

## SUPPLY CORPS

James E. McKenna.  
James R. Ahearn.

## CIVIL ENGINEER CORPS

Robert F. Jortberg.

## DENTAL CORPS

George A. Besbekos.

Rear Adm. Emmett H. Tidd, U.S. Navy having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

## IN THE AIR FORCE

Air Force nominations beginning Charles H. Bell, Jr., to be colonel, and ending Paul E.

Hoover, to be colonel, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1974.

## IN THE ARMY

Army nominations beginning Albert A. Ackerman, to be colonel, and ending Brian F. Wells, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 1974.

Army nominations beginning Shelby G. Alfred, to be colonel, and ending William H. Waters, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1974.

## IN THE MARINE CORPS

Marine Corps nominations beginning Gary W. Barnes, to be captain, and ending John D. Yarbrough, to be chief warrant officer, W-2, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 1974.

Ernest H. Cates, for reappointment to the grade of chief warrant officer in the Marine Corps, which nomination was received by the Senate and appeared in the Congressional Record on February 6, 1974.

Marine Corps nominations beginning Grafton Spinks, to be second lieutenant, and ending Richard C. Roten, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 18, 1974.

## HOUSE OF REPRESENTATIVES—Tuesday, March 5, 1974

The House met at 12 o'clock noon. Rev. Hans Dumps, St. Timothy Evangelical Lutheran Church, Oak Park, Mich., offered the following prayer:

O God and Father of all people, we come into Thy presence acknowledging Thy power and majesty over all of life. Thy providence governs the course of nations.

O God, our Ruler and Judge, we pray for all public servants of this land, especially for the Members of this body. Grant them the wisdom to regard their office as a trust from Thee and as a channel of service for the welfare of all people.

Amid all the pressures of public office, we ask the continual pressure of Thy gracious will upon the consciences of Thy servants to serve this Nation in the knowledge of Thy ultimate judgment. Lord, grant us to do justice, to love mercy, and to walk humbly with our God. Amen.

## THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

## PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

## MRS. ROSE THOMAS

The Clerk called the bill (H.R. 2535) for the relief of Mrs. Rose Thomas.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## COL. JOHN H. SHERMAN

The Clerk called the bill (H.R. 2633) for the relief of Col. John H. Sherman.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## ESTATE OF THE LATE RICHARD BURTON, SERGEANT, FIRST CLASS, U.S. ARMY (RETIRED)

The Clerk called the bill (H.R. 3533) for the relief of the estate of the late Richard Burton, sergeant, first class, U.S. Army (retired).

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## MR. AND MRS. JOHN F. FUENTES

The Clerk called the bill (H.R. 2508) for the relief of Mr. and Mrs. John F. Fuentes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## MURRAY SWARTZ

The Clerk called the bill (H.R. 6411) for the relief of Murray Swartz.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## ESTELLE M. FASS

The Clerk called the resolution (H. Res. 362) to refer the bill H.R. 7209 for the relief of Estelle M. Fass to the Chief Commissioner of the Court of Claims.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## RITA SWANN

The Clerk called the bill (H.R. 1342) for the relief of Rita Swann.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## LEONARD ALFRED BROWNRIGG

The Clerk called the bill (H.R. 2629) for the relief of Leonard Alfred Brownrigg.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## BOULOS STEPHAN

The Clerk called the bill (H.R. 4438) for the relief of Boulos Stephan.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## FAUSTINO MURGIA-MELENDRÉZ

The Clerk called the bill (H.R. 7535) for the relief of Faustino Murgia-Melendréz.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

## ROMEO LANCIN

The Clerk called the bill (H.R. 4172) for the relief of Romeo Lancin.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

**AUTHORIZING SECRETARY OF INTERIOR TO SELL RESERVE MINERAL INTEREST IN CERTAIN LAND IN THE STATE OF CALIFORNIA TO THE RECORD OWNERS OF THE SURFACE THEREOF**

The Clerk called the bill (H.R. 2544) to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land located in the State of California to the record owners of the surface thereof.

There being no objection, the Clerk read the bill, as follows:

H.R. 2544

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all mineral interests of the United States in and to the property situated in the State of California and described in section 2 of this Act to Robert E. Pumphrey and his wife, Audrey M. Pumphrey, the record owners of the surface rights thereof.*

SEC. 2. The property referred to in the first section of this Act is more particularly described as follows:

(1) parcel numbered 7, containing forty acres, more or less, as described in the deed dated November 10, 1968, entered into between Marion E. Cole, grantor, and Robert E. Pumphrey and his wife, Audrey M. Pumphrey, grantees; and

(2) parcel numbered 6, containing two hundred and twenty-nine acres, more or less, as described in the deed dated September 24, 1965, entered into between Samuel D. Bashline and his wife, Pauline B. Bashline, grantors, and Robert E. Pumphrey and his wife, Audrey M. Pumphrey, grantees.

SEC. 3. In the event that the Secretary of the Interior determines that any land described in section 2 of this Act is not prospectively valuable for minerals, he shall convey the reserved mineral interests to the record owners of the surface rights referred to in the first section of this Act upon the payment of a sum of \$200 to reimburse the United States for the administrative costs of the conveyance; otherwise, the mineral interests shall be sold to such record owners of the surface rights upon the payment of a sum equal to \$200 plus the fair market value of the mineral interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary.

SEC. 4. Proceeds from any sale made under this Act shall be covered into the Treasury of the United States as miscellaneous receipts.

With the following committee amendment:

Page 2, beginning on line 14, strike out all of sections 3 and 4 and insert in lieu thereof the following:

SEC. 3. The Secretary shall require the deposit of a sum of money which he deems sufficient to cover estimated administrative costs of this Act. If a conveyance is not made pursuant to this Act, and the administrative costs exceed the deposit, the Secretary shall bill the applicant for the outstanding amount, but if the amount of the deposit exceeds the actual administrative costs, the Secretary shall refund the excess.

SEC. 4. No conveyance shall be made unless application for conveyance is filed with the Secretary within six months of the date of approval of this Act and unless within the time specified by him payment is made to the Secretary of (1) administrative costs of the conveyance and (2) the fair market value of the interest to be conveyed. The amount of the payment required shall be the difference between the amount deposited and the full amount required to be paid

under this section. If the amount deposited exceeds the full amount required to be paid, the applicant shall be given a credit or refund for the excess.

SEC. 5. The term "administrative costs" as used in this Act includes, but is not limited to, all costs of (1) conducting an exploratory program to determine the character of the mineral deposits in the land, (2) evaluating the data obtained under the exploratory program to determine the fair market value of the mineral rights to be conveyed, and (3) preparing and issuing the instrument of conveyance.

SEC. 6. Moneys paid to the Secretary for administrative costs shall be paid to the agency which rendered the service, and deposited to the appropriation then current. Moneys paid for the minerals or mineral interests conveyed shall be deposited into the general fund of the Treasury as miscellaneous receipts.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**CONVEYING MINERAL RIGHTS IN CERTAIN REAL PROPERTY LOCATED IN SEMINOLE COUNTY, FLA.**

The Clerk called the bill (H.R. 3901) to convey the mineral rights in certain real property located in Seminole County, Fla., to Carroll L. Ward, Senior, the owner of such real property.

There being no objection, the Clerk read the bill as follows:

H.R. 3901

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby quitclaimed to Carroll L. Ward, Senior, of Orlando, Florida, all right, title, and interest of the United States in and to the phosphate in the real property owned by Carroll L. Ward and located in Seminole County, Florida, which are more particularly described in section 2 of this Act, and which were reserved to the United States in patent numbered 1144523, issued to Walter J. Krohne on May 19, 1954, and patent numbered 1144524, issued to Fred S. Alward on May 19, 1954.*

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows: The northeast quarter of the northwest quarter of section 33, township 21 south, range 31 east, containing 40.015 acres. The east half of the northwest quarter of the northwest quarter of section 33, township 21 south, range 31 east, containing 20 acres, more or less.

With the following committee amendments:

Page 1, lines 3 and 4, strike out "That there are hereby quitclaimed to Carroll L. Ward, Senior, of Orlando, Florida," and insert in lieu thereof:

That the Secretary of the Interior is authorized and directed to convey to the record owners of the surface

Page 1, lines 7 and 8, strike out "Carroll L. Ward and" and insert in lieu thereof "the record owners of the surface".

Page 2, following line 10, insert the following new language:

SEC. 3. The Secretary shall require the deposit of a sum of money which he deems sufficient to cover estimated administrative costs of this Act. If conveyance is not made pursuant to this Act, and the administrative costs exceed the deposit, the Secretary shall bill the applicant for the outstanding amount, but if the amount of the deposit

exceeds the actual administrative costs, the Secretary shall refund the excess.

SEC. 4. No conveyance shall be made unless application for conveyance is filed with the Secretary within six months of the date of approval of this Act and unless within the time specified by him payment is made to the Secretary of (1) administrative costs of the conveyance, and (2) the fair market value of the interest to be conveyed. The amount of the payment required shall be the difference between the amount deposited and the full amount required to be paid under this section. If the amount deposited exceeds the full amount required to be paid, the applicant shall be given a credit or refund for the excess.

SEC. 5. The term "administrative costs" as used in this Act includes, but is not limited to, all costs of (1) conducting an exploratory program to determine the character of the phosphate deposits in the land, (2) evaluating the data obtained under the exploratory program to determine the fair market value of the mineral rights to be conveyed, and (3) preparing and issuing the instrument of conveyance.

SEC. 6. Moneys paid to the Secretary for administrative costs shall be paid to the agency which rendered the service and deposited to the appropriation then current. Moneys paid for the minerals or mineral interests conveyed shall be deposited into the general fund of the Treasury as miscellaneous receipts.

The committee amendments were agreed to.

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

The title was amended so as to read: "To convey the mineral rights in certain real property located in Seminole County, Florida, to the record owners of the surface."

A motion to reconsider was laid on the table.

**RUSSELL G. WELLS**

The Clerk called the bill (H.R. 8545) for the relief of Russell G. Wells.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

**AUTHORIZING THE SECRETARY OF INTERIOR TO SELL CERTAIN RESERVED PHOSPHATE INTERESTS OF THE UNITED STATES IN FLORIDA**

The Clerk called the bill (H.R. 10626) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands in Florida to John Carter and Martha B. Carter.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

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

There was no objection.

**PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS**

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

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

Mr. RHODES. Mr. Speaker, reserving the right to object, I should just like to ask the gentleman from California what the reports are.

Mr. SISK. Mr. Speaker, we are considering some three bills in connection with the Committee on Foreign Affairs. They are small bills dealing mostly with housing overseas. We, at the present time, are hearing the matter of conference work on mass transit and also the elementary and secondary education bill, which it is doubtful we will finish today. Those are the matters under discussion at the present time.

Mr. RHODES. Mr. Speaker, I have no objection, and I withdraw my reservation of objection.

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

There was no objection.

**APPOINTMENT OF DELEGATION OF CANADA-UNITED STATES INTERPARLIAMENTARY GROUP**

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group the following Members on the part of the House: Mr. MORGAN of Pennsylvania, Chairman; Mr. JOHNSON of California; Mr. RANDALL of Missouri; Mr. KYROS of Maine; Mr. STRATTON of New York; Mr. MEEDS of Washington; Mr. CULVER of Iowa; Mr. McEWEN of New York; Mr. HORTON of New York; Mr. WINN of Kansas; Mr. DU PONT of Delaware; and Mr. MALLARY of Vermont.

**APPOINTMENT OF DELEGATION OF THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP**

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-420, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group the following Members on the part of the House: Mr. NIX of Pennsylvania, Chairman; Mr. WRIGHT of Texas; Mr. GONZALEZ of Texas; Mr. DE LA GARZA of Texas; Mr. KAZEN of Texas; Mr. UDALL of Arizona; Mr. WALDIE of California; Mr. WIGGINS of California; Mr. LUJAN of New Mexico; Mr. BROOMFIELD of Michigan; Mr. BURKE of Florida; and Mr. CONLAN of Arizona.

**CONSCIENTIOUS OBJECTORS**

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

Mr. KOCH. Mr. Speaker, yesterday the

Supreme Court decided that a person who had lawfully qualified as a conscientious objector and had served 2 years of alternative service was not eligible for Veterans' Administration education benefits. I believe this decision should be corrected by legislation. The history of this country has been, from its earliest beginnings including the Revolutionary War, to allow bona fide conscientious objectors to provide their services in a way acceptable to their deeply held religious and moral beliefs so as not to violate their consciences, and in accordance with the laws of the United States insofar as what service would be acceptable.

To deny such young men who abided by both their consciences and the laws of the United States the veterans benefits provided all others, in my judgment is unconscionable. The lawful designation of conscientious objector status and the service required thereunder have never been construed as punishments, but rather as an acceptable decision of conscience and service in lieu of bearing arms. To deny veterans benefits to those young men denigrates CO status and serves to punish them for exercising their religious, moral, and philosophical beliefs. This country's greatness is enhanced because it has encouraged and guaranteed religious freedom.

**PERSONAL EXPLANATION**

Mr. ADAMS. Mr. Speaker, on February 28 I was present and voted on all amendments to and passage of H.R. 2, Employee Benefits Security Act. On rollcall No. 53, the vote on the amendment to transfer the administration of the pension insurance program from the Department of Labor to a private Government corporation similar to the FDIC, I was recorded as absent. I was present, inserted my card and pushed the "nay" button, but I failed to note that my vote was not recorded by the electronic device. If properly recorded, my vote on the amendment would have been "nay."

**THE UNIFORM EMERGENCY TELEPHONE NUMBER, 911**

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

Mr. ROUSH. Mr. Speaker, many is the time I have addressed my colleagues in the House regarding the subject of the nationwide, emergency telephone number, "911." And I have urged you to bring the possibility of this single, emergency telephone number to the attention of your communities. A number of you have done just that and so millions of Americans are enjoying the luxury of that single, simple emergency reporting number.

Meanwhile, I would not have you think that my own State has been remiss in the matter of adopting "911." Actually Huntington, Ind., my home, was the first community in the Bell System to adopt "911" back in 1968. Now Huntington has been joined by other Indiana communities including Kendallville, Anderson, Muncie, Auburn, Bloomington, Bluffton, Crawfordsville, Frankfort adopts "911"

today and South-Bend, Mishawak, Martinsville, Osceola are scheduled for "911" a year from now.

Of special interest and pleasure to me is the recent announcement I have received from the president of General Telephone Co. of Indiana, Inc. to the effect that Fort Wayne, Ind., the largest city in my congressional district could have "911" in the near future.

The comprehensive plan sent to me by General Telephone Co. of Indiana outlines their plan for attaining "911" capability throughout the area served by General Telephone Co. of Indiana. As a part of that plan their Fort Wayne switching complex is expected to have the required technical modifications for "911" completed by the end of the third quarter of 1977.

I want to congratulate General Tel for their forward step. I have been in contact with the company for the past several years regarding the possibility of establishing "911," particularly in the city of Fort Wayne, a northern Indiana community of approximately 180,000 people.

I know that the telephone company has committed a great number of man hours and actual dollars to the decision that was involved. There were many technical problems to be resolved. They have evidently accomplished this. They are to be congratulated for this forward step toward improved emergency telephone communications. I look forward to the day when I can lift up the phone in my Fort Wayne congressional office and dial "911" for emergencies.

**AMERICAN LEGION TO HONOR VICE PRESIDENT FORD**

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

Mr. ARENDS. Mr. Speaker, tomorrow evening will be a special occasion for those of us in the Congress who have had the pleasure of serving for so long with our distinguished Vice President, GERALD R. FORD.

As many of you know, the American Legion periodically honors an individual in public life considered to have made an exceptionally outstanding contribution to the welfare of our country and the cause of the veteran.

According to National Comdr. Robert E. L. Eaton, the selection of the Vice President for this coveted award was actually made some months ago and was based not on his present position as Vice President but rather on his long years of service in the House of Representatives. I think all of us will agree that no individual in government today is more deserving of this recognition.

Jerry has been a dedicated and active Legionnaire for many years and, as a matter of fact, still retains his membership in Furniture City Post 258 in his hometown of Grand Rapids, Mich. I know how proud he has been of his years of association with the Legion, and the Nation's veterans have likewise been fortunate to have such a vigorous champion in the Congress.

Only six Americans have received the

Legion's Distinguished Public Service Award thus far. They are the late Senator Everett Dirksen; our former Speaker, John W. McCormack; former Representative Carl Vinson; and our colleagues from Texas, Representatives OLIN E. TEAGUE and GEORGE H. MAHON. It was my privilege to receive the award in 1972.

The presentation will be made to Vice President FORD at the National Commander's annual banquet honoring Members of Congress at the Sheraton Park Hotel on March 6. The banquet will be the highlight of week-long activities in conjunction with the Legion's annual Washington Conference of national and State executives.

I am sure all of us will want to be present to join in saluting JERRY as he receives this outstanding award.

#### GUDE BLASTS VA'S HANDLING OF GI BILL BENEFITS

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

Mr. GUDE. Mr. Speaker, officials of the Veterans' Administration have tried to minimize the difficulties experienced by veterans in obtaining the educational benefits due them under the GI bill. The officials have said that there are only about a thousand outstanding cases of difficulty throughout the Nation.

If experience in my congressional district is any guide, the VA has greatly underestimated the problem.

Fourteen veterans have appealed to my district office alone for help in cases of nonpayment of benefits that have proved to be real hardship and, in one case, goes back to the veteran's entrance into school in last year's summer session.

Many other cases go back to last fall. None of the problems is less than 3 months—and three missing monthly checks—old. My office has tried to get action and has found what appear to be instances of lost files and of an inability to find and remedy computer errors. I have today telegraphed Donald E. Johnson, Administration of Veterans' Affairs, to secure his personal attention to these problems.

If you multiply the experience in my congressional district by the number of congressional districts throughout the United States, it is clear that there may be well over twice the number of serious foul-ups than the VA will admit.

#### STATEMENT CONCERNING DISCHARGE PETITION ON HOUSE RESOLUTION 846, "INCREASED PRODUCTION AT ELK HILLS NAVAL PETROLEUM RESERVE"

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

Mr. CONTE. Mr. Speaker, as a co-sponsor of this discharge petition, I would like to point out why we believe it will be successful.

First of all, the House of Representatives wants Elk Hills opened up. On December 19, just before the Christmas recess, when every Congressman was anxious to go home for the holidays, I intro-

duced a motion to recommit the supplemental appropriations bill to the conference committee with instructions to add \$64.5 million for increased oil production at Elk Hills.

The House passed my motion by a vote of 216 to 180. This bill was signed by the President, so the appropriations for Elk Hills are already available.

The Senate has also passed a resolution similar to House Resolution 846, and I am assured that this legislation is favored by the administration, the Department of the Navy, and the American people.

The Navy wants operations at Elk Hills expanded because that would be in the best interests of the naval petroleum reserve program itself.

And the American people want more oil from Elk Hills because it is a matter of jobs and economic welfare. The country needs more oil, and Elk Hills is a source we can tap quickly. The only group that does not want this legislation is the Armed Services Committee. Last December, we were promised a committee bill on Elk Hills within a short time. Well, we have waited almost 3 months, and there is no hint of any action forthcoming.

We are in an energy crisis, and even if the Arab oil boycott ends, our troubles will not be over. The crisis demands immediate action. I urge my colleagues to join us on this discharge petition.

#### CALL OF THE HOUSE

Mr. DAN DANIEL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 58]

Andrews, N.C.	Esch	Montgomery
Blaggi	Evans, Colo.	Moss
Blatnik	Fraser	Murphy, N.Y.
Boggs	Gray	Nichols
Brasco	Hawkins	Pike
Burke, Calif.	Hébert	Randall
Burton	Helstoski	Reid
Carey, N.Y.	Jarman	Rodino
Chisholm	Jones, Ala.	Rooney, N.Y.
Clark	Jones, Okla.	Runnels
Conyers	Kluczynski	Stratton
Dellums	Long, La.	Stubblefield
Diggs	Lujan	Treen
Dorn	Mailliard	Whitehurst
Duiski	Mills	Zwach
Eckhardt	Minshall, Ohio	

The SPEAKER. On this rollcall 384 Members have recorded their presence by electronic device, a quorum.

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

#### PROVIDING FOR AGREEING TO SENATE AMENDMENTS TO H.R. 8245, TO AMEND REORGANIZATION PLAN NUMBERED 2 OF 1973

Mr. HOLIFIELD. Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 947) to agree to Senate amendments to H.R. 8245, to amend Reorganization Plan Numbered 2 of 1973.

The Clerk read as follows:

#### H. Res. 947

*Resolved*, That upon the adoption of this resolution the bill H.R. 8245, to amend Reorganization Plan Numbered 2 of 1973, with the Senate amendments thereto be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendments be, and the same hereby are, agreed to.

The SPEAKER. Is a second demanded?

Mr. HORTON. Mr. Speaker, I demand a second.

Mr. WIGGINS. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from New York (Mr. HORTON) opposed to the legislation?

Mr. HORTON. No, I am not, Mr. Speaker.

Mr. WIGGINS. Mr. Speaker, I am opposed to the resolution.

The SPEAKER. Does the gentleman from California demand a second?

Mr. WIGGINS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I am calling up H.R. 8245 to rectify an inequity and to alleviate a serious problem in the Immigration and Naturalization Service.

As Members will recall, Reorganization Plan No. 2 of 1973 was allowed to go into effect by a vote of 281 to 130 on June 7, 1973. The effective date as specified in the plan was July 1, 1973. The plan dealt primarily with the creation of a new Drug Enforcement Administration in the Department of Justice but contained provisions affecting the Immigration and Naturalization Service in Justice and the Bureau of Customs in Treasury. During the consideration of that plan it was brought to the attention of the committee that section 2 of the plan as drawn would produce difficulties in administration which had not been foreseen. Section 2 would have transferred a number of employees—approximately 900—of the INS to the Department of the Treasury who would be made a part of the inspection force of the Bureau of Customs. Representatives of the employees of the INS in testimony before the committee and in other representations to the administration pointed out the difficulties that would result from this transfer. They agreed to withdraw their opposition to the plan if the administration and our committee would submit to the Congress a bill deleting section 2. This was the only way in which the plan could be remedied as we all know reorganization plans cannot be amended during their consideration by the Congress.

H.R. 8245 is the result of that commitment and would accomplish the objective agreed to. That bill passed the House unanimously on July 17, 1973. It was returned to us by the Senate, however, on December 3, 1973, with an amendment that would permit the Government to be sued by those who are victims of acts or omissions of investigative or law enforcement officers of the U.S. Government. The Senate amendment

was precipitated by the unfortunate incident in Collinsville, Ill., last year in which officers of the Bureau of Narcotics and Dangerous Drugs of the Justice Department were involved in an illegal entry, assault, battery, and the destruction of property of an innocent citizen. Technically, since the amendment amends an act not in the jurisdiction of the Committee on Government Operations it would be considered nongermane.

As my colleagues know, I am one who has objected to nongermane amendments being placed on House bills by the Senate. I am, however, sympathetic with the objective that the amendment seeks to achieve as I deplore the apparent violation of personal and constitutional rights which the Collinsville incident revealed.

I also believe very strongly that the Immigration Service should be able to make its plans for future activity with the certainty that the passage of this legislation will provide. We have a very serious problem of illegal aliens in this country. Los Angeles County in my State and the Southwest generally are being literally overrun by aliens who find ways to get through the border patrol and our INS inspectors at ports of entry. This is a problem that demands immediate and concerted attention and the stepped-up activity of the INS if we are not to be completely inundated. But as long as congressional action is unfinished, the uncertainty about jobs and status among INS personnel is having a severe effect on morale and work in the INS. General Chapman, the new head of the Immigration and Naturalization Service, called on me to express his great concern about the problem, as have numerous other officials of the Justice Department and the administration. The American Federation of Government Employees, which represents a number of the INS personnel, has also made representations about the need for a quick resolution of this problem.

I have, therefore, requested the forbearance of Members who object to the procedure which is often followed by the Senate so that we can put this matter behind us and get on with the important task of strengthening the Immigration Service as the Director of OMB promised that it would be strengthened.

I am aware that there is pending before the Donohue subcommittee of the Committee on Judiciary legislation requested by the administration which is more comprehensive in scope than the Ervin amendment in this bill. In view of the circumstances, however, I feel we should not hold up the passage of this bill pending action on the broader legislation.

This action today on the Senate amendment does not foreclose further legislation from the Judiciary on the anti-no-knock problem.

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

Mr. HOLIFIELD. I yield to the gentleman from Massachusetts.

Mr. DONOHUE. Mr. Speaker, I favored Reorganization Plan No. 2 as it was presented to the House on June 5, 1973, when it was represented by Chairman

HOLIFIELD that he had agreed with the representatives of the employees of the Immigration and Naturalization Service that if they withdrew their opposition to Reorganization Plan No. 2 as presented, his committee would present to the Congress a bill deleting section 2 which would have had the effect of transferring the Immigration and Naturalization inspecting force from the Justice Department to the Bureau of Customs. I am, therefore in favor of H.R. 8245 which is the result of that commitment. I accept the principle agreed to by the Government Operations Committee with the representatives of the employees of the inspections force of the Immigration and Naturalization Service. However, I have reservations about its passage in its present form for the reason that in H.R. 8245 as it is before us today, there is a nongermane amendment inserted by the Senate when H.R. 8245 was before that body. This is an amendment entirely unrelated to the subject matter of H.R. 8245 as it passed the House, and the amendment is not within the jurisdiction of the Committee on Government Operations but within the jurisdiction of the House Committee on the Judiciary since it involves an amendment to the Tort Claims Act.

I conclude from the statement of the gentleman that he is a strong opponent to nongermane amendments.

Mr. HOLIFIELD. That is right.

Mr. DONOHUE. And he is a strong opponent for one committee to invade the jurisdiction of another committee.

Mr. HOLIFIELD. That is right.

Mr. DONOHUE. Therefore, the gentleman says that these amendments with reference to no-knock law should not be in here.

Mr. HOLIFIELD. That is right.

Mr. DONOHUE. Now, did the gentleman take any steps to remove them or to correct them?

Mr. HOLIFIELD. Yes; I conferred with the people on the other side and they are adamant. Senator ERVIN put this amendment on. They are adamant in getting this.

The gentleman knows the problems we have dealing with the other side. I could not get this bill from the Speaker's desk under unanimous consent. I had to take this route and risk my own bill by getting a two-thirds vote in order to save the 900 men that were going to be transferred from the Immigration and Naturalization Service.

Mr. DONOHUE. Could this matter not have been referred to the Committee on Rules?

Mr. HOLIFIELD. Mr. Speaker, I tried to get a waiver from the Rules Committee on nongermane amendments to the FEA bill so that I could pick up the Senate bill. I tried to get a waiver, and the Rules Committee tells me that they are against giving waivers on nongermane amendments, and I think they are right. I believe the Rules Committee ought to develop a rule which would face this terrible problem we have.

This is one of the frustrations of committees of the House which are expert in certain fields and are trying to do a good job. When a bill goes over there,

they hang Christmas tree ornaments all over it.

Mr. Speaker, I am just as much against this practice as the gentleman from Massachusetts is, but we are now 6 months into this year; Reorganization Plan No. 2 is in effect; the administration has not yet put into effect all these things, but are going to put them into effect. I am doing this in desperation.

If I do not get a two-thirds vote today, I will go to the Rules Committee and try to get a waiver.

Mr. DONOHUE. Mr. Speaker, could this matter not have been handled otherwise by having it go to a committee on conference?

Mr. HOLIFIELD. Mr. Speaker, I could not get it from the Speaker's desk except by unanimous consent to go to conference, and I was informed that I could not get it.

Mr. DONOHUE. Did the gentleman ask that a conference committee be formed to iron out the differences between the House version and the Senate version?

Mr. HOLIFIELD. Mr. Speaker, I did not, because under the parliamentary situation I must rise and ask unanimous consent to take from the Speaker's desk the legislation and send it to conference. I could not get that. I was told that different Members would object.

Mr. DONOHUE. Did the gentleman make that request in the House?

Mr. HOLIFIELD. No, I did not make it because I felt it was futile. I had been told by Members that they would object to it.

Mr. DONOHUE. Is that not the customary procedure?

Mr. HOLIFIELD. No, it is not the customary procedure. It is one of the customary procedures. Another way is to put it under suspension for a two-thirds vote. Another way is to get the Rules Committee to waive the point of order against nongermane amendments. I was told that I could not get that.

Mr. DONOHUE. Did the gentleman make the request of the Rules Committee?

Mr. HOLIFIELD. I talked to some of the Members.

Mr. DONOHUE. I mean formally.

Mr. HOLIFIELD. No, but I will go before the committee and ask them for a rule if this bill is defeated today. They tell me they will turn it down, but I will still go before the committee and ask them.

Mr. WIGGINS. Mr. Speaker, Members of the House, first let me emphasize this point: This is not a simple jurisdictional squabble between the Committee on Government Operations and the Committee on the Judiciary. This involves a very important and delicate governmental issue.

The basic thrust of the bill before us deals with governmental reorganization, a bill which is needed and which I support; but when that bill went to the Senate, without hearings, an amendment was added. That amendment deals with the exclusionary rule.

I assure the Members that this is an important subject. That amendment creates a civil cause of action by amendment to the Federal Tort Claims Act for intentional torts committed by law en-

forcement officers. The specific problem envisioned by the proponents of the amendment were fourth amendment violations where a police officer may improperly enter the premises of a suspect.

The purpose of the amendment was to give a civil remedy to the aggrieved person for injury and damages sustained by reason of that entry.

By way of background, for many years in this country, it has been the law, adopted by the Supreme Court, that evidence obtained as a result of an illegal search and seizure is not admissible in the trial of a defendant. This judicially created doctrine is known as the "exclusionary rule."

Mr. Speaker, the implementation of that rule has raised many problems, problems which I believe are well known to the Members. There has been a great public dissatisfaction with the effect of that rule in specific cases, because clearly on some occasions it prevents probative evidence, often decisive on the question of guilt, from coming to the attention of the jury.

As recently as 1971 the Supreme Court considered this problem in the case of *Bevins against Six Unnamed Federal Narcotics Agents*, and in that opinion the Chief Justice suggested that perhaps the Congress ought to consider a civil remedy for persons aggrieved by reason of illegal search and seizure. In response to that invitation, a bill is now pending before the Committee on the Judiciary.

The effect of the Senate amendment is to effectively oust that committee from its consideration of this measure and to adopt a very profound and far-reaching measure without committee hearings either in the Senate or in the House. The issue is too important to be treated summarily.

I do not wish to be understood as being necessarily against the creation of a civil remedy in the case of fourth amendment violations.

I think there is great promise for such a remedy as an alternative to the exclusionary rule, but it ought not to be adopted in haste and it ought not to be adopted absent consideration by committees having jurisdiction over that delicate subject. However, such is the situation that confronts the House right now: Whether to agree to a Senate amendment which creates this new cause of action without hearings in the Senate or without hearings on the House side.

Mr. Speaker, I want the Members all to know that the Senate proposal which is before us now raises a whole host of problems, very difficult problems, which have been researched and briefed in the document which is before me. I am going to ask unanimous consent to extend my remarks and place that brief in the RECORD.

Suffice it to say now, Mr. Speaker, that if this Congress acts in haste and adopts the Senate amendment, it is going to do possible prejudice to the legitimate rights of innocent persons accused of crimes, and it is going to do possible prejudice to the rights of the Government in pursuing causes of action in criminal proceedings.

Just by way of illustration only, the

granting of a civil cause of action simultaneous with an arrest is to open up all forms of civil discovery proceedings, which would be totally inconsistent with an ongoing criminal trial; and this procedure may well be used solely for discovery purposes, as distinguished from the successful prosecution of a civil claim.

I wish the Members to understand this, too: That many of the victims of illegal searches and seizures are "pretty bad guys." The Members should understand that a door can be illegally kicked down and the police may find on the other side of that door a person cutting up 50 pounds of heroin. That person may not be tried and convicted, by reason of the illegal search, but we are giving him a civil cause of action for kicking down a door by reason of this legislation. Such a consequence is a fact that Members ought to ponder before they vote in haste.

The proper remedy at this time is to vote "no" on this suspension and to permit the Committee on the Judiciary to give judicious consideration to this very difficult and most delicate question involving the proper implementation of the fourth amendment of the U.S. Constitution.

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

Mr. WIGGINS. I will be happy to yield to the ranking member of the subcommittee, the gentleman from Virginia (Mr. BUTLER).

Mr. BUTLER. Mr. Speaker, is the gentleman prepared to state with some degree of certainty what the effect of the Senate amendment is on the Federal Tort Claims Act, and on the exclusionary rule at this time?

Mr. WIGGINS. Well, I am prepared to say this: That the Federal Tort Claims Act is amended by reason of this legislation to submit the U.S. Government to a civil cause of action by reason of the intentional torts specified in the amendment committed by law enforcement officers.

That is a new cause of action and a new right not presently existing under the Federal Tort Claims Act.

Mr. BUTLER. But is it not correct, however, that because of this the effect on the exclusionary rule is not clear? Is that not a fair statement?

Mr. WIGGINS. I will answer in this way. Many of us have been concerned for many years about the rigid and mechanical operation of the exclusionary rule. One suggestion made by such an eminent person as the Chief Justice of the U.S. Supreme Court has been to create a civil remedy. I think that is worthy of exploration. However, under this legislation the remedy is created without the benefits of that exploration and without modifying this exclusionary rule.

Mr. BUTLER. I thank the gentleman.

It is also perfectly clear that we have not had an opportunity either in our committee or in the Senate to explore the effects of this civil remedy on the exclusionary rule and its extensive ramifications.

I understand that the gentleman has

filed with his comments the brief recently prepared for the subcommittee as to the questions raised with reference to this matter.

I want to associate myself with the remarks of the distinguished gentleman from California and state most emphatically that if we are going to undertake to create a civil remedy of this extent and of this far-reaching effect without exploring it, then we are going to make a serious mistake. Doing it in the name of benefiting 900 members of the Border Patrol it seems to me once more brings the Congress of the United States into low repute with the people of the United States.

Mr. WIGGINS. I thank the gentleman for his remarks.

I believe the Members ought to realize that this Senate amendment was an emotional response to the unfortunate *Collinsville* case in Illinois. The Senators from Illinois were properly concerned with that incident and responded by creating on the Senate floor this civil remedy, believing that that was the typical situation; namely, a wholly innocent person put upon by Federal officers.

I want to remind you that most of the people who are affected by illegal searches and seizures are not at all that innocent.

Mr. DONOHUE. Will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman.

Mr. DONOHUE. This does not create a new remedy, does it? The innocent victim still has a civil remedy against the person who violates his rights. Is that right?

Mr. WIGGINS. An individual always has a remedy by reason of the tort committed on his person or on his property. This bill, however, imposes liability on the U.S. Government for this intentional misconduct of its agents.

Mr. DONOHUE. In other words, it shifts the liability from the individual to the U.S. Government?

Mr. WIGGINS. Presumably the individual remains responsible for his own torts, but it extends liability of the Government as well.

Mr. DONOHUE. And it only applies to law enforcement officers. It does not apply to any other Federal employees that might violate the rights of an individual. Is that not so?

Mr. WIGGINS. The gentleman is correct, as I understand the bill.

Mr. Speaker, since at least the time of *Bivens v. Six Unknown Named Federal Narcotics Agents*, 403 U.S. 388 (1971), numerous proposals have been studied for providing an adequate tort remedy for victims of illegal searches. The key word is adequate since an illusory remedy might serve to eliminate any means of redress, given the possibility that courts might see such an apparent remedy as a basis for modifying or eliminating the exclusionary rule. The problem is one of no small complexity and the proposals presented in H.R. 8245, while certainly a step in the right direction, present problems both for law enforcement and for the victim of official excesses. A brief discussion of some of these difficulties follows:

## I. PROBLEMS PRESENTED TO THE VICTIM

## A. The remedy is not exclusive.

While this is a problem for law enforcement it also presents some difficulties to the victim of an illegal search or arrest. In a typical situation an aggrieved party would join both the offending agent or agents and the United States. The Government may well decide that the case should be settled but the agent who, proportionately, has more to lose may choose to contest the suit. Thus a recalcitrant party may force litigation where the interests of justice and the victim would require settlement. In the alternative, the U.S. attorney may be more interested in a criminal prosecution against the victim and thus might fight out a lawsuit of dubious validity in order to avoid a collateral bar on the criminal charges as might be the result of an out-of-court settlement.

## B. Judgment as a bar.

Twenty-eight U.S.C. 2676 states that a judgment in a Torts Claim Act action is a bar to further claims. Arguably that would mean that the loser of a civil suit could not bring a motion to suppress even where the United States had not been a party to the judgment in the suit itself. Thus, a situation could arise where the Government settled out of a case before judgment but the court held against the victim in his suit against the agent. The United States could then bring criminal charges against the victim and he might well be barred from bringing a motion to suppress because of the judgment against him, even though the Government had informally admitted wrongdoing.

## C. Alternative to exclusionary rule.

The exclusionary rule has increasingly come under attack. The suggestion of Chief Justice Burger in *Bivens* that the rule be replaced with a tort remedy is one that has ample support. A court might easily see this proposal as an alternative to the exclusionary rule and thus eliminate the rule in favor of a tort remedy that may, in this form, be somewhat illusory. This is especially true with indigents who have some guarantees in a criminal proceeding that they will receive both free and adequate counsel. In a civil remedy, left to their own resources and with the limit on attorney's fees contained in 28 U.S.C. 2678, they may find themselves with no remedy at all or with the ability to remedy a constitutional violation dependent on one's wealth.

## D. Fifth amendment problem.

*Simmons v. United States*, 390 U.S. 372 (1968), bars the use of testimony made in suppression hearings in the underlying criminal action, thus protecting a victim's right to protest a constitutional violation while simultaneously protecting his fifth amendment rights. The Torts Claims Act of course contains no such provision and since the proceeding is civil in nature the *Simmons* rationale might not prevail. In any event the intended result should be spelled out clearly so that the *Simmons* approach is not abandoned without consideration.

## E. Lack of punitive damages.

The actual damages against a victim of an illegal search may well be minimal.

The collateral effects may be enormous. The *Collinsville* situation provides a classic example of the type of situation where the effects of the illegality go far beyond the actual damages done. The provision of 28 U.S.C. 2674 barring punitive damages is inappropriate to a situation such as illegal searches, where a proper remedy not only compensates the victim but deters the perpetrator. In fact, since a court may be highly reluctant to award damages to a victim of an illegal search where it is shown that he was found with, for instance, 50 pounds of heroin, liquidated damages may be necessary for a proper remedy.

## F. No limit on discovery.

Since the civil rules provide much broader discovery than do the criminal rules, a prosecutor might use the civil suit as a means of obtaining discovery of the defendant's case. An adequate remedy would require the use of the criminal rules for discovery in those cases where the criminal proceeding, if there is one, has not been terminated.

## G. Speedy trial.

A prosecutor might well use the existence of a civil suit to delay the trial of a defendant to the defendant's disadvantage. The blame for the delay could then be placed on the defendant and a remedy for the denial of the speedy trial right might then be foreclosed.

## H. Civil death.

A victim of an illegal search might choose to bring his action after the criminal proceeding for any number of reasons—including desire for a speedy trial and fifth amendment worries. If the proceeding leads to incarceration the prisoner may then be faced with a civil death statute barring him from bringing civil actions. Since State law governs under the Tort Claims Act the bar might be used against him in seeking a redress for a valid grievance. An extreme example would be where the trial court had found that the search was illegal and the evidence should be suppressed but a conviction nevertheless resulted. Thus a wrong could be found where no remedy was available.

## II. PROBLEMS FOR LAW ENFORCEMENT

## A. The remedy is not exclusive.

An action against an agent is liable, economically, to be a futile gesture. Weighing this against the very real possibility of overly excessive caution caused by the possibility of being sued mitigates against a nonexclusive remedy. If actions are barred against truckdrivers for their intentional torts (28 U.S.C. 2679 (b)) why should an agent acting under orders or in good faith be subject to lawsuits when the action against the Government serves the interest of both the victim and society? A bill with a provision insuring disciplinary action proportionate to the culpability is far more desirable.

## B. No limit on discovery.

Again the use of the civil rules may provide a potential defendant with greater discovery than permitted under the criminal rules, thus creating a flood of frivolous law suits brought for purposes of gaining discovery rather than damages. For every motion to suppress

existing today there will be one suit for damages upon the enactment of a bill permitting civil rules to be used.

## C. Relation to criminal proceedings.

An adequate remedy would spell out the nature of the remedy in relation to potential criminal proceedings. Where an illegal search has taken place there is little to stop an unscrupulous prosecutor from trading a commitment not to seek an indictment for an agreement not to sue. The important question of the order of proceedings is one that should be resolved. Venue is also important since the civil suit might well take place in a district different from the criminal action and contrary results might then be reached.

## D. State law problems.

The Tort Claims Act is tied to torts, not to constitutional violations, and is dependent on State law. Thus a State might have a statute forbidding all wiretapping or a case holding all wiretapping to be a tort. Would a Federal officer operating with a valid court-ordered wiretap be liable for civil damages if such acts were a tort in the State? The Supremacy Clause might not apply where the Federal statute has stated that State rule governs. If a State's rules as to night time warrants were stricter than constitutional standards would an officer, acting within the Constitution, be liable for civil damages? Added to this is the inherent problem of making important aspects of Federal criminal procedure dependent upon the State in which a Federal officer is acting and not upon nationally applicable constitutional principles.

The proposed remedy is a significant move in the right direction and the problems brought to the fore by the incidents at *Collinsville* certainly suggest a need for rapid congressional action. But the problems, though solvable, are very complex, and well-intended but hasty action which later turns out to be inadequate for the victim and unnecessarily detrimental to effective law enforcement certainly does no service either to the victim or to society in the long run.

Mr. HOLIFIELD. Mr. Speaker, I yield such time as he may use to the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Speaker, I am in favor of this legislation to prevent the transfer of 900 immigration inspectors to the Bureau of Customs for very compelling reasons.

There are 433 official ports of entry into the United States. We have about 1,200 inspectors who in 1971 had to cope with 225 million persons—including 91 million citizens, many more than once—passing through these points. In 1971 alone, inspectors—and border patrolmen—had to contend with the arrival of 383,000 aircraft flights originating outside the United States and 90,000 ship arrivals. The importance of the task of our immigration inspectors is further illustrated by the number of illegal aliens who have gained surreptitious entry into the United States. Estimates vary from 1 to 2 million and up to 10 million.

With this alarming manpower shortage in our border enforcement program,

the INS can ill afford to lose 900 immigration inspectors to the Bureau of Customs, where the crossover of jurisdictions between the Justice and Treasury Departments will almost surely hamper our border enforcement activities.

Mr. WIGGINS. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Speaker, I rise in support of H.R. 8245.

This bill was brought before the House to repeal those parts of Reorganization Plan No. 2 of 1973 which transferred to the Bureau of Customs the document inspections authority and some 900 officers of the Immigration and Naturalization Service. No other aspects of the plan are affected by this bill.

Just to set the record straight, it was brought out that this was a transfer of personnel from the Immigration and Naturalization Service that would not benefit the reorganization plan. There was an agreement between those who were concerned about it and the administration that section 2 would not be put into effect. Because we could not amend Reorganization Plan No. 2, we agreed that we would approve it, but later repeal section 2. H.R. 8245 is that repealer and it was passed by the House unanimously.

I agree with what the chairman, the gentleman from California (Mr. HOLIFIELD) said, that unfortunately the Senate has attached to this bill, H.R. 8245, a nongermane amendment. The Committee on Government Operations had no control over this Senate action.

I urge the Members to vote for H.R. 8245 in order to carry out the obligations and the promises that have been made to these people who agreed that the Reorganization Plan numbered 2 should go through back in June of last year with the understanding that we would try to repeal section 2. I agree with the gentleman from California (Mr. HOLIFIELD) that nongermane Senate amendments ought not to be attached to House bills. As the gentleman from California (Mr. HOLIFIELD) has indicated, we did everything we could to try to bring this bill without this nongermane amendment to the floor.

I personally am in favor of the amendment that has been put on by the Senate because it is an attempt to prevent the type of thing that happened in Collinsville, Ill. But, aside from my own personal views, it is not germane to the jurisdiction of the Committee on Government Operations. But it is important that we get Reorganization Plan numbered 2 corrected, and we have to do it by passing H.R. 8245.

The SPEAKER. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Speaker, I yield 2 additional minutes to the gentleman from New York (Mr. HORTON) so that I may make a statement.

Mr. Speaker, will the gentleman yield?

Mr. HORTON. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, I hold in my hand H.R. 10439 which was intro-

duced by the gentleman from New Jersey (Mr. RODINO) and the gentleman from Michigan (Mr. HUTCHINSON) on September 20, 1973. That is almost 6 months ago. That is the bill that I referred to, the so-called omnibus bill on the Tort Claims Act.

The Committee on the Judiciary has been a busy committee, we all know that, and I am not criticizing the committee, but I am saying that in these 6 months they have not acted upon the bill that would have corrected this thing. The emergency situation has arisen whereby we are trying to save the border patrol from being transferred into the Custom Service, which as everybody agrees is not the kind of reorganization to be made.

So, because of that 6-month delay in not taking care of a matter by the Committee on the Judiciary, we are faced with a Senate amendment to a bill dealing with this emergency problem of the border patrol, and that is why we are having to take this course of action today.

Mr. HORTON. Mr. Speaker, I thank the gentleman from California (Mr. HOLIFIELD) for his comments, and I think he has made a very important point. This legislation has been before the Committee on the Judiciary, this omnibus bill, and so far as I know there have not been any indications as to any hearings being scheduled on the bill, and so far as I know nothing will happen to it until after the Easter recess. I believe that this bill is very important insofar as Reorganization Plan No. 2 is concerned, so I would respectfully urge the Members of the House to vote for H.R. 8245 notwithstanding the nongermane amendment.

Mr. HOLIFIELD. I yield such time as he may consume to the gentleman from California (Mr. DANIELSON).

Mr. DANIELSON. Mr. Speaker, and Members of the House, I rise in support of the measure now pending before the House, recognizing the fact that the amendment added by the Senate is a nongermane amendment, and does pertain to the jurisdiction of the Committee on the Judiciary.

I would like to point out that, first of all, the nature of the amendment which has been added by the Senate is a very proper amendment and one that most of us could and should support. Second, that the Committee on the Judiciary now has pending before it the bill which was introduced by the chairman, the gentleman from New Jersey (Mr. RODINO) and the gentleman from Michigan (Mr. HUTCHINSON), H.R. 10439, which will provide for a review of the entire Tort Claims Act, and it will probably be before us within the next few months, and will be able to deal fully with the subject matter of the Senate amendment that is now before us, to either eliminate it from the statutes, to increase its scope, or modify it, to do whatever the Committee on the Judiciary might seem to think is the proper thing to do. But certainly we should not hold the Reorganization Plan No. 2 hostage be-

cause of the Senate nongermane amendment.

I therefore urge a vote for this measure.

Mr. HOLIFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Speaker, I represent a district which has the busiest border-crossing point in the entire world. I have known and respected the chairman of the Committee on Government Operations for more than two decades. His legislative skills in a difficult parliamentary proceeding have always been obvious. He finds ways to pass good laws. I therefore have no hesitancy in rising now in support of the legislation that he brings before us under this suspension of the rules.

Mr. WIGGINS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DONOHUE).

Mr. DONOHUE. Mr. Speaker, I might repeat I am not opposed to the bill amending Reorganization Plan No. 2, as originally passed by the House but I am conscious of the rules of the House. The rule of the House which emphasize its opposition to nongermane amendments, and that is what we have here in this bill.

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

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

Mr. DENNIS. I thank the gentleman for yielding.

Mr. Speaker, I walked in here today knowing nothing about this particular measure. I used to be on the Immigration Subcommittee. I am very sympathetic with the needs of the Border Patrol, but here, because of a parliamentary problem, as I understand it, we are about to deal with imposing a very serious potential financial obligation on the Government of the United States, and with a serious constitutional proposition in connection with the exclusionary rule.

