in perspective the important initial contributions of Skylab and its potential for future contributions as the information received is studied. The article follows:

[From the Christian Science Monitor, Feb. 7, 1974]

SKYLAB—AN ACCOUNTING

(By David F. Salisbury)

Another chapter in man's adventure in space is drawing to a close. The next chapter may not open for another decade.

The last Skylab crew splashes down Feb. 8. In total, its three crews will have spent more than 500 man-days in space—more than the entire U.S. space program before it.

Except for the joint U.S.-Soviet mission in 1975—mostly an exercise in international diplomacy—American astronauts will not return to space until the space shuttle is completed in about 1980.

In a way, Skylab is the last of Apollo, for it was pieced together from Apollo hardware. In a way, too, Skylab has been a foretaste of the future. Much of what it has done will be refined and repeated in the early days of the shuttle.

By most estimates, Skylab has been a success. It has provided significant new information about mankind, the earth, the sun, and space as an environment. Many scientists who were skeptical of the value of having men in space have been convinced. Congress overwhelmingly passed the initial appropriations for the shuttle program.

Skylab was expensive, almost $2 billion. Following is a summary of some of its events, accomplishments, and problems.

THE SUN

Fiery tongues of gas burst from the sun's surface, twisting into shapes scientists cannot explain. . . .

Bubbles, thousands of times the size of the Earth travel millions of miles per hour. . . .

Magnetic tubes form 100,000-mile loops that last for remarkably long times.

This is the face of the sun as seen through Skylab's telescopes. Although these events are taking place 92 million miles away, they are vitally linked to the Earth.

Understanding how the sun works may one day make it possible to recreate and control its energies on Earth.

Currently, both the United States and Russia are attempting to do just that.

They are building strong, leakproof magnetic bottles to contain and heat electrically charged gases, called plasma, to 100 million degrees. This is the point where hydrogen atoms fuse into helium and give off tremendous quantities of energy in what is hoped will be a safe, clean way.

According to plasma physicists at the Naval Research Laboratory in Washington, D.C., some of the events Skylab has recorded are remarkably like those they have seen in the laboratory, but cannot explain.

Reruns discussed

"Although it's still in the initial stages, physicists here are talking about repeating the laboratory experiments and observing them with an instrument like that on Skylab," says Dr. Guenter Brueckner, a Skylab solar investigator.

Because of the tremendous difficulties involved, researchers have been able to contain superheated plasma only for milliseconds. Yet, such features on the sun last for hours, and days.

For instance, there are loops of gases that persist for long periods. Could the secret of their stability be used in designing magnetic

bottles? For the first time, Skylab has given solar physicists the ability to observe how these features evolve over long periods of time.

Solar flares also may tell scientists more about plasma stability, says Dr. Brueckner.

These dramatic explosions that burst outward from the sun and spew a rain of particles into the solar system may be the sun's version of lightning.

It appears that these flares originate deeper in the sun than anyone had expected. It also seems they may be massive electric discharges.

Skylab has returned hundreds of thousands of pictures of the sun. These may hold some clues. But it will be years before all the information can be digested.

One of the investigators says that because of their extraordinary richness, these pictures contain more information about the sun than all the data returned by previous orbiting observatories and planetary probes.

Skylab scientists have discovered that the sun's surface is pincushioned with tiny bright points (each about the size of the United States). They estimate there are over 15,000 of these, and think such points may be concentrations of magnetic activity.

These points are continually brightening and dimming.

Just above this network is a region where the temperature of the sun's atmosphere jumps suddenly from 200,000 to over 2 million degrees F. When they first saw the network, the scientists thought the pulsing bright points might be creating shock waves that pump up the temperature.

Corona data gathered

On closer examination, however, they found that this is not the case. Instead, these points seem to smear out and disappear.

Above this transition region is the corona, the ghostly aura of glowing gases that can be seen from Earth only during an eclipse. Because they had only brief glimpses of it, scientists pictured the corona as fairly homogeneous and slow-changing.

Instead, Skylab investigators have seen a corona punctured by holes, torn by brief, fast-moving events. With an instrument called a coronagraph, which creates an artificial eclipse, scientists are getitng their first real look at the corona's dynamic, changing nature.

It is the only the sun's intense magnetic fields that keep the corona from boiling away. Areas where these fields are weak form the holes through which the corona streams outward from the sun. These holes may be the primary source of the solar wind.

"Transient events hit the corona like a hammer and knock the fields into totally new shapes," says Dr. Robert MacQueen of the National Center for Atmospheric Research, who heads the corona investigations. "These come far more frequently than we had ever dreamed."

So far this solar research made possible by Skylab has uncovered a multitude of questions. It has showed up the depth of our ignorance about the sun, our nearest star.

Yet it has provided a tremendous amount of information that may help man create a new energy source on Earth.

Unfortunately, major problems dealing with the data from the solar telescopes have beset the mission. Computer processing broke down shortly after the first launch, and the staggering volume of valuable information has created a data logjam.

One experiment, the Harvard telescope, is the hardest hit. It now looks as if the principal investigator will not get all his information before March, 1975.

ADAPTING TO SPACE

Before the first man went into space, some scientists predicted dire results about his physical and mental reactions after a prolonged period of weightlessness. But they were proved wrong.

Before Skylab, it was feared astronauts would become dizzy and disoriented in its large rooms. There was concern that without gravity, the heart and muscles would weaken. If this were the case, then it would be difficult, perhaps even dangerous, for crews to return to earth after long stays in space.

These fears, like the ones before, have been disproved. When Pete Conrad and his Skylab 1 crew moved into the laboratory, they reported no difficulty in determining up from down. When spun in a special chair installed in Skylab, the astronauts proved immune to motion sickness. Except for having problems keeping on it, they pedaled the bicycle-like ergometer almost as well as on earth.

Finally, when the first crew landed and was taken aboard the waiting aircraft carrier, a determined Pete Conrad walked unsupported across the carrier deck. After about two weeks, the crew was almost back to normal.

However, the 28 days of the first mission were not long enough to determine the long-term effects of weightlessness.

But the doctors made an interesting observation. Astronaut Conrad, who was in the best shape, had exercised the most while in space. He kept returning to the ergometer. Once he even pedaled it for 90 minutes—all the way around the earth.

So, for the second crew, exercise was prescribed. The physicians sent a gym set up with them and told the astronauts to work out at least an hour a day.

When the second crew entered Skylab, they all experienced motion sickness. It lasted about a week. But after their initial queasiness, they too grew immune.

After about 30 days, the astronauts' bodies appeared to have adapted. They stopped losing weight. They were pedaling more easily on the ergometer. They began working more efficiently.

At this point, an interesting and unexplainable pattern became apparent. The crew members were not sleeping as long as they did on the ground, but were totally rested. Their sleep patterns were being altered. The astronauts were getting to sleep faster and spending longer periods in very deep sleep.

As a result of their extra exercise, the second crew adapted much faster after its return, the doctors feel.

Only one of the crewmen, Owen Garriott, appeared to have lost a measurable amount of minerals from his bones. This was another premission concern.

All the astronauts' hearts appeared to have shrunk when they were X-rayed. But Dr. Hawkins feels the heart probably has just changed shape, rather than weakened. Members of the third crew have been measuring their hearts with an acoustic device to determine exactly what is happening.

So far the experience of the last crew bears out that of the second. They, too, were queasy at first, recovered, and appeared fully adapted after 30 days.

Although the results are not all in yet, the preliminary indications are positive. The doctors have seen no reason why men cannot stay in orbit for long periods of time, or perhaps journey to other planets.

THE EARTH

In the whaling ships of old, lookouts climbed to the masthead to spot schools of whales on the horizon. The Skylab program put its lookouts 275 miles higher.

From that whirling vantage point, the modern-day lookouts have looked down at the oceans and done much of what their predecessors did.

With the naked eye, Skylab's last crew has seen areas extremely rich in plankton, the feeding grounds for many species of fish in the world's oceans. These are places where ocean currents converge—places modern fishing fleets search for.

In addition to the human eye, the space laboratory is equipped with an assortment of electronic sensors and terrain cameras. Throughout the mission, these instruments have been looking down at the earth in many different ways. Their purpose is to explore the possibilities of gathering information about the earth from space.

One investigator, for example, looking at Skylab photographs of the Caribbean, found he, too, could detect fish feeding grounds of another sort. These are wandering locations where cold water wells up from the deep to create disturbed areas—eddies.

These eddies provide some of the richest fisheries in the world.

With its microwave eyes, Skylab was able to pierce the brewing clouds of a hurricane. At the same moment Skylab passed above, an instrumented airplane flew into the storm. The space laboratory's sensor accurately recorded the height of the waves that were building. It also determined the wind strength by the amount of foam that was churned up.

This same instrument, when used over land, allowed another group of experimenters to inventory the total area of lakes and streams in Texas. This type of information could be valuable for determining the quantities of water available in a region.