With all due respect to the chairman, and with due respect for his problems, I have to query whether we really ought to go into things so fundamental because of a parliamentary situation created by the aberrations of the other body. Therefore, I am going to oppose the suspension under the circumstances.

Mr. HOLIFIELD. Mr. Speaker, of course, we are handling this legislation in complete accord with the Rules of the House. When we handle a bill under suspension, we suspend the Rules of the House, including the rule of germaneness. That is the way we are operating on this bill and two more bills we have scheduled today. We will do exactly the same thing with them. We will suspend the Rules of the House, which will include the rule of germaneness. Of course, this is a technical argument that can be made, but if the gentleman from Massachusetts—who is my friend and on my Committee on Government Operations, and who has been very courteous to me

on this matter—is going to hold hearings on this matter, we are going to send this bill back over to the Senate. I do not know how long it will lie there before it is accepted. I do not know.

I am sure that if he is going to hold hearings on this matter and modify or eliminate or expand this particular provision of law, which all of us admit ought to be done, he will have an opportunity to do it expeditiously. He could bring in a simple bill on this within a week from his committee and do whatever he wants to do with this particular part of the Tort Claims Act.

I say we are faced here with a realistic situation. We are proceeding under the Rules of the House, and the rules at this time provide for suspension of the Rules of the House in order to get at those things which we want to get to today in all three of these suspensions. The other two are not from my committee. So I hope that the House will sustain the motion to accept H.R. 8245 with the amendment.

Mr. WIGGINS. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. HOLIFIELD) that the House suspend the rules and agree to the House resolution (H. Res. 947).

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

Mr. DONOHUE. Mr. Speaker, demand a recorded vote.

Mr. BUTLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 317, nays 86, not voting 28, as follows:

[Roll No. 59]  
YEAS—317

Abdnor	Brotzman	Davis, Ga.
Abzug	Brown, Calif.	Davis, S.C.
Adams	Brown, Mich.	de la Garza
Addabbo	Brown, Ohio	Delaney
Alexander	Broihill, N.C.	Denholm
Anderson, Calif.	Buchanan	Dent
Anderson, III.	Burke, Calif.	Derwinski
Andrews, N.C.	Burke, Mass.	Diggs
Andrews, N. Dak.	Burlison, Mo.	Dingell
Annunzio	Byron	Donohue
Arends	Carney, Ohio	Downing
Armstrong	Carter	Drinan
Aspin	Casey, Tex.	Dulski
Bafalis	Cederberg	du Pont
Barrett	Chamberlain	Eckhardt
Bell	Chisholm	Edwards, Ala.
Bennett	Clark	Edwards, Calif.
Bergland	Clausen,	Ellberg
Bevill	Don H.	Erlenborn
Biaggi	Clay	Esch
Blester	Cleveland	Eshleman
Bingham	Cohen	Evins, Tenn.
Boggs	Collins, Ill.	Fascell
Boland	Conable	Findley
Bolling	Conte	Fish
Bowen	Conyers	Fisher
Brademas	Corman	Flood
Breaux	Coughlin	Flowers
Breckinridge	Cronin	Foley
Brinkley	Culver	Ford
Brooks	Daniel, Dan	Forsythe
Broomfield	Daniels,	Fountain
	Dominick V.	Fraser
	Danielson	Frelinghuysen

Frenzel	McKay	Royal
Frey	McKinney	Ruppe
Fulton	McSpadden	Ryan
Fuqua	Madden	St Germain
Gaydos	Madigan	Sarasin
Gettys	Maraziti	Sarbanes
Giaimo	Martin, N.C.	Satterfield
Gibbons	Mathias, Calif.	Schroeder
Gilman	Matsunaga	Seiberling
Ginn	Mazzoli	Shipley
Gonzalez	Meeds	Shriver
Grasso	Melcher	Shuster
Gray	Metcalfe	Sikes
Green, Oreg.	Mezvinsky	Sisk
Green, Pa.	Milford	Skubitz
Griffiths	Miller	Slack
Grover	Minish	Smith, Iowa
Gude	Mink	Stanton,
Gunter	Mitchell, Md.	J. William
Guyer	Mitchell, N.Y.	Stanton,
Hamilton	Mizell	James V.
Hanley	Moakley	Stark
Hanna	Mollohan	Steed
Hanrahan	Moorhead, Pa.	Steete
Hansen, Idaho	Morgan	Steelman
Hansen, Wash.	Mosher	Stephens
Harrington	Murphy, Ill.	Stokes
Hastings	Murtha	Stuckey
Hays	Natcher	Studds
Hébert	Nedzi	Sullivan
Hechler, W. Va.	Neisen	Symington
Heckler, Mass.	Nichols	Talcott
Heinz	Nix	Taylor, N.C.
Helstoski	Obey	Teague
Henderson	O'Brien	Thompson, N.J.
Hillis	O'Hara	Thompson, Wis.
Hinshaw	O'Neill	Thome
Holfield	Owens	Tiernan
Holtzman	Parris	Towell, Nev.
Horton	Passman	Udall
Hosmer	Patman	Ullman
Howard	Patten	Van Deerlin
Huber	Perkins	Vander Jagt
Hudnut	Pettis	Vander Veen
Hungate	Peyser	Vank
Hunt	Pickle	Veysey
Ichord	Pike	Vigorito
Jarman	Poage	Waggoner
Johnson, Calif.	Podell	Walidie
Johnson, Colo.	Preyer	Walsh
Johnson, Pa.	Price, Ill.	Ware
Jones, Ala.	Pritchard	Whalen
Jones, N.C.	Quie	White
Jones, Tenn.	Quillen	Widnall
Jordan	Railsback	Wilson, Bob
Karth	Rangel	Wilson, Charles H.,
Kastenmeier	Rarick	Calif.
Kazan	Rees	Wilson,
Kemp	Regula	Charles, Tex.
King	Reuss	Winn
Koch	Rhodes	Wolff
Kyros	Riegle	Wright
Landrum	Rinaldo	Wydler
Letta	Roberts	Wylie
Leggett	Robison, N.Y.	Wyman
Lehman	Rodino	Yates
Lent	Roe	Yatron
Litton	Roncalio, Wyo.	Young, Alaska
Long, Md.	Roncalio, N.Y.	Young, Ga.
Lujan	Rooney, Pa.	Young, Ill.
McCloskey	Rose	Young, Tex.
McCollister	Rosenthal	Zablocki
McCormack	Rostenkowski	Zwach
McCade	Roush	
McFall	Roy	
NAYS—86		
Archer	Davis, Wis.	Mallary
Ashbrook	Dellenback	Mann
Ashley	Dennis	Martin, Nebr.
Badillo	Devine	Mathis, Ga.
Baker	Dickinson	Mayne
Bauman	Duncan	Michel
Beard	Flynt	Moorehead,
Blackburn	Froehlich	Calif.
Bray	Gooding	Myers
Bryant, Va.	Gross	Pepper
Burgener	Gubser	Powell, Ohio
Burke, Fla.	Haley	Price, Tex.
Burleson, Tex.	Hammer-	Robinson, Va.
Butler	schmidt	Rogers
Camp		Rousselot
Chappell		Runnels
Clancy		Ruth
Lawson, Del		Sandman
O'ochran		Scherle
Collie		Schneebeli
Collins, Tex.		Sebelius
Conlan		Smith, N.Y.
Dotter		Snyder
Erane		Spence
Daniel, Robert		Steiger, Ariz.
W. Jr.		

Steiger, Wis.	Wampler	Wyatt
Symms	Whitten	Young, Fla.
Taylor, Mo.	Wiggins	Young, S.C.
Thornton	Williams	Zion
NOT VOTING—28		
Blatnik	Kluczynski	Reid
Brasco	Long, La.	Rooney, N.Y.
Burton	Macdonald	Shoup
Carey, N.Y.	Mailliard	Staggers
Dellums	Mills	Stratton
Dorn	Minshall, Ohio	Stubblefield
Evans, Colo.	Montgomery	Treen
Goldwater	Moss	Whitehurst
Hawkins	Murphy, N.Y.	
Jones, Okla.	Randall	
So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.		
The Clerk announced the following pairs:		
Mr. Kluczynski with Mr. Rooney of New York.		
Mr. Burton with Mr. Brasco.		
Mr. Hawkins with Mr. Murphy of New York.		
Mr. Montgomery with Mr. Carey of New York.		
Mr. Blatnik with Mr. Dellums.		
Mr. Staggers with Mr. Mailliard.		
Mr. Reid with Mr. Shoup.		
Mr. Moss with Mr. Treen.		
Mr. Stratton with Mr. Mills.		
Mr. Stubblefield with Mr. Whitehurst.		
Mr. Dorn with Mr. Randall.		
Mr. Evans of Colorado with Mr. Minshall of Ohio.		
Mr. Macdonald with Mr. Jones of Oklahoma.		
Mr. Long of Louisiana with Mr. Goldwater.		
The result of the vote was announced as above recorded.		
A motion to reconsider was laid on the table.		
GENERAL LEAVE		
Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just agreed to and include extraneous matter.		
The SPEAKER. Is there objection to the request of the gentleman from California?		
There was no objection.		
EXTENSION OF TIME FOR DETERMINATION OF DISABILITY FOR SUPPLEMENTAL SECURITY INCOME PURPOSES IN CERTAIN CASES ADDED TO STATE PROGRAMS BETWEEN JUNE AND DECEMBER 1973		
Mr. ULLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13025) to increase the period during which benefits may be paid under title XVI of the Social Security Act on the basis of presumptive disability to certain individuals who received aid, on the basis of disability, for December 1973, under a State plan approved under title XIV or XVI of that act.		
The Clerk read as follows:		
H.R. 13025		
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any individual who would be considered disabled		

and who would be considered disabled

### GENERAL LEAVES

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just agreed to and include extraneous matter.

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

There was no objection.

EXTENSION OF TIME FOR DETERMINATION OF DISABILITY FOR SUPPLEMENTAL SECURITY INCOME PURPOSES IN CERTAIN CASES ADDED TO STATE PROGRAMS BETWEEN JUNE AND DECEMBER 1973

Mr. ULLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13025) to increase the period during which benefits may be paid under title XVI of the Social Security Act on the basis of presumptive disability to certain individuals who received aid, on the basis of disability, for December 1973, under a State plan approved under title XIV or XVI of that act.

The Clerk read as follows:

HR. 13025

under section 1614(a)(3)(E) of the Social Security Act except that he did not receive aid under the appropriate State plan for at least one month prior to July 1973 may be considered to be presumptively disabled under section 1631(a)(4)(B) of that Act and may be paid supplemental security income benefits under title XVI of that Act on the basis of such presumptive disability, and State supplementary payments under section 212 of Public Law 93-66 as though he had been determined to be disabled within the meaning of section 1614(a)(3) of the Social Security Act, for any month in calendar year 1974 for which it has been determined that he is otherwise eligible for such benefits, without regard to the three-month limitation in section 1631(a)(4)(B) of that Act on the period for which benefits may be paid to presumptively disabled individuals, except that no such benefits may be paid on the basis of such presumptive disability for any month after the month in which the Secretary of Health, Education, and Welfare has made a determination as to whether such individual is disabled, as defined in section 1614(a)(3)(A) of that Act.

The SPEAKER. Is a second demanded?

Mr. SCHNEEBELI. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Oregon (Mr. ULLMAN).

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

Mr. Speaker, the bill H.R. 13025 has one and only one purpose. That is to prevent the termination of supplemental security income (SSI) benefits on March 31, 1974, to between 150,000 and 200,000 persons now receiving those benefits. Under existing law, disabled persons who were added to State disability programs between June 1973 and December 1973 must meet the Federal definition of disability. No change would be made in existing law in that respect. However, the Department of Health, Education, and Welfare has found it impossible to identify the persons involved and make new determinations of eligibility before April 1. They advise that while these can be made at a fairly rapid pace, they need an outside limit at the end of 1974 in order to make all of them. The bill accordingly provides that those persons who were transferred from State welfare programs to the SSI program on January 1 would continue in all respects to be treated like other SSI beneficiaries until the disability is determined or January 1, 1975, whichever occurs earlier. The bill was reported unanimously by the Committee on Ways and Means.

The provisions of Public Law 92-603 (H.R. 1 of the 92d Congress) would have made all of these persons eligible for SSI benefits. However, newspaper publicity in the fall of 1973 indicated that States were transferring large numbers of recipients from their AFDC and State general assistance programs to their disability programs so that the individuals would be eligible for SSI benefits. Data now available indicates that this probably did not occur on a large scale, that a substantial majority of the persons affected will continue to be eligible for

SSI benefits after new determinations are made.

The House accepted a Senate amendment in H.R. 11333 which was approved December 31, 1973, and became Public Law 93-233. The amendment, which rolled back the date of receipt of State aid to the disabled to June 1973 in order to be eligible to be grandfathered was directed at the transfer problem. We were not advised of the administrative problems which the Department of Health, Education, and Welfare faced. Because of its retroactive nature, the Department had to obtain information from the States from which they could make a determination of which individuals were added to State welfare programs between June and December 1973. The identification had to be made by States in some instances and counties and is just now reaching a fair degree of completion. The much larger job of redetermination of disability of those individuals involved remains to be done.

Mr. Speaker, I urge passage of the bill.

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

Mr. Speaker, H.R. 13025 is designed to correct a problem which has arisen in connection with the start of the new Supplemental Security Income program.

The SSI program is, of course, a federalization of the old State programs of aid to the aged, blind and disabled. It was enacted in the preceding Congress as a part of H.R. 1, which became Public Law 92-603.

We included in that law a "grandfather" clause, providing that anyone who was receiving disability assistance under a State program as of December, 1973, would be eligible for benefits under the new SSI program when it began the following month. Our intent was clear. We wanted to assure aid under the Federal program for those who had relied on State programs prior to the changeover.

Later, however, through a Senate amendment which eventually became part of Public Law 93-233, the "grandfather" clause was changed to require that in order to be eligible for disability benefits under the new Federal program without regard to Federal disability standards, a recipient must have been on the State rolls not only in December of 1973, but at least 6 months earlier.

The intent of this change also appears clear—to prevent the conversion of an unknown number of persons who, between July of 1973 and January of 1974, may have been placed improperly on State disability assistance rolls as a result of a relaxation of State standards.

However meritorious the change, it did pose administrative and other problems. The effect of it was to require that all those placed on State disability rolls during the second half of 1973—roughly estimated at some 300,000 persons—would have to meet the SSI definition of disability and would have to be examined individually in this regard. The Department of Health, Education and Welfare has estimated that this task, which necessarily will fall upon State disability determination units, will require about 12 months.

Under current law, however, payments under the new SSI program must be stopped in March for all those not certified as eligible under the new program. The legislation before us would extend for 9 months the time during which payments could be made to recipients on the basis of presumptive disability.

Mr. Speaker, we have been assured that the Social Security Administration, which administers the SSI program, and the State agencies concerned, will proceed with the redetermination process as expeditiously as possible. Those who meet the disability criteria of the new SSI program would be retained on SSI rolls; those failing to meet the new disability criteria would be removed. The extension of time which this bill provides, not only would protect the rights of individual recipients involved in the redetermination process but would permit the administrative job to be accomplished in an orderly fashion.

Without this legislative relief, a substantial number of persons throughout the country would be denied the benefits they have been receiving and are entitled to receive.

For these reasons, Mr. Speaker, I support H.R. 13025 and urge its passage.

Mr. ULLMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. MOAKLEY. Mr. Speaker, I wish to commend my distinguished colleague (Mr. ULLMAN) and the able ranking minority Member (Mr. SCHNEEBELI) for the promptness with which they and their colleagues on the Ways and Means Committee have brought this matter to the floor.

With comparable speed in the Senate, I am confident that we can save the April checks of thousands of disabled Americans who depend on the supplemental security income program for program for their survival.

On behalf of 6,000 disabled in Massachusetts who have been in serious danger of being dropped from this program, I wish to pay tribute to my distinguished colleague from Massachusetts (Mr. BURKE) who has worked so hard to safeguard the SSI benefits of our disabled neighbors in the Commonwealth.

Today Mr. BURKE has again strengthened his well earned reputation as a champion of senior citizens and the needy in Massachusetts.

Mr. ROSTENKOWSKI. Mr. Speaker, the legislation before us today, while simple in nature, is indicative of the myriad of problems that have arisen as a result of the enactment of the supplemental security income—SSI—legislation. Developing a unified Federal approach to effectively accommodate what were 50 divergent State public assistance programs is no easy task. Unexpected problems have arisen as has been evidenced by two recent amendments to the program (Public Law 93-66 and Public Law 93-233). These amendments have themselves resulted in the creation of deadlines which will be difficult to meet. H.R. 13025 is designed to resolve one such problem. It would allow the Social Secu-

rity Administration to continue payments to those disability cases yet to be screened in accordance with statutory requirements of Public Law 93-233, who would otherwise receive no further checks after March 31, 1974. These cases would continue to receive payments under a presumption of disability until a determination can be made to insure that they meet the Federal criteria for disability payments. The extension of this deadline will allow for orderly implementation of the program without any unnecessary hardship to the disabled that are in the process being transferred from State programs. The need for this legislation was first brought to my attention by Illinois State officials whose preliminary analysis of the SSI program revealed several pragmatic problems that were not fully anticipated during the Congress original consideration of the concept of SSI. While the extension of time granted by this legislation will alleviate one implementation problem, there is another that I hope will soon be discussed by our Ways and Means Committee. That problem, the skyrocketing costs of medicaid under SSI, is one that is expected to cost my own State of Illinois over \$40 million—twice the amount that the State expected to save as a result of the original enactment of the SSI legislation. While it is obviously necessary to make certain adjustments in the program to make it more efficient and more equitable, we must be sure that we do not lose sight of the original purposes behind the inclusion of SSI in H.R. 1 during the last Congress. It is for this reason that while I do support this legislation today, I would hope that the committee would, at the earliest opportunity, evaluate the implementation of this program to insure that it is being put into effect in the manner that was originally contemplated when the House first considered this legislation in the early summer of 1971.

Ms. ABZUG. Mr. Speaker, I am pleased to support H.R. 13025, which will extend through December 1974, the period during which certain disabled persons may continue to receive supplemental security income—SSI—benefits pending the legally required determination of disability.

This legislation, as you know, is being considered to correct an emergency situation which, unless rectified, will result in the complete loss of benefits for thousands of disabled Americans who should receive financial help.

In December of 1973, the "grandfather" provisions enacted in the SSI program under which all aged, blind, and disabled persons on the State rolls of the old age assistance, blind, and disability programs are transferred to the SSI program were modified so that disabled persons would become automatically eligible for SSI only if they had been on the State rolls for at least 1 month prior to July 1973. Disabled persons added to State rolls between June and December 1973 were required to be reviewed against SSI standards.

The effect of this December modification has been to require the Social Security Administration to ascertain which

of the individuals among the 1.3 million disabled recipients came on the rolls after June 1973 and then determine which of these 300,000 or more individuals met SSI disability standards.

Obviously, the Social Security Administration could not complete this monumental task between December 1973 and the January 1, 1974 implementation date. The law presumes disability through March of 1974 for those added to the rolls between June and December of 1973. After that time the Social Security Administration and the States will be required to stop providing benefits.

Unless this legislation is enacted, 185,000 disabled Americans will be cut off from aid at the end of March through no fault of their own. In New York, as many as 47,300 recipients of SSI payments to the disabled will lose their aid completely at the end of March without this emergency legislation.

It is with very deep regret that I have watched the painfully slow, if not dangerously inept, administration of the SSI program. Thousands of my constituents—the elderly, the blind, and disabled poor who are the least able to bear the hardship resulting from bureaucratic snafus—have suffered needlessly at the hands of this merciless program. Without question it is absolutely necessary that we pass the legislation being considered here. Further the Congress and the Nation must take immediate steps to insure that these disabled needy, especially the alcoholics and drug addicts, are not arbitrarily and with malice or rancor denied the assistance they so desperately need.

Mr. BIAGGI. Mr. Speaker, I rise in support of H.R. 13025 which will provide an extension for the determination of disability benefits for 300,000 supplemental security income recipients. Unless this legislation is passed, these senior citizens will face the loss of SSI benefits at the end of this month, a situation which could have drastic consequences for these Americans.

According to the existing law, in order for these Americans to continue to get SSI benefits, HEW would have to complete redetermination of their disability claims by the end of March. The Department of Health, Education, and Welfare has admitted that due to the unusual amount of problems encountered in the early going of the SSI program, it would be impossible for them to complete these redeterminations by March 31. This legislation was introduced to extend the period of time these citizens can receive SSI benefits until December 31 or until the redetermination is completed, whichever comes earlier.

The loss of these valuable SSI funds would render these already beleaguered senior citizens virtually helpless in the battle against inflation. For many of these people, SSI is the single biggest source of funds they receive to cover their basic necessities.

This bill although simple in language is critically important to the economic future of these 300,000 older Americans. I urge its swift approval today, in the House and its prompt signature by the President.

#### GENERAL LEAVE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill now before the House, and I urge passage of the bill.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oregon (Mr. ULLMAN) that the House suspend the rules and pass the bill H.R. 13025.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### INCREASES IN CERTAIN ANNUITIES

Mr. WALDIE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1866) to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes, as amended.

The Clerk read as follows:

S. 1866

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8345 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:*

"(f) (1) Notwithstanding any other provision of this subchapter, other than this subsection, the monthly rate of annuity payable under subsection (a) of this section shall not be less than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act.

"(2) Notwithstanding any other provision of this subchapter, other than this subsection, the monthly rate of annuity payable under subsection (a) of this section to a surviving child shall not be less than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act, or three times such primary insurance amount divided by the number of surviving children entitled to an annuity, whichever is the lesser.

"(3) The provisions of this subsection shall not apply to an annuitant or to a survivor who is or becomes entitled to receive from the United States an annuity or retired pay under any other civilian or military retirement system, benefits under title II of the Social Security Act, a pension, veterans' compensation, or any other periodic payment of a similar nature, when the monthly rate thereof, is equal to or greater than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act."

SEC. 2. (a) An annuity payable from the Civil Service Retirement and Disability Fund to a former employee or Member, which is based on a separation occurring prior to October 20, 1969, is increased by \$240.

(b) In lieu of any increase based on an increase under subsection (a) of this section, an annuity payable from the Civil Service

Retirement and Disability Fund to the surviving spouse of an employee, Member, or annuitant, which is based on a separation occurring prior to October 20, 1969, shall be increased by \$132.

(c) The monthly rate of an annuity resulting from an increase under this section shall be considered as the monthly rate of annuity payable under section 8345(a) of title 5, United States Code, for purposes of computing the minimum annuity under section 8345(f) of title 5, as added by the first section of this Act.

Sec. 3. This Act shall become effective on the date of enactment. Annuity increases under this Act shall apply to annuities which commence before, on, or after the date of enactment of this Act, but no increase in annuity shall be paid for any period prior to the first day of the first month which begins on or after the ninetieth day after the date of enactment of this Act, or the date on which the annuity commences, whichever is later.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WALDIE. Mr. Speaker, the amendment to S. 1866 contains the provisions of H.R. 9107 as passed by the House on December 7, 1973, by a record vote of 270 to 95.

The two bills contain substantially identical provisions with one exception, section 6 of the Senate bill related to the cost-of-living increases in social security benefits.

There was considerable controversy over the cost-of-living provisions for social security at the time the House considered H.R. 9107, and there was no way the provisions of H.R. 9107, as passed by the House, could be added to the Senate bill which was pending at the Speaker's desk at that time.

The controversy over the cost-of-living increases in social security benefits has since been resolved by the passage of Public Law 93-233, approved on December 15, 1973.

Mr. Speaker, what we are proposing here today is merely to add the provisions of H.R. 9107, as passed by the House on December 7, 1973, to a similar Senate-passed bill, and send it back to the Senate for their early attention.

The provisions of the amendment which I have offered would establish a minimum level of civil service retirement annuity benefits equal to the minimum social security benefits, and would provide for increases in annuities based upon employee separations which occurred prior to October 20, 1969. The increases represented by this amendment would be \$240 per year—\$20 per month—in the case of each entitled retiree, and \$132 per year—\$11 per month—in the case of each surviving spouse.

Mr. Speaker, this legislation is designed to assist those retired civil service employees who are most in need. Essentially, this legislation would accomplish two things. First, it would set a minimum civil service annuity for all Federal retirees at the same level as the minimum social security benefit. Under present law, this would be \$84.50 per month, with in-

creases provided for under the provisions of Public Law 93-233. This provision would establish a floor under civil service annuities by insuring that these benefits will be equal to the minimum social security benefit.

We are all aware of the effect that skyrocketing prices have had upon persons attempting to live on relatively fixed incomes. The civil service annuitants who would be benefited by the minimum annuity provision are those who are not only attempting to live on a relatively fixed income, but on abysmally low incomes.

By definition, in order for an annuitant to be entitled to this minimum pension, the annuitant first must not be receiving any social security at all; and second, the annuitant must not be receiving any Federal pension of any kind that is more or equal to the minimum social security benefit. So, the Members can see that we are dealing with a very small number of persons who would be in that category, and those numbers that there are, are diminishing because they are generally the very elderly who were employed by the Federal Government when wages were extremely low, or in part-time positions when wages were extremely low.

Second, the other major provision of this legislation deals with the pre-October 20, 1969 retirees. That date was used because it is the date of enactment of the law which liberalized the civil service retirement system and otherwise improved the benefits of employees who retired after that date. Retirees in the pre-October 20, 1969 category had their annuity computed on their highest salary average for 5 years, while those retiring after that date have their annuity computed on their highest salary average for 3 years. Moreover, the provisions of the Pay Comparability Act of 1970 have substantially increased the salaries of civil servants. Consequently, those individuals who retired before that date have generally received substantially lower annuities than those who worked in similar jobs and GS levels but who retired after that date.

I do not believe this to be fair. The annuity increase for the pro-October 20, 1969 annuitants, together with the provision to provide annuitants with a minimum civil service annuity equal to the minimum social security benefit will represent an important step toward remedying the hardships that these persons must now bear.

Mr. Speaker, I urge the adoption of S. 1866 with an amendment.

Mr. GROSS. Mr. Speaker, I yield my self such time as I may consume.

Mr. Speaker, inasmuch as the pending proposal on S. 1866 is one primarily of procedure rather than substance, I do not intend to reopen arguments on an issue which has already been decided by the House.

As the Members of the House know, on December 7, 1973, the House passed the bill H.R. 9107, providing for minimum annuities under the Federal Civil Service Retirement System, a bill which I then opposed.

I do not endorse the provisions or the principle of H.R. 9107, but that matter is settled and behind us. What we are doing now is accommodating the other body by passing the Senate bill with the House-adopted provisions of H.R. 9107. I do not object to this procedure, but I do hope that the other body will take cognizance of this action and respond by affording similar attention to certain House bills that are languishing on the other side of the Capitol.

Mr. BURKE of Florida. Mr. Speaker, I support S. 1866, and am pleased that action is finally being taken on this legislation since I introduced similar legislation in the 91st, 92d, and 93d Congresses to increase the annuities under the civil service retirement program.

By passing S. 1866, we will finally be correcting the unfair situation that presently exists under the law, where civil service retirees can be paid an amount less than the minimum social security primary insurance. As we know civil service employees are not permitted to participate in the social security program, therefore, it seems that simple justice requires that parity with the minimum social security primary insurance be afforded to retired Federal employees.

There are many retired persons residing in south Florida including many former Federal employees. The unprecedented inflationary expansion of our economy during the past 10 years has become the mortal enemy of our retired citizens. Although the cost-of-living adjustment formula established in the civil service retirement law has helped somewhat in the fight against inflation; yet it appears that, we have done much more for the recipients under our social security program and who before retiring worked in the private sector, than we have for Federal retirees, on their survivor annuities.

Presently, approximately 15 percent of the current civil service annuity beneficiaries are receiving less than the minimum social security benefit of \$84.50. We are all aware of how little this sum will buy in terms of food, shelter, clothing, medicine, and transportation.

The passage of S. 1866, will help approximately 80 percent of those presently on the civil service annuity rolls. Federal workers who retired prior to October 20, 1969, receive annuities based on earnings during past years of low-salaried employment, which had less liberal benefit levels. Many are now well advanced in age, and they need more and more services and goods. The flat \$300 yearly increase in the annuity of these retirees, as a one-shot equalization, may appear high since it costs \$2.8 billion. However, the hardship experienced by those of our elderly Federal retirees, who must struggle to make ends meet on low annuities which will buy less and less today and tomorrow as inflation continues, persuades me to state without equivocation that this legislation is not only worthwhile, but it is a must.

I wish that I could honestly state that

we have a formula to halt inflation. Hopefully, the Members will have the courage to stop some of the wild spending habits practiced in the past.

Mr. Speaker, I am glad to be able to vote for those who worked and paid their share of taxes over the years to support our Government—I am happy to support the bill before us.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. WALDIE) that the House suspend the rules and pass the Senate bill (S. 1866) as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ACCESS TO PSYCHOLOGISTS AND OPTOMETRISTS UNDER FEDERAL HEALTH BENEFITS PROGRAM

Mr. WALDIE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9440) to provide for access to all duly licensed psychologists and optometrists without prior referral in the Federal employee health benefits program, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8902 of title 5, United States Code, is amended by adding at the end thereof the following:*

*"(j) When a contract under this subchapter requires payment or reimbursement for services which may be performed by a psychologist or optometrist, licensed or certified as such under Federal or State law, as applicable, an employee, annuitant, or family member covered by the contract shall be free to select, and shall have direct access to, such a psychologist or optometrist without supervision or referral by another health practitioner and shall be entitled under the contract to have payment or reimbursement made to him or on his behalf for the services performed. The provisions of this subsection shall not apply to group practice prepayment plans."*

SEC. 2. The amendment made by this Act shall become effective with respect to any contract entered into or renewed on or after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WALDIE. Mr. Speaker, under existing contracts between the Civil Service Commission and certain health insurance carriers, Federal employees and their dependents must be referred to a psychologist or an optometrist by a licensed medical physician in order for such services to be covered under these contracts. This requirement denies participants their freedom of choice, imposes a needless expenditure of time and money, and also relegates psychologists and optometrists to a second-class role in the medical profession.

The major justification for this bill is the availability of psychologists and optometrists to the general public as compared to the medical physicians who

practice in the same fields. The referral clause has become a means to reduce the accessibility of these services by limiting the number of readily available practitioners, and in so doing artificially determines and limits who shall receive treatment and what types of services shall be rendered.

The U.S. Civil Service Commission has indicated, in a statement by Mr. Andrew E. Ruddock, former Director of the Bureau of Retirement, Insurance and Occupational Health, before the Senate Subcommittee on Compensation and Employment on November 23, 1971, that the referral procedure for psychologists is not a necessary requirement for adequate mental health treatment. Aetna Life and Casualty, in response to the Commission's opinion, changed the provisions of its plan, under the Federal employee program, in 1971 to allow more direct access to psychologist services. In 1973, Aetna again revised its Federal employee program to provide for direct access to the services of optometrists.

Presently, 46 States and the District of Columbia provide for the licensing of psychologists and all States, as well as the District, license optometrists. Forty-two States have provisions in their insurance codes which allow optometrists to be providers of covered services. A House Post Office and Civil Service Committee Report issued on May 13, 1970 (No. 91-1084) has indicated that the fact that the carriers are administering a Federal contract is no reason for circumventing compliance with applicable State laws.

The administration's opposition to this bill rests solely on its belief that redefinition of such services requires contractual negotiation rather than legislative action.

It is my opinion that H.R. 9440 would rectify the aforementioned injustices, and therefore, I urge that H.R. 9440 be passed by the House as amended.

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

Mr. Speaker, there were few objections to this legislation in committee, but I feel it important to bring to the attention of the House some of the comments of the U.S. Civil Service Commission.

As has already been explained, this legislation, H.R. 9440, amends the Federal employees health benefits program to the extent that if a contract under this program provides benefits for the services of duly licensed psychologists and optometrists, then such services shall be provided without the requirement of prior referral by another health practitioner.

While the Civil Service Commission believes this may increase the use of such services and therefore increase the premium of the health benefits plans, they say there is no way of estimating this increase.

The only experience we have to draw on is the case of the Government-wide Indemnity Benefit plan—Aetna—which in 1971 liberalized its benefits by eliminating the requirement that a psychologist's services had to be on referral. The Civil Service Commission told our committee the report from Aetna showed

that allowable expenses for psychologists' services rose from some \$368,000 in 1971 to \$631,000 in 1972, an increase of 71 percent from 1 year to the next.

Similar increases under the other plans, if this legislation is enacted, could result in higher premiums and higher costs to the Government. I think it is incumbent on the appropriate committees of Congress to monitor this program, if this bill becomes law, to insure that psychologists' and optometrists' services do not unduly affect the level of premium of the various health benefits plans.

It is also possible that the various health benefits plans would decline to offer the services of psychologists and optometrists, if the cost of providing such services became an inordinate percentage of their total outlay.

Mr. Speaker, I do not intend to prolong the debate on this legislation, but I make these remarks so that there can be some legislative history on the possible problems that may surface as a result of this legislation.

Mr. DULSKI. Mr. Speaker, I rise in support of H.R. 9440.

This legislation allows participants under the Federal employees' health benefits program to have direct access to licensed or certified psychologists or optometrists without the necessity of supervision or referral by another health practitioner.

Most of the plans under the Federal employees' health benefits program include benefits for services which can be provided by a psychologist or optometrist. However, in many cases these plans provide for payment or reimbursement for services performed by psychologists or optometrists only upon supervision or referral by a physician.

According to the information furnished to the Post Office and Civil Service Committee during the consideration of this legislation, 46 States and the District of Columbia now license or certify psychologists to provide mental health services and all States license or certify optometrists to provide certain eye care services.

Moreover, these States have established rigid standards by which to judge the qualifications of psychologists and optometrists to provide health services.

In view of this evidence I believe that the current restrictions on the use of psychologists and optometrists under many of the Federal employees' health benefits plans are totally unreasonable and unjustified.

Therefore, I urge my colleagues to vote in favor of H.R. 9440 which will prohibit the imposition of such unreasonable restrictions under future health benefits contracts.

The SPEAKER. The question is on the motion offered by the gentleman from California that the House suspend the rules and pass the bill H.R. 9440, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the bill just passed, H.R. 9440.

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

There was no objection.

## FEDERAL ENERGY ADMINISTRATION ACT

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11793) to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 11793, with Mr. NATCHER, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee rose on Tuesday, January 29, 1974, the Clerk had read the first section of the committee amendment ending on page 14, line 21.

Mr. HOLIFIELD. Mr. Chairman, I move to strike the last word.

(By unanimous consent, Mr. HOLIFIELD was allowed to proceed for an additional 5 minutes.)

Mr. HOLIFIELD. Mr. Chairman, I have asked for this time because the general debate on this bill occurred a month ago.

Mr. Chairman, general debate on H.R. 11793, the bill to establish a Federal Energy Administration—FEA—was held and concluded on January 29, 1974. As I advised the Members then, in my opening statement, reading the bill for amendments was deferred at the request of Mr. STAGGERS, the distinguished chairman of the Committee on Interstate and Foreign Commerce. The leadership concurred in this request. Now that S. 2589, the energy emergency bill, has been passed and sent to the President, we resume consideration of H.R. 11793, which will be read for amendment today.

Speaking for myself and as chairman of the Committee on Government Operations, I was happy to cooperate with Chairman STAGGERS, with the Speaker and with the leadership in working out an acceptable arrangement. For reasons which he considered good and sufficient, Chairman STAGGERS wanted to clear his bill first, and that was done. I supported his bill. Now it is our responsibility to complete the second part of the task; namely, to provide the organizational base to administer conservation and related programs in the energy emergency.

That is the purpose of H.R. 11793, the bill before us today.

To provide continuity with the discussion in the general debate of January 29, I will recapitulate briefly what H.R. 11793 is intended to do.

This is an organizational bill. It creates a new temporary agency—the Federal Energy Administration, to meet the current energy crisis. The bill was approved, with a single dissenting vote, by our committee on December 19, 1973. The Senate passed a similar bill on that date. The legislation has administration support.

The bill transfers to the Administrator of the FEA from the Department of Interior functions related to or utilized by the Office of Petroleum Allocation, the Office of Energy Conservation, the Office of Energy Data and Analysis, and the Office of Oil and Gas. Also transferred to the Administrator are functions related to or utilized by the Energy Division of the Cost of Living Council.

In these transfers we are not adding to, or subtracting from, the authorities of these offices, which are derived from specific legislation within the jurisdiction of various committees. We have respected and preserved the jurisdiction of other committees. The substantive legislation still is controlling in these matters. The Administrator will exercise the authority associated with the organizational units transferred. He will perform also administrative functions outlined in the bill.

This bill is complementary to, not a substitute for, S. 2589. H.R. 11793 provides the administrative organization. S. 2589 provides various emergency powers and duties in addition to those already conferred by a number of existing laws.

You may well ask: What happens if the President vetoes S. 2589 as he has several times indicated might be done? I would hope that the President reconsiders his position and gives his approval to the bill which our eminent colleague, the gentleman from West Virginia, has worked so hard to get through the Congress. However, if the President vetoes S. 2589, it is still necessary and important to enact H.R. 11793 for the following reasons:

First. An administrative organization, created by statute, is needed to replace the makeshift administrative organization created by Executive order. We need a Federal Energy Administration to replace the Federal Energy Office. As the members know, funding of FEO is subject to a point of order because it has not been specifically authorized by law. For the time being, FEO has been operating out of the President's fund, but a line item of \$19 million is requested in the 1975 budget. So, H.R. 11793 will create the necessary organization and authorize it to be funded.

Second. An administrative organization is needed to fully effect the transfers of functions which will give central direction to administration of the emergency energy programs. S. 2589 does not effect these transfers. Neither can they be done by Presidential action alone. H.R. 11793 provides for the transfers and creates a full-formed administrative organization.

Third. Laws now on the statute books,

such as the Economic Stabilization Act, the Petroleum Allocation Act, and the Defense Production Act, give the President authority—which may be delegated—of one kind or another to deal with the energy emergency. These authorities taken together are not sufficient for the tasks at hand, and that is why S. 2589 was passed by the Congress. But even if S. 2589 is vetoed, these other authorities will remain for varying periods, subject to extension by the Congress; and, as I say, an administrative organization is required to give coherence and direction in utilizing these authorities and in dealing with current energy problems.

Fourth. A veto of S. 2589, if it occurs, does not necessarily doom the legislative effort to confer additional emergency powers. A veto can be overridden. Falling that, it may very well happen that the committees of jurisdiction will decide promptly to report out a bill minus the price rollback and other provisions strongly opposed by the administration, and hence make it veto proof. There are important powers in energy conservation, including rationing, which should be authorized—but not in this bill (H.R. 11793).

Let us not kid ourselves or the country that the energy crisis is over, and that it is now simply a problem, as the President described it. The crisis is real. It will be enduring. Of course, it will change in intensity and impact from time to time, but it will not go away. It is a crisis in the short term because it is disrupting daily life in serious ways. It is a crisis in the long term because America's future, its social and economic progress, depend upon adequate, reasonably priced energy supplies. And because the crisis is both short term and long term, we need two kinds of energy organizations to deal with the crisis—a FEA for dealing with short term problems, and an ERDA for the longer term research and development so essential in meeting future energy needs.

As this bill is read for amendment, the indications are that many amendments will be offered. Several dozen already have been announced. More may be in the offing. With an open rule, Members are entitled to offer amendments to the legislation. But, in my opinion, it would be a mistake—a serious mistake—to load this bill with amendment for new policies and programs. We should not make this a Christmas-tree bill in anticipation of a Presidential veto of S. 2589, or for other reasons.

Now, there will be a few amendments of a technical nature which I believe we can accept. In fact, I intend to offer several myself. In the 2 months since this bill was reported, a few minor changes are indicated in the interest of clarification or to eliminate some provisions no longer needed. Apart from these minor or technical amendments, I must oppose every amendment which deals with a program or policy issue within the jurisdiction of other committees. I made that clear in my opening statement at the general debate.

Our committee does not want to transgress on the jurisdictions of other com-

mittees. We try to respect their jurisdictions and to keep our committee in proper bounds. That is why I emphasize so strongly that this is an organizational bill and not a bill to do all the things embodied in S. 2589.

Let us keep that distinction clear. Let us not legislate in panic and confusion. Let us not get committee jurisdictions all mixed up, for by doing so, we weaken and disorganize the Congress and contribute to the public view that the Government is unable to respond to the Nation's needs.

Mark my words. There is a great disillusion in the land with the processes of Government. There is a loss of faith in the integrity of Government leaders. There is a loss of confidence in the ability of the Government to act effectively and get things done. The performance of this Congress—the last in which I shall serve—will be judged by, as much as anything, its responses to the energy crisis.

Do we then want to go through another exercise in futility, loading this bill with amendments which will drag it down to a veto, or do we exercise the necessary self-restraint and proceed in an orderly manner, supporting the judgment of your Committee on Government Operations, which has sought conscientiously to do its job, at the same time respecting the jurisdictions of other committees?

I urge the Members as strongly as I can to show such restraint and prudence. I ask them not to overload this bill with amendments, not to make it unbalanced and lopsided. The provisions are carefully drawn to provide an administrative organization. I respectfully request that the Members help us maintain the integrity of the bill and support the committee by approving it.

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

The CHAIRMAN. The Chair will count.

Sixty-eight Members are present, not a quorum. The call will be taken by electronic device.

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

[Roll No. 60]

Anderson, Ill.	Goldwater	Moss
Ashley	Griffiths	Murphy, N.Y.
Blackburn	Hanna	Nichols
Blatnik	Hansen, Wash.	Randall
Bolling	Hawkins	Reid
Brasco	Hays	Rhodes
Broomfield	Hébert	Rooney, N.Y.
Burke, Calif.	Hogan	Sisk
Burton	Howard	Smith, N.Y.
Carey, N.Y.	Jones, Ala.	Staggers
Clark	Jones, Okla.	Steele
Clay	McFall	Stratton
Conyers	McKinney	Stubblefield
Coughlin	Malillard	Treen
Dellums	Martin, Nebr.	Vander Veen
Diggs	Mills	Whitehurst
Dorn	Minshall, Ohio	Williams
Edwards, Calif.	Montgomery	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11973, and finding itself without a quorum, he had directed the Members to

record their presence by electronic device, whereupon, 378 Members recorded their presence, a quorum, and he submitted herewith the names of the absenteers to be spread upon the Journal.

The Committee resumed its sitting.

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

Mr. Chairman, I will say to the members of the committee that this bill was before the House on January 29 of this year, so it is over a month ago that the bill was considered. We had 2 hours of general debate at that time.

Just before the quorum call, the gentleman from California (Mr. HOLLOWAY), the chairman of the committee, reiterated the purposes of the bill and what it provides. So I will not take the time of the committee to go into that except to say that this is an organizational bill which would establish the Federal Energy Administration.

Mr. Chairman, I would like to take just a few minutes to reiterate for the benefit of my colleagues two points that were made in the general debate on this bill.

First, H.R. 11793 is a most important bill. It provides the organizational capability to meet the current energy crisis. It does not set the policies or grant the program authority necessary to solve our current energy problems. Rather, it sets up the organization to administer these policies and programs.

The importance of this bill has been recognized by all parties. As the committee of conferees on the Staggers bill says in its joint explanatory statement, Senate Report 93-663, page 43:

The Conferees wish to emphasize that the creation of a temporary Federal Emergency Energy Administration under this Act does not remove the necessity of the Congress acting upon legislation reported by the House and Senate Government Operations Committees. The need for statutory creation of an administrative office within the Executive Branch which consolidates energy policy-related functions of government remains real and immediate.

Second, since this bill is a reorganization bill, I am afraid many of the suggested amendments are nongermane. I intend to raise points of order against all such amendments. This House has and is considering numerous pieces of legislation being reported by committees with jurisdiction over energy problems. These other bills are the proper targets for these amendments, not this reorganization bill. Such nongermane amendments would not be part of the regular procedure of this House and they would only serve to complicate and further delay the passage of this bill.

I hope my colleagues who propose such nongermane amendments will understand that I am not necessarily taking a position against their proposals, but rather am protecting this vitally important bill on which my committee has worked long and hard.

Mr. Chairman, I would like to emphasize that the Committee on Government Operations, as well as the subcommittee, acted on this bill as quickly as possible during December. We tried to get the bill out before the House recessed. We did bring it up immediately after the second

session of the 93d Congress began. It has been held up now for over a month, and I think it is important for the administration to have this organization, the Federal Energy Administration. If they do not have it, they are going to be more severely handicapped than they are now.

Again, I wish to emphasize that this bill is an organizational bill. It does not grant program authority. Those authorizations for grants and other authority should come through the appropriate committees, not through the Committee on Government Operations.

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

Mr. HORTON. I will be glad to yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I am glad to hear what the gentleman from New York has said with respect to the bill.

Do I understand the gentleman then to say that this bill is totally for the purpose of creating a structure to exercise authorities which must be derived from other legislation?

Mr. HORTON. Mr. Chairman, that is absolutely correct.

Mr. ECKHARDT. Then, for instance, on page 19 of the bill section 5, titled "Functions," (5) reads:

(5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;

This would merely indicate the scope in which the agency could act but would not independently give the agency, for instance, authority to set prices and to roll back profits.

Mr. HORTON. That is correct.

Mr. ECKHARDT. Or to engage in any other substantive enterprise. Is that correct?

Mr. HORTON. Those authorities would have to come from another committee of the House. They would not come from the House Committee on Government Operations. What we are trying to do here is to set up the organization and the structure and give the authority to the administrator.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. ECKHARDT, Mr. HORTON was allowed to proceed for 5 additional minutes.)

Mr. HORTON. What section is the gentleman referring to?

Mr. ECKHARDT. To section 5 of the bill on page 19.

Mr. HORTON. Yes.

Mr. ECKHARDT. I would assume, then, that "promote stability in energy prices to the consumer," and so forth, would really give this agency authority substantively to deal with that which has been granted to the agency under a bill like the Economic Stability Act.

Mr. HORTON. That is correct.

Mr. ECKHARDT. I would like to call the attention of the gentleman to section (7) on page 19 where it says:

(7) develop and oversee the implementation of equitable voluntary and mandatory energy conservation programs and promote efficiencies in the use of energy resources;

As I understand it, there are no mandatory energy conservation programs other than those which stem from the Allocation Act and which stem from the Economic Stabilization Act and which stem from specific acts as, for instance, a change to permanent daylight saving time, through action taken by this House. That is all you intend to cover there. Is that correct?

Mr. HORTON. That is correct.

And let me make this point, because this is, I believe, a good place to make it.

If, for example, under section (5) they develop a program, then they would have to come back to the Congress to get authorization for that program unless it is already in existence at the present time. We are not giving any new authority or authority not already given in this bill. That is the point I want to make.

Mr. ECKHARDT. (7), then, would not create any substantive authority in the agency whatsoever but would merely embrace that authority substantively which derives from separate existing law. Is that correct?

Mr. HORTON. That is correct. And let me explain it also so that the gentleman is not being misled.

There may be on the books at the present time authorizations being transferred over to this agency from other agencies. Those authorities and rules would be in existence, and he could exercise those authorities, but we are not giving him any new authority, which is the point that the chairman of the committee, the gentleman from California (Mr. HOLIFIELD) made. It is inappropriate for us to take up the type of amendments suggested to us which I think are not germane insofar as our committee is concerned.

Mr. ECKHARDT. Would the gentleman from New York be kind enough to yield to the gentleman from California, the Chairman of the Committee, to find out whether these confirmations of my questions are in his view correct?

Mr. HOLIFIELD. In my view, the gentleman expressed it as clearly as possible, I think.

Let me go on to say (7) to "develop and oversee the implementation of equitable voluntary," that would come under the heading of a function and even duties.