For instance, large companies are planning to stripmine coal in the Western U.S. and turn it into natural gas. However, converting coal to gas takes prodigious quantities of water, and it is not clear how much is available in the area. Until this is determined—and Skylab may provide the answer—it will be impossible to assess accurately the impact of this undertaking.

By looking at the heat the earth radiates into space, Skylab's infrared detectors have been able to chart the path of the Gulf Stream because it is a few degrees warmer than the surrounding ocean. Plant life also gives off heat, so areas of vegetation show up clearly from space.

In this manner, the routes that insects use to migrate from Mexico into the U.S. were located. As a result, it will be possible to monitor and spray pesticides in a much smaller area than in the past.

Another gain from Skylab: Using photographs from the space laboratory, geologists have determined areas where large deposits of minerals may lie just below the surface. One such was found in Ely, Nev. Scientists had thought that mineral-bearing areas were buried deep there. But Dr. M. LeRoy Jensen of the University of Utah noticed outcroppings indicating the minerals may be near the surface.

Skylab data is also being used for urban-planning house counts, for snow-mapping to help predict floods, for developing timber and crop inventories, and for water surveys in drought areas of Africa.

There has been a problem with data from the most sophisticated of these instruments. It breaks light down into 13 different channels and records each separately. Theoretically it has the capability of telling different types of soil and rocks apart, and different species of plant life from space.

So far, none of the investigators has received satisfactory data, but Dr. Verl R. Wilmarth, head of Skylab's earth-resource office, says they should be receiving it by the end of February.

It likely will be a year before the scientists analyze the earth-resources data in detail. By then the advantages and limitations of the instruments will become evident.

There are plans for an earth-resources satellite network in the 1980's. Some of its sensors may be based on Skylab designs.

PROBLEMS IN FUEL OIL INDUSTRY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. WOLFF. Mr. Speaker, on February 8, I held an informal hearing in New York on the problems that have developed in the fuel oil industry. This statement is the last in a series of four statements I have made in the RECORD in order to share with my colleagues the testimony received at the hearing. Eugene H. Luntey, executive vice president of the Brooklyn Union Gas Co., and Philip Weinberg, assistant attorney general of New York made valuable contributions to our hearing. Their statements, along with a statement I made at the hearing, follows:

CONGRESSIONAL HEARING RE FUEL OIL SITUATION

STATEMENT OF EUGENE H. LUNTEY

My name is Eugene H. Luntey. I am Executive Vice President of The Brooklyn Union Gas Company. Brooklyn Union supplies natural gas to one-half of New York City—Brooklyn, Staten Island and half of Queens. We thus serve nearly 4 million people.

I am also chairman of the Atlantic Action Program for the American Gas Association. This is a cooperative effort by 57 major natural gas utilities in the 20 eastern states. Their customers comprise nearly half the population of the nation. The purpose of the Atlantic Action Program is to acquaint the public with the true facts about the resources of natural gas and oil which may lie under the Atlantic Outer Continental Shelf and the need for exploration in this area.

I appear at a fuel oil hearing because it is impossible to treat the energy shortage as a shortage of a single energy form. Not since 1969 have our pipelines been able to supply additional natural gas requested by our customers. Time after time this fact has been stated before the Federal Power Commission and countless Congressional Committees. How little attention Congress has paid to the long standing natural gas shortage is a matter of record which members of Congress know well.

Why is this shortage of natural gas so important in the overall energy shortage today? First, because the 10% shortage of natural gas must be made up by fuel oil. This is the BTU equivalent of about one million barrels per day of crude oil. Most of the natural gas shortage is made up by No. 2 oil because of the low pollution requirements of such users.

Thus, the natural gas shortage impacts directly on the subjects you are considering here, fuel oil supply, price and distribution.

Secondly, natural gas does not have to go through refineries. With a minimum of separation of liquids it goes directly from the well to the consumers. This means that were natural gas available, existing refinery capacity would then be available to produce the gasoline so greatly needed by the people of this area. This fact seems to have escaped every Congressional Committee.

Third, natural gas usage upgrades the environment. It is by far the least polluting of the fossil fuels. Environmental values which are now being scrapped would not have to be sacrificed.

Fourth, distribution of natural gas is not energy intensive. The deposits occur under pressure and the existing pipelines are operating at much less than capacity. Such deliveries do not depend on trucks or fuel for such trucks.

In short, a very strong case can be made that the energy shortage is really a natural gas shortage and that increased amounts of natural gas would be the quickest, most reliable short range solution. Restoring natural gas availability could relieve both the fuel oil shortage and the gasoline shortage.

What can Congress do? Act quickly and decisively on legislation which is being proposed to make economic the new discoveries of natural gas so desperately needed but with a limit for protection for the consumer.

This legislation would deregulate natural gas well head prices but would put a limit on any such price increases so that the consumer is protected. It makes no sense to price this premium fuel at levels which will not support additional exploration.

Congress should insist that the vast Atlantic Outer Continental Shelf be, at least, explored and as quickly as possible. This can be done with complete environmental protection and discoveries here would change the course of history. A large new natural gas or oil field, so available to the large population centers, could completely trump the ace the Arab nations now hold. Nothing would be so disruptive to their announced plans to use oil for political power. It could also revitalize industry and provide jobs in this area so dependent on imported fuel.

Lastly, Congress should work with the natural gas industry. That industry has been diligent in its conservation programs, is regulated and is responsible to the public. It is working hard to provide new sources such as from our abundant coal supply. Natural gas furnishes one-third of the total energy for this nation but is generally ignored in energy decisions in spite of good evidence of reserves to last 100 years. For example, this hearing is considering a shortage of fuel oil no worse than the shortage of natural gas which the utilities have been faced with for two years now. It's a sober lesson that we are all in this together and we had better find the solutions while there is yet time.

We take no comfort in the fact that independent oil dealers are short of fuel or that oil prices are in a period of wild fluctuation.

This nation needs all forms of energy and it needs stable, reliable businesses to supply that energy. Congress can't run the energy business but it can establish a climate in which we can all get back to what we have been doing pretty well for a long time—furnishing both service and fuel to our customers.

STATEMENT OF ATTORNEY GENERAL LOUIS J. LEFKOWITZ DELIVERED BY PHILIP WEINBERG

The residents of New York State have reached the point of utter disgust with the failure of the federal government and Congress to take affirmative action to end the energy crisis. The patience of the people has been exhausted. Violence is reported on the nation's highways. Unemployment grows with each passing day as more and more businesses are forced to close. Cutbacks in commutation and tourism cost the country untold millions of dollars. Our economy suffers a staggering blow. I have outlined some specific steps which, if taken by the Congress, will enable this Nation to take arms against this sea of troubles, and by opposing, end them.

The time for "task forces," "study panels," "survey groups" and other similar bodies formed to look into the gasoline and fuel oil crisis has long since passed. What is needed now is immediate and vigorous action at the Federal level, either by the Congress or the White House or both, to bring about order out of the chaos that exists country-wide.

First, I urge that Congress or the White House or both act at once to enforce meaningful price ceilings on fuel oil for home heating. This fuel is reported to be in short supply, particularly in the colder Northeast quadrant of the nation, and homeowners almost daily find that they are required to pay increasing prices. The fact that fuel oil might be in short supply is no good reason for the federal government to countenance these repeated steep increases, which seem to indicate that some suppliers are gouging the public by taking advantage of the crisis. The existing controls are simply not being enforced.

Second, while this hearing is designed to deal with critical problems in the supply of home heating fuel oil, the consumption of gasoline is interwoven with the shortage of fuel oil, since conserving gasoline will make more crude oil available at the refineries for conversion to home heating oil. I urge that Congress take immediate action to provide for gasoline rationing with meaningful, effective enforcement measures. Rationing would mean a more equitable allocation of the supply, lead to greater conservation and ensure that those who really need gasoline are able to obtain it without waiting on long lines while curtailing the consumption of gasoline by those who do not need it.

The federal government has been so slow to act in response to this problem that various state and local governments have undertaken to institute rationing. These efforts while an important step in the right direction, cannot alone restore an equitable supply of gasoline. Some states, according to reports, have more than adequate supplies of gasoline. This is far from the fact, however, in the Northeast and particularly in the hard-pressed New York metropolitan area. Nation-wide gasoline rationing would reduce gasoline consumption and free a larger proportion of crude oil for heating, ensure that every section of the country would be treated fairly, in accordance with their actual needs.