If he can get it done voluntarily, why, that, of course, would be within his power to persuade.

When it comes to mandatory energy control programs they would have to be authorized, in my opinion.

We have a clarifying amendment I think that will satisfy the gentleman from Texas on this.

Mr. ECKHARDT. I thank both of the able gentlemen.

Mr. HORTON. Mr. Chairman, I thank the gentleman from Texas for asking the question because I think it helps to clarify the point we are trying to make.

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

Mr. Chairman, I think we have hit the

crux of this debate at the very early hours of the amending process. I want to offer a few thoughts that I have on this subject. I do initially want to pay great tribute and sincere respect to the chairman of the committee, the gentleman from California (Mr. HOLIFIELD), and the ranking minority member, the gentleman from New York (Mr. HORTON), for the very industrious and very useful work they have performed in bringing this bill to the floor of the House. But I must say that I seriously disagree with the philosophy of their remarks. You cannot have an organizational bill that does not in some way make policy in broad general terms, and we have learned this from the many bills we have reported out of the Committee on Government Operations. The way you establish organization in effect makes policy, but in this bill that axiom is even more precise than it ever was.

For example, we are turning over to the Federal Energy Administration all of the functions of the Cost of Living Council in terms of price controls, in terms of price considerations in this area and so this bill invites amendments dealing with the stability of prices, with the resources available, with the quality of the information in reporting resources and all of these other important matters.

It is my view, which I will argue in greater length during a point of order that I anticipate being made, that this bill is an appropriate vehicle for any amendment dealing with the subject and functions that this agency will have.

The Members will see during the course of the reading of this bill, that the bill is replete with substantive functions and responsibilities and one cannot hide behind the traditional cloak that all we are doing is creating the machinery of a vehicle without acknowledging that that vehicle has life, blood, and fiber and deals directly with the substantive issues that really are the crux of the debate today. Because, in fact, there is no issue as to how this organization should be set up. In other bills we have had some discussion as to whether there should be two Assistant Secretaries or three Assistant Secretaries or four Administrators or six and one-half Administrators. But the issue in this bill deals particularly, in light of the President's threatened veto of the Staggers energy bill, with the establishment of this administration and if we are going to give it the tools that we want it to have. Give it the tools to enact and enforce the policies that we consider important to the national welfare. And one cannot address himself affirmatively to that issue without publicly acknowledging that this bill is an appropriate vehicle for every substantive amendment that this agency has an area of responsibility for.

I would hope, Mr. Chairman, that we can keep that mandate in mind not only in ruling on the relevancy of amendments but in considering the weight that we should give to substantive amendments. I would urge the committee to deliberate carefully and slowly on every substantive amendment, realizing that not only is this the only vehicle we have

to implement public policy, but it is a highly relevant vehicle because the Federal Energy Administration cannot work unless Congress gives it direction in the area of public policy that it wants it to work on.

The CHAIRMAN. Are there amendments to section 1? If not, the Clerk will read.

#### PARLIAMENTARY INQUIRY

Ms. ABZUG. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state her parliamentary inquiry.

Ms. ABZUG. Are we not on page 14 of the bill?

The CHAIRMAN (Mr. FLYNT). The Chair will state to the gentlewoman from New York (Ms. ABZUG) that we are reading section 1, lines 20 and 21 on page 14.

Ms. ABZUG. I thank the Chairman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that the general welfare and the common defense and security requires positive and effective action to conserve scarce energy supplies, to insure fair and efficient distribution of and the maintenance of fair and reasonable consumer prices for such supplies, to promote the expansion of readily usable energy sources, and to assist in developing policies and plans to meet the energy needs of the Nation.

(b) The Congress finds that to help achieve these objectives, and to assure a coordinated and effective approach to overcoming energy shortages, it is necessary to reorganize certain agencies and functions of the executive branch and to establish a Federal Energy Administration.

#### ESTABLISHMENT

SEC. 3. There is hereby established an independent executive agency to be known as the Federal Energy Administration (hereinafter in this Act referred to as the "Administration").

#### AMENDMENT OFFERED BY MR. ECKHARDT

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

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT: Page 15, line 12, after "Sec. 3" insert "(a)".

Page 15, line 15, after period insert the following new subsections:

(1) (1) Whenever the Federal Energy Administration submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit a copy of that estimate or request to the Congress.

(2) Whenever the Federal Energy Administration submits any legislative recommendations or testimony or comments on legislation to the President or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress. No officer or agency of the United States shall have any authority to require the Federal Energy Emergency Administration to submit its legislative recommendations, or testimony or comments to any officer or agency of the United States for approval, comments, or review prior to the submission of such recommendations, testimony, or comments to the Congress.

(3) The Federal Energy Administration shall be considered an independent regulatory agency for purposes of chapter 35 of title 44, United States Code, but not for any other purpose.

Mr. HORTON. Mr. Chairman, I make a point of order against the amendment.

**THE CHAIRMAN.** The gentleman will state it.

**MR. HORTON.** I make the point of order that the amendment is inappropriate to section 3 which is the establishment of the independent executive agency to be known as the Federal Energy Administration. The provisions of the amendment, as I heard them read—I do not have a copy—more appropriately apply to section 7 on page 21 of the bill which has to do with administrative procedures and administrative provisions.

**THE CHAIRMAN.** Does the gentleman from Texas (Mr. ECKHARDT) desire to be heard on the point of order?

**MR. ECKHARDT.** Mr. Chairman, if I might ask a parliamentary inquiry at this time, I should like to follow it with a unanimous-consent request to withdraw and offer the amendment at that point. I think that there is argument against the point of order, but I do not wish to make that argument at this time, if I may ask a parliamentary inquiry at this point.

**THE CHAIRMAN.** Is the gentleman from Texas making a unanimous-consent request to withdraw his amendment at this time?

**MR. ECKHARDT.** At this time I do make such request.

**THE CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PARLIAMENTARY INQUIRY

**MR. ECKHARDT.** Mr. Chairman, I have a parliamentary inquiry.

**THE CHAIRMAN.** The gentleman will state it.

**MR. ECKHARDT.** If I do not insist upon the amendment at this point in the bill, would I be precluded, because of the reading of a particular section, from dealing with the subject matter of this amendment at a later time at the point that the gentleman has referred to as the appropriate place in the bill for the offering of the amendment?

**THE CHAIRMAN (Mr. FLYNT).** The Chair will respond to the parliamentary inquiry by saying that the Chair will protect the right of the gentleman from Texas, and all other Members, to offer an amendment at the appropriate point in the bill.

**MR. ECKHARDT.** I thank the Chairman.

**THE CHAIRMAN.** Are there further amendments to section 3?

If not, the Clerk will read.

The Clerk read as follows:

#### OFFICERS

**SEC. 4.** (a) There shall be at the head of the Administration an Administrator of the Federal Energy Administration (hereinafter in this Act referred to as the "Administrator"), who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall receive compensation at the rate now or hereafter prescribed for offices and positions at level II of the Executive Schedule (5 U.S.C. 5313). The Administration shall be administered under the supervision and direction of the Administrator, who shall be responsible for the efficient and coordinated management of the Administration.

(b) (1) The functions and powers of the Administration shall be vested in and exercised by the Administrator.

(2) Except as otherwise expressly provided by law, the Administrator may from time to time delegate such of his functions as he deems appropriate.

(c) There shall be in the Administration a Deputy Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate now or hereafter prescribed for offices and positions at level III of the Executive Schedule (5 U.S.C. 5314).

(d) There shall be in the Administration six Assistant Administrators, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter prescribed for offices and positions at level IV of the Executive Schedule (5 U.S.C. 5315).

(e) There shall be in the Administration a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter prescribed for offices and positions at level IV of the Executive Schedule (5 U.S.C. 5315).

(f) There shall be in the Administration not more than nine additional officers who shall be appointed by the Administrator and shall receive compensation at the rate now or hereafter prescribed for offices and positions at level V of the Executive Schedule (5 U.S.C. 5316).

(g) Officers appointed pursuant to this section shall perform such functions as the Administrator shall specify from time to time.

(h) The Deputy Administrator (or in the absence or disability of the Deputy Administrator, or in the event of a vacancy in the office of the Deputy Administrator, an Assistant Administrator, the General Counsel or such other official, determined according to such order as the Administrator shall prescribe) shall act for and perform the functions of the Administrator during any absence or disability of the Administrator or in the event of a vacancy in the office of the Administrator.

(1) The provisions of section 208 of title 18, United States Code, shall apply to this Act. For the purposes of this Act, subsection (b) of such section 208—

(1) can only be invoked and implemented personally by the Administrator; and

(2) shall not be invoked as to any person unless and until the Congress has received, thirty days in advance, notice of the Administrator's intention to do so, together with a detailed statement of the subject matter concerning which a conflict exists and the nature of an officer's or employee's financial interest, in the case of an exception set forth in clause (1) of such subsection; or the name and statement of financial interest of each person who will come within an exception set forth in clause (2) of such subsection. Nothing contained in this subsection shall affect in any way the operation of other laws relating to officers and employees of the United States Government.

**MR. HORTON** (during the reading). Mr. Chairman, I ask unanimous consent that section 4 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

#### AMENDMENTS OFFERED BY MR. HORTON

**MR. HORTON.** Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. HORTON: On page 16, line 8 delete the word "a" and insert in lieu thereof the word "two"; and on lines

8 and 9, change the word "Administrator" to "Administrators".

On page 17, delete the language on lines 9 through 17 and insert in lieu thereof the following:

"(h) A Deputy Administrator designated by the Administrator (or in the absence or disability of the designated Deputy Administrator, or in the event of a vacancy in his office, the other Deputy Administrator; or in the event no Deputy Administrator has been designated, the senior Deputy Administrator; or in the absence or disability or vacancy in both offices of Deputy Administrator, an Assistant Administrator, the General Counsel or such other official, determined according to such order as the Administrator shall prescribe) shall act for and perform the functions of the Administrator during any absence or disability of the Administrator or in the event of a vacancy in the office of the Administrator."

**MR. HORTON.** Mr. Chairman, I ask unanimous consent that my amendments be considered en bloc.

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

There was no objection.

**MR. HORTON.** Mr. Chairman, I ask unanimous consent that a further technical amendment to section 8 dealing with this subject be considered at the same time.

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

There was no objection.

The Clerk read as follows:

Technical amendment offered by Mr. HORTON: On page 24, delete the language on lines 15 and 16 and insert in lieu thereof the following:

"(62) Deputy Administrators of the Federal Energy Administration (2)..."

**MR. HORTON.** Mr. Chairman, this amendment is a very simple amendment, because all it does is increase the number of Deputy Administrators from one to two.

The Federal Energy Office, created by Executive Order No. 11748 on December 4, 1973, has been functioning over the last 7 weeks with virtually the same structure, although with a smaller staff, than the new FEA organization. During this period, it has become apparent that the resources required to deal with the energy emergency, should be applied in two distinct directions.

On the one hand, there are the immediate operational difficulties inherent in allocation, conservation and pricing policies which must be coordinated. At the same time, longer term policies, such as expediting the development of all energy resources, recommending import and export policies, and collecting and analyzing data must also be coordinated.

Because of the complexities of the two issues, it has become clear that there is the need for an additional policy level position. To meet this need, the FEO is requesting an additional Deputy Administrator.

This is not an organizational change in that the structure of FEA, as proposed in the bill and explained in the report, will remain intact. What it does is provide the Administrator with the flexibility to meet the challenges of the issues with a properly managed organization.

I hope the committee will accept the amendment.

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

Mr. HORTON. I yield to the gentleman from Texas.

Mr. KAZEN. Has the gentleman discussed the duties to be performed by the two Assistant Administrators?

Mr. HORTON. These are not Assistant Administrators.

Mr. KAZEN. Are they Deputy Administrators?

Mr. HORTON. These are deputy administrators, as I indicated, who would have responsibility for coordinating price and other functions—the operational side. The other would have the responsibility of coordinating long-range export-import policy problems and such matters.

Mr. KAZEN. Mr. Chairman, who is going to have the responsibility of answering questions from the gentleman's constituents and mine?

Mr. HORTON. That would have to be done by the administrator, and I would assume he will have a congressional liaison office.

Mr. Chairman, I want to say to the gentleman here that one of the reasons why this bill is so important now is because the FEO is operating under Executive order, and the people who are actually manning the shop, so to speak, are borrowed personnel. They are not of any particular organization except their own organization at the present time, and that is one reason for the problems that the Members of Congress are having.

Mr. Chairman, I would expect that if this bill is enacted into law, that there will then be an organization able to give the type of response we get from Federal organizations which are established and functioning.

Mr. KAZEN. Mr. Chairman, if the gentleman will yield further, is there anything in this bill that will give them some guidance as to the type of setup they ought to have? The only place where we have been able to go to get answers for our constituents has been the regional office. That is hundreds of miles away from my district. We cannot do it on the telephone. We cannot find anybody who will give us answers.

Mr. HORTON. Mr. Chairman, I understand the problem the gentleman has, because no Member of the Congress has had any more such problems than I have had. The problem has been that the agency just has not gotten the personnel assigned to it to do the job. It has tried through regional headquarters.

However, let me answer the question the gentleman asked. This bill does not establish the specifics of the organization. It does not say they have to have a regional office here or there. That will be up to the Administrator. I am sure there will be regional offices. That testimony was given to us by the FEO Administrator, and I am sure there will be that type of office established.

Mr. KAZEN. Mr. Chairman, I am hoping that, in addition to the regional offices, they will scatter some men out in the field who have the authority to give

answers to questions, because, as the gentleman well knows—and I know he has this problem as does every other Member of the Congress—just last week a tremendous number of inquiries from farmers who had to plant the next day came in, and they could not wait for a month while they file some kind of form in order to get answers which they need immediately.

Mr. HORTON. Mr. Chairman, I know exactly what the gentleman has been up against. We did have some office established in upstate New York, because in New York City we had one regional office and we could not even get through by telephone. We have established offices in Buffalo, Rochester, and Syracuse; that is, offices staffed by individuals borrowed from another agency.

That is the point I am trying to make, that we need this organization so that the structure can be set up by the Administrator to more easily handle the problems the gentleman is asking about.

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

The amendments were agreed to.

AMENDMENT OFFERED BY MR. ECKHARDT

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

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT: Page 16, line 2, after "the Administration." insert the following new subsection and renumber the following subsections:

"(b) The Administrator may be removed by the President for cause. If the Administrator is removed the President shall furnish the Congress with a statement of the cause for removal. For purposes of this subsection the term "cause" shall mean malfeasance, neglect of duty and documented incompetence."

Mr. ECKHARDT. Mr. Chairman, there is no more important office today, from the standpoint of power and the exercise of administrative procedure, than the office of Administrator of the Federal Energy Agency and, if this bill is passed, the Administrator of the Federal Energy Administration. This office makes rules that have the effect of life and death over industries. It is in substance the same kind of regulatory agency that other regulatory agencies of Government are.

All this amendment does is to provide that the Administrator who, after all, exercises tremendously great authority, be subject to removal by the President only for cause.

For purposes of this subsection the term "cause" shall mean malfeasance, neglect of duty, and documented incompetence.

Now, that means that the President may not utilize this office as an office which is subject to subjective determinations with respect to actions which it takes. The amendment is solely directed toward giving the agency additional independence, the kind of independence that will permit this agency to make a judgment totally on the basis of the facts and totally on the basis of the economics of the situation, and the head of the agency cannot be removed from time to time.

For instance, Mr. Love has been removed, and another man has been put in his place. Mr. Simon might be removed and another man put in his place. Once this agency is set up, it ought to be as objective as it is possible to make it. That is the purpose of the amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield for a question?

Mr. ECKHARDT. I yield to the distinguished gentleman from California, the chairman of the committee.

Mr. HOLIFIELD. Mr. Chairman, as I understand the gentleman's amendment, it requires the President to remove an Administrator for malfeasance, neglect of duty, and documented incompetence.

Does the gentleman mean to suggest that if the policy of the Administrator runs contrary to the policy of the President, that would not be cause for removal, and is not that a departure from the procedure?

Do not all appointees of the President, except those in regulatory agencies, serve at the pleasure of the President?

Mr. ECKHARDT. Mr. Chairman, the gentleman is absolutely correct, and that is really the purpose of this amendment.

It is my position—and I think it is a valid one—that this agency is quite different from the ordinary agency which might be set up to carry out a general question of policy.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield again to me, does this Administrator have the power to make rules and regulations and publish them in the Federal Register, that is, rules and regulations that are binding upon the people the same as regulatory agencies?

Mr. ECKHARDT. Yes, sir; he does if those rules stem from authorities granted in other and separate acts.

Mr. HOLIFIELD. That is a different thing. Then the act itself provides the basis for rules and regulations, and there is a commonly accepted principle of law that rules and regulations may, after going through certain hearings under the Administrative Procedure Act, be set up based on law.

Mr. ECKHARDT. If the gentleman will yield back to me, for instance, in the Register of the 15th of January there were provisions providing for requirements for the splitting of a barrel of oil, favorable, as I recall it, to the middle distillate side instead of to the gasoline side; a perfectly feasible and proper regulation on the part of the FEO. However, that regulation would have had a direct effect on refineries and determined whether or not they would be able to produce that which would sell most profitably or, rather, would be required to produce something in greater need but perhaps not so profitable. I submit that that was a proper regulation. It never went into effect because the refineries actually voluntarily began to split the barrel in the direction of the middle distillates.

However, the point I am making is that this agency acts exactly like a regulatory agency and has functions which are so close—

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, I think this is a very ill-advised and inappropriate amendment. The amendment provides that the administrator may be removed by the President for cause and then goes on to say that if he is removed, Congress has to be furnished a statement as to the cause of his removal and that cause shall mean certain malfeasance, neglect of duty, and documented incompetence.

First of all, I would like to emphasize to the Members that we are creating a 2-year agency here and not creating an agency that will be going on indefinitely.

Also we have to assume that the President will appoint somebody who will be competent to handle this agency. The President does have the authority to remove, and I do not think we ought to tamper with that.

What this amendment proposes to do is to put a new qualification on the ability of the President to remove someone whom he has appointed from office.

First of all, I think it is unconstitutional. According to *Humphrey's Executive v. United States*, 295 U.S. 602, decided in 1935, congressional attempts to limit the President's power of removal would appear to be unconstitutional. For us to do something here in this regard would probably be unconstitutional.

Second, I do not think it is good because it diffuses responsibility and is a bad administrative arrangement.

Mr. Chairman, I hope the amendment will be defeated.

Mr. ECKHARDT. Will the gentleman yield?

Mr. HORTON. I yield to the gentleman.

Mr. ECKHARDT. Does not the gentleman recognize that we have authority to create regulatory agencies in which the power of removal is so limited?

Mr. HORTON. I did not get the end of the gentleman's statement. Yes, we can create a regulatory agency.

Mr. ECKHARDT. Then why can we not give in this agency some of the characteristics of a regulatory agency constitutionally? I recognize you do not think it is good policy, but is there really a serious constitutional question?

Mr. HORTON. First of all, it is not a regulatory agency but an operational agency, and the President will certainly appoint somebody who has the confidence of the President and his authority. We have provided in the bill that the administrator and the deputy administrators, because there are two of them now, the assistant administrators and the general counsel will all have to be approved by the advice and consent of the Senate. I think that is an adequate safeguard insofar as the Congress is concerned without any qualification of the ability of the President to remove a person and any requirement that it be done for cause.

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

The amendment was rejected.

AMENDMENT OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ABZUG: Page 16, strike line 5 beginning with "except" and all that follows through line 7 "appropriate." and insert in lieu thereof:

"(2) The Administrator may delegate any of his functions to any officer or employee of the Federal Energy Administration as he deems appropriate. The Administrator may delegate any of his functions relative to implementation and enforcement of any law administered by him to officers of a state or political subdivision thereof or to a state or local boards of balanced composition reflecting the makeup of the community as a whole.

"(3) In the event the Administrator implements any plan or program of end-use rationing, such plan or program shall provide for local implementation through state or local boards of balanced composition reflecting the makeup of the community as a whole."

Ms. ABZUG. Mr. Chairman, the section that I am seeking to eliminate and for which I seek to substitute the language that the Members have just heard, now reads as follows:

(2) Except as otherwise expressly provided by law, the Administrator may from time to time delegate such of his functions as he deems appropriate.

One of the problems with the bill before us, which has been recognized by our chairman as well as by members of the committee is that it grants very broad and sweeping powers to the FEA Administrator, without any limitations or guidelines. What I hope to accomplish with this particular amendment is to limit the authority of the Administrator to delegate functions. Beyond that, my amendment would require that, if gasoline rationing is instituted, as I believe it should be, implementation be through State and local boards of balanced composition reflecting the makeup of the community as a whole. It is conceivable, with the language as it now stands, that the Federal Energy Administrator could delegate his authority to anyone. For example, he could delegate his authority to oil company executives, who themselves may be responsible for our current energy problems. My amendment would limit the authority of the Administrator in this respect by providing that he could delegate his powers only to employees of the Federal Energy Administration, including those serving in regional offices. Beyond that, the Administrator could delegate his powers of implementation and enforcement to State and local officials or boards of balanced composition.

We have all had the frustrating experience of not knowing whom to deal with at the Federal Energy Office, and that is because there have been no clear guidelines for delegation of authority. In view of these experiences over the past few months in attempting to deal with the Federal Energy Office, it should be clear that an amendment such as I am proposing is necessary.

We must know exactly who has authority and who is responsible for what functions. We must also provide for the

delegation of enforcement and implementation functions to state and local officers and boards composed of representative members of the community. The purpose of the boards would be to implement any rationing plans promulgated and to handle hardship appeals. The proposed rationing regulations published recently by the Federal Energy Office provide for Governors, in the absence of State law, to set up State offices for gasoline rationing. There are no guidelines as to the operation or the composition of these offices.

None of us is under any illusion that gasoline rationing, should it ever come about, would be an easy matter or simple to implement. The need to control our supplies, however, and to alleviate the unbearingly long lines at gas stations should convince us that such an approach is necessary.

Only the local community can know its own needs and can best determine what is fair and equitable to its own citizens. Only at the local level can a hardship appeal be truly evaluated. Whether a handicapped or elderly person receives an extra allotment of gasoline and so remains a productive member of society or whether a traveling salesperson, whose sole means of livelihood depends upon the automobile, receives enough gas to earn a living may well depend upon the local community's sensitivity to his needs.

This amendment would provide for local boards to implement gasoline rationing plans in their own communities, or at the State level, or both. To assure equitable treatment, the amendment requires that the boards consist of members who truly reflect the nature of the community. While Washington may set the policy and the guidelines for rationing plans, such plans must be implemented at State and local levels.

Mr. Chairman, I urge my colleagues to support the amendment I have offered, because I believe that, as the bill now reads, it contains a very serious weakness in its broad, sweeping, undefined delegation of powers.

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

Mr. Chairman, this amendment in part is modeled on a provision in the Jackson-Staggers bill which is S. 2589, but it makes two significant changes which should first be considered by the appropriate legislative committees of jurisdiction before they are adopted.

First, this amendment would limit the authority of the administrator to delegate his authority to other agencies. This is now in the Jackson-Staggers bill, but only for the programs under the bill. For the purposes of that bill, there is no need to reiterate the limitation here. However, the amendment would extend that restriction to functions not within the Jackson-Staggers bill but transferred solely by this bill. These are the functions of the Department of the Interior, offices of Energy Conservation, Energy Data and Analysis, and Oil and Gas. These include programs of long standing not precipitated by the energy emergency. I doubt that we know

whether and to what extent those programs involve cooperation by other agencies, and I suggest that the legislative committees of jurisdiction should be given the opportunity to assess the impact before this amendment is approved.

Secondly, the proposed amendment would add a new provision to the Jackson-Staggers bill which would require use of State and local boards for end-use rationing programs. The use of State and local boards may be a good idea. The committee, after studying the matter, authorized such use but did not make it mandatory. Presumably, they felt it best to leave this to the discretion of the administrator as a necessary option to management of rationing programs.

If the amendment were necessary, it should have been offered and considered with the Jackson-Staggers bill. In any case, this body should have the benefit of the study and the advice of the appropriate legislative committees of jurisdiction before making this change to this bill. It should not be tacked onto the present bill, which is presented solely as an organization bill, so I urge that the amendment be defeated.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

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

Ms. ABZUG. I thank the gentleman for yielding. He does realize that the amendment proposed does make organizational suggestions? They are not substantive suggestions as he is implying. It does make organizational suggestions.

Mr. HORTON. I understand that, but I think that, again, the subject that the gentleman is talking about is something that should go through the appropriate legislative committees and not through the Committee on Government Operations. Therefore, I hope that the amendment will be defeated.

Ms. ABZUG. Mr. Chairman, will the gentleman yield further?

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

Ms. ABZUG. I thank the gentleman for yielding. I just want to correct one of the things that the gentleman stated, in that the Administrator may delegate any of his functions to any officer or employee of the Federal Energy Administration, or to officers of a State or local subdivision. It does not seek to prevent the Administrator from delegating his authority to appropriate people. Would the gentleman not agree that what I am seeking to do is to see to it that we do not involve the delegation of authority outside of the authority of Government to those who have a conflict of interest? Would that not be an important guideline for the Administrator?

Mr. HORTON. As I tried to indicate, I think that these are matters more appropriately handled by the legislative committees of jurisdiction, not in this organizational bill.

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

The question was taken; and on a division (demanded by Ms. ABZUG) there were—ayes 17, noes 34.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments to section 4? If not, the Clerk will read.

The Clerk read as follows:

SEC. 5. To meet the energy needs of the Nation for the foreseeable future, the Administrator shall—

(1) advise the President and the Congress with respect to the establishment of a comprehensive national energy policy for the balance of the twentieth century, and in coordination with the Secretary of State, the integration of domestic and foreign policies relating to energy resource management;

(2) assess the adequacy of energy resources in meeting demands for the immediate and long-range future for all sectors of the economy and for the general public;

(3) develop effective arrangements for the participation of State and local governments in the resolution of energy problems;

(4) develop plans and programs for dealing with energy production shortages;

(5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;

(6) assure that programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;

(7) develop and oversee the implementation of equitable voluntary and mandatory energy conservation programs and promote efficiencies in the use of energy resources;

(8) develop and recommend policies on import and export of energy resources;

(9) collect, evaluate, assemble, and analyze energy information on reserves, production and demand and related economic data;

(10) identify the need for and take action to expedite the development of energy resources;

(11) work with business, labor, consumer and other interests and obtain their cooperation; and

(12) perform such other functions as may be prescribed by law.

Mr. HORTON (during the reading). Mr. Chairman, I ask unanimous consent that section 5 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. HOLIFIELD

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

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: Page 18, line 15, strike "for the balance of the twentieth century" in subdivision (1) of section 5, and insert in lieu thereof "in relation to the energy matters for which the Administration has responsibility".

Page 18, line 20, strike "long-range" in subdivision (2) of section 5, and insert in lieu thereof "longer-range".

Mr. HOLIFIELD. Mr. Chairman, these are clarifying amendments.

These amendments will serve to reflect the underlying intent of this bill, which I described in my explanation on January 29, 1974, when the bill was presented to the House for consideration, that this agency, as distinguished from ERDA, the Energy Research and Development Administration, will be dealing with the

short-term aspects of our energy problem and largely on the basis of present available technology. The period of duration of FEA, as prescribed in section 19 of this bill, is 2 years. The Senate version of this bill, which was passed by the Senate on December 19, 1973, provides for an even shorter period.

Of course, the 2-year term may prove to be insufficient to alleviate our present crisis—or emergency—or serious problem—depending on who the administration spokesman is—in which event the Congress could later extend it. But we want to make it clear that the FEA people should keep their eyes exclusively on the immediate and relatively short-range problems within the scope of their statutory responsibilities.

I respectfully request the adoption of this clarifying amendment.

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

Mr. HOLIFIELD. I will be happy to yield.

Mr. MILFORD. Mr. Chairman, one of the questions that bothers me concerns the relationship between ERDA and this bill. It appears to me that we should be putting this new agency under ERDA or vice versa, because it is very difficult to separate short-term from long-term energy problems.

Mr. HOLIFIELD. No; the ERDA agency is to be the primary research and development agency for the Government in the field of energy, both in nuclear and fossil fuels and geothermal and all other forms of energy.

Now, some of those problems will be long-range problems and some will be short-range problems.

I would say my judgment would be, for instance, that it is an immediate problem to take the sulfur out of the oil and coal stacks to make energy environmentally acceptable. That is a short-term thing and it is a job for ERDA to do at the request of the FEA Administrator.

I would hope that they would respond to it. The Administrator of ERDA and the Administrator of FEA and, of course, the Secretary of Interior are all appointees of the President and they all have roles to play. The Interior Department has a role to play in the leasing of land and that sort of thing; but ERDA has both short- and long-term energy research and development.

What we are saying here is that the FEA should exert its present emergency effort to establishing those things that can be done within a shorter time period

That is all we are saying here. It is a clarifying amendment. ERDA is separate from FEA, but it has to be responsive to the agencies of the Government in this particular energy field, and the ERDA bill so requires.

What we are really saying here is that we want the FEA at this time to concern itself with those things that have to be done in an emergency way, not the creation of fusion, which will be 30 years from now. They have an ongoing program on that, but we want the emergency that faces this Nation now handled first. In the meantime, we want to continue with the longer range programs which are to be assigned to ERDA.

Mr. MILFORD. Mr. Chairman, if the gentleman will yield further, his point is well taken but fails to recognize something that is extremely important. That is, there is often a conflict between what should be done now and what should be done in the long range. We would have two Government agencies working on the same subject and possibly at loggerheads with each other.

Mr. Chairman, it was my understanding that we were creating an administrative agency wherein all energy matters would be brought under one jurisdiction—one bureau.

I think everyone agrees that one of our main problems, in trying to administer energy programs, has been diversification of authority scattered through several different agencies.

It appears that we have defeated our original purpose. We are beginning with two separate agencies that will be dealing with energy.

Mr. HOLIFIELD. Mr. Chairman, we contemplate in the bill that there shall be a study by the administrator of those things which are in the longer range and those things which will be done immediately, and to report to the Congress. We think we have taken care of it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HOLIFIELD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HOLIFIELD

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

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: On page 18, line 12, after "Administrator, insert ", to the extent expressly authorized by other sections of this Act or any other provision of law."

On page 23, strike line 18 and all that follows through line 20; and on line 21, change "K" to "J".

The CHAIRMAN. The Chair will point out that in the amendment offered by the gentleman from California, the first section of the amendment refers to section 5 which is presently under consideration. The second section of the amendment refers to section 7, which point has not been reached in the reading of the bill.

Mr. HOLIFIELD. Mr. Chairman, the Chair is exactly right.

The CHAIRMAN. Does the gentleman from California ask unanimous consent to withdraw his amendment as offered, and offer a new amendment which conforms to the rule?

Mr. HOLIFIELD. Mr. Chairman, I ask that unanimous consent, and I offer the first amendment which has already been read, page 18, line 12.

PARLIAMENTARY INQUIRY

Mr. ALEXANDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ALEXANDER. Mr. Chairman, reserving the right to object and making a parliamentary inquiry, am I to understand that the amendment offered by the distinguished chairman of the committee is to section 5 of the bill only?

Mr. HOLIFIELD. Mr. Chairman, that is correct.

The CHAIRMAN. The amendment which will be offered if the present amendment is withdrawn, as the Chair understands it, will refer to section 5 only.

Mr. ALEXANDER. Mr. Chairman, I withdraw my reservation of objection.

PARLIAMENTARY INQUIRY

Mr. HORTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HORTON. Mr. Chairman, reserving the right to object and making a parliamentary inquiry, could the gentleman from California ask unanimous consent to consider the amendment that he proposed on page 23?

The CHAIRMAN. He could, but the Chair will state the gentleman from California has not done so.

Mr. HOLIFIELD. Mr. Chairman, I have not done so, and I prefer to have it in an orderly way. Unfortunately, this amendment was handed to me by the staff and does not signify that this was in section 7.

Mr. HORTON. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MR. HOLIFIELD

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

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: On page 18, line 12, after "Administrator", insert ", to the extent expressly authorized by other sections of this Act or any other provision of law".

Mr. HOLIFIELD. Mr. Chairman, the purpose of this amendment is to make clear that the intent is to give this new agency only the functions specifically transferred to it by section 6 and any additional functions that may be assigned by law to it in the future. We wish to make it clear that the bill does not give the Administrator any new authority to initiate a consumer rationing program or similar programs.

The Administrator will have only the authority for new programs provided by existing law or future legislation such as that proposed in the Energy Emergency Act.

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

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

The CHAIRMAN. The Chair will count.

Fifty-four Members are present, not a quorum. The call will be taken by electronic device.

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

[Roll No. 61]

Annunzio	Carey, N.Y.	Esch
Arends	Clark	Frelinghuysen
Barrett	Clay	Giammo
Blatnik	Conyers	Gray
Boiling	Dellums	Hansen, Wash.
Brasco	Dickinson	Hawkins
Burke, Calif.	Diggs	Hébert
Burton	Dorn	Heckler, Mass.

Hogan	Murphy, N.Y.	Stephens
Jones, Ala.	Nichols	Stratton
Jones, Okla.	O'Neill	Stubblefield
Landrum	Pike	Stuckey
McFall	Randall	Tiernan
Macdonald	Rangel	Treen
Maillard	Rees	Whitehurst
Martin, Nebr.	Reid	Wilson, Charles H.
Mills	Rooney, N.Y.	Calif.
Minshall, Ohio	Rooney, Pa.	Wyatt
Montgomery	Ryan	Wylie
Mosher	Selberling	
Moss	Steiger, Wis.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11793, and finding itself without a quorum, he had directed the Members to record their presence by electronic device, whereupon 371 Members recorded their presence, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. At the time that the point of order of no quorum was made, the Chair had just recognized the gentleman from New York (Mr. ROSENTHAL) for 5 minutes in opposition to the amendment offered by the gentleman from California (Mr. HOLIFIELD).

Mr. ROSENTHAL. Mr. Chairman, this is a very, very serious amendment. I vigorously oppose it. The net effect of this amendment would be to override the Committee on Government Operations, which reported this bill to the floor by a vote of 28 to 1.

It would do that because it would most likely affect the germaneness ruling of the Chair in terms of amendments that could be offered to the functions provisions of the bill.

The Committee on Government Operations in reporting this bill to the floor stated on page 18, section 5 under the "Functions" responsibility,

To meet the energy needs of the Nation for the foreseeable future, the Administrator shall—

Then it lists a number of powers. In section (5):

Promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;

If this amendment is passed, it could affect the Chair's rule as to the germaneness of an amendment that I intend to offer providing for a rollback in domestic crude. It would potentially affect the germaneness of the amendment I will offer which provides a rollback in domestic crude, which is, in effect, word for word the Stagger's amendment which passed the House last week.

This amendment would possibly preclude that amendment, or most likely preclude it. It would most likely preclude the amendment to be offered by the gentleman from Arkansas (Mr. ALEXANDER) in reducing the price of propane gas and the amendment to that amendment that I understand will be offered by the gentleman from Illinois (Mr. FINDLEY).

Now, the Committee on Government

Operations in voting 28 to 1 specifically intended to give this Administrator functional responsibility to assume new programs, new responsibilities, and mandated that he should "promote stability in energy prices to the consumer."

What this amendment would do would limit his responsibility in violation of that direction of the Committee on Government Operations to those existing programs or laws that are on the books and those responsibilities in this law.

The committee dealt with this legislation at great length. It considered it very carefully. As a matter of fact, the "promote free enterprise" section of this number (5) was a matter of great debate in this committee. The committee by this 28-to-1 direction wanted this Administrator to do something about consumer prices. If this amendment of the distinguished gentleman from California is adopted, it would preclude, I believe, the amendments for a price rollback that I would offer and the amendment on propane gas price rollback that the gentleman from Arkansas (Mr. ALEXANDER) and the gentleman from Illinois (Mr. FINDLEY) will offer.

If Members are interested in doing something about consumer prices in this or any other energy area, if Members are interested in promoting free and open competition, then all aspects of the energy field must be considered. If Members are interested in preventing unreasonable profits within the various segments of the energy industry, then they will have to vote down this amendment and permit the committee to work its will on these other amendments.

Each of us should have an opportunity to vote on these other significantly important amendments.

I urge the defeat of the amendment.

Mr. HORTON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this amendment, for the benefit of those who were not here on the floor when it was offered, proposes to add on page 18, line 12, these words:

To the extent expressly authorized by other sections of this Act or any other provision of law.

Now, the purpose of the amendment is to make explicit the intent to give the new agency only the functions which are expressly transferred to it by section 6, or any additional functions that may be assigned by law to it in the future.

We want to make very clear that the amendment does not give the bill any new authority to initiate a consumer rationing program, or similar programs.

I want to respectfully disagree with the gentleman from New York (Mr. ROSENTHAL), when he said that this is defeating the purpose of the Committee on Government Operations. If we listen to what the gentleman from New York (Mr. ROSENTHAL) had to say, it would make it appear as though the Committee on Government Operations was getting into the jurisdiction of the Committee on the Interior, the Committee on Interstate and Foreign Commerce, and other legislative committees.

This is a reorganization bill. I have emphasized that in January when the

bill was here for general debate; I have emphasized it earlier today; the chairman has emphasized it. The intent of this bill is not to expand any authorities or programs that are already existing. That extension of authority and program would have to come out of the legislative committees of this Congress.

It is certainly not the intent of this bill, as I stated on the floor during general debate, to get into policies and programs which are within the jurisdiction of other committees. The effect of this amendment is to make clear that the language of section 5 in no way grants policy and program authority, such as authority to promulgate end-use allocation plans or to set prices of petroleum products. This bill did not before, and without question, does not now deal with substantive authority in these areas.

It would be inappropriate for the Committee on Government Operations to get into those areas. Such substantive authority is handled only by other bills or laws such as the Economic Stabilization Act, the Emergency Petroleum Allocation Act, and the proposed Energy Emergency Act. This bill changes in location authority to implement the programs contained in those other laws. This bill now does not treat in any manner the program and policy contained in these other laws.

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

Mr. HORTON. Mr. Chairman, I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, the gentleman has expressed exactly the philosophy of the bill. The gentleman from New York (Mr. ROSENTHAL) has expressed his philosophy; the gentleman from Arkansas (Mr. ALEXANDER) will express his philosophy. Both of them have a perfect right to do that. They have a different philosophy.

Their amendments should have been offered to the Staggers bill. That is the bill that had the programs in it, not this bill. This bill does not carry the programs. The only programs in this bill are programs already in effect that have been placed in the laws, and those entities that are carried over such as the economic stabilization act; such as the different functions of interior that are carried over. But, that was done by the committees of jurisdiction. We are not changing that.

We are putting them together for coordination and direction.

Mr. Chairman, I will have to oppose, even though I might be personally in favor of some of these—I would have to oppose in order to protect the integrity of the bill. The bill, as the gentleman from New York has said, is an organization bill. We are not trying to roll back prices or set the price of propane gas. We are not trying to do any of these things which were done in the Staggers bill.

Mr. HORTON. Mr. Chairman, will the gentleman from California agree with me that if we adopt the policy that has been enunciated by the gentleman from New York (Mr. ROSENTHAL), it would be

inconsistent with the jurisdiction of the Committee on Government Operations?

Mr. HOLIFIELD. Of course, it would. We have always respected the jurisdiction of committees of substantive origin of the legislation. This is a moving together of things that have already been done by substantive legislation of these other committees, and it is not ordinary to detract from or add to. That is our position on this bill.

Mr. Chairman, I will tell the Members of this House that if they vote this bill out with these program items such as the gentleman from New York (Mr. ROSENTHAL) now wants, and the gentleman from Arkansas (Mr. ALEXANDER) has told me very courteously that he is going to offer, we will get this bill vetoed. We are trying to set up an organization so that this Congress can take credit for it.

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

(By unanimous consent, Mr. HORTON was allowed to proceed for an additional 2 minutes.)

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

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

Mr. ROSENTHAL. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, am I correct when I stated that the committee voted this bill out 28 to 1?

Mr. HORTON. That is correct.

Mr. ROSENTHAL. And section 5 says the following:

To meet the energy needs of the nation for the foreseeable future, the administrator shall—(5) promote stability in energy prices to the consumer—

Am I correct?

Mr. HORTON. That is the language of the bill. I do not have it in front of me, but I assume the gentleman is reading accurately.

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

Mr. HORTON. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, on the assumption that the President will veto the Staggers bill, which we considered last week, will there be any other area in which we can combine form and substance in order to bring down the price of propane and, therefore, respond to the problem of runaway prices?

Mr. HORTON. Mr. Chairman, I am glad the gentleman has asked that question.

The way that question can be answered is to go back to the committee of jurisdiction, which is the Committee on Interstate and Foreign Commerce, and take it up there and report out another bill.

This bill should not be burdened down with authority. I will respectfully point out to the gentleman that the Committee on Government Operations has a specific jurisdiction. It has authority for reorganizations; it does not have authority for legislative functions other than to create organizations.

That is the thing the chairman of the committee and I have been trying to point out ever since the debate started.

I understand the gentleman's frustration, but this is not the place to take out his frustrations.

Mr. RONCALIO of Wyoming. Mr. Chairman, I appreciate the answer given by the gentleman from New York.

I am not easily frustrated, but when I have constituents whose prices of propane have been quadrupled while the price of crude has only gone up half, I can appreciate the people are looking to us for an answer.

They do not distinguish form from substance, and we cannot either, any more than we can distinguish it in a good skier or a good swimmer. There is no distinction between form and substance.

Mr. HORTON. Mr. Chairman, I understand the gentleman's point. That is the reason why in the Congress we have different committees with different jurisdictions.

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I appear before the Members as a Member of the Subcommittee on Government Operations from which this legislation sprang, and also as the ranking Republican member of the Subcommittee on Communications and Power of the Interstate and Foreign Commerce, which has jurisdiction over programs included in the Emergency Energy Act and, therefore, the committee from which that legislation sprang.

I would have to say that it is rare that we see a committee come to this House floor with as precise an understanding of the jurisdiction and responsibility of the committee and its legislative limits as we see this afternoon. The gentleman from California (Mr. HOLIFIELD), chairman of the committee, and the gentleman from New York (Mr. HORTON) bring to us a bill which is designed to meet organizational requirements and not substantive changes in programs to which we have already addressed ourselves. That legislation on programs came, as it properly should, through the Committee on Interstate and Foreign Commerce.

Mr. Chairman, I support the chairman of the committee, the gentleman from California (Mr. HOLIFIELD) and the ranking minority member, the gentleman from New York (Mr. HORTON) in their feeling that this legislation ought to be limited to the organizational function of the Federal Energy Administration.

Now, we all know what the game has been here. This piece of legislation has been held hostage until we could get the Emergency Energy Act out of the Senate and House conference committee. And that legislation would be law now if we had followed House rules. But we had to have in that Emergency Energy Act the rule-violating amendment on rolling back the price of oil, because on that particular item, one of the members of the conference, a member of the other body, wanted to make a little hay. The hay has now been made. But we still don't have legislation. We need to have legislation to give us the organization that will get this job done of dealing with our energy problems.

Fortunately, we have that legislation before us now. If we start through this lengthy process of adding to this piece of legislation all the programs and all the arguments about whether we should or should not have rationing or whether we should or should not have the rollback of prices, what will be the result? Further delay and jeopardy for this needed legislation.

The impact will be that we will not have an organization capable of doing the energy job. That is what we need. We need somebody to have the staff, the functions assigned to it, the budget assigned to it, and the authorization to get the job done.

Now, the people back home are pretty upset at the Congress. They are about as upset at the Congress as they are at the administration, and the administration certainly deserves to have people upset at it, based on some of the problems it has created for itself by its behavior. The Congress can avoid similar disrepute by sticking to its own rules.

I would like to see the Congress at least stick to some understanding of what its own rules are and let us limit ourselves in this legislative consideration to the job of the Committee on Government Operations.

I can tell you, if you break down the rules here, you will have the possibility of the Committee on Government Operations taking over the jurisdiction of every other committee of the Congress, because literally that is what it is supposed to do, namely, have some oversight function in all areas. But then you will have chaos, not only between the House and the other body on whether or not we are going to follow the rules of germaneness and appropriateness as to what can be done in a conference, but you will wind up within this body in a family fight over which committees bring what to the floor.

Mr. Chairman, I would urge all of the Members to support the amendment offered by the chairman of the committee (Mr. HOLIFIELD) in this particular instance.

The gentleman has no more empires to build. CHET HOLIFIELD is leaving this Congress after this year, as he has already announced, after a long and distinguished career, contributing not only a great deal to the country but to the Congress. In this, as in many other instances in the past, he is right on the way in which we should be operating. I do not always agree with him on the function. We disagree on this question of whether or not we ought to vote rollbacks on the price of oil. The gentleman voted in another way than I did when that amendment was here under the Commerce Committee's jurisdiction where it properly belonged. However, I agree with him and he is right on this matter of jurisdiction over organization. This bill and his committee should limit itself to that.

Mr. HOLIFIELD. Will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. HOLIFIELD. I thank the gentleman for yielding.

I voted for the rollback provision in the Staggers bill because I think it ought to be rolled back. I make no apologies to my liberal friends about my feelings and convictions. They are well known.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. BROWN of Ohio was allowed to proceed for 1 additional minute.)

Mr. BROWN of Ohio. I yield further to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman very much.

As I said, I voted for the rollback provision in the Staggers bill. I am not sailing under any false colors. However, that was the place to vote for it, not in an organizational bill. As long as I am on this floor I am going to fight for the jurisdiction of every committee, including my own. I am not going to encroach on any committee if I can prevent it. That is all I am trying to do. I will match my record with my liberal friends over the years as long as they want to go back and long before they came here, because I was voting for liberal principles then and I am still voting for them. However, I am opposed to legislation in an organizational bill, because that is the only way you can keep this going here, and you will find that out, my friends, long after I am gone from the floor.

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California (Mr. HOLIFIELD).

Before I make my statement I would like to echo the remarks made previously by the gentleman from Ohio when he complimented the gentleman from California (Mr. HOLIFIELD). I, too, applaud the efforts of our chairman for the diligence and constant effort which he exerted in order to steer this very difficult bill on a correct course and passage through the Committee on Government Operations. I applaud the gentleman's efforts and his long work and diligence and applaud the product that that committee produced here by an overwhelming vote from the committee.

However, I would say to those gentlemen who argued earlier that they are getting the cart before the horse. We are not arguing here whether or not Mr. ROSENTHAL's amendment is good or bad or whether or not my amendment is good or bad. We are trying to address ourselves to the issue of whether or not the bill should be restricted in its present form so as to prevent Mr. HOLIFIELD from offering his amendment and so as to prevent me from offering my amendment.

Those of us from States that use propane know for far over a month I have tried to communicate with you about the extreme conditions that have resulted from a policy in the oil industry that has allowed an increase of more than 350 percent in propane prices over the last year.

Mr. Chairman, I say to my colleagues that if this amendment is voted down that it will give me an opportunity to offer an amendment that will put some equity into the propane pricing that has

caused havoc in rural States like Arkansas.

Subsection 6 under this bill says that the Administrator shall:

(6) assure that programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;

Mr. Chairman, I urge my colleagues to vote down this amendment so that these purposes can be kept in the bill and so that I can offer an amendment to do something about the propane prices.

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

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

Mr. FINDLEY. Mr. Chairman, I thank the gentleman from Arkansas for yielding to me.

Frankly, Mr. Chairman, I am not on the Committee on Interstate and Foreign Commerce nor am I on the Committee on Government Operations, and further, frankly, I do not care where, from which committee, the problem is solved. I can hunt all over my own congressional district among constituents who are users of propane gas and not find one of them that cares whether the solution comes out of the Committee on Government Operations or the Committee on Interstate and Foreign Commerce.

It just happens that the Committee on Government Operations has a bill on the floor today. I think we ought to seize the opportunity today to bring about the reform that the gentleman's amendment will bring about and also the reform that my amendment will effect.

Mr. ALEXANDER. Mr. Chairman, I would only add that this bill grants to the Administrator certain discretion. We should have the opportunity in this body to offer amendments that would limit that discretion of the Administrator under the provisions of this bill.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words and I rise in favor of the amendment.

Mr. Chairman, most of the discussion here has been on two prospective amendments and how this amendment would affect them. Frankly that is too deep a subject for me to fully understand.

With respect to the parliamentary situation it would seem to me that the bill is either of a structure wide enough to embrace the Rosenthal amendment, and of a broad enough structure to make the amendment on propane gas germane, or it is not.

I do not know that this amendment makes any difference in that respect but I do not intend to talk with respect to some prospective points of order.

The point is simply this: Unless the position that the distinguished gentleman from California and the distinguished gentleman from New York propounded in the answers to the questions I asked earlier today is correct, this is the most far-reaching delegation of authority I have ever seen in a bill.

Why, according to the Rosenthal theory this would permit the agency to do anything to promote stability in energy crises, to promote free and open

competition, to prevent unreasonable profits, and, of all things, to promote free enterprise. What could not be done to promote free enterprise? This is like passing a law delegating to the Federal Energy Agency the authority to promote the public welfare.

What in Heaven's name is the limitation on such authority?

Furthermore, in section 7, as it now reads, and without the amendment, it is said that one of the functions of this agency is to develop mandatory energy conservation programs. What possible program does not fall in that category? You can tell people to go to bed by 9 o'clock, or shut off their lights, or cut off their TV, or close the grocery stores, or whatever you might want to do, and all of this would be a mandatory energy conservation program.

The gentleman from New York and the gentleman from California said that was not intended. I do not think it was. I think they were talking candidly when they said that the framework of these functions was merely stated in broad enough terms to permit the agency to act as a structure to enforce existing law and that which might be passed by separate legislation. So they are not attempting to change this bill by the amendment; they are simply trying to make it clear that the functions of this agency are designed to carry out that which we pass in this Congress, and not to carry out that which some bureaucrat determines to be proper law. That is all it does.

I may be conservative when I am opposed to permitting an agency to make law instead of Congress making the law. If I am, I am glad to have that appellation. Is it no longer respectable to insist that the people have a voice with respect to the functions of Government and not that agencies determine such matters by fiat? I do not know what one calls that—liberal or conservative—but at any rate I am for limiting agency power until Congress acts, and that is all I understand the amendment does.

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

Mr. ECKHARDT. I yield to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman for yielding.

The gentleman expresses my attitude on this exactly. We are not trying to advance new law; we are not trying to detract from existing law; we are trying to put these different functions that go into this agency together, so that they can be coordinated according to existing law. Any bill, whether it is the Staggers bill or any other bill, that is signed by the President and becomes law, it is the function of that committee that the gentleman is on—I believe the gentleman is on that committee; is he not?

Mr. ECKHARDT. The Committee on Interstate and Foreign Commerce.

Mr. HOLIFIELD. The Committee on Interstate and Foreign Commerce. It is the gentleman's function to do this, and I am leaving it with him. I deplore the price of propane, and I have as many people in California who use propane as does the gentleman from Arkansas. I have 20 million people who are paying

increased prices for gasoline. I do not like it, and they do not like it, but this bill is not the bill to control that particular facet.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RONCALIO of Wyoming. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not speak 5 minutes. I should just like to oppose the amendment offered by the gentleman from California, with my proper respect for his work on atomic energy and his leadership over the years. Neither am I ashamed of the fact that I voted for a rollback on crude last week. It still gives a Wyoming marginal operator the right to go as high as \$7.09 a barrel on what he was getting \$3.10 a barrel for 14 months ago if the President would exert the 35-percent discretionary increase provided in the Energy Emergency Act. Instead, he says he will veto. If he vetoes, there will be no relief for propane consumers. That is why I oppose Mr. HOLIFIELD's amendment, and why I therefore want consideration of the Alexander amendment. Every little town in Wyoming has dozens of retired civil service people, hundreds of retired couples, living on small, fixed incomes, living in mobile homes who heat and cook with propane, and they have gone from 14 cents a gallon wholesale 1 year ago to 38 cents a gallon wholesale now. That is almost legal robbery. They write by the hundreds and say, "What right have you Congressmen to allow a situation like that to prevail? You are no good in Congress if you cannot avoid that injustice."

So we voted for a rollback, and now we are told, "Oh, well, the rollback on crude will not make a bit of difference to the propane users, because it is a distillate byproduct of the natural gas line." So we let the robbers thrive, and we jeopardize the chance to bring more production to the marginal independent producers of oil in Wyoming.

We come back a week later and say, "Don't draw that fine line between last week's bill and this week's bill."

Who cares about what last week's bill was and what this week's bill was? We have got a dozen committees in this House that overlap in jurisdiction and in personnel, and in jealousy and in staff, and we are becoming the laughing stock of the Nation. We must do something about removing ourselves from this situation pretty soon. Let us vote this thing down and get some relief for the people of this Nation who need it, and get our production of oil back up again.

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

Mr. RONCALIO of Wyoming. I yield to the gentleman.

Mr. HORTON. The point is that there has not been any energy legislation enacted by this Congress and signed into law and we are trying to pass a bill and set up an organization which is necessary. If we vote the bill up with all the amendments, as the gentleman from New York (Mr. ROSENTHAL) and the gentleman from Arkansas (Mr. ALEXAN-

DER) proposed, we are not going to get an agency set up and Congress will end up getting not anything. The gentleman has made a very good point in supporting the amendment.

Mr. RONCALIO of Wyoming. Mr. Chairman, I appreciate the comments of the gentleman from New York; but let the Congress work its will, because if the President vetoes it we will end up again with a 300 percent increase in propane, which downgrades us that much, including the President.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. H. LIFIELD).

The question was taken, and the Chair announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 301, noes 103, not voting 27, as follows:

[Roll No. 62]

AYES—301

Abdnor	Danielson	Jarman
Abzug	Davis, Ga.	Johnson, Calif.
Anderson, Ill.	S.C. Davis	Johnson, Colo.
Andrews, N.C.	Wis. Davis	Johnson, Pa.
Andrews, N. Dak.	de la Garza	Jones, Ala.
Annunzio	Dellenback	Jones, N.C.
Archer	Denholm	Jones, Tenn.
Arends	Dermwinski	Jordan
Armstrong	Devine	Karth
Ashbrook	Dickinson	Kazen
Aspin	Donohue	Kemp
Baftalis	Downing	Ketchum
Baker	Dulski	King
Bauman	Duncan	Kluczynski
Beard	du Pont	Kuykendall
Bell	Eckhardt	Landgrebe
Bennett	Edwards, Ala.	Landrum
Bergland	Edwards, Calif.	Latta
Bevill	Eriksen	Leggett
Blackburn	Eshleman	Lent
Boggs	Evans, Colo.	Litton
Bolling	Fascell	Long, La.
Bray	Fish	Long, Md.
Breaux	Fisher	Lott
Breckinridge	Flood	McClory
Brinkley	Flowers	McCloskey
Brooks	Forsythe	McCollister
Broomfield	Fountain	McDade
Brotzman	Frelinghuysen	McEwen
Brown, Calif.	Frenzel	McFall
Brown, Mich.	Frey	McKay
Brown, Ohio	Fulton	McKinney
Broyhill, N.C.	Fuqua	McSpadden
Broyhill, Va.	Gaydos	Madden
Burgener	Gettys	Mahon
Burke, Fla.	Gibbons	Mallary
Burleson, Tex.	Ginn	Mann
Butler	Gonzalez	Martin, Nebr.
Byron	Goodling	Martin, N.C.
Camp	Gray	Mathias, Calif.
Carney, Ohio	Green, Oreg.	Mathis, Ga.
Carter	Gross	Matsunaga
Casey, Tex.	Grover	Melcher
Cederberg	Gubser	Michel
Chamberlain	Guyer	Milford
Chappell	Haley	Mink
Clancy	Hamilton	Mitchell, N.Y.
Clark	Hanley	Mizell
Clausen,	Hanna	Mollohan
Don H.	Hanrahan	Moorhead,
Clawson, Del.	Hansen, Idaho	Calif.
Cleveland	Harsha	Moorhead, Pa.
Cochran	Hastings	Morgan
Cohen	Hébert	Murphy, Ill.
Collins, Ill.	Hechler, W. Va.	Myers
Collins, Tex.	Henderson	Natcher
Conable	Hicks	Nedzi
Conlan	Hillis	Nelsen
Corman	Hinshaw	Nichols
Coughlin	Hollifield	Nix
Crane	Holt	O'Brien
Culver	Horton	O'Hara
Daniel, Dan	Hosmer	O'Neill
Daniel, Robert W., Jr.	Huber	Parris
Daniels,	Hudnut	Passman
Dominick V.	Hunt	Patman
	Hutchinson	Pepper

Perkins	Satterfield	Vander Jagt
Pettis	Scherle	Vander Veen
Peyser	Schneebeli	Veysey
Pickle	Schroeder	Vigorito
Plke	Sebelius	Waggoner
Poage	Shoup	Walsh
Powell, Ohio	Shriver	Wampler
Freyer	Shuster	Ware
Price, Ill.	Sikes	White
Price, Tex.	Skubitz	Widnall
Pritchard	Slack	Wiggins
Quie	Stanton,	Williams
Quillen	J. William	Wilson, Bob
Railsback	Regula	Wilson, Charles H., Calif.
Rarick	Ree	Wilson, Charles, Tex.
Rees	Ree	Winn
Regula	Ree	Wolff
Reuss	Ree	Wright
Rhodes	Ree	Wyatt
Roberts	Ree	Wyder
Robinson, Va.	Ree	Wylie
Robison, N.Y.	Ree	Wyman
Roe	Ree	Yatron
Rogers	Ree	Young, Alaska
Roncalio, N.Y.	Ree	Young, Fla.
Rooz	Ree	Young, Ill.
Rousselot	Ree	Young, S.C.
Roy	Ree	Young, Tex.
Runnels	Ree	Zablocki
Rutte	Ree	Zion
Ruth	Ree	Zwach
Sandman	Ree	
Sarasin	Ree	

NOES—103

Adams	Froehlich	Obey
Addabbo	Grasso	Owens
Alexander	Green, Pa.	Patten
Anderson,	Calif.	Griffiths
Anderson,	Ashley	Gude
Anderson,	Badillo	Gunter
Anderson,	Biaggi	Hammer-
Anderson,	Blester	schmidt
Anderson,	Bingham	Hansen, Wash.
Anderson,	Boland	Harrington
Anderson,	Bowen	Hays
Anderson,	Brademas	Heckler, Mass.
Anderson,	Buchanan	Heistoski
Anderson,	Burke, Calif.	Holtzman
Anderson,	Burke, Mass.	Howard
Anderson,	Burlison, Mo.	Hungate
Anderson,	Chisholm	Ichord
Anderson,	Clay	Kastenmeier
Anderson,	Conte	Koch
Anderson,	Conyers	Lehman
Anderson,	Cronin	Lujan
Anderson,	Delaney	McCormack
Anderson,	Dent	McDonald
Anderson,	Diggs	Meidans
Anderson,	Dingell	Metcalfe
Anderson,	Drinan	Mezvinsky
Anderson,	Ellberg	Miller
Anderson,	Esch	Minish
Anderson,	Evins, Tenn.	Findley
Anderson,	Flynt	Foley
Anderson,	Ford	Gordon
Anderson,	Fraser	Maraziti
Anderson,	Fraser	Mayne
Anderson,	Gilman	Mazzoli
Anderson,	Goldwater	Thornton
Anderson,	Hawkins	Meeds
Anderson,	Heinz	Stokes
Anderson,	Hogan	Sullivan
Anderson,	Jones, Okla.	Taylor, Mo.
Anderson,	Mailliard	Taylor, N.J.
Anderson,	Mills	Whalen
Anderson,	Minshall, Ohio	Whitton
Anderson,	Minshall, Ohio	Young, Ga.

NOT VOTING—27

Barrett	Gilman	Montgomery
Blatnik	Goldwater	Moss
Brasco	Hawkins	Murphy, N.Y.
Burton	Heinz	Randall
Carey, N.Y.	Hogan	Rangel
Collier	Jones, Okla.	Rooney, N.Y.
Dellums	Mailliard	Stratton
Dorn	Mills	Treen
Giaimo	Minshall, Ohio	Whitehurst

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROSENTHAL

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

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: On page 18, line 11 change SEC. 5 to SEC. 5(a). On page 20, after the period on Line 2, add the following new subsection:

“(b) Section 4 of the Emergency Petroleum Allocation Act of 1973, as amended by this title, is further amended to prevent inequitable prices with respect to sales of crude

oil, residual fuel oil, and refined petroleum products, by adding at the end thereof the following new subsection:

“(j) (1) The President shall exercise his authority under this Act and the Economic Stabilization Act of 1970, as amended, so as to specify (or prescribe a manner for determining) prices for all sales of domestic crude oil, residual fuel oil, and refined petroleum products in accordance with this subsection.

“(2) Except as otherwise provided in paragraphs (3) and (4), the provisions of the regulation under subsection (a) of this section which specified (or prescribed a manner for determining) the price of domestic crude oil, residual fuel oil, and refined petroleum products, and which were in effect on the date of enactment of this subsection shall remain in effect until modified pursuant to paragraph (5) of this subsection.

“(3) Commencing 30 days after the date of enactment of this subsection, and until any other ceiling price becomes effective pursuant to the terms of paragraph (5) hereof, the ceiling price for the first sale or exchange of a particular grade of domestic crude oil in a particular field shall be the sum of—

“(A) the highest posted price at 6:00 a.m. local time, May 15, 1973, for that grade of crude oil at that field, or if there are no posted prices in that field, the related price for that grade of crude oil for which prices are posted; and

“(B) a maximum of \$1.35 per barrel.

“(4) The regulation under subsection (a) of this section shall be amended so as to provide that any reduction in the price of crude oil (or any classification thereof), of residual fuel oil, or of a refined petroleum product (including propane) resulting from the provisions of this subsection is passed through on a dollar-for-dollar basis to any subsequent purchaser, reseller, or final consumer in the United States. Such pass-through of price reductions shall, to the extent practicable and consistent with the objectives of this section, be allocated among products refined from such crude oil on a proportional basis, taking into consideration historical price relations among such products.

“(5) (A) The President may, in accordance with the procedures and standards provided in this paragraph, amend the regulation under subsection (a) of this section to specify a different price for domestic crude oil, residual fuel oil, or refined petroleum products, or a different manner for determining the price, other than that provided in paragraph (2) or (3) of this subsection, if he finds that such different price or such different manner for determining such price is necessary to permit the attainment of the objectives of this Act.

“(B) Every price proposed to be specified pursuant to this subsection which specifies a different price or manner for determining the price for domestic crude oil provided for in paragraph (3) of this subsection, and every price specified for (or every prescribed manner for determining the ceiling price of) residual fuel oil and refined petroleum products, shall be transmitted to the Congress and shall be accompanied by a detailed analysis setting forth—

“(i) the additional quantities of crude oil, residual fuel oil, refined petroleum products, or if any, that can reasonably be expected to be produced;

“(ii) the effect, if any, upon the demand for crude oil, residual fuel oil, refined petroleum products, or

“(iii) the impact upon the economy as a whole, including the impact upon consumers and the profitability of and employment in industry and business;

“(iv) any significant problems of enforcement or administration; and

“(v) the impact of the preservation of existing competition within the petroleum industry.

resulting from the proposed change in the price of crude oil or manner for determining the price of residual fuel oil or refined petroleum products. Any change in a price of domestic crude oil (or any classification thereof) which is transmitted to Congress within 30 days after enactment of this subsection, which prescribes a different price or a different manner for determining such price provided in paragraph (3) of this subsection shall not take effect until 15 days after the detailed analysis required by this paragraph has been transmitted to the Congress.

"(C) No price for domestic crude oil, or any classification thereof, specified pursuant to this subsection shall exceed the ceiling price provided in paragraph (3) of this subsection by more than 35 percent.

"(D) Ceiling prices or a manner for determining prices established by or pursuant to this subsection are maximum permissible prices, and any seller may sell domestic crude oil, or residual fuel oil, or any refined petroleum product produced therefrom at any lesser price. In the case of any exchange of domestic crude oil, residual fuel oil, or refined petroleum products, the ceiling price shall apply to the total value of the goods and services asked, given or received in exchange for such crude oil, residual fuel oil, or refined petroleum product.

"(6) (A) Any interested person who has reason to believe that any price or manner for determining prices in the regulation under subsection (a) of this section does not prevent inequitable prices may petition the President for a determination under subparagraph (B) of this paragraph.

"(B) Upon petition of any interested person, the President shall by rule determine whether the price of crude oil, residual fuel oil, or any refined petroleum products does not prevent inequitable prices. The President may either affirm such price, or method for determining such price, or establish a different price, or method of determining such price, upon a finding (accompanied by a detailed analysis of such finding as is required under paragraph (5)).

"(7) (A) The President may provide, in his discretion under regulations prescribed by him, for such consolidation of petitions as may be necessary or appropriate to carry out the purposes of this subsection.

"(B) The President may make such rules, regulations, and orders as he deems necessary or appropriate to carry out his functions under this subsection.

"(8) No petition under paragraph (6) of this subsection to determine prices may be filed later than one year after the expiration of this Act or any extension thereof.

"(9) The President may at any time act to establish ceiling prices lower than those provided in paragraphs (2) and (5) if he determines that lower ceiling prices still permit the attainment of the objectives of this Act.

"(10) The provisions of this subsection shall apply to all crude oil notwithstanding the provisions of subsection (e)(2) of this section and section 406 of Public Law 93-153 (87 Stat. 590).

"(11) (A) A proceeding to amend the regulation under subsection (a) of this section with respect to prices as authorized and limited under the terms of paragraph (5) of this subsection and a rulemaking proceeding under paragraph (6) of this subsection shall be governed by section 553 of title 5, United States Code, except that the President shall afford interested persons an opportunity of at least 10 days to present oral and written views, data, and arguments. The 10-day period for presentation of views, data and arguments respecting such action may be postponed until after such action takes effect where the President specifically finds that strict compliance would be likely to cause serious impairment to the operation of the program and such finding and

the reasons therefor are set out in detail in the Federal Register at the same time of publication.

"(B) Judicial review of an amendment to the regulation under subsection (a) of this section with respect to prices under the terms of paragraph (5) of this subsection and a rule promulgated under paragraph (6) of this subsection shall be reviewable pursuant to the provisions of section 211 of the Economic Stabilization Act of 1970, as amended, except that any such amendment and rule may not be enjoined or set aside, in whole or in part, unless the court makes a final determination that such amendment or rule is in excess of the President's authority, is arbitrary or capricious, is otherwise unlawful under the criteria set forth in section 706(2) of title 5, United States Code, or is based on findings required by this subsection which are not supported by substantial evidence.

"(12) For the purposes of this subsection—

"(A) The term 'inequitable price' means a price in excess of a price which is reasonable, taking into consideration the price necessary to obtain sufficient supplies of crude oil, residual fuel oil and refined petroleum products, to permit the attainment of the objectives of this Act;

"(B) The term 'domestic crude oil' means crude oil produced in the United States or from the outer Continental Shelf as defined in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331); and

"(C) The term 'interested person' includes the United States, any State, the District of Columbia, Puerto Rico, and the territories and possessions of the United States."

Mr. ROSENTHAL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment may be considered as read and printed in the RECORD.

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

Mr. HORTON. Mr. Chairman, reserving the right to object, I want to make a point of order against the amendment. I do not have any objection to the amendment being considered as read, but I do want to reserve my point of order.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

POINT OF ORDER

Mr. HORTON. Mr. Chairman, I rise to a point of order against the amendment. My point of order is that the amendment offered by the gentleman from New York (Mr. ROSENTHAL) is non-germane under rule XVI, clause 7.

The CHAIRMAN. Does the gentleman from New York desire to be heard on his point of order?

Mr. HORTON. I do, Mr. Chairman. I do not wish to imply a position for or against the amendment by making this point of order, but I do feel constrained to block it because of the importance of getting this bill through under regular procedure. We must not allow this bill to be tied up in a thousand controversies as have been other energy bills.

The germaneness rule is one of the distinctive features of the procedures of this House. It dates back to our very beginning. There have been occasions

where this House has acted as though this rule was not applicable, and the legislation has been poorer as a result. I think the rule of germaneness should be strictly applied to H.R. 11793. It is a soundly conceived organization bill and we should consider it as such.

I realize there has been some question as to whether this bill does, in fact, grant policy and program authority. I have maintained from the beginning that this bill does not do so; and for that reason I was willing to support the amendment, recently adopted, which provides that nothing in the functions section of the bill shall be considered to set policy or grant program authority. The acceptance of this amendment underscores the lack of policy and program authority in the bill; and, of course, the Chair will have to take into account the significance of the adoption of this amendment because, to quote from Cannon, volume VIII, section 2910:

(T)he Chair considers the relation of the amendment to the bill as modified by the Committee of the Whole at the time at which it is offered.

Let me explain exactly what the bill does. As it states in the "declaration of purpose" section:

(I) t is necessary to reorganize certain agencies and functions of the executive branch and to establish a Federal Energy Administration.

The bill then proceeds to establish the administration. Section 5 sets out the general areas of interest of the new Federal Energy Administration. Section 6 transfers to the Agency authority from other offices and departments in the executive branch. In no way does this bill affect any of these substantive laws other than to change the location of responsibility for their execution. My committee did not amend the substance of these transferred laws, because their substance is within the jurisdiction of other committees. The remaining sections of the bill deal with typical administrative authorities granted to departments and agencies and the necessary arrangements for the transition to the new Agency.

Clause 7, of course, holds that no propositions on a subject different from that under consideration shall be admitted under color of amendment:

The mere fact that an amendment proposes to attain the same end sought to be attained by the bill to which offered does not render it germane. (Cannon, Vol. VIII, sec. 2912).

Also, the whole of the amendment must be germane—Cannon, volume VIII, section 2922, 2980. It is, of course, the burden of the proponent of this amendment to prove that it is germane to the bill. I do not believe the gentleman can sustain such an argument.

I would like to point out that this amendment cannot be held germane simply because it relates to laws being amended by this bill. Let me again quote Cannon, volume VIII, section 2909:

(T)he rule of germaneness applies to the relation between the proposed amendment and the pending bill to which [it is] offered, and not to the relation between such amendment and an existing law of which the pending bill is amendatory.

There are, of course, numerous other precedents along the same lines, such as Cannon, volume VIII, section 3045, 2948, and 2946. The reason for this is that the House needs a way to protect itself from amendments which have not been properly considered.

While the committee may report a bill embracing different subjects, it is not in order during consideration in the House to introduce a new subject by way of amendment. (Hinds, Vol. V, sec. 5825).

Also, as is to be found in Cannon, volume VIII, section 2912, one of the functions of the rule requires that germaneness is to preclude consideration of legislation which has not been considered in committee. Other committees have considered or are considering the subject of this amendment, and this amendment is germane to their legislation. The Chair has in the past stated that amendments dealing with subject matter in the jurisdiction of another committee are not germane—CONGRESSIONAL RECORD, volume 118 part 16, page 19931; part 11, page 13641; part 14, pages 18207, 18208—While I can sympathize with those who feel obliged to respond to the energy crisis by offering substantive energy policy and program amendments, these amendments are not appropriate to this organizational bill.

H.R. 11793 is a reorganization bill; it is not a policy or program bill. The House has long recognized the distinction between policy bills and organizational bills. The very fact that we have established a Government Operations Committee with responsibility for, and I quote from rule XI, clause 8: "Reorganizations in the executive branch," is evidence of the long appreciation of this House for the distinct legislative area of reorganization. If we begin to allow policy and program authority to be added to reorganization bills, an important barrier between the work of my committee and the work of other legislative committees will have been ruptured.

I also point out parenthetically, Mr. Chairman, that this bill does provide for price involvement. It does make a change in the price. Therefore, I think that the amendment is nongermane and hope that the Chair will so rule.

**THE CHAIRMAN.** Does the gentleman from New York wish to be heard on the point of order?

**MR. ROSENTHAL.** Mr. Chairman, my amendment to freeze and roll back petroleum prices has been challenged as being nongermane to H.R. 11793, the Federal Energy Administration Act. The amendment is clearly germane under House rules and House precedents and the point of order should not be sustained.

Rule XVI (7) states that:

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The subject matter of H.R. 11793 is the establishment of a new Federal Energy Agency whose Administrator is authorized to regulate energy prices and is admonished, in section 5, to "promote stability in energy prices." The subject matter of my amendment is the achieve-

ment of stability in energy prices, clearly the same as the subject matter of a major portion of the legislation itself.

House interpretations of the germaneness rule hold that "the fundamental purpose of an amendment must be germane to the fundamental purpose of the bill" and "an amendment should be germane to the particular paragraph or section to which it is offered," House rule XVI, section 794.

My amendment goes to a fundamental purpose of the bill—bringing about stability in energy prices—and it appears as a part of the "functions" section which requires such stability.

The legislation was considered by and reported out of the Government Operations Committee under the committee's legislative jurisdiction over "reorganizations in the executive branch of government," House rule XI, 8. This is the same jurisdiction pursuant to which the committee has approved the creation of the Department of Transportation, Housing and Urban Development and other agencies of Government—all of which were given new powers and authority in addition to reorganizing and consolidating existing functions and all of which established new policy that might technically belong in the jurisdiction of another committee.

H.R. 11793 was not considered by the committee under authority of the Reorganization Act of 1949, which has now lapsed and which specifically prohibited "authorizing any agency to exercise any function which is not expressly authorized by law at the time the plan is transmitted to the Congress."

My price rollback amendment is germane for additional reasons:

No House rule or precedent prohibits the Government Operations Committee from granting new power or creating new policy in a bill of this kind—so long as the power or policy is directly related to the purpose for which the agency is being created. In fact numerous provisions already in H.R. 11793 and in other Government Operations' bills to reorganize and consolidate, create new powers and set new policy.

For example, the committee, in the Federal Energy Act, has already expressly established new policies and created new powers not elsewhere authorized by law:

Section 4(i) amends and revises a Federal conflict of interest statute—section 208 of title 18, United States Code—technically within the jurisdiction of the Post Office and Civil Service Committee.

Another provision, section 17, authorizes a study of and report on oil and gas reserves not now required by law—probably a subject within the jurisdiction of the Interior or Commerce Committee.

The point here is that the committee has already seen fit, in H.R. 11793, to create new policies the subject matter of which might properly be said to belong in other committees.

Moreover, the Government Operations Committee has a long history of establishing new policies and creating new powers that technically infringe on the jurisdiction of other committees. For example:

The Department of Transportation Act, reported by the committee in 1966, dealt with: First, the safety compliance records of applicants seeking operating authority from the Interstate Commerce Commission—technically, Commerce Committee jurisdiction; second, authority over the formulation and economic evaluation of proposals for the investment of Federal funds in transportation facilities or equipment—technically, Banking and Currency jurisdiction; third, standards for economic evaluation of waste resource projects—technically Public Works Committee jurisdiction.

It is simply impossible as well as unwise to attempt to separate organizational provisions on the one hand, from so-called policy provisions, on the other. In the past, the committee has never hesitated to legislate policy when those provisions were directly relevant to the functions of the agency created. It should not now attempt to do so. Organization and policy are inextricably bound together.

When the House entrusted to the Government Operations Committee the power to legislate the existence of new agencies, it also gave to the committee, of necessity, leeway to establish new policies and powers essential to the purposes of an agency. Examples of what might be characterized as policy as opposed to organizational provisions can be found in many other agency bills reported out of the Government Operations Committee.

The committee, in section 2 of the present bill—H.R. 11793—established as a purpose of the Federal Energy Administration the establishment of "fair and reasonable consumer prices" for energy supplies. Section 5, paragraph 5, establishes as a function of the Administrator, the promotion of "stability in energy prices to consumers." My amendment merely provides a mechanism by which this purpose and function can be carried out.

It is also relevant to the parliamentary challenge that section 6 of the bill transfers to the Federal Energy Administrator all functions of the Cost of Living Council over energy prices. A concomitant of the Government Operations Committee's authority to transfer functions from one agency to another is its right to condition that transfer.

For these reasons, I respectfully urge that the point of order be rejected.

**MR. ECKHARDT.** Mr. Chairman, I would like to speak against the point of order.

Mr. Chairman, though I agree with the commendable restraint of the Chairman of this Committee in not entering into functional areas of the bill, that it came beyond the Committee on Interstate and Foreign Commerce, nevertheless I cannot fail to agree with the gentleman from New York (Mr. ROSENTHAL), that it is utterly impossible in a bill this complex to separate procedural operations and function from a subject matter with respect to which that official is designed to control.

This bill by the very amendment that was passed a minute ago by an overwhelming vote, referred to other sections of this act as giving substantive author-

ity to the agency, so that the bill now reads: "To meet the energy needs of the Nation for the foreseeable future, the administrator, to the extent expressly authorized by other sections of this act or any other provisions of law," and then it says what he shall do.

Mr. Chairman, there are other sections of this bill which give substantive authority for transfer. This agency has no authority, as the gentleman from New York stated before, to deal with the question of prices except by virtue of the section on transfer on page 20 whereby transfers provide for this agency to exercise a broad area of authority.

Now, why may not this House choose, in determining what authorities are granted to the agency, whether this House desires to limit this authority to transferred authorities or to new ones? This is the same general question. It is a question of whether or not the agency will extend its authority effectively over the questions of price control.

Further, the provisions of the act provide administrative procedures which have considerable influence on substance. The act in section 15 provides for information gathering power, which of course leads to the question of whether or not that information gathering power would ultimately be utilized for the purpose of extending or contracting the authority of the agency.

Mr. Chairman, it seems to me that we make a terrible mistake here in deciding these issues on questions of points of order when clearly the general area of control of price; the general area of control with respect to certain determination about allocations, is subject to the structure created in this bill. To attempt to divorce structure from substance, it seems to me, is an extremely artificial thing.

Mr. Chairman, I know that a lot of Members hope that the point of order will be granted, because they feel that the matter is under another bill, but that bill may be out of the way pretty soon. I wonder how we would all feel if that bill had been vetoed, the veto upheld, and then we are faced with a structure which has no real substance. We need to flesh out that skeleton.

Mr. Chairman, I oppose the point of order.

The CHAIRMAN (Mr. FLYNT). The Chair is prepared to rule on the point of order.

The gentleman from New York (Mr. ROSENTHAL) has offered a substantive and lengthy amendment which begins with the following words:

Subsection (b), Section 4 of the Emergency Petroleum Allocation Act of 1973 as amended by this title is further amended to prevent inequitable prices with respect to sales of crude oil, residual fuel oil and refined petroleum products by adding at the end thereof the following new subsection:

The gentleman from New York (Mr. HORTON) has made a point of order against the amendment on the ground that the amendment is not germane to the bill under consideration.

The gentleman has made the further point of order that the amendment covers a subject matter not within the juris-

diction of the Committee on Government Operations, but within the legislative jurisdiction of another Committee of the House of Representatives.

The gentleman from New York, in urging the Chair to overrule the point of order, has cited many reasons. Part of the gentleman's statement deals with another section of the bill which has not been read at this time. Part of his remarks deal with the policy of the amendment, not with the parliamentary situation.

The Chair would not want to rule in this instance in such a manner that every law of the United States dealing with the energy question would be open to amendment in the pending bill.

The gentleman from New York (Mr. ROSENTHAL) referred during his argument to a bill in the 89th Congress creating a new Department of Transportation and delineating the duties of its Secretary. The Chair has examined the CONGRESSIONAL RECORD for the period when that bill was under consideration. An amendment was offered on that occasion directing the Secretary of Transportation to conduct a study of "labor laws as they relate to transportation," a matter within the jurisdiction of another committee, and to recommend procedures for settlement of labor disputes. A point of order was made against that amendment, and the Chairman at that time (the Honorable MEL PRICE of Illinois) ruled such an amendment out of order as not being germane to the bill under consideration.

The Chair would point out that the question of committee jurisdiction is not the sole test of germaneness. The primary test is always the relationship of the amendment to the text of the bill to which it is offered.

But this amendment clearly seeks to amend another law, the Emergency Petroleum Allocation Act of 1973, which is not sought to be amended in the bill under consideration.

Therefore, the Chair refers to a ruling made by Mr. Speaker Carlisle on March 17, 1880:

When it is objected that a proposed amendment is not in order because it is not germane, the meaning of the objection is simply that the proposed amendment is a motion or proposition upon a subject matter different from that under consideration.

The Chairman of the Committee of the Whole House, John J. Fitzgerald of New York, on September 27, 1914, ruled that:

For an amendment to be germane means that it must be akin to or relevant to the subject matter of the bill. It must be an amendment which would appropriately be considered in connection with the bill. The object of the rule requiring amendments to be germane . . . is in the interest of orderly legislation.

In passing on the germaneness of an amendment, the Chair considers the relation of the amendment to the bill as modified by the Committee of the Whole at the time it is offered and not as originally referred to the committee. And it has been held that an amendment which might have been in order, if offered when the bill was first taken up, may be

held not germane to the bill as modified by prior amendments.

The Chair, therefore, rules that the amendment seeks to amend a separate piece of legislation, namely, the Emergency Petroleum Allocation Act of 1973, which is not amended in the bill under consideration and sustains the point of order.

AMENDMENT OFFERED BY MR. ALEXANDER

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

The Clerk read as follows:

Amendment offered by Mr. ALEXANDER: Page 20, after line 2, insert the following new subsection:

(13) in administering any pricing authority, by rule, provide for equitable allocation of all component costs of producing propane gas. Such rules may require that (a) only those costs directly related to the production of propane may be allocated by any producer to such gas for purposes of establishing any price for propane, and (b) prices for propane shall be based on the prices for propane in effect on May 15, 1973.

POINT OF ORDER

Mr. HORTON. Mr. Chairman, I rise on a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HORTON. Mr. Chairman, I make a point of order against the amendment, and without repeating I will make the same argument I made against the other amendment.

The CHAIRMAN. Does the gentleman from Arkansas desire to be heard on the point of order?

Mr. ALEXANDER. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Chairman, the gentleman from New York in raising a point of order with reference to my amendment addresses himself to the transfer of functions, which is the entire basis of his argument.

I point out to the Chairman that the transfer of functions is achieved under section 6, page 20, of the bill entitled "Transfers."

My amendment, Mr. Chairman, is to section 5 entitled "Functions."

While this bill establishes a new Federal Energy Administration for administering the authority transferred to it by the enactment of this bill, it also grants authority to exercise the power of discretion.

Discretion with respect to the establishment of a comprehensive national energy policy for the balance of the 20th century.

Discretion to develop plans and programs for dealing with energy production shortages.

Discretion to promote stability in energy prices to the consumer.

Discretion to prevent unreasonable profits within the various segments of the energy industry.

And, discretion to assure that programs are designed and implemented in a fair and efficient manner so as to minimize hardships and inequity.

Mr. Chairman, inasmuch as the exercise of previous Federal discretion has in fact caused hardships and inequity—has in fact been unfair—I offer this

amendment to limit the discretion of the Administrator granted in this bill so as to insure that he shall, by rule, assure that programs are in fact designed and implemented in a fair and efficient manner so as to minimize hardship and inequity.

The CHAIRMAN (Mr. FLYNT). The Chair is prepared to rule.

The gentleman from Arkansas (Mr. ALEXANDER) has offered an amendment on page 20, after line 2, to insert the following new subsection:

Page 20, after line 2, insert the following new subsection:

(13) in administering any pricing authority, by rule, provide for equitable allocation of all component costs of producing propane gas. Such rules may require that (a) only those costs directly related to the production of propane may be allocated by any producer to such gas for purpose of establishing any price for propane, and (b) prices for propane shall be based on the prices for propane in effect on May 15, 1973.

The gentleman from New York (Mr. HORTON) has raised a point of order against the amendment on the ground that it is a nongermane amendment and on the ground that it seeks to amend existing law.

The Chair has carefully examined the amendment offered by the gentleman from Arkansas (Mr. ALEXANDER) and has listened carefully to the arguments made in support of the point of order by the gentleman from New York (Mr. HORTON) and the arguments made against the point of order by the gentleman from Arkansas (Mr. ALEXANDER). The Chair does not find anything in the amendment which seeks to amend any existing law.

The Chair has referred to volume VIII, Cannons Precedents, sections 3022 and 3023, where it is stated that to a provision delegating certain powers a proposal to limit such powers is germane.

To a section authorizing the Interstate Commerce Commission to change rates, an amendment providing that the Commission in making such changes shall not increase rates was held to be germane.

To a proposal to grant certain authority, an amendment proposed to limit such authority is germane.

To a bill authorizing the imposition of war risk insurance to insure vessels, an amendment denying such insurance to vessels charging exorbitant rates was held to be germane.

The pending section, as the Chair points out, contains a list of functions or authority.

The Chair will again point out that committee jurisdiction is not the sole test of germaneness. The primary test is always the relationship of the amendment to the text of the bill to which it is offered.

Section 5 of the bill under consideration sets forth the functions of the Administrator. Under the provisions of section 5 the Administrator is directed to engage in the following:

To advise the President and the Congress on energy policies; assess the adequacy of energy resources; develop plans and programs for dealing with energy

production shortages; promote stability in energy prices and prevent unreasonable profits; assure that programs are designed and implemented to assure the priority needs of the Nation are met; develop and oversee voluntary and mandatory energy conservation programs; recommend policies on import and export policy; and take action to expedite development of energy resources.

This section includes a broad range of powers; therefore it is clear that to the list functions so enumerated in this section, other related functions could be added by way of amendment. It is also clear that these functions or duties could be limited by way of amendment. For these reasons, the Chair overrules the point of order.

The Chair now recognizes the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, this amendment attempts to correct the unfair and inequitable hardships that exist today because of a pricing policy which permitted the oil refineries to increase their wholesale price of propane gas to their retail dealers as much as 350 percent last year. The triple price increase was passed on to the consumer and I have knowledge of a case in Clover Bend, Ark., where a lady living on a widow's pension had an increase in her propane gas prices from \$35 a month a year ago to \$95 just a few months ago. Since most of the people using propane in rural areas like Arkansas are living on fixed incomes, many elderly, many poor, this practice is unfair and creates numerous hardships among the people who rely on propane gas for heating and for cooking.

My colleagues will argue that the price rise of crude oil is the basis for the price rise in propane gas but I point out to them that after refining a barrel of crude oil only 3 percent of the barrel is refined into propane gas. The rest is gasoline, fuel oil, various distillates and other products. Thus an increase in the imported price of crude oil from \$5 to \$17 per barrel only slightly increases the production cost of propane.

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

Mr. ALEXANDER. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. I thank the gentleman for yielding.

I want to commend my distinguished colleague, the gentleman from Arkansas, for furnishing the leadership in this amendment that speaks to a very serious inequity across the rural areas of our Nation, and even in some cities.

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Arkansas (Mr. ALEXANDER). This amendment would prohibit the passing through of costs to customers of LP gas unless such costs are directly related to the production of liquified petroleum.

I have generally opposed price rollback actions because of the inequities which frequently result from such action. Since the advent of economic stabilization controls, I have regretted the trend which has taken our economy in the direction counter to our free enter-

prise system and served to remove the incentives which have made our system work so successfully.

However, rural America, which relies heavily on propane or liquified petroleum fuel, has been caught between a set of complex factors involving reduced availability of natural gas, soaring prices of imported crude oil, and heavy industrial demands for LP.

The LP gas situation is not necessarily a regional problem, but it is one which has created severe hardships for rural areas and, in particular, the State of Arkansas which is the fourth largest user of this particular fuel in the Nation. Throughout the country, 13 million families heat and cook with propane.

Additionally, 1,436,000 farms in our Nation utilize propane and the general American consumer will be impacted by the high price of fuel showing up in increased food costs. The wholesale price of propane has risen from 6 to between 23 and 26 cents a gallon in a year, and retail prices have hit as high as 39 cents a gallon. All users of propane have seen their bills at least doubled and frequently tripled.

On February 6, 1974, my distinguished colleague from Missouri (Mr. TAYLOR) and I introduced H.R. 12688, to amend the Emergency Petroleum Allocation Act of 1973 to roll back the price of propane gas. We sent a letter to all of our colleagues in the House of Representatives advising them of our legislative initiative and, as a result, we have now reintroduced the legislation several times with cosponsors who represent districts from all parts of the country. During the month of February, the Federal Energy Office issued new propane pricing regulations to prevent future "price loading" onto propane. More recently, the FEO has issued a ruling which seeks to achieve a gradual reduction in propane price levels. I have been greatly pleased by some reduction in the price of propane gas throughout the State of Arkansas, but I would still urge my colleagues to support this amendment.

Due to the untenable burdens to a population segment of citizens who cannot conceivably bear them, I feel that a permanent legislative solution is warranted. In my State, 76 percent of the rural population use LP for heating. Many of these are elderly persons on social security, low-income residents receiving welfare assistance and handicapped individuals. But the scope of the problem is broader than one of home heating where \$100 monthly bills were becoming the rule rather than the exception. School districts and churches have been equally hard hit. A small school complex heating with propane may use around 17,000 gallons in a school year. With average school operating budget increases of around 10 percent, it is impossible to meet a 300 percent rise in their heating bill without cutting back in some of the vital areas of their educational programs. The same is true for the many church establishments who can no longer make ends meet.

Added to this picture are poultry producers who, already struggling with in-

creased feed costs, must somehow manage to keep their broiler houses and any production facilities they may own heated through the winter months. Even small LP dealers in Arkansas have contacted me expressing their deep concern over the fact that their regular customers can no longer afford to meet their current price levels and to urge that something be done.

I am aware of the general problem throughout the Nation of rises in all kinds of petroleum products, yet their percentage of increase is small compared to propane. Also, the users of LP gas are in the worst position of any one citizen group I know to be hit this hard. A retired person in my congressional district expressed the situation this way:

I have turned my thermostat down to 68, can only afford to burn one lamp. I am driving 50 miles an hour but only using my car when necessary. Now, I expect some help from my Government.

I urge my colleagues to support this amendment.

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

Mr. ALEXANDER. Mr. Chairman, I have been recognized to argue this amendment, there is also credit due to Mr. RONCALIO of Wyoming who has worked with me closely. I am pleased to offer it and hope its passage can alleviate the need for a petroleum price rollback because of the disproportionate and almost criminal price increases experienced on propane in his State.

I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. I thank the gentleman for yielding. I am grateful to the gentleman from Arkansas, under whose leadership I am proud to have sat, for his offering this amendment. Of course, I support it.

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

Mr. ALEXANDER. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of this needed amendment by the gentleman from Arkansas, and I urge its passage.

Many Americans are today faced with the problem of rising prices in many areas. One of the most rapidly escalating areas of price increases has been that of propane gas.

Propane, which provides heating and other essential services for Americans living in outlying areas has, in the last 13 months, increased in some instances by as much as 520 percent. Because LP-Gas represents only 3 percent of a barrel of crude oil, it is clear that consumers of this product are being forced to bear a disproportionate share of recent crude oil costs.

Mr. Chairman, this drastic increase is an unbearable expense for our rural citizens. Most harshly hit are rural dwellers, often elderly citizens, living on low or fixed incomes.

Recently, I joined with some 51 of my colleagues in a letter to Federal Energy Office Administrator William E. Simon asking that FEO go beyond its February

1 regulations which froze the price of propane at its highest level in history by instituting a base period with a subsequent dollar for dollar passthrough of additional costs as they proportionately relate to propane at the wholesale level.

The amendment offered by our distinguished colleague would urge, support and hopefully mandate a policy to allow producers to determine the price of propane gas by adding on to the May 15, 1973, price of propane only those increased costs which are directly related to the production of propane.

Mr. Chairman, we must act to restore sanity to propane pricing levels. It is my hope that the House will favorably consider this amendment and thereby underline our intention and desire to bring propane prices back to an affordable level. The amendment has been modified for the sake of germaneness, but its passage should constitute a clear call by the Congress to the energy agency to act to affect this needed change.

Mr. ALEXANDER. Mr. Chairman, a 350-percent increase in the wholesale price to the retail dealer, when only 3 percent of the volume is refined into propane gas, is patently unfair. All of the increased costs of refining crude oil should not be heaped and loaded onto the cost of propane. Only those costs that are directly related to the cost of producing propane should be allowed to be passed on to the consumer.

Mr. Chairman, my amendment would cure the injustice and set right the wrongs on the propane pricing policies.

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

Mr. ALEXANDER. I yield to the gentleman from Alabama.

Mr. NICHOLS. I thank the gentleman for yielding.

I want to commend the gentleman on his amendment. Mr. Chairman, we have some 35 percent propane users in the State of Alabama, which is about one-third of all of our total homes in the State, that use this type of heating. The prices there have increased 355 percent in the last year. It is an unconscionable increase in prices. I certainly congratulate the gentleman from Arkansas on his initiative. I expect to support his amendment.

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

Mr. ALEXANDER. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Chairman, I strongly support the amendment offered by the gentleman from Arkansas and commend him for offering this important legislative proposal to bring relief for the consumers of propane and butane. All fuel prices have risen much more than any of us would like but nowhere in the energy field has the price increase been as staggering as it has for propane and butane. Since the beginning of last year, we have seen the prices for these two important fuels jump by the astounding amount of almost 400 percent in some areas. We must not only take action to hold the line on the price of butane and propane, but we must also take action to bring about a price reduction.

Mr. Chairman, I think it is important to make it part of the legislative record, and Congressman ALEXANDER can correct me if I am wrong, but we who support this amendment fully expect it to result in a price reduction once implemented.

The people of America can learn to live with short supplies of necessary fuels as has been evidenced by the conservation measures voluntarily taken to date. But they will not stand for, nor should they be expected to stand for, uncalled for price increases that in no way reflect actual increases in the cost of production and refining. No where has this inequitable situation been more evident than it has with propane and butane.

Mr. Chairman, the Federal Energy Office issued a regulation the end of January which supposedly was to bring relief for the consumers of butane and propane. However, I consider their actions only a partial answer to an intolerable problem. I also feel that their action showed a certain amount of insensitivity on their part for the horrendous price increases being forced on the users of propane and butane. To hold prices at an unrealistically high level is no solution of the problem, it is only an acknowledgment of the problem.

I urge my colleagues to support and vote for the Alexander amendment. This legislative proposal is one way we in the Congress can take the lead we should take to bring relief for the American people who are being hard pressed to pay for what little fuel there is available.

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

Mr. ALEXANDER. I yield to the gentleman from Alabama.

Mr. FLOWERS. I thank the gentleman for yielding.

I should like to commend the gentleman. I totally agree with the matter he has brought to the attention of the House. I support his amendment.

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

Mr. ALEXANDER. I yield to the gentleman from Texas.

Mr. KAZEN. I thank the gentleman for yielding.

I want to commend the gentleman from Arkansas for bringing this amendment to the floor. This is not in any sense a rollback in price; it is authorizing the administration to charge only the proportionate share of increase to propane, and this is the just thing to do.

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

Mr. ALEXANDER. I yield to the gentleman from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

The gentleman in the well and I have worked on this and other amendments trying to find some approach to an equitable solution of the propane problem. I am delighted that we apparently have found that solution. I want to commend the gentleman from Arkansas for persevering in his approach.

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

Mr. ALEXANDER. I yield to the gentleman from Colorado.

Mr. BROTHMAN. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the gentleman's amendment. I have many constituents, particularly in the mountain areas, who suffer from this disparity in pricing. I want to thank the gentleman from Arkansas for providing his leadership. I support his amendment.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. ALEXANDER was allowed to proceed for 2 additional minutes.)

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

Mr. ALEXANDER. I yield to the gentleman from Arkansas.

Mr. THORNTON. I thank the gentleman for yielding.

I should like to express my enthusiastic support for the amendment offered by the gentleman from Arkansas, and to commend him for his hard and effective work in bringing it to the floor of the House.

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

Mr. ALEXANDER. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I thank the gentleman for yielding.