Recent proposals by Federal Energy Administrator William E. Simon, in the event of rationing, to allocate smaller supplies of gasoline to residents of metropolitan areas who have undertaken, virtually without federal assistance up to this point, to operate and maintain these systems for the benefit of millions of Americans in the cities, in the suburbs and the many visitors to these cities. Such a proposal is unjust and amounts to subsidizing the improvident, who have not provided efficient transportation systems, at the expense of the prudent. The Congress should insist that rationing be determined on the basis of individual needs, not by lumping millions of consumers into arbitrary geographical units. There are New Yorkers who, because they are physically handicapped or work in outlying areas, genuinely need more gasoline than many residents of small cities who are retired or who can walk to work. Congress must require the agency administering rationing to take these needs into account.

Third, I have urged the Congress to give immediate attention to emergency funding for rail transportation—intercity, commuter and municipal—as the single most effective means of reducing overdependence on the automobile and resulting in unnecessary consumption of gasoline. The public must be promptly provided with an efficient alternative to the automobile in the many high-traffic-density areas where none exist. Federal funds for urban mass transit under the Urban Mass Transportation Act and for Amtrak under the Intercity Rail Passenger Service Act should be sharply augmented by emergency funding to make possible increases in service and to avoid fare increases. In addition, emergency funds should be specifically appropriated by Congress and earmarked for Amtrak to provide rail service during periods of peak travel to ski resorts, beaches and summer vacation areas such as Cape Cod, the Adirondacks and the Berkshires. This step

alone would eliminate the consumption of vast quantities of gasoline and would reduce air pollution and highway congestion as well.

These are constructive ways to reduce the suffering and inconvenience caused by fuel oil and gasoline shortages—shortages which disproportionately afflict the working and retired people of large urban areas such as this area while oil company profits soar. The Congress must act promptly and vigorously to mandate price controls, ration gasoline equitably and provide for more aid for rail transit.

STATEMENT BY REPRESENTATIVE LESTER WOLFF

We are here today to gather information on a grave emergency problem confronting the independent fuel oil dealers and their consumers in this tri-state region, especially those in the metropolitan area, whose right to a free and open market is in serious jeopardy.

I have called this meeting to provide a forum for the exchange of grievances and ideas and to ascertain what immediate steps government can take to rectify a condition which, if left unchecked, will only fan the flames of an already chaotic situation.

The unprecedented rise in fuel oil prices and the two-tiered price structure now in effect for foreign and domestic oil sales has imposed great har ishiip on the consumer and has disrupted the entire market place.

The fuel oil dealers' dilemma, however, is but one facet.

I am deeply concerned that the present so-called energy shortage has been contrived and misrepresented to create public panic and to cover up the underlying causes behind today's crisis.

To cite one example, this week I received a preliminary response to a General Accounting Office investigation that I ordered on the domestic production and demand and on the imports and exports of petroleum products. This report clearly indicates that misleading information has been foisted on the American consumer and that the oil companies have been anything but candid in their appraisal of the energy situation. It appears from this report that a definite effort has been made to withhold vital facts from the public.

How, then, can we possibly understand and cope with the multitude of energy problems—shortages and pricing inequities? The Administration has yet to evolve a definitive National Energy Policy, so how can we take meaningful action to remedy our ailing economy when we have to diagnose the needs for both the immediate and distant future?

We must establish a National Energy Policy now based on the doctrine of commonsense—one that is designed to conserve our resources as well as meet our growing needs and demands. We must revise an existing policy that permits increased exports of American oil in a time of dwindling domestic supply and incorporates an ineffective and inequitable system of allocation for oil distribution.

We must pursue new concepts for new energy resources and utilize these concepts in an overall, all inclusive, national policy. To do less would be nothing more than an exercise in futility, for until we define the entire scope of the energy problem, we will not find the cure.

In the meantime, if our supplies and costs for petroleum products are as threatened as we are led to believe and if our defense establishment is being endangered by a reliance on reserve supplies, then I propose we implement new methods of establishing order in the market place.

If new laws are needed, then it is the obligation and responsibility of Congress to see to it that they are enacted. Today, as never before, we must strip away the veil of confusion and pompous phrases that hide the issue and, instead, make every attempt to arrive at pragmatic solutions.

There is little time left to close the credibility gap that exists between the American peopl and government and industry. The public must be made aware of the true facts if we are to restore mutual trust.

ESCROW SYSTEM REFORM LEGISLATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. BROWN of California. Mr. Speaker, an issue of growing concern to millions of American homeowners is the issue of escrow account system reform. Changes of this system in one form or another have been proposed frequently over the past few years. Some of the proposals have been passed by the Banking and Currency Committee but did not reach the floor in the final sessions of the 92d Congress. I believe that this year will be the year of significant reform in this system.

Although there have been a number of proposals for revamping the escrow system ranging from minor adjustments to major overhauls, the amount of agreement on the issue is signfiicant. Nearly everyone recognizes the value of the escrow system, and no one wants to abolish it. The system, arising as it did from a period of economic weakness and wholesale foreclosures, has done much to insure that unnecessary foreclosures and undue property loss from uninsured accidents are prevented. In addition, nearly everyone agrees that some reform of the system is necessary. The main area of disagreement seems to be not in the need for, but in the amount of, change in the system.

Sections of several bills currently before the Subcommittee on Housing of the Banking and Currency Committee deal with the qeustion of escrow system reform. The most prominent among these are section 107 and 113 of H.R. 9989, the Real Estate Settlement Procedures Act of 1973 of Mr. STEPHENS, and section 12 of H.R. 12066, the Real Estate Settlement and Escrow Account Act of 1973 of Mrs. SULLIVAN. In addition, I have introduced two bills which are now before the subcommittee, H.R. 11460, also known as H.R. 9315, the Escrow Account System Improvement Act, and H.R. 12275, also known as H.R. 13102, the Escrow System Improvement Act. Unlike the other two bills, mine deal exclusively with the escrow system, and both present structured systems for dealing with all of the current controversies surrounding escrow. H.R. 11460 deals with reform within the present system of escrow accounts, while H.R. 12275 would construct a new system of escrow service plans. I will now attempt to define the issues of escrow reform and to show how each of the four bills deals with these issues.

AREAS OF AGREEMENT

To start first with the areas of general agreement. Through the definition of "federally related mortgage loan," all four bills extend whatever reforms they contain to the vast majority of future and outstanding mortgages. Thus all bills are in agreement regarding the extent of coverage of any reforms.

The next issue of general consensus is the issue of advance deposit requirements. Tied to this is the issue of limits on the amount of monthly escrow deposit requirements. These measures have been introduced in response to abuses of the system within the home loan industry—abuses such as requirements for deposits of up to 3 years of advance taxes at the time of settlement. Although our wording differs, the thrusts of H.R. 9989, section 107, H.R. 12066, section 7, and section 7 of my own H.R. 11460 are similar. All bills would require that no advance deposits in excess of the amount actually needed to pay off outstanding taxes and premiums at settlement should be required. All bills also provide that no amount in excess of the pro-rata portion of taxes and insurance, that is, in excess of one-twelfth of the yearly taxes and premiums, can be demanded as an escrow deposit in any 1 month. Because of the inclusion of section 7 in H.R. 11460, I did not think it necessary to repeat it in H.R. 12275.

AREAS OF CONTROVERSY

At this point our bills diverge. This is due to the fact that the issue of the payment of interest on escrow deposits is one of much more complicated dimensions and much less consensus.

The arguments in favor of payment of interest on escrow deposits are ones with which persons in public office are becoming more familiar of late. Basically, borrowers are generally required, either by law or by mortgage contract, to make monthly escrow deposits which are segregated into special accounts known as escrow accounts. The lenders periodically pay taxes and insurance premiums on the mortgaged property using these funds. Except in the case of mortgage bankers, lenders frequently invest these funds in short-term securities for financial gain. However, unlike passbook accounts, lenders in most cases pay no interest on the escrow deposits to borrowers. As the argument goes, "A bank would not lend you its money for free, so why should you lend it your money for free?"

Lenders argue that they incur substantial costs through the provision of escrow services and their investment gains are only used to offset the losses which they suffer in providing those services. They angrily threaten to raise interest rates or obliterate the escrow system entirely should interest on escrow deposits be required.

The arguments of lenders on this subject are curiously contradictory. During hearings in 1972, lenders repeatedly emphasized the benefits which the escrow system provides them through protection against unnecessary foreclosure. They also questioned the necessity of requiring payment of interest since the amounts involved would be so small as to not make it worthwhile. Yet at the same time they threatend to raise interest rates or cancel escrow services if payment of interest was required. If the

interest involved is so small, why should its payment significantly affect interest rates? If the escrow system is so beneficial to lenders, why would they abandon it simply because of the forced payment of a "paltry" sum?

As most first-year economic students learn, interest rates in a competitive market are determined by the supply of funds and the demand for those funds, not by the payment or nonpayment of interest on escrow deposits. As for the cost argument, why not look at it from the point of view of the borrower? The borrower receives funds from the lender. He enjoys certain benefits from those funds through the purchase of a house, but he also incurs certain costs in connection with those funds—upkeep on the house, improvements, et cetera. He also has to pay interest for the use of those funds. A lender receives funds from the borrower—escrow deposited. He receives certain benefits from those funds, investment gain, mortgage protection, but he also incurs costs in connection with them, escrow management costs. The lender, however, does not pay the borrower interest on those funds. Is this logical? I think not.

The solutions to the problem of the payment of interest on escrow accounts fall into two categories. The first set of solutions centers around some provision which would allow the borrower to terminate his escrow account and to pay his own taxes and premiums. The second set of solutions centers around the payment of some fixed rate of interest.

H.R. 9989 does not deal directly with either one of these proposals. Rather, it directs the Board of Governors of the Federal Reserve Board to conduct a study on the feasibility of the payment of interest on escrow deposits. The bill carefully delineates seven aspects of the question which the Board shall investigate.

I see no reason to conduct such a study since a similar study was recently completed by the GAO at the request of our colleague, Mrs. SULLIVAN. The GAO report is nearly identical to the report which the bill would require. Each one of the seven areas which it directs the Board to investigate was already specifically investigated by the GAO. In fact, the GAO report was inconclusive, mainly because only a fraction of the lending institutions contacted revealed whether they realized gains or suffered losses on escrow services—gainers outnumbered losers by nearly 2 to 1. Only one institution provided specific cost figures to back up its claim of suffering losses on escrow services. Why should we legislate a bureaucratic rerun of an inconclusive report, unless we can be guaranteed better results this time?

Payment of interest on escrow accounts is a mathematical and moral necessity. Mortgagors invest lenders' funds in their homes; they must pay interest on those funds. Lenders invest mortgagors' funds in short-term securities; should they not also pay interest on those funds?

DIRECT PAYMENT OF INTEREST

I would first like to deal with the issue of actual payment of interest on escrow deposits. To my knowledge, no bills have been introduced other than mine, which have sections dealing with this issue. I have provided two different plans for interest payment, one contained in section 6 of H.R. 11460, and one contained in sections 3 and 4 of H.R. 12275. The former involves a flat rate of interest and the latter involves a plan known as "capitalization."

Under section 6 of H.R. 11460, a current rate of 6¾-percent interest would be required on all escrow deposits. This interest would not be paid directly to the homeowner, but would be credited toward reducing his balance. If this system were applied universally, I estimate that it could generate up to $400 million worth of interest each year, based on the GAO estimate of aggregate national yearly escrow deposits of $9.4 billion. It is easy to see that this figure, while significant with respect to the homeowner, could hardly be used as an excuse to raise interest rates.

Based on the September 1972 Federal Reserve Board estimate of a national mortgage debt outstanding of $335.1 billion—and that figure has no doubt grown—we can see that even if the total cost of my interest plan, including added administrative costs came to $500 million, it would account for not even two-tenths of 1 percent of the mortgage debt outstanding. As I said, supply and demand, not escrow interest, determine mortgage rates in our competitive system.

In a time of expanding money supply such as we are experiencing right now, market trends would more than make up for the two-tenths of 1 percent absolute increase in the ratio of lending costs to mortgage debt outstanding. Furthermore, I have proposed the 6.75 percent figure as a ceiling rather than as a floor; downward revisions of that figure by up to 4 percent would be acceptable. I set the rate at this level to indicate my degree of belief that borrowers should get a fair return on their deposits. Several lending institutions already pay interest to their borrowers on escrow deposits; such payment has not raised their interest rates and may have even given them a slight competitive edge.

In H.R. 12275 I outlined a second plan which would provide borrowers with a return on their escrow deposits and would also present a more substantial change in the present system of escrow accounts. In fact, the system of escrow "accounts" would be replaced by an "escrow service plan" system. The creation and description of this new system is outlined in sections 3 and 4 of H.R. 12275.

The escrow service plan would set up a system under which escrow deposits would be "capitalized." Thus the borrower's monthly escrow deposit would not be segregated into a special account but would be credited toward reducing the balance due on the loan. The lender would still be responsible for paying the taxes and insurance premiums on the mortgaged property. At the time such payment was made, the lender would raise the borrower's balance by an amount equal to the payment. Capitalization provides a de facto rate of interest equal to the current mortgage loan rate. This occurs because the balance due on the loan during the months between tax payments would be lower than it would be under an escrow account system. Since interest on the mortgage is calculated on the basis of the balance due, the borrower would be paying less interest during the intervening months. His savings would be his return on the escrow deposits.

Since lenders would no longer be required to manage separate escrow accounts, they might actually reduce administrative costs. It would also be interesting to see how lenders would react to a capitalization system. If they raised mortgage rates to compensate for the new system, they would simply be raising the amount of savings which homeowners would realize on their escrow deposits.

Several lending institutions already capitalize escrow deposits. Five in particular are located here in the District and another, the Home Federal Savings & Loan Association, has its home office in Nampa, Idaho. This association has been using the capitalization method successfully for over 25 years. I was informed by an association officer that the board of directors has repeatedly considered converting Home Federal to an escrow account system and has voted against such conversion on every occasion. So the system can work and it can be easily implemented.

HOMEOWNERS' MANAGEMENT OF ESCROW FUNDS

So much for the issue of direct payment of interest on escrow deposits. Another method which has been proposed to deal with the current situation of unfair returns to borrowers on escrow deposits would allow borrowers to simply terminate their escrow accounts under certain conditions and pay their own taxes and insurance. Such proposals are found in my two bills and in H.R. 12066.

First of all, in both of my bills, I have provided borrowers with adequate protection against lenders' threats to refuse to provide escrow services. Under H.R. 11460, the borrower always has the right to request the establishment of an escrow account which would be governed by the other provisions of the resolution. In addition, the lender has the right to establish such an account, except when the equity in the loan is greater than 20 percent. In H.R. 12275, the same system is included except the borrower and lender would establish an escrow service plan, as described previously, instead of an escrow account. This provision should be included in any final bill which is reported out in order to insure that the escrow system, which everyone concedes is so valuable, will not be damaged by any temper tantrums on the part of lenders.

I have included a summary of the conversion system contained within H.R. 11460 in an appendix to this statement. At this point, I would prefer a system similar to that of section 7 of H.R. 12066 or section 5 of H.R. 12275. I believe that such a system would represent a less difficult step than the one entailed in H.R. 11460, from the borrower's point of view. I also believe that such a system would be less cumbersome for lenders.

My proposal in H.R. 12275 takes as its

core Mrs. SULLIVAN's system of escrow account conversion described in section 7 of H.R. 12066. Under that system, a borrower could elect to pay his own taxes and insurance premiums. Should a delinquency occur, the lender could protect his loan by paying such a delinquency and then raising the borrower's balance by the amount of the payment. That in essence is the Sullivan system and is a very good one indeed. I have made three modifications in it in section 5 of my bill, H.R. 12275. First, unless the lender and borrower have not previously set up an escrow system plan, conversion by the borrower to self-payment of taxes and insurance premiums could not take place until the borrower had achieved at least 20 percent equity in the loan. Second, in the event of a delinquency payment by the lender, a penalty charge not to exceed 25 percent of the payment itself could also be assessed against the borrower's balance. Finally, if the lender makes deliquency payments on at least two separate occasions, he regains the right to demand mandatory establishment of an escrow service plan and the borrower loses the right to terminate such a plan, regardless of the level of his equity in the loan.

I modified the Sullivan system, first, in order to satisfy more thoroughly the objectives of the escrow system plan method, and, second, to provide more protection to the lender against borrowers who think they can manage their own taxes but who in reality cannot. I wish to emphasize that I strongly favor some system which would allow responsible borowers to terminate their dependence on the escrow system while at the same time insuring that mortgage risk is kept to a minimum.

I want to make it clear that I have made a division between systems of interest payment and systems of escrow service termination only for the purpose of clarity. I have included provisions for both of these systems in both of my bills; no system of escrow reform would be effective unless it dealt with all of the problems of the system. This is why I have introduced two bills which are exclusively dedicated to escrow reform. I hope that each of my bills will be treated as a uniform whole, a complete plan of interconnecting and interdependent parts.

In conclusion, let me reiterate that this is the year for escrow system reform. I have received letters from homeowners and groups all over the country expressing interest in this issue and support for my proposals. Mortgagors are beginning to realize that the system can be improved to their benefit.

EXPLANATION OF H.R. 11460, SECTION 5

In conjunction with section 4 of this bill, section 5 would allow homeowners with not less than 20-percent equity in their loans to terminate their escrow accounts and to pay their own taxes and insurance premiums provided they meet certain requirements. They must set up a separate account with 1 year's advance taxes and premiums and to maintain a 1 year's balance at all times. They must also make all tax and insurance payments as they fall due. Failure to abide by these requirements would mean that a lender could require mandatory reestablishment of an escrow account, and borrowers would lose any right to reterminate such an account. This system was abandoned in favor of the one in section 5 of H.R. 12275 because it was felt that a requirement of 1 year's advance taxes and premiums would prove to be too much of a burden for the average homeowner. Responsible tax payment could occur without such a requirement.