I want to associate myself with the remarks he has made and also with those who have joined in support of this very important amendment. I want to say that I think this is one of the most important issues we can answer for the farmers in America today. I again congratulate the fine work that he has done on this fine amendment.

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

Mr. ALEXANDER. I yield to the gentleman from Ohio.

Mr. HAYS. I thank the gentleman for yielding.

I want to congratulate the gentleman for offering this amendment and to point out that a vote for this amendment is a vote for the people who have been gouged the most and who have been the least able to pay for something which has put a terrific profit in the already swollen coffers of the oil companies.

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

Mr. ALEXANDER. I yield to the gentleman from Ohio.

Mr. VANIK. I thank the gentleman for yielding.

Mr. Chairman, I want to congratulate the gentleman for submitting his amendment. I want to associate myself with him. I want to congratulate him for bringing this to the attention of the committee.

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

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

Mr. KOCH. I thank the gentleman for yielding.

As the gentleman in the well knows, I do not think there is a single user of propane gas in my district. I am going to vote for the gentleman's amendment because I think it is fair. I think I have responsibility for his constituents, as I

think he and every Member of this House has to urban constituents.

I would hope when we vote for matters that affect the rural and suburban constituencies that we will do the same for matters affecting those of us living in the cities.

AMENDMENT OFFERED BY MR. FINDLEY TO THE  
AMENDMENT OFFERED BY MR. ALEXANDER

Mr. FINDLEY. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Arkansas (Mr. ALEXANDER).

The Clerk read as follows:

Amendment offered by Mr. FINDLEY to the amendment offered by Mr. ALEXANDER: Add the following at the end of the amendment:

"The Administrator shall not allow costs attributable to changes in ownership and movement of propane gas where, in the opinion of the Administrator, such changes in ownership and movement occur primarily for the purpose of establishing a higher price."

Mr. FINDLEY. Mr. Chairman, I support completely the Alexander amendment. It will meet a very serious problem in the price of propane fuel. It does not go quite far enough. The purpose of my amendment to the amendment is to deal with a very critical problem under which some propane speculators have engaged in paper transfers of ownership of propane gas in which the gas has not moved one-half inch, but the ownership has been transferred by paper several times. Each time the mark-up has been added to the price of the propane fuel. The whole purpose of it, of course, is to jack up the price to the ultimate consumer.

The Internal Revenue Service has found a case in which 14 million gallons of propane gas were sold three times in quick succession, producing a \$1.3 million profit for two intermediary concerns. The transactions occurred during a 24-hour period and the propane never moved from its underground storage point in Texas.

According to a Federal energy official, there is no indication of wrong-doing on the part of these intermediaries. In addition, existing laws and regulations do not prohibit taking advantage of the scarcity of propane to engage in this paper transfer of ownership a number of times in order to jack up the price of propane fuel.

I am under the impression, and if the gentleman from Arkansas (Mr. ALEXANDER), is nearby, I am under the impression that he supports my amendment to the amendment. Am I correct?

Mr. ALEXANDER. Mr. Chairman, if the gentleman will yield, I have no objection to the amendment. I think it will add to and strengthen the amendment which I offered.

I would urge those who spoke in favor of my amendment to support his amendment.

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

Mr. FINDLEY. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I would like to commend the gentleman from Ohio (Mr. FINDLEY) for the amendment to the amendment and I

hope that his illustrious young son, who is now a reporter on the Gillette, Wyo., paper, will investigate Citgo's four-time proposition of changing the name that ran propane gas from 8 cents to 32 cents in 11 months.

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

Mr. FINDLEY. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. I strongly support the amendment to the amendment.

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Illinois. It would disallow costs attributable to changes in ownership and movement of propane gas where such changes occur primarily for the purpose of establishing a higher price.

As a chief cosponsor of legislation to provide for a rollback and tighter limitations on propane price levels, I strongly endorse Congressman FINDLEY's amendment to curb abuses by brokers who have unscrupulously taken advantage of certain loopholes in the law to sell propane back and forth on paper, each time adding a markup.

Based on joint study efforts by my staff and that of Congressman GENE TAYLOR, we discovered increases in the wholesale price of propane from 350 to 520 percent, depending upon locality. Our Nation's LP gas distributors were covered by pricing regulations and were faced with the situation of their product being priced out of the market by actions of those from the refinery level through their wholesale purchase points for subsequent delivery to end users. There is no question that refiners were loading a disproportionate share of increased costs of other products onto propane. Through a Federal Energy Office decision early in February, new pricing regulations now prevent this practice. A more recent ruling will result in some decrease in price levels, but it is my view that the cumulative effect of these administrative actions will not go far enough in negating the severe hardships which have been created for rural citizens and farmers throughout the country.

It is becoming more and more apparent that there is no propane shortage which, under supply and demand market forces, would account for astronomical price jumps. Recent API figures show propane inventories at this time to be above those of a year ago. Last spring and summer there was an artificial shortage of the product. Phase III price control regulations exempting brokers and speculators from price controls encouraged propane purchases from small independent refiners for speculative purposes. At this time, around 10 percent of the total LP gas production was diverted into the hands of brokers and large consumers, setting the stage for price manipulation.

In my part of the country, I know that prices as high as 36 cents a gallon have been paid by consumers for propane. I have strongly urged FEO to intensify its investigation into "price-gouging" and concentrate a field force in Arkansas and neighboring States. In Arkansas, 76 per-

cent of our farms rely on propane. When it is taken into consideration that 40 percent of all Arkansas farms netted, according to USDA 1970 figures, less than \$1,600 per annum we, therefore, have some 21,200 farm families spending around 30 percent of their income to meet the propane costs necessary for heating, cooking and agricultural production.

Arkansas is the largest poultry producer in the United States, and the propane situation has created severe problems in the production of this most basic consumer commodity which, in this day of near-prohibitive meat prices, has proven to be an increasingly important family diet feature. In 1973, agricultural users paid 2.8 cents per bird for propane. In 1974, agricultural users were faced with as much as 7.6 cents per bird. Not only does this matter pose immediate operating difficulties for the typical poultry grower, but it equates to a general consumer problem by threatening the supply of poultry or adding to food costs.

I strongly urge my colleagues to support this legislative step toward a permanent solution to the propane crisis.

Mr. RONCALIO of Wyoming. Mr. Chairman, I rise in support of the amendment to the amendment.

Mr. Chairman, I shall not use the full 5 minutes.

Mr. Chairman, I am pleased to associate myself with and contribute to the work of my colleague, Mr. ALEXANDER, of Arkansas, in sponsoring an amendment to roll back propane prices.

In the State of Wyoming, the price of propane has been an urgent concern for months. The outrageous hikes in prices, going as high as 300 percent in a 9-month period in many areas, have hit hard at thousands of my constituents.

As Mike Leon, columnist for the Sheridan, Wyo., Press observed about the impact in one area of my State:

Residential propane users were paying around 14 cents a gallon in this area not long ago. In a few months, they've seen the price go to 20, 25, 30 cents and on up. Where's the ceiling?

This problem was the reason I voted for the rollback of oil prices, because in that action we hoped to achieve a reduction in the price of propane, estimated at either a 50-percent reduction or a 20-cent-a-gallon reduction. In response to the outcry in Wyoming over propane prices, I voted for the rollback. However, if we can achieve a propane rollback through this amendment, then I will be satisfied.

Of the literally hundreds of letters I received, I am inserting for the RECORD a few which I believe illustrate how desperately propane consumers need relief.

The first letter is from Roy H. Guess, petroleum exploration geologist; the second from Eunice M. McEwan; the third from Adam Uhrich; the fourth from Sheridan and Noreen Hopkins; the last from John Stencel, president of the Rocky Mountain Farmers Union. The letters follow:

NOVEMBER 4, 1973.

DEAR REPRESENTATIVE RONCALIO: Here are the facts—you decide what to do.

1. On Jan. 1, 1973 the retail price of propane in Buffalo, Wyoming was 14.5¢ per gallon.

2. On Nov. 1, 1973 the retail price of propane was 30.3¢ per gallon—a 100+ percent increase.

3. The propane dealer was making less profit on Nov. 1 than he was on Jan. 1.

NEXT

1. On Jan. 1, 1973, a barrel of 39 crude (where I own a small override) in the West Sussex Field brought \$3.49 per barrel.

2. Today the price has increased to \$4.61 per barrel—a 32% increase.

The 32% increase in the price of crude oil was *badly needed* since the price has been so low that we have only  $\frac{1}{2}$  the number of wells being drilled in the U.S. today as compared to 1956.

QUESTION??

Why do we get a 32% increase in crude and a 207% increase in the price of propane.

Sincerely,

ROY H. GUESS.

MAVERICK CLUB,  
Sheridan, Wyo., February 6, 1974.

Hon. TENO RONCALIO,  
House Office Building, Washington, D.C.

DEAR TENO: We would like to commend you on your efforts to bring about some kind of control of propane prices. We sincerely hope that you may successfully prevail in your attempt to have the rate reduced.

Over the past year the cost of our propane has risen from 13.5¢ per gallon on April 1, 1973 to 36.5¢ per gallon in January 1974. The first raise came on April 26, 1973 when the price went to 17.9¢. On October 1 the price went to 23.9¢; on November 21 the price went to 28.5¢; and then on January 16, 1974 the price jumped to 36.5¢ per gallon.

In 1973 the Maverick used 9,465 gallons of propane for a total cost of \$1,793.26 including tax. If we are to use the same amount of propane in 1974 at 36.5¢ per gallon the cost will be \$3,558.37, or nearly double the 1973 total.

The realization of the seriousness of the propane problem hit when our January 1974 statement arrived. In January 1973 we used 1,570 gallons at 13.5¢ for a total cost of \$214.71. In January 1974 we used 1,900 gallons (800 gallons at 28.5¢ and 1,100 gallons at 36.5¢) for a total of \$648.31.

If the price of propane continues to climb, or even if it remains at 36.5¢ per gallon, our business is in jeopardy, as we can not operate with such a high overhead.

We realize that our entire country is facing unprecedented problems and that many people are suffering greater hardships than just the price of propane. However, we can not help but be a little selfish by presenting our problem and asking for your help to solve it.

Sincerely yours,

EUNICE M. MCEWAN,  
Maverick Supper Club.

CHEYENNE, WYO.,  
January 29, 1974.

Hon. TENO RONCALIO,  
House of Representatives,  
Washington, D.C.

DEAR MR. RONCALIO: There has been much talk about the oil crisis, heating fuel, propane, and related products but nothing seems to be forthcoming from the discussion.

I would like to register a complaint about the ever increasing cost of propane. I use propane to heat my house which is five years old, construction is brick veneer over frame, the house is insulated and is approximately 1050 square feet.

In 1969, 1473 gallons of propane were consumed at an average net cost (excluding

sales tax) of 15.04¢ per gallon. The next years are as follows:

Year	Gallons consumed	Annual average net cost per gallon (cents)
1970	1,734	15.84
1971	1,590	17.00
1972	1,246	17.00

COSTS STARTING ON DEC. 28, 1973, FOR TANK FILLINGS

Date	Gallons	Net cost per gallon (cents)	Difference (cents)	Net cost
Dec. 28, 1972	240	17.5		\$42.00
Jan. 25, 1973	175	18.5	1.0	32.37
Feb. 26, 1973	185	18.5	0	34.23
Apr. 24, 1973	306	19.5	1.0	59.57
June 6, 1973	100	22.5	3.0	22.50
Sept. 24, 1973	170	23.8	1.3	40.46
Oct. 23, 1973	70	29.0	5.2	20.30
Nov. 21, 1973	110	31.9	2.9	35.09
Jan. 22, 1974	250	37.9	6.0	94.75

The preceding table shows an increase of 20.4¢ per gallon which I think is absurd.

Since the winter heating season started, my thermostat has been set at 66°F during the day and 63°F at night, doing this has helped hold down my cost which would have been higher.

Another thing that annoys me is when I was paying 31.9¢ per gallon, another company in this area was selling propane for 23.9¢ per gallon—but would not take on any new customers. It seems strange that there is this much price differential between companies.

These are some facts and figures that I'm sure you are aware of. Therefore, anything you can do to help stabilize the ever increasing prices and have them rolled back would be greatly appreciated by me and my family and many others. Also I might be able to warm up a little by following the government guidelines of setting my thermostat up to 68°F.

Thank you for your time.  
Sincerely yours,

ADAM L. UHRICH.

STORY, WYO.,  
November 6, 1973.

Hon. TENO RONCALIO,  
U.S. Representative,  
House Office Building,  
Washington, D.C.

DEAR SIR: Last January 1, we were paying 14.5¢ for propane gas per gallon, and when they delivered our last propane gas, it was priced at 80¢ per gallon—an increase of over 100% in nine months.

Our supplier tells us that he is making no more profit margin than he was in January, and that due to increased operating costs, he is making less, and we are still having to pay more than double. He tells us that natural gas was given a 27% increase, why do we get a 100% increase?

We are retired people, me from 23 years service as Postmaster at Story, and my husband from his Real Estate business here, and since our retirement is fixed, we are very concerned when necessary items, such as propane gas, goes up to this figure.

Since it seems that our supplier, Mr. Washut of Buffalo, Wyo. cannot do anything about this, we are asking you to look into this matter. Can you do something to help us?

May we hear from you in regard to this matter?

Respectfully,  
SHERIDAN and NOREEN HOPKINS.

ROCKY MOUNTAIN FARMERS UNION,  
Denver, Colo., January 24, 1974.

Hon. TENO RONCALIO,  
Member of Congress,  
Longworth Building,  
Washington, D.C.

DEAR TENO: May I commend you and the other members of the Colorado and Wyoming delegations who have asked the Federal Energy office to investigate price practices by producers of propane gas.

We have known since last winter of the increases that have been charged to farmers and ranchers. In some areas, propane fuel was as low as 11 cents a gallon. In those same areas today, it is up to 36 and 38 cents. I have heard that propane might have also increased to as much as 44 cents a gallon to consumers. It seems strange that the price increases could have been so extreme in such a short period of time.

As I am sure you are all aware, many rural residents use propane to heat their homes. If prices become too high, these people will not be able to afford to keep their homes warm.

I certainly hope that it can be made known as soon as possible that the major refineries are allocating to propane an unfair share of the increasing cost of domestic and imported crude oil.

If we can be of help to you in relating inequitable pricing situations, please contact our office.

Sincerely,

JOHN STENCIL, President.

MR. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have been in this House almost 32 years, and I recognize the trends of the House and the waves of opinion, and so forth and so on. However, I must oppose this amendment because I believe that this may be an amendment which opens the door to other amendments which should not be adopted into this bill.

Mr. Chairman, I recognize that the oil companies have unfairly imposed upon the American people some exorbitant prices. I know that just as well as I know that I am standing here. I had hoped that those matters would be taken care of by the committees of substantive jurisdiction. I have supported Mr. STAGGERS and his committee in many of the attempts they have made to correct some of these injustices.

Mr. Chairman, I realize in this propane gas situation the exorbitant rise in price, as is evidenced by the chart out in the hall, has been unfair to the people of the districts which depend upon propane gas, but I must oppose this on principle, that we may be opening the door to many other amendments which will destroy the integrity of this bill.

Therefore, I oppose the amendment offered by the gentleman from Arkansas for the reason that I think of as the principle that is involved, that it is a dangerous principle to accept and it may destroy this bill before we get through with its consideration.

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

Mr. Chairman, members of the committee, I reluctantly rise in opposition to this amendment. I do not want to pass judgment on it. I am certain that the sponsor of the amendment, Mr. ALEXANDER, and those who have spoken in favor of it, have made excellent points, and I

am sure that they are very much concerned about the problem as it exists in their districts. It exists in my district, and I am also very much concerned about it.

Mr. Chairman, as the Members know, I made a point of order against this amendment, as I did against the Rosenthal amendment, and my point of order was overruled. This is a good reason for me to make this point now, because it shows exactly what happens when the nongermaneness rule is not applied very strictly.

Mr. Chairman, one of the points I made was that this was nongermane because it is not germane to the subject matter of the Government Operations' jurisdiction. I do not want anyone on this floor today to think that we have had any hearings on this subject, because we have not. There has not been one word of hearing with regard to whether or not this is a good or bad amendment.

I certainly am in sympathy with the points which have been made by my friends who are very much concerned about it, but we have had no testimony, no hearings. This is not a matter within the jurisdiction of the Committee on Government Operations.

Mr. Chairman, I respectfully point out to the Members that I realize it is difficult for them to vote against an amendment which appears to have widespread support in this House. However, I do want to make the point to the Members that it is very important to preserve this bill, which is for the purpose of setting up an organization, the Federal Energy Administration.

Now, this is new law; this is new authority which we are giving to this agency, and it should come through the proper committee, which is the Committee on Interstate and Foreign Commerce.

They have the Members and they have the staff on that committee who are familiar with the problems that are involved in this amendment. We are not on the Committee on Government Operations. Our staff has not gone into this problem; we have had no hearings, we have had nobody before us to talk to us about whether or not this is an appropriate amendment, whether it is a good amendment, whether it is a bad amendment, or whether it ought to be changed.

In other words, what is happening right here on the floor today is that the will of the House is being worked, but it is being worked as a committee. We should not follow that procedure if we have committees of original jurisdiction.

Mr. Chairman, I realize that my point of order was overruled, but I am making the point very strictly with the Members of the House here that if we adopt this amendment and others like it, in essence what we are going to do is invade the jurisdiction of other committees of this Congress.

What we want to do is pass the Emergency Energy Administration bill. We want to put the Federal Energy Administration in business, and we are not going to be doing it by adopting these types of amendments.

Mr. Chairman, I urge that the Members oppose this amendment and that the amendment be presented to the proper committee, which is the Committee on Interstate and Foreign Commerce, where it can properly be heard, and it can then come out and be acted on.

Mr. Chairman, I urge that the amendment be defeated.

MR. MAYNE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there has been some statement that this amendment in effect does not really propose a rollback. I am willing to take the responsibility for supporting the amendment as a rollback of propane prices, although this is the first time that I have ever favored a mandatory price rollback for any commodity.

It seems to me that there are really scandalous and shocking circumstances here, including instances of outright market manipulation, that cry out for a rollback in propane prices.

I know of no other commodity that has risen so much in price as has propane, and with less reason.

For instance, actual propane prices of major producers for delivery at Mont Belvieu, Tex., are shown in today's issue of "The Oil Daily" to have risen from 5.94 cents per gallon on April 30, 1973, to 23.25 cents per gallon on January 10, 1974, and throughout January.

This near quadrupling in propane prices in but 8 months is totally unconscionable, and is a national scandal and disgrace.

And this irresponsible quadrupling in charges does not include anything but the major producer's initial charges, it does not include further price gouging along the line by brokers, actions which have forced the residential propane users throughout this country to pay even more exorbitant rates.

Mr. Chairman, many of the 13 million American families who use propane in their homes and who are being squeezed and forced to pay these sky-high prices for their propane are retired rural residents, elderly people who live in rural communities and who can use no other kind of heat in their furnaces and stoves. They have no real choice. They are the ones who have suffered the greatest personal hardship from propane price gouging.

I approached the Federal Energy Office of Mr. Simon, and I approached the propane industry, starting in December, and I have kept trying to get some action on this great national problem. Finally, in the middle of February, I had had enough of waiting for some real leadership and some action on this by either the industry or by the Federal Energy Office. It was clearly not forthcoming. I therefore introduced legislation which would require a rollback in propane prices.

I commend the gentleman from Arkansas (Mr. ALEXANDER) and our colleagues from Missouri and Arkansas (Mr. TAYLOR and Mr. HAMMERSCHMIDT) for their leadership in seeking first administrative and then legislative solutions to this serious problem. There has been some decrease in propane prices since

these gentlemen and I introduced bills proposing rollbacks in propane prices, but the decrease has simply not been sufficient. Propane prices are still inordinately and inexplicably high, beyond reason. The major distributors have certainly not lived up to their responsibilities to do all they legally can to self-police propane pricing along the line, and the actions taken by Mr. Simon and his Federal Energy Office regarding the propane price situation have been too little and too late.

There has not been demonstrated any real shortage of propane. Heaven knows what the situation would have been if we had had a wet fall in the Corn Belt last fall and propane had to be used for extensive corn-drying. Then there might indeed have been a shortage of propane, and there might have been some reason for some increase in propane prices.

However, the fact is that we did not have a wet fall, there was no explosion in demand or abnormal drawing upon propane stocks for crop-drying. No shortage developed. Propane inventories stood at 67 million barrels at yearend compared to 54 million barrels at the end of 1972.

The soaring in propane prices was not caused by any shortage, or by any increased cost in the production of propane. The rapid price increases were principally the result of a loophole in the Cost of Living Council guidelines, which allowed distributors to allocate a disproportionately high percentage of the costs of refining and processing crude oil to be passed on to the purchasers of propane and ultimately to the consumer, even though propane is but a small portion of the total end product of refining. Propane makes up only 3 percent of the refined product from a barrel of crude oil. This inequitable allocation of costs had no logical basis and was clearly unjustified.

I am reluctant to support any rollback, but rollback of propane prices is absolutely necessary under the circumstances, in order to stop profiteering, and alleviate the hardships being inflicted on consumers. We must have action now, not just conversation and sweet talk with nothing being done to protect the consumers of propane in this country. Jawboning for voluntary price cutbacks has not and will not do the job.

I support the amendment offered by the gentleman from Illinois and the amendment offered by the gentleman from Arkansas, and urge my colleagues to support their adoption.

Mr. HORTON. Will the gentleman yield?

Mr. MAYNE. I am happy to yield to the gentleman from New York.

Mr. HORTON. The gentleman indicated he had introduced a bill or bills on this subject. To what committee were they referred?

Mr. MAYNE. My bill, H.R. 12795, and Congressman TAYLOR's H.R. 12973 which I cosponsored, were both referred to the Committee on Interstate and Foreign Commerce.

Mr. HORTON. I thank the gentleman.

Mr. MAYNE. I wish the committee would have got moving on these bills and

have reported such a bill here upon which we could vote, so we would not have to resort to these amendments. But this is a very urgent situation which demands immediate action without further delay.

Mr. HORTON. I agree with the gentleman.

Mr. MAYNE. There has been no comparable increase in crude oil or in any other commodity of which I am aware—this propane situation is patently unfair and inequitable, and clearly cries out for action.

Mr. BUCHANAN. Will the gentleman yield?

Mr. MAYNE. I am happy to yield to the gentleman.

Mr. BUCHANAN. The Chair ruled this amendment to be germane. The problem and the crisis is urgent for many Americans. We have a chance to act, and I urge passage of this amendment so we can act today to resolve this problem.

Mr. CULVER. Mr. Chairman, I strongly support the amendment now before us to roll back propane prices to equitable levels. Firm and constructive action on this matter will demonstrate that the Congress can be looked to, to meet the real needs of the people hardest hit by the current energy crisis.

In the visits I have made to the homes of people in my own State of Iowa, and in the mail that I have received from them, I have come face to face with the severe personal distress caused by the massive increases in propane prices over the past year. This is a vitally necessary commodity for our farmer and for our homeowners who have no access to substitute fuel. The prices they have paid have jumped dramatically from month to month, reaching levels that are three times the prices paid 1 year ago.

These increases are unjustified and wholly disproportionate. Propane represents only about 3 percent of the refinery output from a barrel of crude oil, yet the oil companies have heaped their cost increases upon this small segment of their production.

The amendment I support would change that situation by rolling back prices as a starting point, to their May 15, 1973, levels, and then allowing the passthrough of only such increased costs as are directly related to propane production. This should sharply reduce present price levels, without visiting any unfairness or hardship on refineries.

Mr. Chairman, the administration has temporized with this problem and therefore, failed to recognize or meet the genuine distress of our consumers, particularly the elderly and other citizens on low or fixed income. I believe Congress can and must demonstrate its greater sensitivity and responsiveness by adopting this price rollback amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I am strongly supporting the amendment of the gentleman from Arkansas (Mr. ALEXANDER) because millions of low- and medium-income people throughout the Nation have been shocked by the skyrocketing prices of propane. This amendment will be hailed by many people in my State and in all 50 States. Suddenly in 1973 the prices of propane shot up out of all reason. For

example, Mrs. Roger A. Dailey of 8629 Edmunds Branch Road, Ona, W. Va., wrote to me that propane had been priced at 21.9 cents per gallon "for over 5 years, then bang without any notice of a price increase it started up."

Mrs. Dailey informed me that in May 1973, the price rose to 25.9 cents per gallon, shot up to 35.9 cents per gallon in November 1973, and by December 1973 the price was 42.9 cents per gallon.

Even greater increases have been occurring, and that is why I am pleased to join with those who are determined that the neglected consumers of this Nation must be protected against this kind of price gouging.

We have heard enough of "incentives" and "profit margins." Let us roll up our sleeves and protect the consumers who are the backbone of this Nation.

Mr. MILLER. Mr. Chairman, I rise in support of the amendment which will allow only those costs directly related to the production of propane to be passed on to the consumer and will use May 15, 1973, as the beginning of the base period for this passthrough.

Mr. Chairman, the effect of this amendment will be to alleviate the terrible burdens that have been imposed on users of propane in the past months. Due to a loophole in regulations, increased costs for all crude oil were allowed to be dumped entirely onto propane. This created incredible price increases of 300 to 400 percent. In many instances the people who use propane are those least able to afford such price hikes, but increases of this magnitude hit all users extremely hard, no matter what their financial capabilities may be. All of the Members here have received letters detailing the hardships the propane price rise has caused. In some cases families have had to shut off most of their homes and live in only one heated room to be able to afford to make it through the winter.

Last summer it was necessary to allow some increases in the price of propane to encourage production of a scarce energy source. Unfortunately when propane became abundant the price increases did not stop. This amendment to the Federal Energy Administration Act is necessary to eliminate the inequities that have arisen. I urge its passage.

Mr. KYROS. Mr. Chairman, at this time, when the Congress is considering the creation of a permanent agency to administer the growing body of energy-related legislation passed by this Congress, it is appropriate to ask: How well is this administration carrying out the intent of the Congress in administering the laws already passed?

When we do so, we find that the Federal Energy Office in at least one critical area of its responsibility has acted directly contrary to the intent of the Congress.

Despite the specific mandate of the Congress appearing in committee reports accompanying the Emergency Petroleum Allocation Act of 1973, and in the CONGRESSIONAL RECORD, volume 119, part 26, pages 34315-34316, the regulations recently issued by the FEO pursuant to that legislation deny an allocation of

feedstocks to plants which manufacture synthetic gas to supplement critically short supplies of pipeline natural gas.

Gas utility service, of course, is indispensable to the maintenance of industrial production, employment levels, and vital services necessary to health, safety, and public welfare. We New Englanders, and especially the citizens of the State of Maine, are particularly aware of the disastrous consequences and severe public hardship that would flow from a prolonged interruption of gas supply in cold climate regions.

Accordingly, I respectfully request you, Mr. Chairman, to note that it was and is the intent of the Congress in enacting both the Emergency Petroleum Allocation Act of 1973 and the Energy Emergency Act of 1974 to assure the maintenance of adequate gas utility service to the citizens of this Nation and for that purpose, that it is the intent of the Congress that the Federal Energy Administrator accord a top priority to all petroleum feedstocks, including naphtha, propane, butane, and natural gas liquids, necessary to meet the current requirements of plants which will supply synthetic, substitute gas to pipeline and gas distribution companies.

Mr. HOLIFIELD. The gentleman refers to certain matters within the jurisdiction of other committees, but I am sure that the FEA Administrator will read this legislative record and give proper heed to the concern expressed by the gentleman from Maine.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY) to the amendment offered by the gentleman from Arkansas (Mr. ALEXANDER).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. ALEXANDER), as amended.

The amendment as amended was agreed to.

Mr. BOLAND. Mr. Chairman, I am convinced that the creation of a Federal Energy Administration is absolutely essential if we expect a first-class professional effort from the administration in the area of energy policy and decision taking. Much has been said in this Chamber and in other forums in recent months concerning the merits of the Federal Energy Office's allocation and price policies. Whether those remarks were laudatory or defamatory, few indeed ever cited the hard work or unusual circumstances under which Mr. Simon and his staff have labored.

Those circumstances are those of uncertainty as to salary scales, job permanence, opportunities for advancement, permanent funding and staff levels, availability of office space, et cetera. The Federal Energy Office, which is a creature of Executive order, is so fluid an organization that none of these particulars have been fleshed out. They will continue to remain in this suspended state until and unless this Congress takes action to authorize and fund a permanent statutory body, with assigned duties, regular staffing and pay levels,

regular appropriations, and Senate-confirmed principal officers.

When a permanent Federal Energy Administration has been created, it will be able to fill its ranks with regularly recruited personnel who can anticipate some sort of stable career opportunities rather than having to rely on staff borrowed from a number of agencies, who, by contrast, have no idea of the probable length of their tenure there or their suspended careers in their original departments or agencies. A statutory FEA would further have a regular budget appropriation and would be in the position of regularly accounting for its use of funds as do other agencies of Government. The appointment of its chief officials would come under the scrutiny of the Senate, an element of congressional control which the gravity of the energy crisis makes a very important tool for general congressional policy direction.

Mr. Chairman, considering any number of the adverse conditions under which the present temporary amalgam of borrowed staff in the FEO has labored to date, I think it is time we realized that we must take action to see that these overworked and dedicated people no longer must work in the dark. We cannot continue to ask them to put the cart before the horse in this too crucial area of energy policy. The FEA really ought to be started on its way in proper fashion. Mr. Simon and his staff need a clear delineation of authority, their own appropriation, and their own permanent employees. Until we have provided those elements of stability, the competence and around-the-clock efforts of these people will continue unrewarded with the kind of employment and management conditions that the rest of us enjoy. If we want the kind of energy solutions that are best for this country, we certainly ought to insure that those that proffer them have the proper wherewithal to make them.

Mr. RAILSBACK. Mr. Chairman, I would just like to add my support to H.R. 11793, legislation to reorganize and consolidate certain energy programs and policies within the Federal Energy Administration. Events of the last few months have vividly demonstrated the need for strong and coordinated leadership to resolve the energy problems our country is now unfortunately facing.

H.R. 11793 is important for several reasons. First, it will resolve any remaining confusion concerning the proper lead agency for implementing energy emergency policy.

Second, the bill allows the Administrator the flexibility he needs to resolve energy emergency problems on a short-term basis. For example, the committee did not outline the specific functions of the six Assistant Administrators of FEA, observing "that the emergency nature of the agency, quickly changing conditions, and the varied functions to be performed, require the utmost administrative flexibility."

Third, this legislation recognizes the need for more timely and relevant energy information across an entire spectrum of issues. The need for accurate energy supply and demand information has become

painfully apparent during this energy crisis. The bill takes an important first step toward resolving the problem by expanding the Administrator's powers to collect and evaluate data.

Mr. Chairman, H.R. 11793 lays the foundation on which we can hopefully resolve the energy crisis and sets us on the proper course toward energy self-sufficiency. I urge immediate enactment of the bill before us this afternoon.

Mr. HOLIFIELD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 11793) to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions, had come to no resolution thereon.

#### REQUEST TO SUSPEND RULES AND CONSIDER HOUSE RESOLUTION 807

Mr. GROSS. Mr. Speaker, I move that the rules be suspended and the House proceed to the consideration of the resolution, House Resolution 807, disapproving pay increases.

The SPEAKER. The Chair will state that the gentleman from Iowa has not consulted the Chair and the Chair is not going to recognize the gentleman from Iowa for that purpose.

The Chair would like to state further that the request of the gentleman from Iowa violates the "Gross" rule whereby he has requested that notification of suspensions be given 24 hours in advance.

Mr. GROSS. What kind of a rule is that?

The SPEAKER. The Gross rule.

#### COMMUNICATION FROM HON. WILLIAM S. MAILLIARD

The SPEAKER. The Chair lays before the House the following communication:

WASHINGTON, D.C.,  
March 5, 1974.

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

DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the Governor of California my resignation as a Representative in the Congress of the United States from the Sixth District of California, effective today.

Sincerely,

WILLIAM S. MAILLIARD,  
*Member of Congress.*

#### ENERGY CRISIS

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. GREEN of Oregon. Mr. Speaker, I would like to insert in the CONGRESSIONAL RECORD one of the more cogent articles—brought to my attention to date—on the energy crisis. Written by Myron E. Sharpe, editor and publisher of Chal-

lence, the magazine of economic affairs, the article was reprinted in Sunday's Washington Star-News.

Certainly, there is no easy way out of the current dilemma. We all recognize that far more information is required to cope with the immediate energy crisis and to carry into effect sound long-range plans. However, I do think Mr. Sharpe places in a proper perspective the various roles played by Government, the OPEC countries, and the multinational oil companies, in addition to highlighting some of the positive implications of the Arab oil embargo and the higher OPEC oil prices. The author also states the case for public regulation of our energy resources.

I believe this article merits the attention of those seriously concerned about this energy crisis and it is therefore recommended to my colleagues.

#### BAD GUYS, GOOD GUYS AND OIL

##### PORTRAIT IN OIL

(By Myron E. Sharpe)

The phrase "portrait in oil" comes from the autobiography of Nabur Gulbenkian who was one of the richest oil men in the world. He steadfastly followed the credo: "I believe in comfort. I enjoy myself. I enjoy life. I enjoy everything I do." According to his obituary in *The New York Times*, Gulbenkian was once asked whether he preferred old brandy or young women, horses or Rolls Royces, city life or country life. After stroking his beard a moment, he replied: "I prefer everything."

That of course is the American credo too. If there is a shortage of oil, we will find a way to get around it. If we must invent substitutes, we will do it by 1980 and damn those who say we can't. That is the only sensible way of looking at it. After all, old brandy, young women, horses, Rolls Royces and city and country life cannot be enjoyed without energy. Yes, we will find a way to get what we want. But everything about us will be revealed in the course of it.

The first step is to find out who is to blame. An article in the January issue of *Fortune* says: "Despite clear and insistent warning from his own officials beginning as long ago as 1970, President Nixon failed to take adequate action to cope with energy problems until it was far too late." True, and oil experts knew even earlier. But before we pin this on Nixon, let us consider that the same facts were available to some other leaders—names such as Heath, Pompidou, Brandt, Tanaka and Gandhi. They all enjoy the services of bigger planning agencies than we do. It is too much of a strain to believe that all the presidents and prime ministers in the world made the same mistake at the same time.

The inaction must be explained as an inherent difficulty governments have in reckoning with turning points, in this case a turning point in the world oil situation. People who say "we can't go on like this" have no status in government. All the status belongs to yea-sayers who assume that tomorrow will be very much like today. Since this is rarely the case, we should take some of that status and give it to a planning board whose job is to assume that, indeed, we really cannot go on like this.

Then surely the Arabs are to blame. They cut supplies and raised prices. They acted in their own selfish interest and didn't consider the rest of the world. That sounds very wicked until you realize that they are just playing a game whose rules were made by Europeans and North Americans. For many years the prices of raw materials exported by poor countries fell while the prices of industrial products exported by rich countries rose.

Was there a hue and cry at the suffering this caused in the poor countries? Of course not. For many years we restricted agricultural acreage as a means of keeping farm prices up, even though much of the world went hungry. Diabolical? Not at all. Just good business practice.

Now the Oil Producing and Exporting Countries, a club which includes Venezuela, Iran, Nigeria and Indonesia in addition to the Arabs, have awakened to the knowledge that oil is a wasting asset and will all be gone by 2010, give or take a few years. Any self-respecting cartel in possession of that information will try to get the most from what it has by raising its price to a level that approaches the cost of substitutes and by restricting its output to a level that stretches out the benefits as long as possible.

Suddenly every non-Arab has become a follower of Henry George and is wondering out loud what the members of OPEC have ever done to deserve all that oil. This is a line of reasoning we must resist until we are ready to apply the same standards to ourselves.

In fairness we must also clear the oil companies of any blame in this affair. On the international scene, the producing and consuming countries are more and more coming to make their arrangements on a state-to-state basis with oil and aid as the bargaining counters. The once proud companies are reduced to the menial job of drawing oil from beneath the sands and dispensing it according to the dictates of others. An oil concession is accompanied by a noose and the wearer must act the part of a "tax collecting agency," to use the anguished expression of the chairman of BP. Of late a new and even more lucrative arrangement called participation has been devised by Sheik Yamani, oil minister of Saudi Arabia. The exporting countries come to own a share in the oil companies; the companies do all the work, including marketing the oil everywhere a motor runs or a wheel turns. The oil countries then collect a share of the revenues in addition to the tax.

Domestically the oil companies have not begun construction of any refineries amid all this hubbub nor will any be completed this year (it takes three years to build one) even though they knew that demand was rising. This is a reaction to adversity: several lean years of too much oil; a price war; a reduced depletion allowance; frozen prices; and environmentalist alarm over Alaskan pipelines and offshore rigs. By not building refineries the majors have been able to deal with these difficulties and end up with terrific profits.

Using a refreshingly direct metaphor—for an oil executive—the president of Shell said that he and his colleagues had to "claw our way back." If several of those claws have gotten lodged in painful places, that comes under the heading of external diseconomies of scale, by common consent not the concern of business.

We have shown that all the parties are blameless. The point is: don't blame people for doing things that flow naturally from the positions they occupy in life. The next question is: Don't blame them for what?

The Arabs, about to raise prices for reasons already mentioned, did it with a flourish in the winter of 1973-74. They combined a healthy price rise with an embargo imposed for the purpose of promoting a better understanding of their views on Israel. This unfortunately coincided with a shortage of refining capacity in the United States. The Arabs, being in a recalcitrant mood, could hardly be expected to permit the multinationals to ship refined oil from the Middle East to make up our shortfall. Those who argued that there was no world shortage of oil were right; but that was hardly the point.

What happens next is that very much higher oil prices make it feasible to perfect

the techniques needed to use other sources of energy: nuclear fission, liquefied coal and shale in the next few years; the sun, the wind, the tides, nuclear fusion and the internal heat of the earth in the next fifty. Higher prices also guarantee that we will have more oil—possibly much more oil—from Alaska, offshore and places yet undreamed of.

Everybody who has put pen to paper about oil has been proved wrong on one point or another and it may be that the coming boom in prospecting will again prove everybody wrong: the oil age may not come to an end in 40 years after all. It is not too farfetched to suppose that we may again be up to our necks in oil with prices coming down.

But after the traumatic price rise this winter we are not likely to return to our old ways. The big car appears finished and mass transit has a chance; the reversal of the auto economy alone will change the character of the country. The waste of energy in the way we heat, cool and insulate buildings is coming under scrutiny. Manufacturers of energy-intensive products such as aluminum have suddenly discovered ways to save 30 to 40 percent of their electric bill. Opportunities to be rational are upon us.

The prerequisite is reliable statistics. The daily fumble with figures and the wildly divergent opinions of the highest authorities about what is going on in the oil industry make mandatory reporting of accurate information by the industry a proposition that everybody can agree on.

Then comes planning. Here is another instance where we have backed into planning because there was no choice. The most doctrinaire antiplanner is not going to defend the helter-skelter arrangement we had in which the Treasury, the Department of State, the Office of Emergency Preparedness, the Texas Railroad Commission, the Bureau of Mines, the American Petroleum Institute and the companies themselves all had a hand in the mismanagement of the industry.

Nor is there much to be said in favor of leaving it to the companies. They cut down on research at the precise moment that research was most needed. They stopped building refineries when they were most needed. They were favored with enormous incentives through the depletion allowance and even more enormous ones through the tax write-off allowed for royalties paid to the producing countries. Apparently the five percent in federal taxes the companies must pay is too burdensome and must be replaced with a subsidy if they are to continue as viable private institutions.

We have found to our discomfort that energy is too important to leave to the energy men. The research will now be done by the government. The information will be collected by the government. The planning will be done by the government. But under the present setup the public will not be the prime beneficiary. The 18 majors will be the prime beneficiary because, whether our efforts are directed to oil, coal, shale or gas, they have the largest proprietary interest. They will also be the first in line when public lands and shores are auctioned off for exploration. And they will in due course collect the money as gas rises to a dollar a gallon.

The public will pay the bill. The public will swim in the oil slicks and live in the strip-mined counties. The energy companies—that is the euphemism for vertically integrated oligopolies that go in for horizontal integration—will remain the strongest interest group in the field and have things their way.

So it will go unless we dare to put the public interest first and nationalize the majors or at least place them under public regulation. No doubt public bureaucracy presents problems of its own; no worse, I imagine, than those recently imposed by private bureaucracy. Had a nationalized oil industry

possessed the temerity to execute the maneuvers of the last few years we would now be at the barricades.

That leaves the Arabs and their oil-rich confederates. Whether we like it or lump it, they are in a strong position. With \$50 billion a year flowing in (or is it \$100 billion?) they have practically imposed economic development on themselves. They need Europe and Japan for that just as Europe and Japan need them for oil. Mutual forbearance is the best attitude under the circumstances.

The industrialized nations built their post-war economies on cheap oil. Now they face the most colossal redistribution in modern times. Let us accept poetic justice with good grace.

#### LET'S END CONTROLS— COMPLETELY

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

Mr. STEELMAN. Mr. Speaker, it is increasingly apparent that we are reaping a bitter harvest from the sowing of wage and price controls. The administration is slowly coming to the same realization.

Treasury Secretary George Shultz and Cost of Living Council Director John T. Dunlop have come part of the way by supporting a decontrolled economy, except in the areas of energy and health. By so doing it appears they have seen the futility of the present course. Both have testified that standby authority would lead to a demand for significantly greater wages and prices within a short time because of the fear of new controls.

Mr. C. Jackson Grayson, dean of the School of Business Administration of Southern Methodist University eloquently puts forth the case against controls in an article appearing in the *Wall Street Journal* on February 6, 1974.

At this point I should like to insert his article:

#### 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 great.

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 will 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 controlled 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 controls 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 pressure 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. To 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.

#### THE VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM

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

Mr. TALCOTT. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conduct a Voice of Democracy contest. This year nearly 500,000 secondary school students from over 7,000 schools participated in the contest competing for the five national scholarships which are awarded as the top prizes. First prize is a \$10,000 scholarship, second is \$5,000, third prize is \$3,500, fourth prize is \$2,500, and the fifth prize is \$1,500. The contest theme was "My Responsibility as a Citizen."

The Voice of Democracy scholarship program is a national broadcast script-writing program which provides an opportunity for 10th, 11th, and 12th grade students in our public, private, and parochial schools to think, write, and speak up for freedom and democracy. The program was originated by the broadcasting industry and the U.S. Office of Education 27 years ago, and for over a quarter of a century now it has had the con-

tinuing support of the National and State associations of broadcasters and secondary school principals.

"My Responsibility as a Citizen," theme for the VFW's 27th annual Voice of Democracy scholarship program, focuses and calls for a personal evaluation of their responsibility in preserving democracy as a way of life in our Republic.

The winning contestant from each State is brought to Washington, D.C., for the final judging as guest of the Veterans of Foreign Wars.

The winning speech from the Pacific area was delivered by Lisa A. Seale from the congressional district which I have the honor to represent. Lisa is the daughter of Lt. Col. and Mrs. Thomas A. Seale. She resides in Bangkok with her family while they accompany her father on his present military assignment.

Miss Seale is a junior in the International School, Bangkok, Thailand. She plans a career in oceanography and is interested in the arts and sports. She is fluent in Spanish and serves as a Red Cross volunteer.

I join her parents, two younger sisters and brother, her classmates, and the VFW in thanking and commanding Lisa for her love of her country and her clear and thoughtful recognition of citizen responsibilities.

I am especially impressed that a young lady, far away from home, can express such splendid feelings about citizen participation and responsibility.

I insert Lisa Seale's speech in the RECORD at this place.

#### MY RESPONSIBILITY AS A CITIZEN

(By Lisa Seale)

Responsibility is the interpretation of duties by an individual, for that individual. It grows and matures with the person, always building on its past. Citizenship responsibilities likewise spread, and this interpretation can only be a temporary one; it, too, must expand.

Citizens cannot exist without interaction in a community of citizens. We are human beings, and we need each other. Together we learn to progress, to benefit each member of the group. Progress promotes change, and change brings added responsibility. This responsibility can come about only through maturity, so as we participate in our community, we ourselves mature. By participating, I help not only my citizenship, but I fulfill my obligation to help my community progress.

The maintenance of representation, that is, voting, is one of the most basic obligations a citizen has in a democracy. We are individual citizens in a representative society. Our representation consists of a vote. Without this vote, this tool of participation, we are no longer represented; as citizens, we die. Our beliefs and ideas, ourselves, are the essence of governmental actions. To prepare for this existence as represented citizens, awareness of the world should be maintained. This awareness should include political affairs, social and economic affairs, affairs that affect the lives of people. An understanding of the world brings an understanding of myself, and by understanding myself, I am capable of casting the vote that will represent my beliefs and my citizenship.

Respect toward fellow citizens, toward the government, toward the United States and its ideals, toward the world: this is an obligation of not only a citizen, but of a human being. It is the fundamental responsibility of a member of a group. It is impossible to

communicate and progress without a respect for the people and the institutions with which I live.

Thought, above voting, above participation, above responsibility, is the greatest obligation any citizen, of any age, has. It is a preparation for action and participation, it is a foundation for reform and change, and it is the basis for justification of existing ideals. It is the best background for citizenship. Without thought, without the development of ideas and beliefs, every citizen is lost. No vote can be cast without thought, and only through it can come respect, or disrespect. It is impossible to participate without first understanding what one is participating in, and why. Thought is a faculty every human and every citizen possesses, and it is individual to each.

Thought and respect, working, helping, voting: all are responsibilities a country asks of its citizens, and citizens ask of themselves, in return for a just representation, and protection of lives and rights. They are simple, and they are important.

#### THE LATE MRS. MARY A. BEADES

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

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to announce the passing of Mrs. Mary A. (Hamrock) Beades of Milton, Mass., at the age of 95. Mrs. Beades lived in my hometown of Milton, Mass., and was loved by her neighbors. The mother of a former colleague of mine, the Honorable John Beades of Dorchester, it was my privilege to join with many other distinguished Americans to send her birthday greetings on her 87th birthday. Mrs. Beades was always young in heart. Mrs. Burke joins me in extending our heartfelt sympathy and prayers to her son John, her daughter Catherine, and other members and relatives during this time of sorrow. I include for the RECORD an article that appeared in the Boston Globe today:

MARY BEADES; HER BIRTHDAY WAS AN EVENT

Mrs. Mary A. (Hamrock) Beades died yesterday at her home, 97 Huntington rd., Milton. She was 95.

Some years ago when her son, John Beades, was a state senator, he asked a few friends to send his mother a card on her birthday Oct. 15. By 1965 the idea had mushroomed into an avalanche of mail.

On her 87th birthday that year she received cards and telegrams from Pope Paul VI, Cardinal Cushing, President Johnson, Gov. Volpe, Sen. Edward M. Kennedy, Leverett Saltonstall, six Massachusetts congressmen, 89 state legislators, 31 judges, numerous VIPs and dozens of long-time friends.

After looking through the mail that day she said: "I don't like getting old, but then, who does. Hearing from so many nice people makes it a lot more pleasant."

She was born in Roscommon, Ireland, and came to the United States in 1898. She was followed two years later by her childhood sweetheart, Michael Beades, and they were married in 1901.

Mr. Beades, who died in 1940, was a conductor on the old Boston Elevated Street Railway for more than 40 years.

Mrs. Beades lived for many years on Batesville road in Dorchester, and well into her late 80s, she did her own cooking and housework.

Besides her son, she leaves a daughter, Mrs. Catherine Johnson of Milton; a brother,

Henry Hamrock of Ireland; two sisters, Mrs. Delia Pierce of Belmont and Mrs. Elizabeth Liberty of Dedham; four grandchildren and seven great grandchildren.

A funeral Mass will be said Thursday at 10 a.m. at St. Brendan's Church, Dorchester. Burial will be in Mt. Calvary Cemetery.

#### BONDED FUELS AND OILS

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

Mr. VANIK. Mr. Speaker, during the past few months, it has come to my attention that companies with foreign subsidiaries and others importing fuels, have been placing large quantities of fuels, including No. 6 or residual oil, jet fuel, and others in bond. By placing this fuel oil in bond, the law allows it to be used in foreign commerce and does not subject it to domestic taxation. It has been my understanding, however, that this fuel oil is often taken out of bond, at times convenient to the companies involved, when the higher domestic prices warrant the payment of the domestic duty. This appears to be just one more way for companies to hedge against higher domestic prices and to sell for higher prices and profits which result from the delays in the ultimate sale of this oil. Statistics are not available from the Federal Energy Office, the Office of Oil and Gas, the Customs Bureau, the Census Bureau, or any other Federal agency to determine the quantities of fuels and oils which were bonded during the past 6 months compared to a comparable period a year ago.

It is my belief that without such vital statistics, it is impossible to develop a rational and dependable national policy to close the gap between supplies and demand in this country for fuel through an effective and meaningful allocation program.

Therefore, I have written the following letter to Mr. William Simon, the Director of the Federal Energy Office, asking that his office conduct an immediate study to determine whether efforts are underway to circumvent the spirit, if not the letter, of the law, in regard to bonded fuels. It is my further hope that after such study, that Mr. Simon can, if necessary, issue firm guidelines for the control and sale of bonded fuels to eliminate any manipulation of such fuels in the future. The letter is as follows:

MARCH 5, 1974.

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

DEAR MR. SIMON: After a great deal of research, my office has been unable to determine the extent to which various types of fuels and fuel oils have been placed in bond upon their arrival at American ports. While the Customs Bureau participates in the bonding process and in the process of taking fuels and oils out of bond, they indicated that all resulting statistical data is turned over to the Office of Oil and Gas in your agency.

My office further learned that there is no separate data compiled which relates specifically to this bonded fuel, or the quantity

of fuel and oil taken from bond at later dates, for domestic use.

It is my firm belief that availability of this statistical data is essential in the process of developing rational and meaningful allocation of fuels and oils in your effort to equalize supplies with demand.

Therefore, would it be possible for your office to develop comparative data on bonded fuels and oils from the past six months with a comparative period in 1972 to determine whether the spirit and letter of the laws relating to bonded fuels have been observed? Would it also be possible to determine whether these laws have been circumvented in any way by firms seeking to take advantage of higher prices and a greater allocation than otherwise would have been possible?

It would be helpful if such a study would include the names of the domestic firms and foreign subsidiaries involved in such activities, were some to be found actively involved in such activities. Finally, does your agency contemplate issuance of any guidelines in connection with the bonding procedure and the uses of the fuels and oils which are bonded or taken from bond?

Your cooperation in this request would be deeply appreciated.

Sincerely yours,

CHARLES A. VANIK,  
Member of Congress.

#### TRIBUTE TO THE GENTLEWOMAN FROM WASHINGTON, MRS. HANSEN

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from Washington (Mr. MEEDS) is recognized for 60 minutes.

Mr. MEEDS. Mr. Speaker, it is with mixed emotions that I on behalf of myself and my colleagues from the State of Washington have taken this time and this opportunity to speak on the retirement of our friend and colleague, the gentlewoman from Washington (Mrs. HANSEN).

I am happy that she will achieve her long-felt desire to return to the Pacific Northwest and enjoy the benefits of Washington State.

I am reminded of what she said in her statement when she announced her retirement. She said:

I am a westerner and I want to return to the West. At the end of the year when my term expires I shall return to my home in Cathlamet, Washington, with my husband to write, garden and do as I please, hang up the telephone or take the damn telephone off the hook and when people I do not know appear at my door and walk in without knocking, I will have the great opportunity of telling them it is my private home.

It is pretty hard to see anything bad about a statement like that, because I think that is probably something every Member of the House has wanted to do.

So I am happy for the gentlewoman from Washington (Mrs. HANSEN) that she will have that opportunity to do something that she wants; but I am also very sad. I am sad because her loss as a colleague to me personally will be a substantial loss; but even above and beyond that, her loss to this House of Representatives, to the State of Washington and, indeed, the Nation, is a great loss. As Dean of the Washington Congressional Delegation, she has been a powerful and enlightened voice on behalf of the region and its interests. As the

first woman subcommittee chairman of this body, and of either body, she has been very effective as chairman of the Interior Appropriations Subcommittee, as she has made budget policy decisions for Interior and related departments that are of crucial importance to the Western States and to this Nation.

Her concern for the needs of the Indian people, in which I have a special interest and which I think everyone is aware, have earned her the first presentation, her and Senator SAM ERVIN, the first presentation of the coveted Henry M. Teller Award for outstanding efforts in behalf of legislation affecting Indian people. Her records in environmental, hydroelectric power, reclamation, forestry and fishery resources, have benefited the Pacific Northwest and the Nation.

Her remarkable career of 37 years in city, State and Federal elected offices have broken traditions against women office holders at every step.

By the time she was elected to Congress in 1960, she had already become a legend for her achievements in the Washington State Legislature. Beside shattering precedent against women's leadership, she had created a government structure for the Washington State Highway System, a system freed from political pressures and a system, incidentally, that is still in operation. Washington now has one of the finest highway networks.

It has been my personal privilege and pleasure to serve with Mrs. HANSEN since my election to the 89th Congress. I have both worked with her and learned from her since then.

It was a pleasure to do both. Besides my personal acquaintance with her many accomplishments, I was also proud to turn over two counties of my constituency when it was decreed in a redistricting petition. I regretted losing Clallam and Jefferson Counties, and the friends I made there, but I knew they would be well served by Mrs. HANSEN; and indeed they have been.

JULIA BUTLER HANSEN will be sorely missed in Congress; missed by those of us who have served with her; missed by her constituents and missed by those who believe in good Government, but her outstanding record of public service will continue to inspire all of us.

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

Mr. MEEDS. Mr. Speaker, I yield to the distinguished Speaker of the House.

Mr. ALBERT. Mr. Speaker, first of all may I thank our friend from Washington for taking this special order, because I think it is one of the most important that will be taken in the House this year.

When I heard him recite what I read about JULIA's departure, she made it sound so good that I am afraid she is going to start a stampede out of this Chamber.

Mr. Speaker, when JULIA HANSEN leaves the House of Representatives next January, she is going to leave a vacuum that will not be filled. Of course, when I think of her own personal life as recited in her note of retirement, I can understand why JULIA has decided to retire

from public service after a long and illustrious career in the House, and I can understand her desire to go back to the great and beautiful Pacific Northwest.

Mr. Speaker, when I think of the House of Representatives and the Nation, this is one retirement which is almost beyond my understanding. In all of my years in the House, I have never known a person who understands the legislative process and the use of legislative political power better than JULIA. She is a craftsman without a superior. JULIA HANSEN has had enormous impact on the House and the country.

As chairman of the Democratic Committee on Organization, Study, and Review, she has probably done more than any other person in our time to bring the operations of the majority party up to date, make its operations more democratic, and to give to all of its members a chance to participate in the activities of the House and its committees.

As chairman of the Appropriations Subcommittee on Interior and Related Agencies, JULIA serves as a model for any and all chairmen. Her committee is the American committee. Her's is the committee devoted to improving our own country and making life better for our own people.

Mr. Speaker, in my judgment, no chairman in all the history of that committee has performed its functions with greater skill, greater success, or greater dedication than JULIA HANSEN. Mrs. HANSEN has molded budgets that whittled the fat and nurtured the muscle of the heart of America. The personality and character of the budgets were reflected in the landslide margins by which they passed the House.

Mr. Speaker, I am sure that scores of Members like myself owe her more gratitude than we will ever be able to pay. She has effectively tried to respond to every legitimate problem in our districts which came within the jurisdiction of her committee. JULIA HANSEN has more savvy, more sense, more judgment, and has accomplished more success in things undertaken than almost anyone I know.

Within JULIA HANSEN is the heritage of her father, who was a western sheriff, and her mother, who was a frontier schoolmarm: A combination of courage and concern—a mixture of intellect and ingenuity—a quality of individualism and community concern.

I just do not know what it is going to be like to serve in this House without JULIA. I know it is going to make my burdens and the burdens of most of us more difficult. I know her departure is going to have an impact on a lot of people. I just hope that we who stay after her can continue to demonstrate the interest that she has had in building up our natural resources, in taking care of our public lands and our possessions, in extending full economic and social opportunities to our original Americans. Her service has been a model for us all. It is hard to give her up as a colleague, but, JULIA, we can never give you up as a friend.

Mr. MEEDS. Mr. Speaker, I thank the distinguished Speaker for those fine and perceptive words.

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

Mr. MEEDS. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I must say, as one who has great admiration for JULIA HANSEN, that she should forever treasure the eloquent words of the Speaker. I have not heard in my time here, I think, a more eloquent tribute to a departing Member, and I want to congratulate the Speaker. I want to say also that JULIA HANSEN deserves every word of it.

The Speaker said that the departure of JULIA HANSEN would have an important impact on a lot of people including the Speaker. I would say this for sure. It will have an impact on the chairman of the Committee on Appropriations because JULIA has been a strong member of that committee for 11 years now.

She has been a leader; she does her homework; she knows what it is all about; she understands the political process.

She has distinguished herself in such an important way, and she has maintained the support and the admiration of all Members of the House.

I do not like to use the word "retirement." I cannot think of anyone with the energy and drive of JULIA HANSEN ever retiring. I just think of her as departing from this body to work somewhere else. It sounds as though we think she is about to depart tomorrow, but we are going to depend upon her leadership at least for the remainder of this session.

Mr. Speaker, JULIA HANSEN is a trailblazer in many ways. She was the first woman Democrat ever to become a member of the Committee on Appropriations. It is not so important perhaps that she was the first, but what matters is her stellar performance in the job. She certainly has set a pattern for all women, and I should say men too, to follow in the House and on the committees upon which they serve.

In 1967 she became chairperson of the Interior Appropriations Subcommittee. She was the first woman to become a subcommittee chairman in the history of the House or Senate. Her other subcommittee assignments have included Foreign Operations, Military Construction, and Transportation.

What she has done as a leader in this House has been her distinguishing mark, and that is what I would like to call attention to here. All of the Members can scarcely know of the admiration we have for her on the Committee on Appropriations or for her devotion to her work. She always knows her legislation; she always holds her own in any contest.

It is because she knows her bill and she knows her House and she knows her people that when she goes back to Main Street in Cathlamet, she will take with her quite a heritage.

In the Appropriations Committee her responsible, common sense approach to our problems have marked her as a capable leader. We have counted on her and she has produced. Her record of constructive accomplishments should always be a source of satisfaction to her.

JULIA HANSEN's work on the Interior

Subcommittee is an example of American dedication at its finest. She is a champion of the natural resources of our Nation and has played a vital role in the development and protection of our public lands and our national parks. She has been one of the most important friends that the American Indians have ever had.

Not only has her immediate constituency benefited from her presence in Congress, but the entire Pacific Northwest and the Nation generally have been well served.

Mr. Speaker, it is good that we have in our country men and women who can make such a great contribution to the ongoing progress and development of this Nation.

I salute you, JULIA, and may God bless you.

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

Mr. MEEDS. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the written word often seems to me to be cold and not sufficiently descriptive of my thoughts when I have a strong feeling about something. Mere words do not describe the deep respect and affection I have for you, JULIA.

I want you to know that whatever we say today can never properly pay respect to you for the rare integrity, intelligence and courage you have displayed in your 37 years of public service.

My colleagues, from the first time I met JULIA BUTLER HANSEN while she was serving in the State legislature until this day, I have never known a time when she was not ready to take a stand on any issue and then do what was necessary to see that right prevailed.

Through the 10 years we have served together in Congress I have always known I could check my thoughts with her and receive good advice not only on the specifics of the legislation but more importantly, on the basic effect it would have on the every day lives of our constituents. This wonderful blend of theory and practical politics has been a wonderful help to me, JULIA, and I shall miss this very much.

JULIA has not only represented the citizens of the Third District of Washington very well but in addition, she has been a great force for good for the people of the entire Nation. As chairman of the "Hansen committee" on reform, she, more than any other person, has been successful in making the House of Representatives more open and responsive to the people. I do not know of any other representative who could have held together the diverse forces on this committee and come forth with a coherent result. The solid progressive results of this committee have been enormous and all of us are in her debt for this service.

As chairman of an important subcommittee of the Appropriations Committee JULIA was one who not only protected the arts and humanities but positively moved to improve the whole climate for such activities throughout the United States. We all hope the momentum you have started will continue into the future.

I cannot close my remarks, JULIA, without a personal reference to the help and encouragement you have given me throughout the years. I remember your courage and support in the John Kennedy campaign of 1960. Your advice and good counsel on the committees I should apply for in 1964. Your careful but strong position on how I should respond to the Vietnam war. Finally, the many quiet conferences we have had just off the floor on many, many subjects when you gave to me so freely of your years of experience in legislative matters.

I want to say thank you, JULIA, for it all. I shall miss you very much—and you will probably have to open your door in Cathlamet from time to time and say—all right BROCK, come on in, I have a few minutes for you.

Betty and I wish you and Henry and the rest of your family a happy and wonderful life. You notice I do not say retirement, JULIA, because you will never retire. It is just a change of activity and all of us wish you the very best for the future.

Mrs. MINK. Will the gentleman yield?

Mr. MEEDS. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I thank the gentleman for yielding.

Mr. Speaker, I want to join in the very eloquent words of the Speaker, the chairman of the Committee on Appropriations and my colleague in the well and Mr. ADAMS, the gentleman who just completed his comments.

It is a very difficult thing to express one's feelings and sentiments about a colleague that we have come to respect and regard so highly, a person with whom we have worked on legislation of very real and intimate concern, and to suddenly realize that because the gentleman in the well has taken the time for a special order today that somehow we must put down all our words and our sentiments in one statement.

The gentleman in the well Mr. MEEDS, and the two gentlemen from Washington Mr. ADAMS and Mr. FOLEY and I came to the Congress at the same time in the 89th Congress. We were a very confused and largely unruly group of freshmen. One of the things that I can remember very vividly in that first year's experience here in 1965 in working together with my colleagues from Washington, as I did, as a Member from the West, was how often they felt the need to consult with JULIA, to find out from her what the real issues and the real purpose of the various pieces of legislation were that were being considered in the House. This has become a habit that I have continued to notice of my colleagues because I consult them quite frequently on the business that comes before the House. So in this very personal way the presence and valuable advice of JULIA will be missed when she leaves this body next year.

But far beyond that, Mr. Speaker, I am here this afternoon to speak for people who are a part of this great Nation but who are not represented here in the fullest sense. One of the missions that I accepted when I came to the Congress was to serve on the Committee on Interior and Insular Affairs, to try to make sure

that the interests of the people of American Samoa, Guam, the trust territories specifically and also the people of the Virgin Islands and Puerto Rico had some measure of representation on that Committee on Interior and Insular Affairs, as well as in the other committee on which I served. And never once in the years that I have been here, and it is nearly 10 years, has there ever been any question but that the gentlewoman from Washington (Mrs. HANSEN) who chaired the committee that was responsible for the appropriations for these people way out in the offshore areas would always make sure that their interests were to the fullest extent possible protected. And it was with a great warmth of feeling and assurance that I could always go back to these people and report to them the excellence of that leadership of the gentlewoman from Washington and how much she cared for them. So from them I wish to express their fond farewell and their best wishes.

The last item that I want to mention is the tremendous contribution that the gentlewoman from Washington (Mrs. HANSEN) has made, not to us as colleagues, but to this institution as the chairman of the Hansen committee. So many times I recall in my campaigns recently I have talked about these reforms and noted that they were the accomplishments and achievements of the chairwoman of this committee. And all of the changes that we have talked about and the democratization of this institution, the ability of someone like myself in 10 short years to have assumed the chairmanship of a subcommittee, is due entirely to her dedicated service in this House.

So for these three small but important reasons, JULIA, I am so pleased to have this opportunity to express my warmest and highest regards and my fondest aloha and best wishes for happiness in the years to come.

Mr. MEEDS. Mr. Speaker, I now yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman from Washington for yielding to me.

Mr. Speaker, I have always been impressed by the fact that there is probably not a State in the Union which is better represented than is the State of Washington. And all one has to do to be cognizant of that fact is to look at the gentleman in the well, Mr. MEEDS, and some of the other Members from the State of Washington who are here on the floor. And certainly the gentlewoman from Washington, JULIA HANSEN exemplifies why the State of Washington is so highly regarded in this body.

Mr. Speaker, I served with JULIA for 4 years on the Interior Appropriations Committee and the last 2 years before this one it was my privilege to serve as her ranking member. And it just amazed me the first year that I was on that subcommittee to hear her discuss in great detail Indian reservation after Indian reservation which came up for discussion under the budget for the Committee on the Interior.

I had the impression after sitting on

that committee for about 3 weeks that she must have visited virtually every one of the reservations in the country because she knew so much about each and every one of them, and she so obviously cared about all of them. I learned so much from her about not only Indian problems in this country, but problems relating to our resource base as well.

I think that if there is any one word that could be used to sum up JULIA HANSEN, it would simply be the word "kind." She has great compassion for people who are less fortunate than Members who served in Congress. I do not know if there is anybody less fortunate these days, but she has great compassion for the less fortunate in our society. And she has always been willing to help other Members.

She came to my district and visited many reservations and forest lands and other projects. It was obvious to my constituents then that she cared about them and cared about their needs.

I do not think anyone who ever heard it will ever forget her eloquent defense of appropriations for the arts when they were under attack in the Committee on Appropriations a year and a half ago. When she finished, she received a standing ovation in the committee—and she well deserved it. It was the most eloquent defense I have ever heard of support for things to make human beings a little better.

I remember her outrage when we discovered in the committee a couple of years ago that for every dollar the Government spends on trying to determine what the value is for a piece of land which is going to be put up for lease to oil companies, for instance, that private industry has spent \$20 on that same kind of research. I remember the warnings that she issued for years in that Subcommittee on Energy. If one were to read the reports of her subcommittee, one would see the warnings which it issued on the coming metal shortage. JULIA has not only seen the problems immediately before her, but the problems coming down the road. She has warned those people who would listen of their potential import.

I want to say one more word about her role in congressional reform. I think much has already been said. I think that much as she has contributed to the advancement of reform in this House, she will still be doing more in the year yet to come. There is work going on on reform right now that she still is engaged in. I am looking forward to working with her on that. It has been a privilege for me to serve both in the same Congress and on the same committee with JULIA HANSEN.

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

Mr. MEEDS. I yield to the gentleman from Georgia.

Mr. FLYNT. I thank the gentleman for yielding.

Mr. Speaker, I certainly wish to associate myself with the remarks of those who have preceded me in paying tribute to one of our ablest and finest colleagues in the House of Representatives. Like the gentleman from Wisconsin, I, too, have

sat on the Subcommittee on Appropriations which the gentlewoman from Washington has chaired. She was a firm, always fair, and effective chairman of that subcommittee.

Whenever JULIA BUTLER HANSEN presided over her subcommittee, there was no doubt but that she was the chairman of that subcommittee. She had perhaps as great a grasp and knowledge as everybody else present at the time did. There have been many occasions when she has certainly demonstrated that she had a better grasp and knowledge of almost any bureau within the Department of the Interior, and many of the related agencies over which that subcommittee has jurisdiction, than the principal witnesses who appeared before her committee—and our committee—at that time.

She came to the Congress of the United States with a wealth of experience as a legislator in her beloved State of Washington. She served in the House of Representatives and in the Senate of that State. She served as chairman of the Committee on Highways of both the House and the Senate. She served well in the legislature of her home State.

She has demonstrated resolve, which I have seldom seen equaled and never excelled, on many matters affecting her work here in the House of Representatives.

There has been a great deal said about the work of the Hansen committee on legislative reform.

While I did not always necessarily agree with everything that she and her reform committee recommended, I certainly want to congratulate her on the finest job that could have been turned in by whomsoever the Speaker of the House might have designated as chairman of that committee.

Mr. Speaker, we hate to see her leave. We have come to admire and respect her as a colleague. What is more, we have come to have a deep and abiding affection for her as a friend. We shall miss her very much. My wife, Patty, and our children, join me in wishing her and Mr. Hansen and their family every happiness in the many years of good health and happiness which we hope will certainly be theirs together.

I wish in closing not only to pay my tribute, but to directly and symbolically salute an able and effective Member of the Committee on Appropriations and a Member of the House of Representatives, a lovely lady and, indeed, one of the greatest Americans it has ever been my privilege to know.

Mr. MEEDS. Mr. Speaker, I yield to the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. I thank the gentleman. I have had some difficulty approaching this afternoon without a great sense of sadness. There is really no reason that should be so, because the occasion for reviewing the enormous respect and affection of this body for JULIA HANSEN should be as pleasant as it is evident. Nevertheless especially for members of the delegation from the State of Washington, it is difficult to think that there will be a day next January when the 94th

Congress will meet and JULIA HANSEN will not be here as our dean, as she has been from the moment of our arrival in this House and as she is today. None of us has known the House of Representatives without knowing JULIA HANSEN as our leader, a leader not only in the sense that she was the senior Member of the delegation, but a leader in the more significant sense of teacher and mentor.

There have been many eloquent statements this evening about the enormous contribution JULIA HANSEN has made to her district, to her State, and to the Nation.

None of us can fully or adequately catalog her achievements. I should list first her efforts in behalf of the American Indians, of all those in our American family, who in desperation needed a powerful and compassionate friend. Her support of the arts and humanities has enriched the cultural life of this Nation. Her defense of our natural heritage of land and water will win the gratitude of future generations. She more than any single Member has made meaningful congressional reform a reality.

This is the merest sketch of a record so rich in accomplishment that any Member of this House would be honored to call it his own.

Again, for those of us from the State of Washington there is another and very special gratitude we must express: JULIA showed us how to be legislators. She set standards—high standards. She established a standard of competence; she showed that this was not a job to be taken lightly or casually. It required hard and constant effort. JULIA's enormous competence and preparation will remain with us a model.

Candor has become a relatively new political virtue—at least in some quarters. It has always been a part of JULIA's public and private life.

JULIA has always been straight with everyone. When she agreed, you knew she agreed. When she disagreed, you knew she disagreed, and why. JULIA's candor was a direct result of her fundamental honesty, which she could not dissemble and did not want to.

And, then there is her sense of compassion—as one Member said, "JULIA is kind" "JULIA cares," as another said. JULIA cares about people; she cares about the work of this House and about the future of this country. JULIA is kind. What an essential quality in a lawmaker that is.

And, of course, there is her courage. Every once in a while each Member has to face an enormously difficult decision, one that involves some political risk, and one which requires courage. It is not the physical courage of the battlefield of course but the moral courage to make judgments that honestly represent one's principles as well as convictions. JULIA HANSEN has never failed to show such courage.

Mr. Speaker, I think there are probably other things she has taught us, but those are the things that remain with me. Competence, candor, compassion, and courage, and together with her unimpeachable integrity they make up a very wonderful legacy for all of us who

have known JULIA so well and admired her so much.

Mr. Speaker, she is going to remain the dean of the Washington State delegation. I think all of us from Washington pledge to you, JULIA, that we are going to look forward to your coming back, as we know you will, and seeing you in the State and having the benefit of your advice and counsel as we always have in the past.

Again, I think we cannot imagine a time when we would be in Congress and JULIA would not be here with us. We know she will be with us certainly in spirit, in affection, in a sense of shared values and experiences.

JULIA, all of us send to you and to your family—to Henry and David and all of your family—our warmest, best wishes.

All we can say to you, JULIA, is thank you for the courtesies, the things you have done to help us, and for those standards you have set for us. I think the highest tribute to you will be our constant effort to follow the high road you have charted.

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

Mr. MEEDS. Mr. Speaker, I yield to the gentleman from Washington.

Mr. HICKS. Mr. Speaker, I thank the gentleman for yielding to me.

JULIA, you will understand that with all the eloquence that has gone on here in the past few moments, I want to join in all of it, but these four of us who came back here and whom you have guided as your chicks—some of them have been here long enough now that they are long-winded, so I am going to cut mine a little short.

I want to recall just for a moment the first time that I ever met you. You will not remember this, but it was in the 1950's. Bill Bugey had a dinner one night, and at that time I had heard about you. I was a little awestruck to begin with.

I sat over on the side, and contrary to now, I had little to say. You were there. He was the Director of Highways, and you were there as the real power on the highways. And I understood that before the evening was over.

Mr. Bugey was a pretty competent fellow. He went on to organize a bill for the Bay Area Rapid Transit System down in California.

The next time was when the four of us met in the Federal courthouse there in Seattle. You probably will not remember this either, but again I was there, and I did say something that night—probably it was some brash statement.

Nothing has been said this evening that I recall about JULIA HANSEN's short fuse, but she does have a short fuse. The storm clouds come up pretty fast, but they go away just as quickly. But I did not know that. They snapped that evening, and I felt, well, I am off to a great start.

But when we got back here, JULIA was everything that everyone has said she was this evening.

So all I can say is thank you for all the help that you have been to me and my district, a good portion of which is now your district, as a result of the last redistricting.

Mr. Speaker, I will just say that JULIA BUTLER HANSEN is a great lady. No one in this House would oppose that statement. She will be missed not only by the people of the State of Washington, but, although they do not know it, by the entire United States.

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

Mr. MEEDS. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I suppose I am the only Member here who has served in two legislative bodies with Mrs. HANSEN. When I was first elected to the Washington State Legislature of the House of Representatives in 1956 and went to my first caucus, I found that I had been assisted by a man who was the dean of the Democratic Party at that time, and his name was Mr. Oley Olson.

Mr. Olson unfortunately was dying, and he never even got to the first caucus. He called me over to visit him before I went, and he said, "I cannot go over with you. I cannot advise you, but I do have one thing I must tell you. Look up JULIA HANSEN and take your advice from her."

Mr. Speaker, I think that is the finest piece of advice I ever received. I did what I was instructed to do, and I think it is the smartest thing I have ever done.

I served with JULIA for 4 years in the House of Representatives, and I have continually considered her as my mentor and my adviser. There is no way I can overstate the benefits I have gained from her guidance.

The only consolation to be gleaned from her decision to retire from Congress is that my many years of close contact and association with her will continue to be the source of guidance and wisdom to me in her absence.

JULIA has served in public life in the State of Washington and in the Nation now for 17 years. Her brilliance and dedication and her far-reaching accomplishments are virtually without comparison. Her retirement is well deserved, and I wish her the best in her new life.

Quite frankly, it is hard to imagine how we in Congress will do without her. I know I will miss her.

Ever since she first ran for city councilman in Cathlamet, Wash., she has been a leader among leaders, and she has been one of America's outstanding women. Her work during that distinguished career has touched almost every aspect of American life.

As a member of the Washington State Legislature, she pioneered in the field of highway legislation and helped to set national standards and terms of allocation for highway safety.

I might say that a few moments ago when the gentleman from Georgia, in referring to her experience in the legislature, said she was chairman of the Highway Committee in the House and in the Senate, he was only half right. She was only chairman of the Highway Committee in the House. Of course, she ran the Highway Committee in the Senate as well, but she was only formally chairman of the committee in the House of Representatives.

Mr. Speaker, she was always the voice of the underdog. She was not always just working for highways. She was working for women, for children, for the handicapped, and for minorities.

She was the leader in forming many of the policies and programs for education, conservation, recreation, and the humanities.

As every Member of Congress well knows, she has followed that same pattern in her long service here in the House of Representatives.

Her influence spans the range of subjects from forests to arts and humanities and the field of resources and fisheries, to Indians and to every sort of recreation and concern for our country and its culture.

I would like to mention a special contribution which is well known to us in the Northwest but less well known here in the halls of Congress, that is, JULIA BUTLER HANSEN is an author who has worked on the early history of the Pacific Northwest and impressively contributed to our knowledge and appreciation of our early cultural origins. Her books have been widely read and are used today by the schoolchildren of the Northwest. I expect that more of them will be published and used in the future if JULIA's promise to go home and write holds true.

I believe a word of comment is called for here on her outstanding contribution to the restoration of Fort Vancouver, which is now a part of my congressional district and which owes its restoration entirely to her. About this time next year we will celebrate the 150th anniversary of Fort Vancouver's dedication by Gov. John Simpson and the Hudson Bay Co. Fort Vancouver subsequently served as the location of the first farm, the first school, and the location of just about everything from a grist mill to a brick yard in the Northwest. This will also be a dramatic contribution that Mrs. HANSEN is making to the American bicentennial celebration and a meaningful tribute to her efforts.

The Speaker, none of us in the Washington State delegation can quite believe that JULIA is leaving us. It is truly the end of an era not only for our delegation but for the entire Congress. She takes with her not only her own splendid work accomplishment but our respect and devotion and the knowledge that having known her and worked with her and learned so much from her will always remain one of the most important aspects of our legislative careers and our personal lives.

Mr. BOLAND. Will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, the membership of this House will be the poorer as the result of the retirement of Congresswoman JULIA BUTLER HANSEN of Washington. She has been a dedicated, hard-working representative of the Third Congressional District during her 14 years in this city. In the time that she has served with me on the Appropriations Committee, I have always been impressed by her judgment, her articulation and by the leadership she has displayed in managing the important issues with

which she has been concerned. As chairwoman of the Interior Appropriations Subcommittee, she has established a record for forthright comment and energetic probing that certainly ranks her amongst the most respected Members of the House.

Further, JULIA HANSEN has tackled the grueling responsibility of serving a constituency a continent away with energy typical of her whole attitude to life. She has demonstrated resilient strength in any number of political situations since coming to Washington, D.C.

I have always considered it a great pleasure as well as an instructive one to work with JULIA in the deliberations of the Transportation Appropriations Subcommittee on which we both serve. I shall be sorry indeed to lose a valuable and truly outstanding colleague, as will, I am sure, all those Members with whom she came into contact in the years we in the House have known her.

While we are all aware of how much the cause of women has been advanced in the past few years, it is my conviction that it is women such as JULIA HANSEN that have made the greatest strides for themselves and their fellow women—not those who have captured the headlines but rather those who have won the respect of the public. I am convinced that achievements like hers are the real heart of the hard-earned acceptance that women have so recently gained. I feel that the women of this country join me along with my colleagues today, in applauding JULIA BUTLER HANSEN's many fine years of public service to her home State of Washington and to the Nation. We regret her decision to call an end to such a distinguished career, but we are all cognizant of how fully she deserves rest and reward for her efforts.

And, JULIA, don't "rip the damn telephone off the wall" when you get back to Cathlamet. For the jingle of the phone, will often be from, the many friends you are leaving behind here in Washington, still looking for the advice and counsel that you have so magnanimously given during your splendid service to your district, your State, and Nation.

Mr. MEEDS. Mr. Speaker, I now yield to the gentleman from Washington (Mr. PRITCHARD).

Mr. PRITCHARD. Mr. Speaker, I thank the gentleman in the well for yielding to me.

JULIA, I really cannot believe that you are retiring. I have been hearing about it, and I have always said that I will believe it when I see it, and that means when you stop filing on it, that is when I will believe it. But with all of the wonderful words that have been said today it must mean that you are not going to file again and I am so sorry.

I think at times we who are on the other side of the aisle have a little different perspective of somebody than just somebody in their own party. I first started serving with JULIA 16 years ago when I arrived at the State capital as a freshman legislator. At first I was taken to lunch by a fellow by the name of Evans who is now the Governor and he said, "Won't you go on the Highway Committee?" He said, "We need some more

people from Seattle." I said, "Isn't that the one that has the woman for a chairman?"

He said, "That's the one. But," he said, "don't be scared of her, her bark is really worse than her bite, and as long as you are honest why, you can get along with her."

So the first thing I did was to meet JULIA, and she said, "It is nice to meet you," and with her next breath she said, "Where do you stand on the bridge?" At that particular time there was a great effort to bridge the Puget Sound and JULIA was sort of leading the charge. And I gulped and said, "I am against the bridge, Madam Chairman." And I can remember she looked at me and said, "Well, I think I have got enough votes in the House so it is all right."

Later on a delegation came down from Bainbridge where my parents live, and the cause of my position, and I can remember they said, "How are we going to stop the bridge?" I said, "Go over to the Senate, because as long as JULIA is the chairman of the committee here no one is going to stop the bridge in the House." And of course it passed through with a large number of votes, but then happened to die in the Senate.

Mr. Speaker, I think of JULIA BUTLER HANSEN as a skilled craftsman. Really, when we talk about public servants, politicians, and servants of the people, I think that JULIA epitomizes the very best because in all the battles that you have fought each time that I have watched you, you have been fighting for not your own side but for a belief that you held dear and for a cause that you felt was right. And as mad as you probably have gotten at times and I have been at times on the receiving end of it, why, it was always because you felt it was an injustice, and it was never because of a feeling that you personally had against them.

As one who was a highway builder in the State of Washington, being a living legacy to this for the job you did—and it was pioneering because you took a lot of the politics out of the highway building in the State of Washington—I think our State will always be grateful for what you did.

People in the State of Washington have much to thank you for.

Then, personally I want to say that you have been so helpful and so kind to me when I came back as a freshman and was the only Republican in the delegation from our State—and I should add that all of the other Members have been most helpful—but I remember that you had a luncheon for me when I first came, and you have given me great enjoyment and I am most appreciative. I know that it is hard for me to believe that our State will not be represented by you here and I have a feeling that your service is not over in our State.

When I see the Governor tomorrow night, as we all will, I know that I am going to put in a plug for you because I want him to put you to work somewhere and in some capacity. I see that look on your face now that indicates that you do not want this, but, JULIA, I do not believe you are really ready to go out to pasture. You have so much to offer and you have

so much knowledge and you have so many friends that we would be just selling our State short if you did not continue in some capacity. I think we owe it to ourselves to see that you go back in some capacity so as to help.

I feel very humble today to have been a part of this small recognition of the service and the great contributions that you have made, not only in our State but throughout the United States.

Mr. MEEDS. Mr. Speaker, I now yield to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Speaker, I am pleased to join my colleagues in praise of an extraordinary woman. This characterization of her, however, is too narrow. By that I mean she is not just one of the outstanding women legislators in this body, but ranks among the most gifted, period, without designation of gender. When the circumstances and situations require it, she exhibits aggressiveness and firmness. At other times, when appropriate, she displays a rare compassion and understanding.

The ability of JULIA HANSEN will be sorely missed in the 94th Congress. Her experience, dedication, and almost innate legislative ability is not generated or replaced overnight. It has been my privileged honor to know her and serve with her. I wish her well in a relaxing and refreshing retirement, but implore her not to forget us or ignore us when we seek her counsel for our unending legislative problems.

Mr. MEEDS. Mr. Speaker, I yield to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Speaker, like all of us, I am sorry that JULIA BUTLER HANSEN is retiring. Like all of us, I respect her decision to retire, but accept it with sadness.

I want to take this time to thank JULIA for what she has done for the West, what she has done for transportation, what she has done for the stability of the procedures of our party caucus and the procedures of this House, for what she has done for the country, and just for her friendship. I hope that her retirement is a happy one, because she will take with her the praises of her colleagues and her constituents for her accomplishments for her country and the respect and affection of her colleagues for her ability and for her friendship.

I know that the Members join me in saying that our Nation is richer for her service, the House is richer for her contribution, and all of us are richer because of having known her.

Mr. FOLEY. Mr. Speaker, I yield to the gentleman from Georgia.

Mr. GINN. Mr. Speaker, although I have had the privilege of serving in this body for just over a year, I, too, have fallen under the JULIA HANSEN magic. Shortly after I arrived in the Congress last year, the Department of the Interior announced its intention to close a rather important facility in my district. I sought and received Mrs. HANSEN's able assistance and the facility is still in operation today, thanks to her very able and great help. Even though few of the people in

my congressional district way down in Georgia personally know JULIA, but as she prepares to depart Washington, D.C., I want her to know she leaves with the love and deep appreciation of the entire First Congressional District of Georgia. We wish her Godspeed.

Mr. FOLEY. Mr. Speaker, I yield to the gentleman from Washington (Mr. MEEDS).

#### GENERAL LEAVE

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject just discussed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that the following letters and statements be made a part of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### THE RETIREMENT OF REPRESENTATIVE JULIA BUTLER HANSEN

Mr. MAGNUSEN. Mr. President, Representative JULIA BUTLER HANSEN—dean of Washington State's delegation in the House of Representatives, chairman of the House Interior Appropriations Subcommittee, and my very close friend and colleague for so many years—has announced she will retire from Congress at the end of the year. While I would be the first to acknowledge that Mrs. HANSEN long ago earned every right to shed the burdens of elective office, I also know how much her presence in the Congress will be missed by the Nation, the Congress, all of us in the Washington delegation and, especially, by her district.

Having served for 8 years on her hometown city council and for 22 years in the Washington State legislature, Mrs. HANSEN arrived in Congress in 1960 with more legislative experience and savvy than many Members have when they leave. She will depart after 37 years in elective office and with a record of solid legislative achievement of which she can rightfully be proud.

Throughout her career, Mrs. HANSEN has again and again broken traditions that previously had excluded women from positions of public responsibility and authority. She was the first woman to serve on the city council of her hometown of Cathlamet, Wash. She was the first woman to serve as chairman of a County Democratic Central Committee. She was the first woman to be Speaker pro tempore of the Washington State House of Representatives. She was the first woman subcommittee chairman in either the U.S. House or Senate. She was the first Democratic woman to serve on the House Appropriations Committee. And she is the first and only woman to serve on the House Democratic Steering Committee.

Mrs. HANSEN has succeeded where so many others—men and women alike—fail because she has worked hard, spoken bluntly and battled fiercely for what she believes to be right. And if anyone doubts that statement, he should talk with those here in the Senate who have confronted her in conference.

In announcing her decision to retire, Mrs. HANSEN spoke with the same blunt honesty that has always been her trademark.

"I am a Westerner and I want to return to the West."

She said:

"At the end of the year, when my term expires, I shall return to my home in

Cathlamet, Wash., with my husband, to write, garden, do as I please, hang up the telephone or take the damn telephone off the hook, and when people I do not know appear at my door and walk in without knocking, I will have the great opportunity of telling them it is my private home."

But no one gives up their privacy and leisure hours for 37 years to serve the public unless they have a great love for their country and a deep commitment to their fellow citizens. So I was not at all surprised that Mrs. HANSEN also said in her announcement:

"As a private citizen, I shall continue, as long as I live, to have a strong interest in my community, district, State, and Nation."

That, as all of us in the Washington congressional delegation know, is a profound understatement. All of us, and particularly I, will continue to seek her advice, ask her assistance, and value her friendship. And I know she will continue to be as blunt as ever in her advice, as valuable as ever as an ally, and as sincere as ever in her friendship.

**JOHN R. MCGUIRE, CHIEF, U.S. FOREST SERVICE**

As chairman of the Subcommittee on Interior and Related Agencies of the Committee on Appropriations, Congresswoman Hansen has championed Federal natural resource programs, particularly forestry programs. One of Mrs. Hansen's longstanding concerns has been the lack of adequate long range planning and analysis as a basis for determining federal forestry funding. At each appropriations hearings, Mrs. Hansen has emphasized the necessity of taking the long-term view in funding forestry and other natural resources programs. She has continually sought to protect the natural resources budget from unduly bearing the burden of reducing Federal spending. Under her guidance, the Subcommittee on Interior and Related Agencies has repeatedly increased the Forest Service budget in such basic and long range areas as reforestation, timber stand improvement, cooperative forestry and research. Yet her Subcommittee has almost always stayed within the total budget amount requested by the President for natural resources, and the Subcommittee has simultaneously insisted that forestry and other natural resources agencies constantly review and initiate efficiencies in managing their programs and funds.

Mrs. Hansen comes from a beautiful, heavily forested area of the Pacific Northwest, and she brought to Congress an appreciation of the full range of values and benefits which our national forests provide, based on personal knowledge and experience. Through the years, she has retained this balanced view of our forests and has been a strong and vocal supporter of the Multiple Use-Sustained Yield Act which guides the management of our national forest lands.

In reviewing annual budget requests for forestry and other resource programs, Mrs. Hansen has not been content to rely on dialogue between the Executive Branch and the Congress. She has opened the appropriations process to the public calling in witnesses from the timber industry, from universities with forestry management and research programs, and from conservation groups. She has actively sought their views as the Subcommittee tried to establish funding levels and priorities.

Mr. Speaker, this Congress and the Nation owe a large debt of gratitude to Julia Butler Hansen for the dedication and knowledge she has brought to her job of chairman of the Interior and Related Agencies Appropriations Subcommittee. The impact of her leadership in forestry and other natural resource programs will be felt for years by millions of American citizens who can expect a continued, sustained flow of amenities and resources from our public lands because of the interest and diligence Mrs. Hansen displayed in funding our natural resource programs.

**DON HODEL, BONNEVILLE POWER ADMINISTRATION**

MARCH 4, 1974.

**HON. JULIA BUTLER HANSEN,**  
**House of Representatives,**  
**Washington, D.C.**

DEAR MRS. HANSEN: At the end of this year, when your announced retirement from Congress will take effect, you will join a select group of devoted Americans who have achieved a very outstanding legislative and public service record. On behalf of the Bonneville Power Administration I wish to thank you for all the sound advice, assistance and cooperation you have given us over the years.

While you have earned a well-deserved retirement, we are certain you will maintain your avid interest in local and National affairs. We are looking forward to reading your next book.

We will miss you on the Congressional scene.

**NANCY HANKS, CHAIRMAN, NATIONAL ENDOWMENT FOR THE ARTS, WASHINGTON, D.C.**

It is difficult, indeed, to find words to express the appreciation I feel for all that Julia Butler Hansen has done for the arts in this country.

In the five years in which I have served as Chairman of the National Endowment for the Arts, I have been strengthened by the knowledge that at all times, and on all matters that concerned our programs, I could count on the patience, the understanding, and the wisdom of Mrs. Hansen. And I called upon her, many times. Each year, as I prepared to defend my requests for new and larger appropriations, I knew that I faced a Chairman who was perceptive, conscientious, deeply opposed to any waste or misuse of public funds. And yet, I looked forward to our encounters, because I saw in her a true champion of the public interest.

The National Council on the Arts at its meeting on February 7 unanimously requested that I convey their great gratitude to Mrs. Hansen for all she has done for the arts. I pay tribute today both for Council members, past and present, and for myself. The National Council on the Arts, the National Endowment for the Arts, and I personally are indeed privileged to have been associated with Julia Butler Hansen.

**THE AMERICAN FILM INSTITUTE**

"The exercise of vital powers along lines of excellence in a life affording them scope" is the way the Greeks defined happiness.

By that definition, Julia Butler Hansen's career as a Member of the U.S. House of Representatives should certainly have provided her happiness, for she has exercised her powers and used her talents in a very complete and always excellent manner.

Motion pictures are one of Julia Hansen's interests and that will surprise only those who are unaware of the extraordinary scope of this woman's learning and caring. Today the United States finally has in The American Film Institute a national organization dedicated to our only indigenous art, an organization dedicated in advancing the art of film and to preserving the richness of America's cinematic heritage. The American Film Institute is one of the many good works that exist and have made progress because of the encouragement and the support of the Congresswoman from Washington.

Julia Hansen is noted for her imaginative support of the legislation for the arts which has enabled the National Endowment for the Arts to make such practical progress with her as Chairman of its Appropriations Committee. It is true to form that Julia Hansen would understand and embrace that one art—the movies—which reaches out to the largest and broadest segments of our population, the one which touches the lives of people in every corner of the country and in each of its small towns.

Julia Hansen observed the importance of the movie theater in her own small town of Cathlamet—how it provided a gathering place and how the town suffered when that small film house went dark. She was able to translate the importance of that tiny institution to the lives of her people in Cathlamet into an understanding of the potential which the film medium and the film arts have for enriching the lives of the American people across the nation; and shape that understanding into a vision of how the federal government could play a role by creating The American Film Institute. Americans who in future years enjoy the great films of the past which have been preserved, and others who enjoy the works of the new filmmakers being trained by The American Film Institute will do so because Julia Hansen spoke up and cared for the medium of motion pictures.

Mrs. Hansen is a remarkable woman. The trustees, the Staff, and the Fellows of The American Film Institute join me in paying tribute to her. She will certainly be missed as a Member of Congress by everyone who cares about good government. She has served the people of this country for 13 years in the Congress and we at The American Film Institute salute her accomplishments as a legislator and wish her well on the next phase of her full and active life.

I am sure that whatever Julia Hansen undertakes when she returns to her home in the State of Washington will give her happiness and, in the spirit of the Greek definition, it will find her using her powers along the lines of excellence. Surely, once again, her fellow citizens will be the better for it.

**LISTING OF ACHIEVEMENTS OF SMITHSONIAN INSTITUTION DURING MRS. HANSEN'S CHAIRMANSHIP OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS SUBCOMMITTEE, PREPARED BY THE SMITHSONIAN**

Her efforts and accomplishments on behalf of the Congress and the Nation as a whole are manifold, but are possibly most immediately manifest in our neighbor on the Mall, the Smithsonian Institution.

On the last day of the First Session of the 93rd Congress, a day which I might point out came in August, an independent establishment was created to administer the trust responsibilities assumed by the United States under the will of James Smithson, an English scientist who bequeathed his fortune "to found at Washington, under the name to the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men."

In the years of Mrs. Hansen's service in the Congress that Institution has enjoyed a remarkable renaissance, and under her able chairmanship of the Interior and Related Agencies Subcommittee the initiatives of its management have been guided and encouraged by her sympathetic understanding and support to enliven the Institution and to provide education and enjoyment for its 135 million visitors.

Her great concern for public accessibility to and utilization of the Smithsonian's museums is reflected in their now being opened into evening hours during the spring and summer; a substantial program of guided educational tours for school children; exhibitions which are circulated to colleges and museums throughout the country; encouragement of scholarly works on Indian culture and training opportunities for Indians in museum techniques; and the development of a neighborhood museum with its fresh, non-traditional approach to the role of museums in the life of a community.

Mrs. Hansen has also recognized the role of Smithsonian research, and has enthusiastically supported its investigation aimed at increasing man's understanding of the be-

ginnings of his universe; his impact on his natural environment; his relationship to those who share this planet with us; and his cultural and artistic heritage.

While conscious of the importance of preserving the record of past generations, and providing generously for the enlightenment of the present one, Mrs. Hansen with her keen interest in the future as well as the past has also prepared firm footing for the inevitable increases of visitors. Implementation of a master plan for remodelling the Zoo to meet the needs of the animals and the educational needs of people has begun. In two years the National Air and Space Museum, with new facilities to record, exhibit, and conduct research into man's aspirations in space, will be completed. But above all, this far-sighted lady and her subcommittee have assured that the millions expected to visit the Smithsonian in 1976 will find welcome and delight in its observance and celebration of the Bicentennial of the American Revolution with major exhibits in the national museums in Washington, important publications in science, history, and art, and the Festival of American Folklore, demonstrating the survival of old world ways in our culture, the richness of the regional variation of our land, the contributions of working America to the fabric of national life, and the traditional skills and heritage of the native American.

The warmth, the wit, and the wisdom of this lively western woman will be cherished in the hearts of those who seek new horizons of understanding, and in that of a Nation grateful for her years of dedicated service to its institutions.

#### WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Since its creation by the 90th Congress in 1968, the Woodrow Wilson International Center for Scholars has accumulated an increasing debt of gratitude to Julia Hansen for her dedicated labors on behalf of the nation's first Presidential memorial center for scholarship, devoted to bridging the gap between the world of learning and the world of public affairs. Congresswoman Hansen played a central role in bringing into being this "living memorial" to our twenty-eighth President; and the sympathetic interest and oversight provided was essential to the institution in its formative period. She has further evinced her interest in the Woodrow Wilson Center by agreeing to serve as a member of the Center's Advisory Council.