JUDICIARY COMMITTEE AND THE SPECIAL PROSECUTOR

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Ms. HOLTZMAN. Mr. Speaker, according to recent news reports the Special Prosecutor has taken the position that he can not release various documents, tapes and testimony to the Inquiry Staff of the Committee on the Judiciary. Reportedly, the Special Prosecutor has taken the position that he is bound by rule 6(e) of the Federal rules of criminal procedure to withhold all evidence which has been presented to the grand jury.

I believe that it is important for the public to realize that the position taken by the Special Prosecutor has been questioned on several legal grounds. Common Cause recently distributed a legal memorandum, prepared by Kenneth J. Guido, Jr., discussing this subject. The memorandum argues, first, that the language of the rule would not prohibit the delivery of documents to the committee, even without a court order and, second, that the rule of grand jury secrecy has never been an inflexible mandate.

For a thorough understanding of the issues involved, I commend the attention of my colleagues to this memorandum. The text of the memorandum follows:

ACCESS TO DOCUMENTS, TAPES, AND GRAND JURY TESTIMONY IN THE SPECIAL PROSECUTOR'S POSSESSION BY THE HOUSE JUDICIARY COMMITTEE

(By Kenneth J. Guido, Jr.)

Questions have been raised regarding the responsibility of the Special Prosecutor to cooperate with the House Judiciary Committee's inquiry on impeachment. Specifically, it has been asked whether documents, including White House tapes, gathered by the Special Prosecutor and presented to the Watergate Grand Jury can be released by the Special Prosecutor to the House Judiciary Committee for use in its Impeachment inquiry.

The Special Prosecutor has been quoted as believing that he cannot do this because of Rule 6(e) and a pledge that the documents would remain confidential.

We have examined the grounds for this claim and have concluded that, contrary to these assertions, the Special Prosecutor has the authority to release documents and to obtain from the Court the release of testimony which has been presented before the Watergate Grand Juries. Rule 6(e) of the Federal Rules of Criminal Procedure, 18 U.S.C.A., which deals with disclosure of matters occurring before a grand jury, is not an obstruction to the production of documents. Moreover, while the documents can be produced without a court order by the Special Prosecutor himself, the testimony before the grand jury can be submitted to the House Judiciary Committee with leave of the Court.

The Special Prosecutor has been given full authority for investigating and prosecuting federal offenses arising out of the Watergate break-in, all offenses arising out of the 1972 Presidential election for which he assumes responsibility, allegations involving the President, members of the White House staff or Presidential appointees and any other matters assigned to him by the Attorney General.

In particular, the Special Prosecutor has been given full authority in regard to the following matters:

Conducting proceedings before grand juries and any other investigations he deems necessary;

Reviewing all documentary evidence available from any source, as to which he shall have full access;

Determining whether or not to contest the assertion of executive privilege or any other testimonial privilege;

Determining whether or not application should be made to any Federal court for a grant of immunity to any witness or for warrants, subpoenas or other court orders;

Deciding whether or not to prosecute any individual, firm, corporation or group of individuals;

Initiating prosecutions, framing indictments, filing informations and handling all aspects of any cases within the jurisdiction;

Coordinating and directing the activities of all Department of Justice personnel, including United States attorneys, and

Dealing with and appearing before Congressional committees having jurisdiction over any aspect of the above matters.

34 Fed. Reg. 30738–20739 (1973) Rule 6(e) provides:

Disclosure of matters occurring before he grand jury other than its deliberations and the vote of any juror may be made to the attorneys for the government for use in the performance of their duties. Otherwise a juror, attorney, interpreter, stenographer, operator of a recording device, or any typist who transcribes recorded testimony may disclose matters occurring before the grand jury only when so directed by the court preliminarily to or in connection with a judicial proceeding, or when permitted by the court at the request of the defendant upon a showing that grounds may exist for a motion to dismiss the indictment because of matters occurring before the grand jury. No obligation of secrecy may be imposed upon any person except in accordance with this rule.

The Notes of the Advisory Committee on Rules, reveals that Rule 6(e) codifies the traditional practice regarding the secrecy of grand jury proceedings and the authority of the judiciary to permit disclosure where warranted by the circumstances. We have examined the claim of grand jury secrecy as grounds for refusing to provide the House Judiciary Committee with documents and testimony and the judicial precedents. It is our conclusion that documents obtained by the Special Prosecutor for the grand jury are not covered by the secrecy provisions of Rule 6(e), that testimony before the grand jury is probably covered by those secrecy provisions, but that the District Court would be warranted in granting permission for the transmission of relevant grand jury testimony to the House Judiciary Committee.

Documents obtained by the Special Prosecutor for the Grand Jury.

The provisions of Rule 6(e) apply only to "matters occurring before the grand jury." Such matters have been held not to include documentary materials gathered on behalf of a grand jury, although the use made by the grand jurors of such materials is covered by the rule.

In *United States* v. *Interstate Dress Car-*

riers, Inc., 280 F. 2d No. 52 (2d Cir. 1960), the records of the defendant trucking company had been subpoenaed by a grand jury. The Interstate Commerce Commission, which has statutory authority to have access to these records, sought the materials from the Justice Department. The Court held that the Department could give the documents to the I.C.C. because the documents were not "matters occuring before the grand jury" within the meaning of Rule 6(e). In so holding, the Court defined the scope of the secrecy provisions of Rule 6(e):

The Rule is intended only to protect against disclosure of what is said or what takes place in the grand jury room. Documents as well as oral testimony of course may come within its proscription against disclosure. [citations omitted]. However, it is not the purpose of the Rule to foreclose from all future revelation to proper authorities the same information or documents which were presented to the grand jury. Thus, when testimony or data is sought for its own sake—for its intrinsic value in the furtherance of a lawful investigation—rather than to learn what took place before the grand jury, it is not a valid defense to disclosure that the same information was revealed to a grand jury or that the same documents had been, or were presently being, examined by a grand jury. *Supra* at 54.

The construction of Rule 6(e) applied in Interstate is applicable to documents voluntarily turned over to a grand jury as well as to subpoenaed materials. In *In the Matter of Hearings Before the Committee on Banking and Currency of the United States Senate*, 19 F.R.D. 410 (N.D. Ill. 1956), the Committee sought to obtain a bank ledger which had been given voluntarily to the U.S. Attorney for use before a grand jury. The Court ordered the U.S. Attorney to release the ledger to the Congressional committee for the very same reasons expressed by the Court in *Interstate*.

In the case of documents received or subpoenaed by the Watergate grand jury, there appears to be no barrier to submitting them to the House Judiciary Committee. The Rule 6(e) requirement of judicial permission does not come into play, because the documents themselves are not "matters occurring before the grand jury."

The quotation from *Interstate*, cited above, says that documents sought for their own sake, cannot be withheld on the grounds that they were presented to a grand jury. This does not mean, however, that the Special Prosecutor may give transcripts of grand jury testimony to the Judiciary Committee without following the Rule 6(e) procedure of seeking judicial permission.

The District Court Permission for Grand Jury Testimony to be given to the Judiciary Committee.

When grand jury testimony falling within the strictures of Rule 6(e) is sought, the permission of the District Judge supervising the grand jury should be obtained.

Rule 6(e) requires that the Court's order releasing the grand jury materials be issued "preliminarily to or in connection with a judicial proceeding." In *Doe v. Rosenberry*, 225 F. 2d 118 (2d Cir. 1965), it was held that hearings by a bar grievance committee were "preliminary to" a court proceeding involving disciplinary sanctions. In much the same way, the House impeachment investigation is preliminary to an impeachment trial in the Senate, which is surely a judicial proceeding.

In Federalist paper No. 65, Alexander Hamilton wrote: "The remaining powers which the plan of the convention allots to the Senate, in a district capacity, are comprised in their participation with the executive in the appointment of offices, *and in their judicial character as a court for the trial of impeachments.*" (emphasis added), *The Federalist Papers*, No. 65 at 396 (New American Library ed. 1961) (Hamilton).

Hamilton further alludes to the "judicial character of the Senate":

"A well-constituted court for the trial of impeachments is an object not more to be desired than difficult to be obtained in a government wholly elective. The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust." *The Federalist Papers, supra* at 396.

Furthermore, Hamilton refers several times to the Senate as the "court of impeachments." *The Federalist Papers, supra* at 398–400.

The language of the Constitution itself further substantiates the fact that the Senate trial is a judicial proceeding (e.g. "try," "conviction" and "judgment", Art. I § 3, Cl. 6, 7; Art. II, § 4).

The procedures for the Senate when sitting on impeachment trials (United States Senate Manual 151), unchanged since their adoption March 2, 1868 for the trial of President Johnson, corroborate the concept of the "judicial character" of the Senate trial. The Chief Justice of the Supreme Court presides over impeachment of the President or Vice-President and rules on all questions of evidence, unless a Senator requests a formal vote. In addition, the accused is permitted assistance of counsel.

Thus, since the House impeachment proceedings precede the trial by the Senate, the House proceedings are preliminary to a "judicial proceeding" under Rule 6(e).

The requirement that a judge release grand jury testimony only "preliminary to or in connection with a judicial proceeding" is a threshold issue. Rule 6(e) places the decision as to whether the material should be disclosed in the discretion of the court. Judicial standards have evolved which guide courts in the exercise of their discretion. The current test was articulated in *United States v. Procter & Gamble, supra*, at 682:

[The secrecy of grand jury testimony] must not be broken except where there is a compelling necessity. There are instances where that need will outweigh the countervailing policy. But they must be shown with particularity.

In that case, the grand jury testimony was sought by a defendant in a civil antitrust action. The need for the evidence was found not to be "compelling" in light of the generous discovery available to civil litigants. In criminal cases where discovery is more limited, a defendant's need for grand jury testimony may well rise to the level of intensity required by this test. In such cases, however, the countervailing need for secrecy may also grow. The reason for secrecy in criminal cases was articulated in *United States v. Rose*, 215 F. 2d 617, 628 (3rd Cir. 1954):

"(1) To prevent the escape of those whose indictment may be contemplated; (2) to insure the utmost freedom to the grand jury in its deliberations, and to prevent persons subject to indictment or their friends from importuning the grand jurors; (3) to prevent subornation of perjury or tampering with the witnesses who may testify before grand jury and later appear at the trial of those indicted by it; (4) to encourage free and untrammeled disclosures by persons who have information with respect to the commission of crimes; (5) to protect innocent accused who is exonerated from disclosure of the fact that he has been under investigation, and from the expense of standing trial where there was no probability of guilt."

It appears the distinction which courts make between civil and criminal cases stems from the alternatives available to the party seeking the testimony and from the policy considerations enumerated in *Rose*. In the case of presidential impeachment, paramount factors necessarily come into play. These factors supply the compelling necessity required by the *Procter* test. By according justified weight to these paramount factors, any arguments against providing the Judiciary Committee the testimony are overcome.

The time factor alone can be said to make the Judiciary Committee's need for testimony compelling. If forced to reconstruct the grand jury evidence on their own, the Committee may require months or even years to reach its decision. Such a delay in the Committee's report would do incalculable damage to the nation.

A second key factor is the preferred status of the constitutional impeachment process. At this stage of the grand jury proceedings, it is widely known which individuals are under investigation by the Watergate grand jury. It is unlikely that these people will, simply because the testimony is released to the Judiciary Committee, flee the country, tamper with grand jurors or with witnesses. Safeguards can be incorporated into the Committee's procedures to protect potential grand jury witnesses.

Balanced against the secrecy considerations of *Rose* is the national need to have the impeachment issue resolved based on all existing evidence relevant to this proceeding. This "compelling necessity" constitutes clear and appropriate grounds for the District Court to exercise its discretion to permit the release of the grand jury testimony to the House Judiciary Committee.

AMERICAN LEGION NATIONAL COMMANDER CALLS FOR STRONG RESERVE COMPONENTS AS PART OF NATIONAL DEFENSE

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. MONTGOMERY. Mr. Speaker, a recent speech of the national commander of the American Legion before the Reserve Officers Association on February 22 has been called to my attention. I think that it represents a significant contribution to the philosophy of defense in these troublesome times.

The national commander of the American Legion, Robert E. L. Eaton, is a retired Air Force general officer, and for several generations his family has resided in my district. Although he originally hails from Mississippi, he has been a longtime resident of Maryland and pursued his American Legion career in that State. We Mississippians are proud to claim General Eaton and congratulate Maryland and the American Legion for recognizing his ability and making him the national commander.

A significant factor in defense these days is the high cost which it entails. All of us are sincere in our support of a defense establishment which will be adequate for the great responsibilities we face. But it behooves us all to achieve and maintain an adequate defense structure utilizing our resources in the most economical way possible. In this regard, while the weapon systems of today and tomorrow represent a major cost, personnel costs are significantly higher. In

the foreseeable future the only means by which major reductions in personnel costs can be effected without incurring a simultaneous reduction in our national defense capability is through greater reliance upon and more effective utilization of the Reserve forces of our Nation.

Stabilized reserve component units which are properly manned, equipped, and trained, have consistently demonstrated the same high level of effectiveness possessed by regular units and thus represent a national asset of equal value. However, a Reserve unit can be operated at a fraction of the cost of a similar Regular force unit; therefore, when one considers the return on our investment in the Armed Forces, it is obvious that when reductions in force are necessary, the reserve components should be the last to be reduced rather than the first.

All of us deplore the reductions in the Air National Guard and other Reserve units which the recent Secretary of Defense decision will engender and believe this decision represents either the failure to understand the economic and defense potential of the reserve components or to accept the fact that our Reserve forces can and should assume a much greater role in our national defense. In simplest terms, if new weapon system effectiveness or a changed world situation warrants a reduction in the total force, such reductions should be taken in the Regular establishment rather than the Reserve. If the overall force structure must be maintained, it can be done at considerably less defense dollar cost by increasing the ratio of Reserves to Regular units and retaining only hard core units and missions in the regular force.

Such a shift in emphasis dictates fully combat ready Reserve force units equipped with first line weapon systems which due to total defense costs are not currently available. As an example, the Air Force has insufficient aircraft to equip both their active duty fighter and transport units and at the same time furnish first line combat aircraft to National Guard units with the same mission. However, as General Eaton points out, the savings in personnel costs alone which would result from a major shift in reliance to our Reserve components may well more than offset the increased costs associated with increased weapon system production. This is a matter to which I would expect our Armed Services Committee to address itself in the coming hearings.

I have placed the speech of the national commander in its entirety in the RECORD in the hope that my colleagues will find an opportunity to read it and give it the attention it deserves.

AN ADDRESS BY ROBERT E. L. EATON, NATIONAL COMMANDER, THE AMERICAN LEGION

Members of the Reserve Officers Association, Distinguished Guests, I am delighted to be with you this morning.

The American Legion which I am privileged to represent shares with the ROA a number of common views and concerns. One is the continuing need for a strong national defense. Another is that our Reserve Forces should figure prominently in our defense structure. It is to these points that I shall address myself today.

The American Legion holds that there is substantial room for improvement in the general area of defense manpower utilization.

Specifically, we feel that the Department of Defense is not adequately exploiting its Reserve potential.

We feel that increased reliance on Reserve Forces offers the greatest promise for maximum security within the limits of our resources.

We feel that certain parochial attitudes on the part of the active establishment are restricting the development of that promise.

We intend to press vigorously our contention that the interests of national defense are best served by elevating, rather than depressing, the status of our Reserve components.

Today it is more than customarily difficult to convince the American public of the need for continued maintenance of a strong deterrent posture.

One reason is the fact that we have recently ended our involvement in a war. It seems to be an American tradition—a regrettable one—that a war's end inevitably brings a clamor for dismantling the force structure so laboriously and so expensively constructed. As a nation we seem incapable of absorbing the often-repeated lessons of previous experience.

Once again there is a demand for "reordering priorities." To some Americans that phrase suggests that we could finance increases in social programs by paring the defense budget beyond the limit of sanity. Certainly we should do everything within our power to improve the quality of life for all who are part of this nation. But when considering priorities, we should remember that defense is itself a social service, the most important one because it guarantees our freedom and our very existence.

Advocates of reduced defense expenditures point to a degree of thaw in our relationships with the Soviet Union and the Chinese Communists as evidence of a diminishing need for military strength.

That is a wishful approach. It accepts the promise of lasting peace as if it were already fact. It is not. The attitudes of the Soviets and the Chinese appear to augur some hope for the future. But, speaking for The American Legion, we remain unconvinced that these adversaries have totally abdicated their plans for military superiority and conquest.

Another reason why there is some resistance to maintaining a strong deterrent force is the ever-rising cost of defense. The fiscal 1975 budget now before the Congress contemplates defense outlays some $6 billion greater than those of the current fiscal year. That makes the defense budget a prime target for sniper fire.

However, the increase is illusory. Anyone who has bought a steak or a gallon of gasoline recently is aware of the eroding effect of inflation on defense purchasing power as well as personal purchasing power. There are additional factors compounding the problem of defense costs. There is the essential demand for greater performance in each new generation of weapon systems; this means greater complexity, hence higher costs. There are also the dramatic funding increases associated with the zero-draft, all-volunteer defense force.