In a little more than three years of active existence, the Center has accommodated more than 150 scholars from 27 countries. They are engaged in the study of a wide variety of fundamental political, social and intellectual issues designed to illuminate man's understanding of critical contemporary and emerging problems. Congresswoman Hansen's support of this enterprise and her commitment to the importance of the life of the mind, and the characteristic Wilsonian link between knowledge and moral purpose, are important features in the legacy of her public service.

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

This occasion offers us an opportunity to inform the nation of Mrs. Hansen's outstanding contribution to making the National Endowment for the Humanities, and, through that agency, the humanities an increasingly vital force in the nation. With her aid and counsel during these past seven years Federal aid for the humanities was able not merely to be sustained—but also to become an important part of our society's attempt to promote the creative and intellectual energies of the American people.

She has encouraged the Endowment in its many and various efforts to promote national progress in humanities, including its efforts to support our great scholars in ex-

ploring the implication of man's past experience, to aid our schools and colleges in giving humanities teaching the kind of attention the sciences have long enjoyed, and, most of all, to extend the humanities beyond their traditional home in academia to all parts of our society.

The fact that those activities directed at increasing the appreciation, understanding, and use of humanistic knowledge by the average citizen now comprise the largest component of the agency's efforts is due in large measure to Mrs. Hansen's own insistence that the humanities should be not simply adornments to be enjoyed in our personal lives but rather are essential elements to responsible decision-making in a democratic society. This view is reflected especially in programs which bring citizens and humanists together to discuss critical public issues. Four years ago no such program existed in *any* country, and now they are in operation in nearly every state and involving over one million Americans, thanks to Mrs. Hansen's leadership.

The many Bicentennial activities are now getting underway which will bear fruit two years hence will be a source of satisfaction to her and will confirm her deep interest. We thank her for her accomplishments now; the nation will continue to thank her in the future.

#### PRESS RELEASE

Congresswoman Julia Butler Hansen, D., of Washington State's Third District, announced today that she will not seek re-election to a ninth term in the U.S. House of Representatives this fall.

A distinguished member of Congress, Rep. Hansen achieved high ranking through her service on the powerful House Appropriations Committee, the Democratic Steering Committee and as head of the Democratic Organization Study and Review Committee of the House.

In making known her decision not to seek another term, Mrs. Hansen said: "I want to express my gratitude to the people of the district for their consistent support during the years that I have served both in the State Legislature and in Congress.

"I am a Westerner and I want to return to the West," she said. "At the end of the year, when my term expires, I shall return to my home in Cathlamet, Wash., with my husband, to write, garden, do as I please, hang up the telephone or take the damn telephone off the hook, and when people I don't know appear at my door and walk in without knocking, I'll have the great opportunity of telling them it is my private home.

"As a private citizen I shall continue as long as I live to have a strong interest in my community, district, state and nation.

"I have many regrets about leaving public office, but not nearly as many regrets as anticipations about what life as a private citizen can be.

"Life is not going to be long enough to do all the things that I want to do," she said. "I have so many interests."

"Thirty-seven years is a long time to be pursued by an endless string of people who want everything from post offices to gasoline. It is also a long time to receive telephone calls on Christmas Eve or New Year's Eve from the United Press or Associated Press," she continued.

"Traveling east to west is one of the biggest trials and tribulations there is and Main Street in Cathlamet, where I own my home, will never look as good as it will after all my encounters with Washington D.C., houses where the plumbing won't work; landlords won't weather strip, and charge everyone ungodly rents, particularly to members of Congress. I am delighted at the prospect of being Mrs. Julia Hansen again—citizen of the U.S.A.," she continued.

"I am probably one of the few people who didn't really ever want to come to Congress and had to be pushed, because I had never considered that politics were really a career," Rep. Hansen said. "It played an important part of my life. When I was born my mother was in public office. I was married while serving in public office. And my granddaughter was born while I was serving in Congress."

"But this long association with public office has had its ups and downs," she declared. "When I was a small youngster I was admonished by my mother, 'Now remember I hold public office and you can do certain things and you can't do certain things.' I can remember when I was a small girl, and my father was sheriff, of angry culprits coming to the house and threatening to shoot him."

Continuing, she said, "I was bathing my son when he was a baby and an irate constituent showed up and told me in no uncertain terms to drop him because she needed and demanded my time. But I have loved and appreciated all the people in the Third District and I have loved the district. It is the most beautiful part of the United States and I return with great affection for the land and wonderful neighbors."

She expressed appreciation for the support and encouragement she had received during her political career from J. M. McClelland Sr., president of the Longview, Wash., Daily News. "I doubt that I would have sought election to the State Legislature if it had not been for his encouragement."

"I want to thank all of the people representing the communications media for their courtesy and consideration throughout my career in public office," Mrs. Hansen said.

She added that during the months ahead she hopes to visit every county in her district and say, "Thank you," to all her many friends and supporters. "I am not only grateful for their support, but for their interest in government and their participation in the programs with which my office has been associated. They have always participated and worked with the office to make possible some of these things."

Mrs. Hansen has achieved a unique record for a woman in public office. Congressional Research Service has indicated it is possible that she has served longer than any other woman, a period of 37 years, as a city council member, legislator and Member of Congress.

Mrs. Hansen's career as an elected official began as a member of the Cathlamet City Council, where she was first elected on December 7, 1937, and took office on Jan. 11, 1938. In the fall of 1938 she was elected to the State Legislature, where she served for 22 years.

She resigned from the Legislature in November 1960, after being elected to fill an unexpired term and, at the same time, was voted a full two-year term in Congress. Mrs. Hansen has served continuously in the House of Representatives since late 1960.

There were eight years early in her political career where she was involved in an election campaign every fall. From her first city council campaign in 1937 through 1944 she was busy with a campaign for office each year. First it was an election to the council, the next year it was a campaign to retain her seat in the Legislature. It was a grueling experience, one that she will never forget. She served eight years on the council and 22 years in the Legislature.

Mrs. Hansen has pioneered the way in breaking with tradition that has kept women out of key positions of government at the local, state and national levels.

Mrs. Hansen, during her political career, has achieved the following "firsts" for women in government:

First woman to serve on the Cathlamet City Council.

First woman to serve as chairman of a County Democratic Central Committee.

First woman chairman of the Roads and Bridges Committee of the Washington State House of Representatives.

First woman to be speaker pro tempore of the Washington State House of Representatives.

First woman to become chairman of the Western Interstate Committee on Highway Policy Problems of the 11 western states, a position she held for ten years from 1950 to 1960.

First woman subcommittee chairman in either the House or Senate of the U.S. Congress.

First Democratic woman to serve on the House Appropriations Committee.

First woman to serve as a member of the House Appropriations Subcommittee on Transportation.

First and only woman to serve on the House Democratic Steering Committee.

During her service in the State Legislature, Mrs. Hansen made major contributions to the development of the state's highway system. As chairman of the House Roads and Bridges Committee she worked with great vigor toward establishing a long-range highway construction program reaching all parts of the state. She also initiated the legislation that resulted in the establishment of a state highway commission that took the highway program out of the hands of the political forces working in the Legislature.

Mrs. Hansen expressed the belief that her most important highway legislation was the law that provided for development of limited access highways, placing the state of Washington in a position of nationwide leadership in highway safety and management. She also was responsible for initiating research by two state universities that provided the basis for a priority system of allocating highway funds, a system now used both nationally and internationally. Other important highway legislation she introduced provided for speedier truck licensing and placing the State Patrol on a sound fiscal basis.

She turned her attention to the problem of mass transit during her service in the Legislature and through the years has supported the idea of providing means for moving large numbers of people conveniently and quickly at a limited cost and a minimum consumption of energy.

"We must seek better ways to manage traffic on our highways and streets," she commented. "Mass transit is one of the methods that can be utilized. And it will contribute to savings in energy."

Because of her legislative efforts in behalf of highways, she was selected as the keynote speaker for the 1952 conference in Washington, D.C., on Project Adequate Roads.

Mrs. Hansen was named to the Legislature's Education Committee in 1939 and was chairman from 1941 to 1947. While serving on the committee she successfully sponsored legislation for school lunches, teacher contract laws, a new approach to junior college basic financing and an employee retirement program, along with the 1945 basic school support bill which established the system of distributing school funds on a basis of need. Mrs. Hansen also co-sponsored a bill authorizing construction of a new state library. She served as chairman of the State Legislature's Elections and Privileges Committee where she authored legislation that gave women equality on county and state party central committees.

Her work on behalf of highways in the State Legislature was widely recognized and she was named chairman of the Western Interstate Committee on Highway Policy of the 11 western states. Mrs. Hansen held this position for ten years, gaining wide recognition for her contributions to state highway programs throughout the entire West.

Following her election to Congress in 1960,

Mrs. Hansen immediately plunged into the work of the House. At various times she served on the Education and Labor, Veterans Affairs, and Interior and Insular Affairs Committees. She was named to the House Appropriations Committee, the first Democratic woman to serve on the committee. She was assigned to the Interior and Related Agencies subcommittee and was elevated to chairman of the subcommittee in 1967. She made her first floor appearance in this significant role when she presented the 1968 appropriations bill for the departments and agencies funded through her subcommittee.

She continues as chairman of this subcommittee, which is responsible for funding that runs upwards from \$2.5 to \$3 billion annually. Many of the activities funded in these departments are of vital importance to the Pacific Northwest.

Rep. Hansen's subcommittee has the responsibility of reviewing the appropriations requests for 28 different agencies plus management for key energy programs, 300,000 miles of federal roads, 753 million acres of public lands, vital natural resources including the national parks and federally-owned timber and mineral lands, research in the field of oil and coal, pollution abatement and federal programs for approximately 600,000 American Indians, as well as the Trust Territories in the Pacific.

Mrs. Hansen has traveled throughout the United States and Alaska on her committee work and has probably spent more hours on Indians reservations, U.S. Forests and Department of Interior programs than any other subcommittee chairman for many years. She will continue to head the subcommittee and carry out these responsibilities during the balance of 1974.

She has maintained a deep interest in the problems of the American Indians, both those on reservations and those living in urban areas. During appropriations hearings Mrs. Hansen has consistently sought increased funding for hospitals, schools and employment opportunities for the Indians.

Her great interest in the best possible utilization of the nation's natural resources is revealed in her questioning of witnesses before her appropriations subcommittee. This can cover a wide range from development of processes for increased use of the nation's coal reserves, search for new oil and shale fields, better utilization of the national forests, as well as funding for the arts and humanities.

The departments and agencies funded through the subcommittee include:

The Forest Service, Bureau of Land Management, Joint Federal-State Land Use Planning Commission of Alaska, Bureau of Sport Fisheries and Wildlife, Bureau of Outdoor Recreation, Land and Water Conservation Fund, National Park Service, Smithsonian Institution, Bureau of Mines, Federal Metal and Nonmetallic Mine Safety Board of Review, Geological Survey, Office of Coal Research, Office of Coal and Gas, Office of the Secretary, Office of the Solicitor, Office of Water Resources Research, Bureau of Indian Affairs, Indian Claims Commission, Indian Health Service, National Council on Indian Opportunity, Territorial Affairs, American Revolution Bicentennial Administration, National Endowment for the Arts and Humanities, National Gallery of Art, Pennsylvania Avenue Development Corp, and the Woodrow Wilson International Center for Scholars.

In 1970 Mrs. Hansen was assigned the challenging task of serving as chairman of the Democratic Committee on Organization, Study and Review, which later became known as the "Hansen Committee." Through the efforts of the committee, numerous rules and policy changes were carried out in the House. Some of the achievements of the committee included abolishing the old seniority rule for elevating committee members to chairmanships; a provision that no Member may chair

more than one subcommittee; providing that no Member shall be a member of more than two committees with legislative jurisdiction. She also supported legislation that cut off funds for continuation of the U.S. military activities in Cambodia, marking the first time the House has passed legislation limiting U.S. involvement in the Indochina war.

Mrs. Hansen is the dean of the Washington State delegation in the House. And, in this connection, she remarked, "I'm not quitting because of Watergate."

Mrs. Hansen is a member of the board of directors of the American Revolution Bicentennial Commission as the representative of Congress. She was named to the position by Speaker Albert.

Numerous honors have been bestowed on Mrs. Hansen in recognition of her outstanding efforts in the field of lawmaking. At the 125th annual commencement at St. Mary's College, Notre Dame, Ind., she was presented with the degree of Doctor of Laws for her outstanding work in public life. The award took note for her outstanding work in the State Legislature and Congress in the fields of environmental protection, resource and energy management, historic preservation, improvement of Indian health and education programs, and for advancing the arts and humanities.

In 1973 Mrs. Hansen, along with Sen. Sam Ervin, D-N.C., were honored by the National Congress of American Indians with the Henry M. Teller Award for outstanding efforts in behalf of legislation benefitting the Indian people. Rep. Hansen also has been honored for her work in behalf of the nation's Indian tribes by the Cherokee, Chickasaw, Choctaw, Creek and Seminole tribes. The Makah Tribe in the state of Washington also honored her for support of a youth opportunities program.

Mrs. Hansen is a member of the Board of Directors of historic Ford's Theater in Washington, D.C., honorary board of directors of Wolf Trap Farm Theater; a member of the board of directors of the Forest History Society; a member of the Advisory Committee of the Woodrow Wilson International Center for Scholars, and an honorary director of the Chinook Heritage Foundation.

Congresswoman Hansen has been deeply interested in the arts and humanities. David G. Barry, chairman of the Washington State Commission for the Humanities, wrote in a letter to Gov. Daniel J. Evans: "I believe it is important to note and give special recognition as well that Congresswoman Julia Butler Hansen is chairperson of the House Subcommittee on the Interior and Related Agencies of the House Committee on Appropriations. It is through her vision and leadership at the national level that the state-based commissions of the National Endowment for the Humanities have grown from approximately six when our commission came into being to approximately 40 at the present date. This joining of Federal and State leadership will contribute much to decision-making that will influence the future quality of life in our state and country."

Jay Gordon Hall, director for government relations, General Motors Corp., said, "As a patron of the arts, I wish to express my appreciation for all that Mrs. Hansen has done for the arts since becoming chairman of the Appropriations subcommittee funding the National Endowment for the Arts. She has given the arts program its greatest impact by supplying needed federal support."

She is an honorary state member of Delta Kappa Gamma, national education society. Her state honorary membership was awarded in 1947 for "outstanding service to education." Mrs. Hansen is an honorary member of the Washington State Patrol Retired Officers Association and National Association of State Outdoor Liaison Officers. She has received the Washington State Good Roads Association's meritorious public service award, a certificate

of recognition from the Washington State University Student Chapter of the American Road Builders Association and a certificate of merit from the Washington State War Fund Committee.

Mrs. Hansen has been a force in Democratic Party affairs through the years. She served as chairman of the Wahkiakum County Central Committee for 20 years; served as vice president of the Washington State Young Democrats in 1939; Nine-County League chairman in 1944 and 1945; a member of the State Executive Committee from 1936 to 1940, and a member of the Democratic National Advisory Committee from 1955 to 1957.

She was "Democratic Woman of the Year" in 1958 and woman's chairman of the Magnuson for Senator state campaign in 1956. Mrs. Hansen also was elected unanimously as chairman of the platform committee at the state Democratic conventions in Yakima in 1958 and Spokane in 1960.

Mrs. Hansen is a member of numerous organizations including the Society of Naval Sponsors, having christened the nuclear submarine Queenfish; Mt. Rainier Chapter L.E.S., the University of Washington chapter of the D.A.R., Elochoman Grange, Longview Business and Professional Women, American Association of University Women, Clark County Historical Society, National Capital Democratic Club and the Cathlamet Commercial Club.

Mrs. Hansen was formerly manager of the Wahkiakum County Abstract Co. and G. Henry Hanigan Insurance Co. in Cathlamet. She also served as office assistant in the Wahkiakum County Engineer's Office.

Rep. Hansen is well known as a creative writer. She is the author of the prize-winning Northwest historical juvenile novel, "Singing Peddles," published by Sutton House, Henry Holt Co. and Binfords and Mort. She also has written a historical play, "Birnie's Retreat," which has been performed by local casts in Cathlamet and will be presented through the American Revolution Bicentennial celebrations in 1976.

She is a graduate of the University of Washington, working to earn her way through the university.

Mrs. Hansen's maternal ancestors founded Groton, Mass., in 1634 and her paternal ancestors helped Daniel Boone settle Kentucky.

Her family moved to Washington Territory in 1877, settling first in Tumwater before moving to Cathlamet in 1882. Her father, former Wahkiakum County sheriff, was a Spanish American War veteran with the Second Oregon Volunteers. Her mother, a teacher, was Wahkiakum County school superintendent and was named Washington State Mother of the Year in 1960.

Mrs. Hansen's husband, Henry A. Hansen, is a retired logger and a native of Cathlamet. They have one son, David, and a new granddaughter. Mrs. Hansen's brother, Dr. James Butler, is on the faculty of the Department of Drama at the University of Southern California after serving several years as chairman of the department. He is author of several books on the history of drama.

**Mr. MEEDS.** Finally, Mr. Speaker, I think we have seen here today that little escapes the perceptions of our own colleagues. It would be difficult to try in any way to summarize the great achievements of the gentlewoman from Washington State. She has been a great statesman, a great legislator; but she is also a talented writer, a poet, a daughter of a gifted painter. If it could be in any way summarized, Mr. Speaker, I think there used to be an ad that said it all: "JULIA HANSEN is tough, but, oh, so gentle."

Mr. SMITH of Iowa. Mr. Speaker, we

have heard the well chosen words of the Speaker, the chairman of the Appropriations Committee and several others indicating great appreciation for the service of JULIA BUTLER HANSEN and for her as a person. They were words very well chosen and deserved.

My brother happens to live in the district which she represents. I have visited there several times and am well aware that her service is appreciated there just as it is appreciated here. Obviously, they feel a loss also and would have reelected her with an overwhelming majority.

I have served on three committees with JULIA. First, I served on the Committee on Education and Labor with her where she exhibited a great knowledge of matters under the jurisdiction of that committee. Then we both moved to the Appropriation Committee where she has distinguished herself. Little can be added to the words of others concerning service on that committee.

I have also served on the Hansen committee. She has shown great leadership with that committee. She on many occasions has done what many would have considered impossible by securing a consensus on far-reaching reforms. These reforms were passed quietly but effectively and for example, the rule assuring that seniority alone would not guarantee a chairmanship was agreed upon long before organizations were ever heard of which now are trying to claim credit. Those rules passed because she was able by sheer leadership ability to forge a consensus and get those who did not agree to go along. Reforms under her leadership are more far-reaching than all reforms passed since the days of Joe Cannon and she deserved the place she will have in history for those accomplishments.

Many more words of appreciation would be warranted but would be redundant. I join all in extending thanks for her service and wishing her a very happy future.

Mr. UDALL. Mr. Speaker, people and legislators like JULIA HANSEN do not come along very often. She is as feminine as old lace, yet tough as steel when the public interest is involved.

This country and this House are tremendously indebted to this remarkable public servant. Her courage and skill and ability to harmonize desperate views played a crucial role in the movement of recent years to reform and improve House procedures. I think it clear, for example, that the first modification of the seniority system of the House came about because of her prestige, her knowledge of the House, and her legislative skills.

We in Arizona will always remember her compassion for our Indian tribes, her support for reclamation and resource development. She made an exceptional record as chairman of her appropriations subcommittee.

This sound, sensible woman will be missed by all of her colleagues. I wish her many happy years of retirement in her beloved State of Washington.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with mixed emotions that I arise to address my colleagues today.

I am saddened for I have recently learned of the impending retirement of my good friend JULIA BUTLER HANSEN, but I welcome this opportunity to pay tribute to the Congresswoman's outstanding public career and service to her Nation.

Congresswoman HANSEN's career is dotted with "firsts"—first woman city council member of Cathlamet, Wash.; first woman to serve as chairman of a county democratic central committee; first speaker pro tempore of the Washington State House of Representatives.

Such tradition-breaking did not cease in her home State of Washington. Soon after coming to the Nation's Capital, Mrs. HANSEN was named to positions of leadership within the Congress. First democratic woman to serve on the House Appropriations Committee; first woman to serve as a member of the House Appropriations Subcommittee on Transportation. In short, JULIA BUTLER HANSEN's career has been completely remarkable.

In her role as chairman of the Interior Subcommittee of the House Appropriations Committee, Congresswoman HANSEN has overseen a motley group of Federal holdings. From 300,000 miles of Federal roads to 753 million acres of public lands, from the national parks to Federal programs for approximately 600,000 American Indians, Mrs. HANSEN has reviewed numerous programs at the very heart of America. For the woman who lovingly describes her district "as the most beautiful part of the United States," such a responsibility must have been a veritable labor of love.

Sincerity—innovativeness—determination—all of these words could accurately be applied to Congresswoman HANSEN. But, I know more than any of these, the quality we shall miss the most is the forthrightness she brought to every aspect of her public life. That quality is often in short supply these days. So, when we see someone who exemplifies honesty leaving public service, all Americans should feel the loss.

Congresswoman HANSEN has given unspareingly to her fellow Washingtonians and her country for 37 years. Her outstanding service deserves to be awarded with the privacy and freedom impossible in the fishbowl atmosphere that prevails in the Nation's Capital. Congresswoman HANSEN said it best herself—

I am delighted at the prospect of being Mrs. Julia Hansen again—citizen of the U.S.A.

Mr. RONCALIO of Wyoming. Mr. Speaker, our colleague JULIA BUTLER HANSEN, has been as cooperative, as helpful, and as understanding of an Appropriations Chairperson for Wyoming's best interests as we have had in several generations, in my opinion. Serving in her sensitive position, she has shown time and again her concern for the environment, for the best interests of the two national parks of Wyoming—Teton and Yellowstone National Parks, for the best interests of our hydroelectric development, reclamation, a few of the Federal fisheries left in my State, and for the needs of our Indian people. She also holds the distinction of being the first woman to hold a subcommittee chair-

manship in either the U.S. House or the U.S. Senate.

In her term in the House, Wyoming has been served by a series of Members, beginning with the late Keith Thomson, William Henry Harrison, my own term in the 89th Congress, again a term by William Henry Harrison to be followed by John Wold in the 91st Congress, and to be succeeded by me again in the 92d. I am sure all of us are grateful to JULIA for her thoughtfulness and her fairness in dealing with Wyoming and its requirements over the years. May she and her husband and family enjoy a rich and rewarding retirement.

Mr. RARICK. Mr. Speaker, it is a pleasure for me to participate in this special order taken by our colleague LLOYD MEEDS to honor the gentlelady from Washington, Mrs. HANSEN, who has chosen to retire at the close of this Congress.

Mr. Speaker, I have great admiration and respect for Mrs. HANSEN. She is truly a distinguished individual who has been a guiding figure in our domestic affairs for several years from her position as chairman of the Interior Appropriations Subcommittee.

It has been my pleasure and distinct privilege to work with Mrs. HANSEN over the past years on matters coming under her jurisdiction. I have always been impressed with her responsiveness to the needs of the American people and her concern for the people of all areas of the country.

Mr. Speaker, I would like to take this opportunity to express to Mrs. HANSEN the sincere gratitude of the people of my district and State for her dedicated work and leadership. We in Louisiana know firsthand of her concern for the environment, for forestry and forest management, for the sportsman, and for the general operations of the Departments and agencies under the jurisdiction of her subcommittee. She will be missed by the people of her district and the people of this Nation, and by the Congress which she serves so well.

Mr. KASTENMEIER. Mr. Speaker, I felt a deep sense of regret when I learned of the plans of JULIA BUTLER HANSEN to retire at the end of this year from the U.S. House of Representatives. The loss of this experienced and effective Member will be felt not only by the people in her congressional district, but by all Members and citizens who are concerned about the quality of government in this country. Although both of us came to Congress in the "class of 1959," there can be no doubt that she brought with her more savvy about the workings of Government and politics than any other freshman Member of that year.

She was the first woman to serve on the Cathlamet, Wash., city council. She was the first woman to serve as speaker *pro tempore* of the Washington State House of Representatives. Here in the U.S. Congress, she was the first woman to serve as a subcommittee chairman, and the first democratic woman to serve on the House Appropriations Committee.

Those of us who have had the honor and pleasure of serving with Mrs. HANSEN during the past 14 years know that she

did not take her public duties and responsibilities lightly. She worked tirelessly as chairman of the House Interior Appropriations Subcommittee, and she earned the respect of every member because of her straight forward manner, and her uncompromising will to do what she felt was in the best public interest. In a city where the ability to "read between the lines" is a prerequisite to survival, it is always a pleasure to communicate with Mrs. HANSEN. She said what was necessary and she said it in a way that left little room to doubt what she meant.

It is difficult at this time to assess the many benefits that citizens of this country enjoy or will enjoy in the years ahead because JULIA HANSEN was forceful enough to battle for those programs and policies in which she believed. It is not possible to list all of the worthy programs that have enjoyed funding because of her efforts, but I can mention at least two that had direct effect in my own district.

While JULIA's considerable interest in the efforts of the U.S. Forest Service has been greatly beneficial to overall program aims, she has been particularly appreciative of the work being carried out at the Forest Products Laboratory in Madison, Wis. It was primarily because of her substantial support that the laboratory was able to research and develop a computerized system to position logs at the saw to maximize yield of useful lumber. Although the best open face—BOF—sawing system is not yet in widespread commercial use, it promises in the days ahead to increase the yield of useful lumber by 10 percent. At a time when forest resources of this country are under severe strain, this new sawing process can help meet demand and save one out of every ten trees that would have been required previously.

Another example of Mrs. HANSEN's tenacious fighting ability is provided by an Office of Management and Budget—OMB—decision to impound some \$960,000 required for a land exchange between the University of Wisconsin and the U.S. Forest Service in Madison. The land exchange was needed by the University of Wisconsin to complete future development of a multi-million-dollar medical research and training center, and it was also beneficial to the future development of the Service's Forest Products Laboratory.

JULIA recognized the wisdom of the proposal, included the necessary funds in the budget and guided the provision to enactment. OMB impounded the funds provided, and I went to Mrs. HANSEN seeking her assistance in freeing the appropriation. For nearly 2 years we did battle with OMB over the impounded land exchange funds, and at no time did Mrs. HANSEN waiver in her strong support and willingness to continue the fight. Late last year, OMB finally relented in its opposition, and the land exchange was completed in January of this year. Mrs. HANSEN's assistance in this long struggle was invaluable, and it helped prevent an OMB decision that jeopardized both the future of the medical research center and the Forest Products Laboratory.

Neither of these actions are likely to

win any widespread recognition for Mrs. HANSEN, and yet she worked for them with the vigor one might expect from a Member toiling for funds for a battleship which he expected to bear his name emblazoned across its bow. No home builder of the future will perhaps recognize that lumber is more plentiful and less costly because JULIA BUTLER HANSEN made certain that research was funded which led to more efficient use. And no patient using the research facilities of the University of Wisconsin will know that partially because of the efforts of Mrs. HANSEN, the research facility was developed to its full potential. But I am fortunate enough to be aware of her efforts, and for all of those who may not be, I will take this opportunity to express a deep appreciation.

I understand that JULIA is going back to her beloved West, to her admiring westerners, and to her own house and flower garden in Cathlamet. We will miss her greatly here in the Congress, but understand that after 37 years in public life, she richly deserves some time to do precisely what she wants to. Whatever those retirement plans might hold, I wish her good luck, success, and above all enjoyment.

Mr. DENT. Mr. Speaker, today, I join with my colleagues in the House in paying tribute to a very exceptional woman. I am speaking of JULIA BUTLER HANSEN, who after 37 years in public office, 14 of which she spent here with us in these Chambers, is retiring at the end of this term to her home in the West.

JULIA is not only an exceptional woman because she consistently served as a hardworking and contributing Member of Congress, but she leaves a unique record of firsts for a woman in public office. She was the first woman to chair a subcommittee in either the House or the Senate, and she was the first and only woman to serve on the House Democratic Steering Committee.

Her efforts were not only directed toward the people of her district, but toward the welfare and betterment of the entire Nation. She has made notable contributions in the areas of mass transit, highway legislation, proper utilization of natural resources, and bettering the lives of our Indian population.

JULIA BUTLER HANSEN will certainly be missed here in Washington by her friends and colleagues. She has earned the respect of all of us as a doer and a fighter for what she believes in, but through it all she has constantly remained a beautiful and gracious lady whom I regard with a very deep and warm affection.

I would personally like to extend her every good wish for many, many years of good health, and much happiness. I hope that her home in the West will provide the pleasures and satisfactions of retirement which she anticipates. Her departure will leave an unfillable place in our lives, but we know that the place we leave in hers will soon be filled with all the blessings of family and friendship which she has so long put aside to serve her country.

Mr. LONG of Maryland. Mr. Speaker, as a member of the Interior Appropriations Subcommittee, chaired by Repre-

sentative JULIA BUTLER HANSEN, I can confirm that she guides the Nation's natural resources budget with thoroughness and grace. Her sense of priorities and her skillful handling of the witnesses have earned her the special respect of the committee.

Mrs. HANSEN's retirement is a disappointment to many who are concerned about achieving a balanced use of our scarce natural resources. She will leave behind her a legacy of concern which will continue to motivate those responsible for managing our natural resources and public lands.

I join my colleagues in wishing Mrs. HANSEN all the best as she returns to her beloved State of Washington.

Mr. THOMPSON of New Jersey. Mr. Speaker, I am proud and pleased to join my colleagues in paying tribute to Representative JULIA BUTLER HANSEN who has decided not to seek re-election. She has been a truly great and distinguished Member.

When Mrs. HANSEN was first elected, she became a member of the Committee on Education and Labor on which I serve. She distinguished herself there and had much to do with the improvement of the education of the youngsters of America and of the wages, hours, and working conditions of those covered by the Federal labor laws.

It was with real regret that we lost her to the Committee on Appropriations. But it can be accurately said, that her contributions there as a member and subcommittee chairman have won her a national name and the respect of literally millions of the American people. Not only has she shown concern for the environment, our national parks and lands, our power problems, energy resources and the needs of the Indian people, but she has been in the forefront of an extremely successful effort to finance the Arts and Humanities Foundation. By that action alone, she has helped to foster arts councils in each of the 50 States and to take the beautiful things in life throughout the land to all of the people.

I have had the honor of serving on the Reform Committee which she has so brilliantly chaired. Through her skill, knowledge and patience, she became the catalyst for the Hansen committee which is composed of a truly representative cross section of the Democratic Party in the House. Virtually all of the reforms coming from the committee have been unanimously agreed upon by that committee, thanks largely to JULIA's skill.

It would be very easy to use the entire time for today's debate extolling JULIA BUTLER HANSEN's great qualities. We all know them and, therefore, I shall conclude with my thanks for having known and served with her and with every wish that she have a long and happy retirement.

Mr. ROYBAL. Mr. Speaker, it is a privilege to join my colleagues in paying tribute to the Honorable JULIA BUTLER HANSEN whose distinguished career in the House of Representatives is drawing to a close at the end of this session.

After 37 years as a public servant, JULIA can certainly reflect with pride on her numerous achievements and politi-

cal "firsts." In 1960 when she came to Washington she brought with her an extensive background in State and local politics—having been the first woman to serve on the Cathlamet City Council as well as the first woman to hold the post of speaker pro tempore of the Washington State House of Representatives, just to name a few of her many accomplishments.

As we all know, JULIA's record here in Congress has been no less glowing. Since not only was she the first woman Democratic member but also the first woman Chairperson in the history of the House Appropriations Committee, where I have had the honor and privilege of serving with her since 1971.

Although her experience and expertise will be sorely missed by all of us, I know that JULIA will continue lifelong service to the State of Washington and the Nation. As she prepares to return to private life, I extend to her my sincere best wishes for success and enjoyment in her forthcoming pursuits.

Mr. REUSS. Mr. Speaker, Representative JULIA BUTLER HANSEN, my friend and colleague, has announced she will retire from Congress at the end of this year.

Though we all will miss her, no one can say she has not earned rest and peace at her home in Cathlamet, Wash., to which she plans to return.

Her 37 years of public service—on the Cathlamet City Council, in the Washington State Legislature, and in Congress—have been packed with accomplishments.

She was the first woman to be speaker pro tempore of the Washington State House of Representatives, the first woman to chair a subcommittee in Congress, and the first and only woman to date on the House Democratic Steering and Policy Committee, on which I have enjoyed serving with her.

In the State Legislature, JULIA chaired the Education Committee and successfully sponsored legislation for school lunches and a bill for distribution of school funds on the basis of need.

After coming to the House of Representatives in 1960, she was assigned to the Appropriations Committee and became chairman of its Interior and Related Agencies Subcommittee in 1967.

That subcommittee—responsible for the budgets of 28 agencies, and appropriations of up to \$3 billion each year—could not have been put in abler hands. She has worked tirelessly to protect our National Parks, enlarge fisheries, develop more energy resources, and help American Indians.

In 1970, JULIA was selected for the difficult task of chairing the Democratic Committee on Organization Study and Review. Her efforts resulted in the replacement of the old seniority rule by election of committee chairmen, a major and long-overdue reform.

It has been a great pleasure working with JULIA, and she and her family have my best wishes.

Mr. HANSEN of Idaho. Mr. Speaker, I am sad at the thought of the breaking up of the Hansen contingent in the Congress and want to pay tribute to my distinguished colleague from the neighboring

State of Washington who has done so much for Idaho. During her 14 years of dedication in and to the Congress, JULIA BUTLER HANSEN has made an inestimable contribution to her State and Nation. I have been privileged to work closely with her and, while I respect her desire to retire, I will feel keenly the loss of her great cooperation on measures that were necessary to the well-being of the area of the West which encompasses both Idaho and Washington.

Particularly will her leadership in the Appropriations Committee be missed. Her deep interest in the arts and humanities are well known and Americans who worked diligently in both fields will feel her loss of service.

While she has risen to the heights in congressional service she has never lost her basic human touch. Despite her stated plan to rest and relax, I am confident that JULIA BUTLER HANSEN will continue to serve wherever she is.

Mr. MONTGOMERY. Mr. Speaker, the retirement of the gentlewoman from Washington at the end of this year will bring to an end 37 years of outstanding public service. I feel very fortunate to have served with JULIA BUTLER HANSEN during 8 of her 14 years in the House of Representatives. I have always valued highly her sage advice and counsel.

One of Mrs. HANSEN's most outstanding characteristics is her deep and abiding concern for the American Indians. This was brought forcefully to my attention when I had the opportunity to accompany her on a visit with the Mississippi Band of Choctaw Indians, who reside in my district. Her deep concern was evidenced by her searching questions into the availability of health care and education for the Choctaws. As a result of her visit we were able to secure the necessary funds for new and expanded hospital facilities.

Mr. Speaker, the House of Representatives will miss the drive, hard work, and leadership of JULIA BUTLER HANSEN come next January. At the same time, we should all feel fortunate to have served with her and we should be appreciative of the changes she helped bring about for the good of the House.

Mr. SYMINGTON. Mr. Speaker, it is my pleasure to join so many of my colleagues in honoring one of our most outstanding congressional leaders, JULIA BUTLER HANSEN, who retires after 14 years of remarkable legislative accomplishment. Mrs. HANSEN was the first woman to head an important subcommittee in either the House or Senate; she has served with great distinction over the Appropriations Subcommittee for the Department of Interior and related agencies. Her many achievements include the innovative earth resources satellite program designed to assist in both the search for new energy sources and the protection of our environment. Her Appropriations Subcommittee's support of this NASA-Department of Interior project was vital to the successful development of this technological breakthrough.

Equally significant are her contributions to her home State of Washington where she served for 20 years as a member of the State House of Representa-

tives. JULIA BUTLER HANSEN was the recipient of the Washington State outstanding service plaque for her State legislative work on highway safety. In addition to Mrs. HANSEN's successes in behalf of highway safety, the environment and the Department of Interior's diverse programs, she has also worked in behalf of her constituents and the Nation during her years on the Appropriations Subcommittee on Transportation, the Education and Labor Committee, the Veterans' Committee, and the Interior and Insular Affairs Committee.

All this is known. In addition I have a special acknowledgment of gratitude to make. For a number of years I and my office enjoyed the friendly presence and marvelous assistance of JULIA's daughter-in-law, Nancy—Mrs. David Hansen. With the arrival of JULIA's first grand-daughter and namesake, Nancy retired to the life of wife and mother, as does now our dear friend, JULIA HANSEN.

For her decades of accomplishment, I am happy to join in this well-deserved tribute to JULIA BUTLER HANSEN. For her years of outstanding public service, I offer her our thanks and best wishes for a happy, noncongressional life in beautiful Washington State.

Mr. NATCHER. Mr. Speaker, I rise to salute my friend, JULIA BUTLER HANSEN, who has announced that she will not run for reelection this year.

It has been a distinct honor and a privilege for me to serve on the Committee on Appropriations and to serve in the House with Mrs. HANSEN. Her concept of public trust is without parallel and words are inadequate to fully describe her tremendous capacity for loyalty and love of her country and of the House of Representatives. In every position that she has held down through the years, she has achieved distinction and her service in all of her assignments has been marked by a high sense of conscience and duty.

According to my information, Mrs. HANSEN is the first woman to serve as a subcommittee chairman of the Committee on Appropriations and she has made an excellent chairman of the Subcommittee on Interior Appropriations. As one of the subcommittee chairmen on the Committee on Appropriations, I have followed her service on her subcommittee, and know that she has done an excellent job.

She has always been cheerful, humble and dedicated and possesses a delightful sense of humor.

We will miss Mrs. HANSEN, and I want to wish her and the members of her family the best of everything in the future.

Mr. PERKINS. Mr. Speaker, one always regrets to hear of the retirement of a colleague with whom he has served, and for whom he holds great affection and esteem. This, I am sure, is the feeling of all Members of the House for our colleague, JULIA BUTLER HANSEN.

Mrs. HANSEN joined us after a special election on November 8, 1960, and was subsequently assigned to the Committee on Education and Labor, of which the late Cleve Bailey of West Virginia was then chairman.

With the enthusiasm and the interest which has characterized her entire congressional career, Mrs. HANSEN quickly emerged herself in the work of the committee, and I well remember her service on the Select Subcommittee on Education. She was particularly interested and effective in hearings into the economic conditions in the performing arts, chaired by Mr. THOMPSON of New Jersey. I like to think those hearings laid the foundation for the subsequent landmark National Foundation for the Arts and Humanities Act. I remember Mrs. HANSEN was also interested greatly in the committee's work in adult education, and made significant contributions to our hearings and inquiries in that field.

Had she remained with the Committee on Education and Labor, she would long since have been a subcommittee chairman there, too. And I like to think that her stamp and her name would be on much of the legislation that committee has produced in the last decade.

Mrs. HANSEN, however, fits into no mold. She is a dedicated representative of the people and she has made her contribution where her assignments called her.

As a member of the Committee on Appropriations, and as a distinguished chairman of the Subcommittee on Interior and Related Agencies, JULIA BUTLER HANSEN has served the Congress and the country well indeed.

Aside from her invaluable help in funding the programs initiated in the Committee on Education and Labor, I want to say a personal word.

As she has with all Members having business before her subcommittee, Mrs. HANSEN has been most understanding and helpful with the special problems faced by the people of my congressional district. Time and again, we have had to turn to her with some problem or snag, and time and again she has turned her good sense and good humor loose upon it, and the problem has been solved. For this assistance I am grateful, and the people of the Seventh District of Kentucky are grateful.

Mr. Speaker, JULIA HANSEN has been a Member's Member; but she has above all else been a people's Member. We will miss her, and the people will miss her.

As she takes her leave of us at the end of the year to "do as she pleases," our affection, our appreciation, and our good wishes follow in her train.

Mr. BUTLER. Mr. Speaker, I wish to join my colleagues this afternoon in paying tribute to the Congresswoman from Washington, Mrs. HANSEN. As a new Member of this body, I have not had an opportunity to know her very well, but in the work I have been engaged in with respect to our Bicentennial efforts I have had an opportunity to become familiar with her record of involvement in the Bicentennial, and it is to this that I would like to speak.

Congresswoman HANSEN has served as a House Member of the American Revolution Bicentennial Commission from February 1971, to January of this year, when the current American Revolution Bicentennial Administration assumed the work of the Commission. In addition, Mrs. HANSEN has exercised her usual

good judgment in dealing with the budget of the Bicentennial in her capacity as chairman of the Interior and Related Agencies Subcommittee on the Appropriations Committee.

In my review of the legislative and administrative history of the Bicentennial efforts, I found Mrs. HANSEN always to be a source of responsible leadership and sound judgement. Her actions have had a significant impact on the shape and direction of our Bicentennial efforts to date, and her departure will deprive the Bicentennial of a prime source of leadership and responsible criticism. I would hope that the Congresswoman from Washington will find time in her retirement to continue her interest and involvement in the Bicentennial, and I, for one, will always welcome her advice.

Mr. STEIGER of Arizona. Mr. Speaker, our country owes a tremendous debt of gratitude to our colleague, the Congresswoman from Washington's Third District, JULIA HANSEN, for the devotion she has shown over the years to the setting of proper policies and then assuring the necessary funding for proper management of our natural resources owned by all Americans. Without her help in providing funds for the various programs and projects required to manage America's vast resources, the Bureau of Land Management and the other bureaus within the Department of the Interior would have fallen far short of meeting today's challenges. Her absence from the Congress as the chairwoman of the Subcommittee on Interior and Related Agencies will be a great loss. It is with great pleasure that I wish that gracious lady from Washington a happy and enjoyable retirement.

Mr. McDADE. Mr. Speaker, it has been my privilege to salute many Members of Congress here on the floor of the House, but I cannot imagine paying tribute to any finer Member than the distinguished lady we salute today, Mrs. JULIA BUTLER HANSEN.

There are things which must be said by me about her work here in the Congress—and many of them will be said. But were I to exhaust the pages of this RECORD, the story would be incomplete. There is just no way I could possibly portray the endless patient hours, days, weeks, months expended by this distinguished lady as chairman of the Subcommittee on Interior and Related Agencies in the Appropriations Committee. In that subcommittee, there had to be decided precisely what would be done with an amount of money greater than the budgets of many of our States. And it has to bring that final appropriations bill to the floor for the final action of the Congress. She has been intelligent in her understanding of the needs of America, gracious in hearing the impassioned pleas of those who have appeared before her, forthright in her statement of the limitations within which she felt she had to work, and wise in the ultimate determination of the priorities which must be met. She is a most remarkable woman.

And I would point to the last word of the preceding paragraph. She is above all things a woman. She is precisely the sort of woman that reminds one of the gentleman who once said: "I cannot imagine

why women want to be equal to men. I have always thought them to be superior." She has given to her work that special warmth and understanding that no man can find, that represents a peculiar virtue found only in a woman, and in a most extraordinary woman. She never really had to lean with the hard hand of authority to get something done. There was just no way you could say no to JULIA.

We are losing an outstanding Member of Congress through her decision not to seek reelection, a reelection which she most certainly would have achieved had she chosen to run. But there is no way any Member of Congress would wish to take from her what she expressed so well in her own statement—a chance to be herself once more, free from the endless importunings of the constituents she served so well. I would now like to say a few words of the career of JULIA BUTLER HANSEN.

It is fortunate for the area of the Northwest and for the Nation that events and circumstances were such as to lead JULIA BUTLER HANSEN into a long and illustrious public service career—a career that started in the Washington State House of Representatives, culminating in her becoming the first woman to be chairman of an Appropriations Subcommittee in the U.S. Congress—the Subcommittee on Department of the Interior and Related Agencies.

But all of us are aware of her outstanding public service activities—they are well documented. Today, I would like to pay special tribute to JULIA BUTLER HANSEN as a person of uncommon prescience—a person of her times who was able to see the shape of problems to come and who, with integrity and purpose set out to do something to alleviate the problems.

It is in the area of the natural environment and natural resources where we find revealed the special qualities of Mrs. HANSEN—her concern for the natural environment, but even more important, for people. The present natural resource protection versus development dilemma with which we are wrestling today was foreseen by Mrs. HANSEN many years ago. But she did not jump on environmental bandwagons that called shrilly for a complete stop to everything that smacked of development. Nor, on the other hand did she regard every acre of open space as the rightful and immediate target for the drill or bulldozer.

Mrs. HANSEN belonged to those special few in the Federal Government who foresaw the need for balance. She recognized the sharp horns of the dilemma—the need on the one hand for vast amounts of resources in order to sustain America's society, but the need at the same time to take every measure possible so that our land and waters are not unalterably degraded. Her keen interest in, and fine support of, the programs of the U.S. geological survey reflects her complete understanding of the importance of earth sciences investigations to the welfare of the Nation. She has recognized full well that wise decisions concerning the use of our precious land and natural resources cannot be made without the kinds of basic data and scientific analyses that

the survey provides. In this regard, she told this House on June 27, 1973, when she presented her budget that her committee "has been deeply concerned for years about the total knowledge of American resources which are available to make America operate efficiently," and that "we must provide the public with all the facts and research necessary for judgment making."

Her concerns for people, for resources, and for the environment not only of the Northwest, but of the entire Nation, brought her into contact with a wide range of Federal, State, industrial and educational groups. She did her homework. She harvested hard facts, not just opinions or indecisive half-judgments, but scientific and technical data upon which she herself could judge the nature of the problems. As one example of her probing for new ideas and how they could be of help, several years ago she recognized the significance of remote sensing of the environment from space. This intrigued her because she had grasped the fact that new technological tools would have to be developed if the resource-environmental tangle were to be resolved. She recognized that new tools were needed to help monitor changes in the environment, and to provide a view of our environment in a new way.

Despite many obstacles, she fought for the idea that such remote sensing devices should be carried in Earth-orbiting satellites and provide Earth scientists with never-before-obtained views of the Earth's surface. This information, she was convinced, would bring space technology to the people, with benefits accruing directly to the man-on-the-street.

Mrs. HANSEN's understanding, belief, and unremitting vigor in her support of the Earth Resources Observation System—EROS—program of the Department of the Interior, helped the idea develop into reality, providing experimenters with a better understanding of our resources and our environment, and the interaction of man's activity upon them. This is prescience at work. This is being the forceful person of our times that characterizes Mrs. HANSEN's life and career.

One should understand that Mrs. HANSEN's foresight involves no unrealistic dreaming. She says that the Nation must accelerate its resource exploration activities. She insists that such exploration be carried out only if the people and the environment are protected from such exploration or eventual exploration. The challenges ahead are many and diverse; but Mrs. HANSEN leaves us the touchstones and the guidelines for meeting the challenges, namely, unswerving dedication to the job, imagination, integrity, and an abiding belief in the American people and their ability to see things through.

That, Mr. Speaker, is only a small picture of a limited part of the responsibilities which Mrs. HANSEN has borne so well over many years. Were we to attempt to exhaust all of those responsibilities, it would be a formidable challenge indeed. I will take the liberty, however, of appending two other facets of the career of Mrs. HANSEN. I will append a letter from Mr. Ron Walker, Director of

the National Park Service of the Department of the Interior, and a letter from Mrs. Frankie Hewitt, executive producer of the Ford's Theatre Society.

Is it not a remarkable thing to speak of the remarkable contributions of one person in the field of space technology as it relates to Earth resources, the field of conservation of our natural resources through the National Park Service, and the preservation and enhancement of the theatrical arts in America.

It has been said in distant days that the Renaissance man was learned in the arts and learned in the sciences, that his knowledge sought the boundaries of human knowledge in an endless variety of subjects. If that is true, then in JULIA BUTLER HANSEN we have the complete Renaissance woman, and a delightful and wonderful woman withal.

U.S. DEPARTMENT  
OF THE INTERIOR,  
Washington, D.C., March 4, 1974.  
Hon. JOSEPH M. McDADE,  
House of Representatives,  
Washington, D.C.

DEAR MR. McDADE: We have been advised that the House of Representatives has promulgated for Tuesday, March 5, a Special Order of Business to honor Representative Julia Butler Hansen. Since much of Mrs. Hansen's outstanding career as a legislator has been devoted to activities of the National Park Service, it would be greatly appreciated if this letter could be made part of the proceedings.