Viewed in proper perspective, the proposed defense budget is anything but munificent. It amounts to a smaller percentage of the gross national product than in any year since 1950. It represents 29 percent of the total federal budget, where six years ago it was 44 percent. The American Legion supports the Administration's defense budget, with this qualification: It provides only the minimum level required for American preparedness, dollar increases notwithstanding.

Clearly, rising costs dictate a greater-than-ever quest for efficiencies in utilizing our defense resources. The alternative is further reduction in force, which is not tolerable in today's unsettled international climate.

In the search for new efficiencies, defense manpower appears a particularly promising area for focus of attention. In fiscal 1975, the average per capita pay of military personnel will reach $11,000, approximately double the figure for 1968. Despite large-scale reductions in personnel strength, manpower costs in 1975 will be up almost 50 percent above the 1968 level.

Manpower is now the largest major component of the defense budget. It takes a larger bite of the total budget than the combined sum of operations, procurement, construction, research and development. In both the current fiscal year and the coming year, manpower outlays amount to 55 percent of the defense budget.

How can we improve efficiency in manpower utilization? By really implementing the total force concept, the complete integration of U.S. Reserve Forces into the combat-ready force in being. I stress the word really. Although the total force concept has been a matter of Department of Defense policy since 1970, its implementation has been something less than vigorous.

Inherent to the total force concept are these tenets:

First, the difference in combat effectiveness between Regular and Reserve Forces is insignificant, as has been demonstrated by studies, tests and actual combat experience;

Second, Reserve units can be organized, manned, equipped, trained and operated at costs dramatically lower than the costs for similar Regular Force units. For example, a combat infantry battalion can be maintained in the Reserve Forces for about 20 percent of the cost of maintaining an active army infantry battalion.

The essence of the total force policy is that necessary reductions in active defense strength can be offset by greater reliance on Reserve capabilities. Toward that end some Reserve Forces—particularly the National Guard—have been assigned high-priority missions once considered the sole province of active forces.

I submit that there is an opportunity for greater cost effectiveness in manpower utilization through further steps in this direction. The Department of Defense should give full consideration to a substantial shift in emphasis, roles, missions and resources from the Regular Forces to the Reserve Forces.

There is, of course, a requirement for a hard core of Regular Forces. This hard core must include, among other things, an adequate rotational base for the maintenance of overseas units. The balance of the total defense requirement could be met by strong, well-equipped, combat-ready Reserve components.

Such a shift involves nothing more than full acceptance of the total force policy already established. It could prove immensely advantageous to the nation.

If the mandate is maintenance of a given level of force, it could be accomplished at far lower cost.

If the determining factor is cost ceiling, we can obtain a higher level of force within the monetary limitation.

Will the total force policy work in practice? There is ample evidence that it will. Witness, for example, the rapid response and effective deployment of the Israeli Reserves in the most recent Middle East conflagration. Our own Reserves have on several occasions provided similar testimony. The National Guard has already demonstrated its ability to meet the challenge of total force by attaining the highest level of combat-readiness in its history.

However, if the total force policy is to work it must be *fully* implemented. Full implementation means this:

The force has to be manned;

The force has to be equipped; and
The force has to be trained.

Full implementation of the total force policy will require a commitment greater than we have yet witnessed on the part of the active establishment. If we are to get that commitment, we must first effect a radical change in Department of Defense thinking concerning the role of the Reserves. Despite lip service to the concept of total force and the advantages it offers, there are still many in important positions who regard the Reserves as a "mobilization" force, something to be called up in the late innings of a war rather than a component of the force-in-being.

That word "mobilization" is one I would like to remove from the dictionary, at least insofar as it pertains to Reserve Forces.

It is true that the Reserves were conceived as a mobilization force in the Defense Act of 1916, before our entry into World War I. The legislators of that day envisioned the mobilization force as one that could be activated at the start of an emergency but equipped and trained over long months—or even years—thereafter. It was a military second string for use in a long-term war.

But that was six decades ago. The leisurely-mobilized Reserve Force of 1916 would be useless in today's—and tomorrow's—environment. We will never again experience an emergency in which long-term mobilization is possible. Thus, today's Reserve Force cannot be a mobilization force. It must be a ready force, complementary but not inferior to the active force. Where there are deficiencies in readiness level or equipment, the Department of Defense should bend every effort to bring the deficient units to an appropriate level of capability.

Because of the parochial views I mentioned, the Department of Defense is not moving toward full implementation of the total force policy. In fact, and perhaps for the same reason, it is moving in the opposite direction. There was a recent decision to deactivate a number of air national units. There are indications of further cuts in the Reserve components. Such reductions are completely inconsistent with the objective of getting the most defense for the dollar outlaid.

It is difficult to understand the rationale of defense management with regard to Reserve Force reductions, actual and contemplated.

The keystone tenet of the total force policy is this: When considerations of the national economy dictate reductions in active strength, the impact must be counterbalanced by improvement in Reserve capability. Yet look at what is happening.

Over the past three years, the Soviet Union has increased its active forces from 3 million to 3.8 million men. The USSR has *not* reduced the size of its reserve establishment.

The United States, on the other hand, has been in a steady decline with respect to active personnel strength. In 1968, the peak year of the Vietnam conflict, there were 3.5 million military personnel on active duty. In the coming fiscal year, that figure will drop to 2.2 million.

Thus, at a time when our active forces are at the lowest level in more than 20 years, there are moves afoot to cut the Reserve Forces as well. This is a rejection of the basic principle of the total force concept.

It is also a foolish way to achieve economy. We of The American Legion deplore any reductions in defense strength at a time of uncertain international atmosphere. But if there absolutely must be reduction it is upside-down philosophy to cut the Reserve Forces rather than the active establishment.

Look at it this way. If it became absolutely imperative to cut your family budget, how would you go about it? Would you turn out all the lights in your home to save a few dollars a month? Or would you give up your country club membership to realize a much more significant reduction with less real hardship?

Defense management is turning off the lights, so to speak. Because the Reserve unit is far less costly to operate, its elimination saves relatively few dollars. To put it another way, we lose more defense capability by cutting the Reserves than we do by reducing the Regular Forces.

There is one other aspect of Defense management's attitude toward Reserves.

Recently, I wrote the Secretary of Defense protesting Reserve reductions. I received a reply from the Assistant Secretary of Defense for Manpower and Reserve Affairs. There was nothing in the reply which in any way changed the views I have enunciated today. There was, however, one paragraph which merits public airing. I quote:

"It is essential that units, Active and Reserve, that provide little effectiveness because they are performing a marginal mission or because they are manned and equipped in a manner that is an inefficient use of defense dollars, be eliminated."

This is another attitude to which I take exception. It constitutes a lack of understanding of the Reserve role. It ignores the fact that a Reserve unit—however outmoded—is a valuable defense asset. Elimination of a Reserve unit is a waste of the time, funding, recruiting and training that brought it into being.

Is it not more logical to convert the outmoded unit to new capability? If it is performing a marginal mission, give it a new one. If it is under-equipped, equip it properly. It takes but a stroke of the pen to dissolve an active duty unit or to reactivate it. But a Reserve unit, once broken up, takes years to rebuild.

Until now, I have presented the case for proper utilization of the Reserve Forces in strictly pragmatic terms. I have outlined the cost effectiveness and other gains that can accrue from real implementation of the total force policy.

There is another side to the subject—the philosophical side.

From the earliest days of the Republic, Americans have embraced the fundamental doctrine that the cornerstone of defense is the citizen army. The first article of the Constitution empowered Congress to "call forth the militia to execute the laws of the Union, suppress insurrection and repel invasions."

Since its formation, The American Legion has espoused that doctrine. At the Legion's second national convention in 1920, the Military Affairs Committee stated a policy for insuring the readiness of our citizen soldiery. I quote:

"We recognize the Constitutional principle that a well-trained and disciplined citizen soldiery is essential to the peace and safety of both state and nation. In conformity with the spirit of our organization, we pledge our efforts in aid of the constituted authorities of the United States, and of each of the several states, in the formation, recruiting and maintenance of the National Guard of the United States at that standard of strength and dependability required by the adopted military policy of our government and the welfare of our national and state institutions.

"We believe that national safety with freedom from militarism is best assured by a national citizen army based on the democratic and American principles of the equality of obligation and opportunity for all. The National Guard and organized Reserves, which should and must be the chief reliance of the United States in time of war, should be officered in peace and in war as far as practical by men from their own ranks."

That statement was advanced in the wake of World War One. The thinking of that day envisioned the slow mobilization of forces and, as I have said, long term mobilization is no longer appropriate. However, the concept of citizen soldiery remains as valid today as in 1920 and at the founding of the Republic.

Today, however, it is national policy to build toward an all-volunteer professional armed force. Without participation by the citizens in selective service, we are moving away from the concept of citizen soldiery.

The American Legion supports the personnel of our armed forces. We are convinced that they represent the highest type of individuals who serve our nation. But we are not convinced that the professional armed force is in keeping with the American idea of free government.

Nor are we convinced that it is an effective way to fight our nation's wars. There is a belief—in which I concur—that the principle cause of the Southeast Asia disaster was the professional army approach. There were draftees in the armed forces, but the army fighting the war was primarily professional. The Reserves were never called into action and for that reason the nation never realized the full participation of its people.

I believe that a military effort which lacks the full support of the American people is foredoomed to failure.

The total force policy provides an opportunity for active participation of our citizenry. But if it is to a viable program, it must be fully and intelligently implemented. We must have a commitment to man the force, to equip the force and to train the force. The American Legion, The Reserve Officers Association and others who share our convictions must carry the fight to insure that commitment.

WHO HAS CAUSED THE ENERGY CRISIS?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. ASHBROOK. Mr. Speaker, Energy Chief Simon has been getting much press attention lately with his pronouncements, orders, and directives on allocations, shipments and supplies of various petroleum products. Governmental action in the present energy crisis is readily apparent and also is growing. There are many advocating a greater role for Government through rationing systems, further controls and various rollback proposals.

Young Americans for Freedom—YAF—a nationwide conservative youth organization, has put together a pamphlet entitled "Who has Caused the Energy Crisis?" which deserves the attention of those concerned about our present energy problem. This pamphlet gives information that is not readily available and should be given a hearing in the present debate. The text of the YAF published pamphlet follows:

WHO HAS CAUSED THE ENERGY CRISIS?

This is what the Federal Government has done to cause our energy crisis:

(1) Banned off-shore drilling.

(2) Restricted domestic drilling, especially on federal land.

(3) Limited the number of refineries and the amount of oil they can refine.

(4) Instituted import quotas on oil limiting the amount of foreign oil.

(5) Blocked and delayed until recently the development and transportation of Alaskan oil.

(6) Outlawed the use of most coal and

some fuel oils because their sulfur content is "too high."

(7) Forced mandatory pollution control devices on new cars that use an additional 5 billion gallons of gas a year (according to the U.S. Office of Emergency Preparedness).

(8) Forced busing of 300,000 children each day in the United States wastes millions of gallons of gasoline yearly.

(9) Delayed the development of new sources of fuel. A good example is the delaying of nuclear power plants by the Federal Government and Mr. Nader.

(10) Held the price of interstate natural gas at an artificially low price since 1955. This has guaranteed high demand for this fuel and a low supply. It has also encouraged gas-mining companies to sell their supply intrastate.

(11) Intervened in industries that utilize great quantities of oil:

a. C.A.B.-Airlines: Price competition among airlines has been illegal for years. Airlines have adopted the only form of competition the government allows—flying more planes than their competition, or competing on meals, frills, etc. Hundreds of half-empty flights criss-cross the country every day wasting millions of gallons of fuel.

b. I.C.C.-Trucking: The government has regulated the trucking industry with guidelines that outlaw most direct routes between two cities. The result is the wasting of fuel.

c. The government regulation and interference with private mass transit has driven most of the private companies out of business and provided incentive to drive private cars.

(12) Instituted Price Controls: The effect of price controls on fuel has been to increase demand and limit supply by keeping the price low. This is the case of the present scarcity. The demand for distillate fuel oil by the nation's electric utilities has increased from 68,000 barrels a day in 1970 (before general wage and price controls) to 186,000 barrels a day in 1972. The price controls have also produced scarcities and higher prices in oil-related industries. An example is the present acute scarcity of pipes needed for drilling. From the Washington Post on January 14, 1974: "Charles (Smokey) Griggs, 46, who is still trying to climb out of debt piled up from drilling too many dry holes, had this to say—'I ordered a string (8,000 feet) of pipe in December. You know what they gave me for a delivery date?—July 2, 1976!' " The government inflating of the money supply causes higher prices for everything. Time magazine had this to say: "Since about the late 1960's, proven natural gas reserves have declined because government price controls have discouraged new exploration. Domestic oil reserves shrank because companies found it cheaper to drill abroad. Domestic refinery capacity became inadequate. Oilmen did not expand refineries enough to meet demand because import quotas let them with too little oil, and environmental controls increased the price of construction."

ON S. 2589, THE NATIONAL ENERGY EMERGENCY ACT CONFERENCE REPORT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1974

Mr. HARRINGTON. Mr. Speaker I wish to accompany my positive vote on S. 2589, the conference report on the National Energy Emergency Act with several observations.

A number of provisions in the report will help alleviate the energy situation in which my constituents find themselves. The rollback in energy prices will afford limited but still genuine price relief. The administration is given the latitude to promulgate conservation measures, tempered by a congressional veto process which, while not perfect, is still a usable mechanism to check any abuse of executive power in this area. Standby authority is provided to permit end-use allocation of petroleum products; while I have major reservations about the desirability of rationing, I recognize the value of providing administrative flexibility. The President is also given the authority to allocate energy production-related materials, like drill bits and pipes, which are now in short supply. States are provided assistance in rendering compensation to those who suffer unemployment as a result of the energy shortage. And, importantly, the report requires the major oil companies to submit sorely needed data on this Nation's energy supply.

The provision to rollback prices is perhaps the most controversial in the report. It seems to me that the rollback formula achieves some kind of acceptable balance between the creation of price relief for consumers and the maintenance of production incentives for the oil industry. Presently, the President has imposed ceiling prices for so-called flowing oil produced in the United States. The formula that he has employed for doing this is identical to that contained in section 110 of the conference report; that is, producers are permitted to charge the field price in effect on May 1, 1973, plus an additional $1.35. Thus the pricing provisions of the conference report will not force a change in the current price levels for flowing crude production.

There are, at present, no price ceilings for new oil production nor for production from stripper wells which produce 10 barrels or less per day. According to recent testimony given by officials of the Federal Energy Office, on a national average, the price of new crude and stripper well production has risen to about $9.51 per barrel. In many cases, the price is well over $10—approximating the international market prices set by the cartel of Mideastern oil producing countries. The provisions of section 110 would require a rollback of these prices to an average range of between $5.25 and $7.09. This price range is judged sufficiently broad to permit the President to establish prices which are adequate to induce production of additional crude supply while providing pricing protection to industrial and individual consumers at a time when the market mechanism of supply and demand is not working so obviously.

For example, in December 1972, the National Petroleum Council reported to this Congress that, in order to achieve the greatest feasible level of domestic self-sufficiency, the domestic price of crude oil would have to rise from $3.18 per barrel in 1970 to $3.65 per barrel in 1975. In August 1972, the Independent Petroleum Association of America testified that a domestic price of $4.10 per barrel would be adequate to assure the United States 100 percent self-sufficiency by 1980. While these projections were stated in "constant dollars," after adjustment, the National Petroleum Council's price would be projected at $4.35 and the Independent Petroleum Association of America's price would be increased to $4.55. It is to be emphasized that these price estimates are well within the national average ceiling price of $5.25 called for in section 110 of the Energy Emergency Act.

Moreover, it should be kept in mind that this section permits the President to increase the ceiling price to levels which would result in a national average price of $7.09. This is well above the most recent projection of the Independent Petroleum Association of America calling for an average price of approximately $6.65 per barrel for crude oil in order to maximize domestic production by 1980. Let me point out also, that as recently as January 23 of this year Deputy Secretary Simon stated that the long-term supply of crude oil—that is, the level needed to bring supply and demand into balance and to eliminate the shortage—would be "in the neighborhood of $7 per barrel within the next few years." In Secretary Simon's words, any price higher than that creates "a windfall—a price to producers which is more than producers could have anticipated when investments were made and more than that required to produce all that we can in fact expect to be supplied."

In contrast to the price rollback provision, there are parts of the report to which I continue to take strong exception. I voted against H.R. 11450, the original House version of the Energy Emergency Act, because of the bill's cavalier treatment of environmental standards and its failure to ask anywhere as much sacrifice from the oil companies as from the American public. The rollback provision fills the second gap which existed in H.R. 11450, while the report to Congress oversight powers, as of March 15, with regard to any conservation measures instituted by the President.

I must confess that, in my opinion, the crucial evidence as to the bill's sufficient merit came from the President. When he announced at his press conference earlier this week that he would veto the conference report if the House were to pass it in its present form, I decided it must be a fairly satisfactory measure.

Let me stress, however, that much remains to be done. The basic anticompetitive structure of the oil and natural gas industry remains unreformed. It is my belief that if changes are not instituted in the near future, the present crisis will be succeeded by additional upheavals of equal or greater magnitude. While keeping a watchful eye on our current gasoline and residual oil problems, Congress must also take prompt action on legislation to create a Federal oil and gas corporation, which would introduce genuine competition into the industry. In short, we should not be overly pleased that after 3 months of strain and discord, we have enacted a flawed, though serviceable, "emergency" measure. We should instead move quickly on to more significant change, so that the consumers of the Nation end up with an oil business with which they can live.