The National Park Service and, I am sure, the entire Department of the Interior have been saddened by the announcement that Mrs. Hansen will leave the Congress at the end of her present term. Her long and faithful service on the Interior and Insular Affairs Committee and the Appropriations Subcommittee on Interior and Related Agencies has spanned a period during which the Nation has faced unprecedented challenges in adding to our store of park and outdoor recreation lands, and providing for the conservation of God-given natural resources.

Mrs. Hansen leaves a record of solid achievement highly visible in the National Park Service. During her tenure as Chairwoman of the Appropriations Subcommittee, our record of expansion has been remarkable, due in considerable part to her keen interest and strong support. During fiscal years 1968-1974, some 45 new areas have been added to the National Park System, which now embraces 298 units. This is an 18 percent increase. For the same time period, the budget of the National Park Service rose from \$128 million to \$297 million—a 131 percent increase.

Beyond her contribution to the growth of the national parks, however, Mrs. Hansen's guidance, advice and foresight have been instrumental in establishing many new Service activities, of which I will highlight a few.

The opportunity inholding purchase program makes available funds to acquire, as they become available, lands in older areas of the National Park System which are still privately owned. Between 1969 and the end of 1973, more than one-half of the total inholding acreage where legislative acquisition authority exists was purchased at a cost of \$50.6 million.

Our living history, interpretation, and other activities have been greatly aided at almost no cost through the Volunteers in Parks program which has attracted thousands of citizens to do non-paid, part-time work in numerous park locations.

The Summer in the Parks program has considerably expanded urban recreational opportunities, particularly in Washington, D.C., and has provided needed transportation for urban youth to nearby parklands.

In an effort to stimulate economic opportunities for American Indians, the Service, upon request, provides technical assistance to Indian tribes to help plan and develop recreational facilities on Indian lands.

To strengthen law enforcement in the national parks, special authority has been provided in the Appropriations Act to use any available funds to cover unbudgeted costs necessary to maintain law and order.

Mrs. Hansen has also made major contributions to the rapidly growing nationwide effort to save noteworthy sites and buildings commemorating our Nation's history. Appropriations for the National Register of Historic Places and the associated grants-in-aid program to the States and the National Trust for Historic Preservation have received her consistent interest and support and have increased steadily since enactment of the National Historic Preservation Act in 1966. The study activities of the National Park Service that help support these programs have also been strengthened. These are the Historic Sites Survey, Historic American Buildings Survey, Historic American Engineering Record, and Interagency Archeological Salvage program.

In particular should be noted her deep interest in seeing that appropriate emphasis is given to the role of blacks and Indians in our national history. Studies of historic sites illustrating black history now being conducted under contract by the Afro-American Bicentennial Corporation are in large part a result of her personal interest.

Finally, Mrs. Hansen has consistently worked for the proper funding and development of the historical areas of the National Park System. The reconstruction of the historic old fur trading post of Fort Vancouver, Washington, now underway, is a notable example of this concern.

All Americans interested in their past and in the Nation's scenic treasures will long have cause to be grateful that Mrs. Hansen, during a critical time, held positions of great influence in shaping the course of the National Park Service.

On behalf of all my Service colleagues, I extend to Julia Butler Hansen our warm wishes for a most rewarding period of retirement. We look forward to seeing her often in the national parks.

Sincerely yours,

RONALD H. WALKER,  
Director.

FORD'S THEATRE SOCIETY,  
Washington, D.C., March 5, 1974.

HON. JOSEPH McDADE,  
Rayburn Building,  
Washington, D.C.

DEAR CONGRESSMAN McDADE: For the past seven years, Julia Hansen has served on the Board of Trustees of Ford's Theatre.

Much of the credit for making Ford's the active, vibrant theatre that it is today is due directly to her sympathetic interest during those early years.

Indeed, on several occasions when we at Ford's were struggling to establish this historic building as a living theatre, Julia Hansen's steady, unwavering support literally made the difference between success and failure.

It is, therefore, with much sadness, that we learned of her plans to retire. All of the performing arts are losing a good and devoted friend. As the producer at Ford's, I shall miss her guidance and help.

I shall miss her sense of humor and her exquisite sense of proportion. But most of all, I shall miss her because she is "one of a kind." Julia Hansen is an original.

Sincerely,

FRANKIE HEWITT,  
Executive Producer.

Mr. HOSMER. Mr. Speaker, retirement from one's chosen profession is always a sad time and a happy time.

In the case of JULIA BUTLER HANSEN, we are saddened by her announcement of retirement from the Congress, where her vigorous leadership has personified a long career of statesmanship. We are also happy for this great lady because we are fully aware that she has earned the right to enjoy the many peaceful years ahead—away from the sound and fury of legislative battle.

Mrs. HANSEN's retirement has generated quite an outpouring of comment within the Department of the Interior—all highly favorable.

At the top executive levels of the Department, as well as with technical personnel who have appeared before her Appropriations Subcommittee, I have been struck by one comment that has been universally expressed: "She is a great American. She has consistently put national interests ahead of party and regional politics."

I can think of no greater compliment—nor a more deserved one.

There have been many other comments—many of them relating to the careful preparation that precedes Mrs. HANSEN's hearings and the fair and impartial manner in which those hearings are conducted.

Perhaps the greatest tribute of all, however, is the widely held view that Mrs. HANSEN was among the first to foresee the emerging energy crisis and to act effectively to find solutions for it.

A prime example is in the area of coal production and utilization. Not only did she support an accelerated coal development program, she fought valiantly to increase funding for the projects sponsored by the Office of Coal Research.

Mrs. HANSEN realized—at an early stage—that we must utilize our vast coal reserves in an environmentally accepted manner instead of leaning too heavily on foreign imports of fuel.

She can be justifiably proud of her many accomplishments, but for this one long struggle in particular, this Nation will always owe her a great debt of gratitude.

All of us in the House of Representatives wish you many, many happy years of a well deserved retirement.

Mr. EVINS of Tennessee. Mr. Speaker, certainly I want to associate myself with the remarks of the gentleman from Washington (Mr. MEEDS) and others in paying tribute to the outstanding record of service of the lady from Washington, Mrs. JULIA BUTLER HANSEN—Chairman HANSEN—who recently announced her retirement from the Congress.

Mrs. HANSEN is genial, cooperative, and helpful—a true lady in every sense of the word—and also a gifted and talented leader whose great abilities have contributed much to the legislative enrichment of the Congress.

During her 14 years in Congress, Mrs. HANSEN has served her district, State, and Nation faithfully and well. Her 37-year record of public service at all levels of government has been outstanding.

As chairman of the Subcommittee on Interior Appropriations of the Commit-

tee on Appropriations, Mrs. HANSEN has provided vital leadership at a crucial time in our history when the demands for preservation of the environment must be balanced against the need for developing and providing vital and essential services for our expanding population.

Mrs. HANSEN has demonstrated great ability and effectiveness in her concern for the environment, for progress, for our national parks and forests, fisheries, energy resources, reclamation, hydroelectric power, and the needs of the Indian people.

Hers has been a dedicated and enlightened voice in behalf of the Pacific Northwest.

I am sure that my Democratic colleagues will recall that it was Mrs. HANSEN who introduced proposals in 1972 for improvement of the efficiency of the House—proposals which were adopted and which have accomplished much toward broadening the base of participation by all Members.

I sincerely regret the decision by Mrs. HANSEN to retire from the Congress. She understands the workings of the Congress—the problems of its Members, and she at all times endeavors to cooperate in the interest of this great Nation. She will be greatly missed.

We appreciate JULIA, we shall miss her very much, but we wish Mrs. HANSEN the very best of good luck and success in her richly deserved retirement.

Ms. JORDAN. Mr. Speaker, I am pleased to join my colleagues in this well deserved tribute to one of our most distinguished colleagues, JULIA BUTLER HANSEN, a Member of the House of Representatives from the State of Washington since 1960. Although I have not served with Mrs. HANSEN as long as some of my colleagues, I have in that relatively short time come to admire her legislative ability and her determination to accurately represent her district.

We are losing an able colleague but her outspoken defense of her convictions and her persuasive politics have left an indelible impression on this Chamber. With public confidence in Congress at its lowest ebb, it is indeed hard to accept the prospect of her absence. No single Member can be said to have done more in making this body more responsive to the needs of the citizenry.

Let us not lose the impetus for reform that Representative HANSEN gave us in chairing the Committee on Organization, Study, and Review—the "HANSEN committee." Her no nonsense approach to much needed reforms can only be described as an orderly rebellion against the status quo. As Thomas Jefferson described it:

A little rebellion now and then, is a good thing, and as necessary in the political world as storms in the physical.

Let us pray that we all learn in her stead to rebel against the ineffectual, the inefficient, the frustrations that keep us from being more responsive and more democratic in serving here after JULIA BUTLER HANSEN is gone.

Mr. BURKE of Massachusetts. Mr. Speaker, colleagues in the House, Congresswoman JULIA BUTLER HANSEN of the

Third Congressional District of Washington, chairman of the House Interior Appropriation Subcommittee, has announced she will retire from Congress at the end of the year which will conclude 37 years of public service in city, State, and Federal Government. In this time she has pioneered both as a woman and concerned citizen.

Mrs. HANSEN was the first woman to serve on the Cathlamet City Council.

First woman to become chairman of a county Democratic central committee.

First woman to serve as the roads and bridges committee of the Washington State House of Representatives.

First woman to be speaker pro tempore of the Washington State House of Representatives.

First woman to become chairman of the western interstate committee on highway policy problems of the 11 Western States, a position she held for 10 years.

First woman subcommittee chairman in either the House or Senate.

First Democratic woman to serve on the House Appropriations Subcommittee on Transportation.

First and only woman to serve on the House Democratic steering committee.

In addition Mrs. HANSEN has maintained a deep interest in the problems of the American Indians. During appropriations hearings she has consistently sought increased funding for hospitals, schools, and employment opportunities for the Indians.

Mrs. HANSEN is also known for her great interest and activity in our Nation's natural resources. For increased use of the Nation's coal reserve, search for new oil and shale fields, better utilization of the Nation's forests, as well as funding for the arts and sciences.

Representative HANSEN and the great effort she has lent to the Congress will be missed, but her accomplishments serve as an inspiration for all those who follow.

Mr. O'NEILL. Mr. Speaker, it is with deep sadness and a heavy heart that I stand here today to bid farewell to the gentlewoman from Washington, my dear friend and colleague, JULIA BUTLER HANSEN.

Elected to the 86th Congress in 1960, JULIA has brought to this Chamber an abundance of energy, resourcefulness, diligence, and a crusading spirit, which have endeared her to all Members of the House.

To even attempt to chronicle all the distinguished legislative achievements of this fine Representative and the first woman ever elected chairman of an appropriations subcommittee hardly begins to detail the high marks of excellence which JULIA merits for an outstanding performance and service of the past 14 years.

As chairman of the Interior Appropriations Subcommittee, JULIA has led the crusade for better education opportunities for Indians and other minority groups. From her field trips to Indian reservations JULIA gained valuable first-hand information on the plight of our most disadvantaged minority group. The ignorance, degradation, and poverty which she witnessed from these on-site inspections greatly moved this deeply

compassionate woman and gave her the idea of founding a kindergarten in the Bureau of Indian Affairs. Later, Chairman HANSEN pioneered a highly successful work and learn, clean-up program on the reservations.

An advocate of equal educational opportunities for all Americans, JULIA BUTLER HANSEN firmly believed that only through federally directed educational programs for Indians would the American ideals of social justice, equal job opportunities, and civil rights ever be realized. The pioneering educational efforts inaugurated by JULIA HANSEN are a giant step forward toward bringing this goal to fruition.

Long before the energy crisis confronted America, JULIA was an advocate of geological surveys so that we could have the important data on our natural resources. The Interior Committee has carried on a prodigious amount of activity under her aegis. A skilled politician and knowledgeable chairman, JULIA has exhibited a willingness to share her almost limitless knowledge about Interior matters with her committee colleagues, and her conscientious devotion to her duties have earned JULIA the praise and gratitude, the devotion and loyalty of all those who have worked with her on the Appropriations Committee.

JULIA is as distinguished a parliamentarian as she is a chairman. Before she came to the U.S. House of Representatives, JULIA had an outstanding career in the Washington State Legislature, serving as Speaker pro tem and as a member of the Rules Committee. This parliamentary experience in the State legislature helped prepare her for the arduous duties she assumed as chairman of the Subcommittee on Organization and Review of the Democratic Caucus.

JULIA BUTLER HANSEN has been loved and revered by all who knew her and served with her in the House. This Chamber will be greatly diminished by her departure. But to those of us who know and admire her, JULIA will continue to represent the inimitable qualities of strong personal courage, integrity, and a dedication to legislative service in the full measure of human energy.

Mr. EVANS of Colorado. Mr. Speaker, I am proud to join with my colleagues in honoring a distinguished and remarkable person, Congresswoman JULIA BUTLER HANSEN.

I have served on the Interior Subcommittee of the House Appropriations Committee for just over a year now, and during that time have been impressed with the tremendous knowledge, skill, and compassion exhibited by Chairwoman HANSEN. Although her presence on the subcommittee will be greatly missed, her tireless dedication and efforts will be remembered by those who worked closely with her.

It will be a long time before we will be able to replace the resources and skills Representative HANSEN brought to the subcommittee. Time after time, she has shown tremendous patience in listening to witnesses, and proven her ability to effectively cross-examine them. She is tough, yet fair in her work, retaining firm control of committee proceedings.

Perhaps most outstanding is Con-

gresswoman HANSEN's concern for the more than 600,000 American Indians receiving assistance through Federal programs funded by the Interior Subcommittee. Her service was rewarded in 1973 by the National Congress on the American Indian with the Henry M. Teller Award for outstanding efforts on behalf of benefiting the Indian people. A total of six of the Nation's Indian tribes have honored her in the past 14 years for her untiring work on their behalf.

Representative HANSEN, through sheer ability and determination, has made significant contributions to the governmental process. She worked her way through the ranks of city, State, and Federal Government service to become the first woman to chair a subcommittee in either the U.S. House or Senate. She is also the first and only woman to serve on the House Democratic Steering Committee, a highly important and influential position. Her achievements have been only just returns for her hard work and determination.

I can appreciate Representative HANSEN's desire to return to "private life" after 37 years of public service. She has more than adequately fulfilled a need to serve her fellow citizens, earning their respect and admiration in the process. Representative HANSEN indeed deserves to be called a "representative of the people."

The most fitting tribute we can pay to our fellow Member of Congress is to carry on the work she has so ably handled here. If the work and goals of Representative HANSEN are continued and fulfilled, all the more citizens can benefit from her skills and service.

Mrs. GRIFFITHS. Mr. Speaker, the people of the State of Washington can be proud of their Congresswoman, JULIA BUTLER HANSEN. Her announced retirement after 14 years of service in the Congress has come only too soon, and at a time when her direction and voice in the management of our natural resources will be sorely missed.

Mrs. HANSEN has worked long and hard in the public interest. Her dedication and work on the Appropriations Committee and her chairmanship of its Interior Subcommittee, her former service on the committees of Education and Labor, Veterans' Affairs, and Interior and Insular Affairs have left an indelible mark, particularly on our natural resource programs. Her life-long love for the "land" stems from her own origins in the far Northwest, where her grandparents homesteaded.

In Mrs. HANSEN, we have seen public service at its best. Not only has she held the trust and confidence of her constituents but she has won the respected esteem of her colleagues. I am proud to have served with Mrs. HANSEN in this House.

Mrs. SULLIVAN. Mr. Speaker, I am delighted to join in this tribute to our colleague from Washington, JULIA BUTLER HANSEN. Over the past 14 years we have had numerous occasions when one or another of us has taken the floor of the House to praise this extraordinary legislator for her great contributions to the work of the Congress. And there will be more such occasions in this ses-

sion, I am sure, particularly when she brings before us the annual appropriation bill for the Department of Interior and Related Agencies.

As the first and only woman to serve as chairman of a subcommittee of the House Appropriations Committee and manage one of the massive funding measures containing so many hundreds of important items of Government financing, JULIA HANSEN has earned the respect and admiration of every Member of this House for the manner in which she has handled this tremendous responsibility. It has always been a virtuoso performance reflecting knowledge, sensitivity, skill in debate, and remarkable leadership. Those of us who came to know Mrs. HANSEN well when she came to Congress 14 years ago have never been the least bit surprised by her ability in this or any other assignment she has had in the Congress. She is one of the most able Members to serve in the House in the years I have been here.

As a woman, I am proud of her. As a friend, I am grateful for the wisdom she has shared with me and the help she has given me on many of my legislative projects. If there were any way I could persuade her to change her mind and remain in the Congress after this term, I would certainly seek to do so, because this country needs JULIA HANSEN in the Congress.

I can understand her desire to call it quits after 37 years in public life, during which time she has done far more than her share as a legislator in her home State and then in the Congress to make this a better country and to establish the truth that politics and integrity can, and often do, go hand in hand. Seldom in our history has it been more important for the public to realize that this combination can and does exist.

The whole political process on which our country has been built is now on trial. The career of JULIA HANSEN has demonstrated the best side of political activity.

We shall miss her terribly as a voice of conscience and decency in the Congress of the United States, and also as one of our most able and effective Members.

Mr. CONTE. Mr. Speaker, I was saddened to learn recently that our colleague, Congresswoman JULIA BUTLER HANSEN, has decided to retire.

Mrs. HANSEN and I have served together on the Appropriations Committee and on the Appropriations Subcommittee on Transportation. During that time, I have developed a great respect for her legislative abilities. Her thorough and precise handling of matters coming under our jurisdiction was a great asset. Her absence is sure to be felt.

On another Appropriations Subcommittee, that of Interior and Related Agencies, Mrs. HANSEN distinguished herself as the first woman to chair an appropriations subcommittee.

Her 37-year career in city, State, and Federal elected offices has been marked by many highlights.

Before being elected to the 87th Congress, Mrs. HANSEN served in the Washington State House of Representatives.

She has also been active in many worthy nongovernmental organizations, and her record shines with the recognition she has earned from groups too numerous to mention.

Most notable among her areas of expertise is her mastery of the intricacies of highway planning. Within the Washington State House of Representatives, she chaired the highway committee and sat on both the joint factfinding committee on highways, streets, and bridges, and the 11 Western States highway policy committee. I mention these to illustrate the depth of expertise that will be lost to the Subcommittee on Transportation upon Mrs. HANSEN's retirement.

I could go on in greater detail to express her many contributions within the House. Suffice it so say, the lady shall be missed. I wish her great happiness in her return to private life, and I am grateful for this opportunity to add my voice to those singing her praises today.

Mr. DE LA GARZA. Mr. Speaker, it was with regret that I learned of the decision of Congresswoman JULIA BUTLER HANSEN to retire from this body.

Representative HANSEN had been a Member of the House for 4 years before I came here in 1965. Prior to that she had served with distinction in the Washington State House of Representatives. Her career in city, State, and Federal offices has been outstanding. I honor her for being the first woman in Congress to hold a subcommittee chairmanship, the important Appropriations Subcommittee on Interior and Related Agencies.

JULIA BUTLER HANSEN will be missed in the House. She will be missed by me. I will always cherish the privilege of having served with her.

Mr. CORMAN. Mr. Speaker, I commend the gentleman from Washington for taking this time so that those of us who have the privilege of working with JULIA BUTLER HANSEN also have the honor of giving her a proper goodby.

I think history will record the contribution that Congresswoman HANSEN made to this body and, indeed, to the Nation. JULIA BUTLER HANSEN is a highly individualistic Member of the House; she is not just another member of a large body. I think most Members of Congress have some personal qualities that give them some measure of distinction, but I do not know of anyone in my time who has stamped her character so firmly on the House of Representatives as JULIA BUTLER HANSEN. Mrs. HANSEN is one of the best examples I have ever known of a Member who takes care of her myriad duties in Washington and never forgets her constituents. She has meshed these two roles with great success and with steady devotion to both.

During Mrs. HANSEN's 37 years of public service she achieved many first for women in government and in so doing advanced the cause of equal rights for women. Some of her accomplishments include:

First woman to serve as chairman of a county democratic central committee.

First woman to be speaker pro tempore of the Washington State House of Representatives.

First woman subcommittee chairman in either the House or Senate of the U.S. Congress.

First woman to serve as a member of the House Appropriations Committee.

First and only woman to serve on the House Democratic Steering Committee.

I have always known Mrs. HANSEN to be fair and consistent and unbiased and courageous. I am sorry she is leaving for she has honored us all by her integrity.

I shall miss this extraordinary woman.

Mr. HALEY. Mr. Speaker, it is a pleasure and a privilege to rise here today and join our colleagues in praising the excellent legislative record of a most distinguished colleague and one of the most gracious ladies to serve in the U.S. Congress, the Honorable JULIA BUTLER HANSEN.

While I respect the decision of the gentlewoman from Washington to return home to a more leisurely and more private life, I know that with her leaving, our Nation will lose the great skill of one of the most effective legislators this House of Representatives has known.

During the 14 years that Mrs. HANSEN has served in the Congress, I have had the opportunity to work closely with her on many occasions. We have shared a deep interest in, and a mutual responsibility to, our first citizens, the American Indians. While Mrs. HANSEN has been chairman of the Subcommittee on Interior and Related Affairs of the House Committee on Appropriations, I served as chairman of the Subcommittee on Indian Affairs of the House Committee on Interior and Insular Affairs and more recently as chairman of the full Interior Committee. I know well Mrs. HANSEN's accomplishments in the area of Indian Affairs.

During the period from 1966 through fiscal year 1974, while Mrs. HANSEN has chaired the Interior Appropriations Subcommittee, appropriations for the Bureau of Indian Affairs have increased from \$207.9 million to \$494.7 or approximately 138 percent.

The Indian nations can be and are very grateful for Congresswoman HANSEN's interest in their overall welfare. She has shown a continuing, deep concern for Indian education from prekindergarten through graduate school; that the general assistance needs on reservation was comparable to needs of non-Indians of surrounding communities; that housing and living conditions be improved; that Indians were not denied employment because of lack of vocational and on-the-job training opportunities; that property and water rights are protected; that the reservation resources produced the maximum income from such as forest produce industry, agriculture and rangeland pursuits, oil and mineral production, and business enterprises.

Her interests in Indian welfare has been most sincere.

Some of the programs in which she specifically expressed concern are as follows:

Graduate studies under higher education; kindergarten; prekindergarten; adult and vocational education; work-learn program for youth; construction of educational facilities; Indian housing

improvement and development; forest management; property management; road construction; irrigation maintenance and construction; and Indian employment and income.

In the field of education, Congresswoman JULIA BUTLER HANSEN—by virtue of her unstinting efforts and humanitarian interest in upgrading the quality and scope of educational services for Indian children—has won the respect of Indian people as a unique individual. Unswerving in her dedication to serve as the conscience of the Congress in the discharge of its responsibilities to Indian people, Mrs. HANSEN has consistently forced the Bureau of Indian Affairs and Interior Department to reassess and refine its program efforts in more positive ways to positively discharge Federal trust responsibilities and the promulgation of optimum educational services to Indian tribes. Her extra efforts in this regard have won for her a place of distinction, not only for her constituents in the State of Washington, but for all reservation Indians in America.

In recollecting her achievements in behalf of Indian education and the Bureau of Indian Affairs, she can look with pride and satisfaction in providing the impetus for the initiation of early childhood programs on reservations, specifically kindergarten and the parent-child development program. Her continual interest and support for Chemawa Indian School—its physical facilities, its curricula, its residential program, its student body—need not be belabored here. Mrs. HANSEN has fought long and hard to provide additional funds to the Bureau of Indian Affairs for meeting the needs of Indian college students in the realm of higher education. The explosive increase in enrollment of Indian students in higher education programs found Mrs. HANSEN a willing and receptive congressional supporter of Indian needs. So, too, in her consideration of the Bureau's library and media programs for schools and the vital segment of summer programs wherein cultural, remedial, academic, recreation and enrichment components could be provided on the many Indian reservations.

These accomplishments for the Bureau of Indian Affairs and the Indian people receiving services are a reflection of her fiscal realism to support quality education programs. More basic, however, Mrs. HANSEN has served to focus the obligation of the Congress on the developmental and learning requirements of Indian children and youth. In so doing, she will remain the benchmark for all future actions of our Government in its relationship and obligations to Indian people.

Two programs that clearly indicate Mrs. HANSEN's unswerving concern for individual Indians are the social services program and the youth work-learn program. Today the budget for Indian social services stands at over \$60 million. Time and time again Mrs. HANSEN asked Bureau witnesses if their estimates for welfare that were being presented were adequate. It was largely due to admonitions that she did not want to see us "up here" for supplements that the Bureau has

carefully and correctly estimated the welfare needs of Indian people in recent years.

Mrs. HANSEN's concern for Indian youth and the environment in which they live is exemplified by the youth work learn program. First started at Mrs. HANSEN's direction in fiscal year 1969, it has grown from a budget of \$124,700 to \$500,000 in fiscal year 1974. Through participation, Indian youth help to clean up and improve their local community and earn spending money for their personal needs during the school year.

It goes without saying that all BIA programs have benefited from Mrs. HANSEN's stewardship of the House Appropriation Subcommittee on Interior and Related Agencies, however the social services and the youth work-learn are outstanding examples among the Indian services programs.

Those active in the natural resources programs of the Bureau of Indian Affairs, in which the chairman has extensive knowledge, have thanked Mrs. HANSEN for her responsiveness to the needs of the Indian people. They recognize her awareness of the operations of forest management, the value of the Indians' forest resources, and the need to adequately protect and develop them. Her support of the Indian community and the programs of the Bureau by which they hope to eventually accomplish optimum development of the Indians' natural resources will long be remembered. Through her efforts and those of her committee, the Indians have realized substantial returns from the management and protection of their natural resources.

In retiring from the Congress, JULIA BUTLER HANSEN leaves an enviable record of accomplishment in many areas. I have mentioned only a few portions of that record.

JULIA, Mrs. Haley joins me in extending our best wishes to you as you embark on another career, that of enjoying the life of Mrs. Citizen. May your days be as full as you wish them to be. We will miss you here.

Mr. ANDREWS of North Dakota. Mr. Speaker, it has been my good fortune since becoming a Member of Congress in 1963 to have served on the Appropriations Committee with the lovely and distinguished lady from Washington, JULIA BUTLER HANSEN. I have always valued her good counsel, admired her fine judgment, and have treasured, always, her warm friendship. I hope that when I ever choose to retire, I can step out with the same grace, style, and good humor that she has shown. I shall miss her very much.

Mr. CHARLES H. WILSON of California. Mr. Speaker, it was with deep regret that I learned of Congresswoman JULIA BUTLER HANSEN's decision to retire this year. Yet I know she will leave the House of Representatives with a satisfaction that proves Samuel Johnson's maxim:

One should not think of retiring from the world until the world will be sorry that you retire.

Congresswoman HANSEN came to the House after a 23-year long career in city and State elected office. And, since that

first election to national office, the people of her home State of Washington have continued to reelect this remarkable woman who has served them so well.

During her 14 years in Congress, Congresswoman HANSEN has represented her constituency and her country with great dedication to the principles of high office. The first woman to hold a subcommittee chairmanship in Congress, her knowledgeable leadership of the Interior Appropriations Subcommittee has won her a national reputation as a champion of conservation and the rights and the needs of the American Indian.

But JULIA BUTLER HANSEN has not confined her legislative initiatives to this one field—although she is indeed a recognized authority in conservation matters. Her tenure in the House of Representatives has given her sharp insight into the legislative process; and, during the 1972 Democratic caucus, she was instrumental in developing reform proposals that resulted in making Congress more efficient and therefore more effective.

And so departs one of our best minds and most able legislators. Her wisdom and experience will be sorely missed. Yet I know that, with her zest for living, her retirement years will be rich and rewarding. There, in the lush, natural surroundings of her home State of Washington, she can relax among the beauty which she has worked so tirelessly and successfully to preserve.

Mr. HANLEY. Mr. Speaker, it is a distinct pleasure today to join with all my colleagues in paying tribute to the beloved JULIA BUTLER HANSEN. We were all saddened a short time ago when JULIA announced her decision to retire from public office at the end of the 93d Congress. I, for one, still hope she will change her mind, although I realize that she well deserves the time she seeks with her family.

In the nearly 10 years that I have been privileged to know JULIA, we have become good friends. From her vantage point on the Appropriations Committee, she has been of consistent assistance to me personally, and to the people of central New York. I guess people always come first with JULIA, though, as evidenced by her 36 years of continuous service in elected public office. As much as we are going to miss her here, the people of Washington are going to miss her even more, for they have been her prime concern since her first term in the Washington House of Representatives back in 1939.

Mr. Speaker, my wife, Rita, joins me in wishing JULIA and her family many, many years of good health and happiness.

Mr. ANNUNZIO. Mr. Speaker, I rise in tribute to Congresswoman JULIA BUTLER HANSEN who has announced she will retire at the end of the 93d Congress. I have served with Mrs. HANSEN in the House of Representatives for almost a decade and I can testify to her unflagging dedication to better and more responsive government for all Americans. The people of the Third District of Washington are losing an outstanding legislator and we in the House are los-

ing a most esteemed colleague and inspiring associate.

Congresswoman HANSEN has received justly deserved awards for her creative work in the fields of environmental protection, resource and energy management, historic preservation, improvement of Indian health and education programs, and for advancing the arts and humanities.

I personally am most familiar with Mrs. HANSEN's able service as chairwoman of the Democratic Organization Study Group and as a member of the House Democratic Steering Committee. Long before the word "reform" became a political cliche, JULIA BUTLER HANSEN was instrumental in fundamental and genuine reform of the committee system of the House of Representatives. I was privileged to work with her on historic changes such as the abolition of the old "seniority" rule for elevating committee members to chairmanships and the extension of legislative responsibility to the subcommittees.

Congresswoman HANSEN cares deeply about the welfare of her State and country and she has proved this through her brilliant public career and her energetic resourcefulness. I am proud to have served these 10 years in the House with JULIA BUTLER HANSEN and am sorry to see her go.

JULIA, I wish you continued good health and happiness, because when you make this new beginning in your life I know you will not be able to stop using your talents for continuing contributions to your community and country.

Mr. BROOKS. Mr. Speaker, it was with great regret that I read of Mrs. HANSEN's intended retirement. The gentlewoman from Washington is an effective, able legislator and the Congress, her district, her State and the United States can ill afford to lose such an outstanding leader.

Mrs. HANSEN has earned the highest respect of her colleagues. Those of us who have the honor to work with her know that she is a capable advocate and a formidable adversary. While she is always a charming lady, she never asks for nor needs any concessions because she is a woman. When it comes to getting legislation passed or representing the interest of the Washingtonians she serves, she knows how to get the job done and does not spare any effort in doing so.

A tireless, dedicated leader, she will be missed by all of us here in the Congress. We wish her a well-deserved rest and a chance to spend some time with her family but I doubt sincerely that she will fade into the background. JULIA BUTLER HANSEN is too determined to help people. Although she will not be in Congress, I know that next year will find her still actively seeking ways to solve our problems and improve the future of our country.

Mr. FASCELL. Mr. Speaker, I am pleased to join our colleagues in paying special tribute to JULIA BUTLER HANSEN although I am saddened that the occasion has been initiated by her decision to retire from the House of Representatives at the end of this Congress.

In recent years, conservation has become a common cause of the Congress

and the Nation. Under JULIA's leadership, however, the House Interior Subcommittee of Appropriations Committee has for years made possible the establishments of the national park system, insuring the preservation of much of our natural environment.

I am particularly grateful for her understanding of the need to protect the delicate environment in south Florida. Her strong support and assistance in the acquisition of the Biscayne National Monument lands and water and the Everglades National Park lands cannot be overestimated. In south Florida the preservation of the Everglades is absolutely essential not only because it is a tropical environment unique to the United States, but because it plays such an important role in south Florida's water supply. Failure to preserve the Everglades, could have imperiled the fresh water supply for all of south Florida and destroyed the only tropical area in the country as well.

We in the House are also indebted to JULIA for her hard work on the greatly needed reforms in House and committee procedures, and for leading efforts to open positions of leadership to more Members.

JULIA is one of the real "no nonsense" Members of the House. Her willingness to listen to any argument openly and to respond candidly, have earned her my great respect. I have always known that JULIA would listen fairly, but that I had best be prepared with a very strong case.

Mr. Speaker, I join all of our colleagues in commanding JULIA BUTLER HANSEN for her 37 years of outstanding public service. The House of Representatives will lose one of its able leaders, the Nation will lose one of its original defenders of our environment, and the third District of Washington will lose an effective and valuable representative when she retires. Though we shall miss her experience and her leadership, I join in wishing her the best in a much deserved retirement.

Mr. GOODLING. Mr. Speaker, when a man has had a distinguished career, we say without qualification that he has served well. When a woman has had a distinguished career, some people are apt to say, "She did well—for a woman." Representative JULIA BUTLER HANSEN has indeed served well. She deserves and receives our unqualified admiration. Her record of public service and legislative accomplishment would be an asset to any man or woman.

Like her pioneer ancestors, Mrs. HANSEN has established herself in new territory. In every phase of her career, she opened doors that were previously closed to women. She was the first woman to serve on the city council of Cathlamet, Wash.; she was the first woman Speaker pro tempore of the Washington State House of Representatives; she was the first woman subcommittee chairman in the U.S. Congress—to mention only a few of her record-setting accomplishments.

While distinguishing herself in elective office, Mrs. HANSEN also achieved success in her private life. She is a wife, mother, grandmother, author of a juvenile historical novel and an historical

play, and an active participant in community affairs both in Cathlamet and the Washington, D.C. area.

I ask my colleagues to join me in paying tribute to a great public servant, a good citizen, and an extraordinary human being.

Mr. ROUSH. Mr. Speaker, it is with great sadness that I learned that Representative JULIA BUTLER HANSEN, chairman of the House Interior Appropriations Subcommittee, is planning to retire from Congress at the end of this session.

I am not a member of Mrs. HANSEN's subcommittee, but I do serve on the full Appropriations Committee with her and I have learned a great deal from observing her work. I have also had the pleasure of appearing before her subcommittee the past 3 years requesting funds for the Indiana Dunes National Lakeshore. I found her as chairman gracious, demanding, cooperative, energetic, inquisitive, untiring. I always knew that I had to make a good "case" in order to win her approval of funding projects.

She will be very much missed in public life. For 37 years Mrs. HANSEN has served her community and her country. She has been a city council member, a State legislator, a Member of Congress, during which time she has achieved an enviable record.

I not only remember her as subcommittee chairman for her hard-work, her enthusiasm, her dedicated perseverance, but also the special contribution she made as chairman of the Democratic Committee on Organization, Study and Review, the "Hansen Committee" as it came to be called. Progressive reforms in committee membership and leadership are attributable to this special committee.

In her retirement announcement, Mrs. HANSEN mentioned that she has "many regrets about leaving public office," so do all of us who know her and have worked with her. We wish she were staying, but we respect her reasons for leaving. She has been and remains a Member of Congress' ideal Member of Congress. Her example will not soon be forgotten, certainly not by this member from Indiana.

Mr. SISK. Mr. Speaker, like many of my colleagues here today assembled, I would like to join in paying tribute to JULIA BUTLER HANSEN who has announced her retirement after serving 16 years in the U.S. House of Representatives.

I will not be remiss in admitting that her absence will be felt, for she was indeed a friend to those of us from the West, and especially those of us in California. I have enjoyed her counsel and trust that it will still be available.

As chairman of the Interior Appropriations Subcommittee she has time and again demonstrated a real concern for the best possible utilization of our natural resources, a goal I share with her. Many of the projects now underway in California to develop water resources, more properly harvest our renewable resources, and to better protect our natural heritage owe a great deal to her personal involvement with not only the single is-

sues, but of the total scope of the problem.

I wish her well when she finally closes her legislative career and returns home to Cathlamet, Wash. And I hope she will find the time to visit and review the many projects and programs she has helped guide through the legislative mill, not only in California but throughout the Western States and the United States.

In her retirement announcement she stated she will visit every county in her district and thank her many friends and supporters. I am equally proud to take this moment to join with my colleagues in thanking her, both as a friend and supporter.

Mr. WON PAT. Mr. Speaker, I would like to take this occasion to extend best wishes to Chairwoman JULIA BUTLER HANSEN for a happy and well-deserved retirement.

We from territorial areas will surely miss her able hand at the helm of the House Appropriations Subcommittee on Interior and Related Agencies. Mrs. HANSEN has built a fine reputation for herself as an effective chairwoman. She is known for her probing questions and her ability to ferret out waste and inefficiency in Government. Yet we from Guam and the other U.S. offshore areas have found these qualities—so important to bringing efficiency to Government—are coupled with the recognition of our immense and unique territorial problems. In short, while watching to see that Federal dollars are spent wisely, Mrs. HANSEN has been sensitive to needs in the territories.

The aid of the gentle lady in advancing the cause of the territories has been greatly appreciated and will be sorely missed when she leaves for Cathlamet at the end of this year. Despite our loss, we hope that future years for the chairwoman from Washington will be as fulfilling as those she has spent in this House.

Mr. HUNGATE. Mr. Speaker, I would like to join my colleagues in paying tribute today to the gentlewoman from Washington, Mrs. JULIA BUTLER HANSEN. In her 14 years with us in the House of Representatives she has distinguished herself as few others have in so short a period.

It is inconceivable to me that a former Secretary of Interior, when up for confirmation, in 1969, asked "JULIA BUTLER who?" Anyone who has served in this body with Mrs. HANSEN would never and could never ask that kind of a question. As the senior member of the Washington delegation she has exhibited the kind of leadership qualities which made her a leader in the Washington House of Representatives for 21 years.

Thirty-five years of public service in elective office will come to an end with the retirement of this devoted public servant at the end of the 93d Congress. Such a record is seldom made by any person but Mrs. HANSEN has paved so many needed roads in her life that it is not unusual that she would pave more here in the Congress. As the first woman appointed to be chairman of an Appropriations Subcommittee on the In-

terior and Related Agencies, she has become a legendary chairman. As an expert on Indian education, Mrs. HANSEN has won the devotion and respect of many educators for her role in paving new roads in this branch of education. Her concern and understanding of forestry made her a valuable leader in sensible protection of our woodlands.

We in the Congress will sadly miss her as she retires from public service. Washington will miss her devotion as a public servant and all future Secretaries of Interior will miss her great knowledge and sympathy for their work and the work of the Department of the Interior.

Mr. JOHNSON of California. Mr. Speaker, it is with a great deal of feeling that I rise today to express the pride that I have in having had the opportunity to serve during the past 14 years as a colleague of the gentle lady from Washington, my good friend, JULIA BUTLER HANSEN.

As a Representative of one of the Pacific Coast States I have had an opportunity to work closely with her on a variety of projects and in solving many problems which are common to Washington, Oregon and California.

When she first came to the House of Representatives her abilities and legislative knowledge learned through more than a score of years in local and State government were recognized immediately. In those early years it became obvious that she was the type of legislator we all respect and admire—namely a dedicated public servant who did her home work, who knew what she was talking about and whose word was her bond. In later years Mrs. HANSEN, of course, was elevated to the chairmanship of the Interior and Related Agencies Subcommittee of the Committee on Appropriations, where we were all impressed not only by her legislative skills but also her knowledge of the operations of the Interior Department and its many resource oriented agencies. There is no one in Congress today who better understands and appreciates the workings of this department, or who has a greater feeling for the conservation and wise utilization of our natural resources. Those of us in California, which is a resource oriented State, depend upon the food and fiber produced from our soils, and appreciate the tremendous way in which Mrs. HANSEN has carried out her responsibilities in this assignment.

On behalf of myself, the Second Congressional District of California, and the State as a whole may I express to you, JULIA, my deep appreciation for all that you have done for the State, the West and the Nation. We are going to miss you here in our Nation's Capitol. We can appreciate your desire to return home, and as you said at the time you announced your retirement "take the telephone off the hook," if you want to. When you do return to Washington to stay let me say that you can do so with the knowledge that the resources of the West and the Nation are preserved and managed far more efficiently, far more effectively than they were 14 years ago when you first came to Washington. This is the tribute and the memorial which will stand for generations to your outstand-

ing public service in the House of Representatives.

Mr. MAZZOLI. Mr. Speaker, our distinguished colleague, Congresswoman JULIA BUTLER HANSEN, has announced her retirement from public life, thus ending a long and distinguished career of service to her State and her country.

Few individuals today can match, far less surpass, Mrs. HANSEN's record of achievement in government. From her contributions as chairman of the Interior Appropriations Subcommittee in the House to her role in Democratic caucus reform efforts, JULIA's years of public service have been marked by a dedication to the cause of good government.

While I was privileged to know Mrs. HANSEN for only a relatively few years, her reputation as a public servant was known to all of us, on both sides of the political aisle. Her presence will be missed.

I would like to take this opportunity to extend to Mrs. HANSEN every best wish for a future of health, happiness, and prosperity.

Mr. WHITTEN. Mr. Speaker, in my years in the Congress I have served with many people, many of whom have been my close personal friends, and all of whom I have respected for the qualities which brought them here knowing they reflected the general feelings of the people whom they represented.

During that whole period which covers 17 terms I have known no one who exhibited more dedication, more energy, more interest in her district, State, and the Nation than has my friend, JULIA BUTLER HANSEN. Truly she has been forthright and able, claiming no quarter, but fighting for what she believed in and doing so most effectively. A veteran of many successful years in her State legislature, JULIA has been equally successful here. JULIA's success has been tremendous as a member of the Committee on Appropriations, and then as the first woman chairman of a subcommittee; and, you can be sure her sex did not gain her this position.

Mr. Speaker, we shall all miss JULIA's fine personality, her never failing courtesy, and her candor, but certainly we understand her decision for she has done her part. The Congress will be less able without her presence; the Nation a better Nation for her service.

Here's hoping that she will enjoy many happy years and find time to visit my family and my State, Mississippi, where she was signally honored by a joint meeting of the Mississippi Legislature, as a national legislator without peer.

JULIA, we shall miss you here, but hope to continue to see you. We do know we all will see the results of your work down through the years.

Mr. VAN DEERLIN. Mr. Speaker, the sense of loss that we all feel over Mrs. HANSEN's retirement announcement must be balanced by the thought that if any one has truly earned the peaceful joys of retirement, it is Mrs. HANSEN.

As others have noted, Mrs. HANSEN registered many "firsts" during a remarkable 37-year career in politics.

She was the first woman to serve on the city council of her hometown of Cathlamet.

Later, she was the first woman elected speaker pro tempore of the Washington State House of Representatives.

But among our colleagues, Mr. Speaker, her greatest renown is as the first woman ever to head a subcommittee of the House Appropriations Committee. She has presided with grace and distinction over the Interior Appropriations Subcommittee—and a legislative domain that includes funding for 28 different agencies and 753 million acres of public lands.

Several years ago, Mrs. HANSEN was to a considerable extent responsible for initiating the recent reforms in our congressional seniority system, as chairman of the special committee set up to advise the Democratic Caucus on these matters. In large part as a result of her efforts we have spread power around a bit by providing that no member may head more than one subcommittee, and by stipulating that committee chairmen face approval by the caucus.

It is possible that when Mrs. HANSEN finally steps aside she will have established a new longevity record for continuous service by a woman in politics.

When she set out on her illustrious career, our colleague met and overcame obstacles then impending the progress of women aspiring to high public office and key legislative assignments.

The trailblazing by Mrs. HANSEN has made the course a bit easier for the women who follow. Her series of "firsts"—these may be her greatest legacy.

Mr. BOLLING. Mr. Speaker, JULIA BUTLER HANSEN's retirement is a great loss to the Congress and to the country.

Mrs. HANSEN has made great contributions to the cause of reform in the House of Representatives through her outstanding work in the Democratic caucus.

Perhaps even more important has been her extraordinary work as member and chairman of the Subcommittee of Interior of the House Committee on Appropriations. Her work in that position in behalf of Indians and the territories among many other good causes has been unique and equally outstanding.

Her statement on announcing her retirement is typical vintage Hansen. She says it like it is and it is refreshing.

May she have a wonderful retirement in her beloved West. Wherever she is and whatever she does I know she will be doing something constructive to help people and our country.

Mr. CEDERBERG. Mr. Speaker, it is with a real sense of loss that I take this opportunity to join my colleagues in recognizing the retirement of the gentlewoman from Washington, JULIA HANSEN.

JULIA BUTLER HANSEN has as fine a record in the Congress as any Member could boast. She has served her State and the Nation with distinction during her 14 years in this body, and previously during her service in the Washington State Legislature. The people of the State of Washington can be proud of JULIA BUTLER HANSEN's 37 years of public service. I am certain that, but for her decision the Third District of Washington would continue to recognize her dedication by returning her to this body.

I personally will miss the gentlewoman. As the chairman of the Interior Subcommittee of the Appropriations Committee, Mrs. HANSEN's leadership and sensitivity were apparent to those of us who had the privilege to work with her. I must say that my position as the ranking member of the full committee has been made a little easier in the knowledge that she is so capably leading the subcommittee. It has been a real pleasure to have had the opportunity to work with JULIA HANSEN over the years and I'm certain that I speak for my colleagues on the committee when I say that her presence has lent a touch of graciousness to the committee for which we all shall always be grateful.

I personally shall miss JULIA, however I know that she looks forward to a well-earned rest. I wish her the very best in the future.

Mr. ROGERS. Mr. Speaker, I would like to join my colleagues in the House of Representatives in expressing my regret that Congresswoman JULIA B. HANSEN of Washington has decided not to run for another term of office.

As chairperson of the Subcommittee on Interior and Related Agencies of the House Appropriations Committee, she has exhibited a great capacity for comprehending environmental and other social problems and for devising effective solutions toward the alleviation of these problems. I have particularly noted the effective manner in which she has translated her appreciation of the health needs of the Native American and Alaskan Native populations into the funding of vitally necessary programs for the delivery of primary health care.

I am grateful for the opportunity to have served with JULIA HANSEN and wish to join my colleagues in praising her many accomplishments while serving as a Member of the House and in wishing her health and happiness in the years to come.

Mr. DRINAN. Mr. Speaker, it is with regret that I greet the announcement to retire of Congresswoman JULIA BUTLER HANSEN. There is no need to enumerate her many achievements in the area of the environment, national parks and forestlands, hydroelectric power, fisheries, reclamation, energy resources, and the needs of Indian people. Her contributions have been thoughtful and important.

Congresswoman HANSEN was the first woman to hold a subcommittee chairmanship in either body of this Congress. She served admirably as chairwoman of the Interior Appropriations Subcommittee. Her courage was manifest in the leading role she took in presenting reform proposals to the 1972 Democratic Caucus which were designed to make Congress more effective and representative.

It has been my privilege to know and admire Congresswoman HANSEN. We shall all miss her.

Mr. MINSHALL of Ohio. Mr. Speaker, it is an honor to join in tribute to our distinguished colleague from the State of Washington, JULIA BUTLER HANSEN, who has announced that she will leave the Congress at the close of this session.

Throughout her seven terms in the U.S.

House of Representatives she has provided dedicated, conscientious service to the Third Congressional District. In recent years she has won well-deserved laurels for her chairmanship of the Subcommittee on Interior Appropriations which reflects her concern for the environment, the Nation's energy resources, and the American Indian.

I have been privileged to work with Mrs. HANSEN in our full Appropriations Committee sessions and to see at first hand the high standards of excellence she brings to any assignment. She has given 37 years of her life to public service, in city, State, and Federal offices, and I know that now she looks forward to spending more time with her family and in the challenges of a private career. She will take with her the gratitude of her colleagues and all of our best wishes for continued success and happiness in her every endeavor.

Mr. CASEY of Texas. Mr. Speaker, I would like to join in stating that the decision of JULIA BUTLER HANSEN not to return to the House of Representatives will leave a void in the Congress that can never be fully filled.

She is truly a flower of these legislative halls, and I would say a rose more than any other flower, because while there is charm and beauty in abundance, those of us who are her colleagues on the Appropriations Committee can testify that there are also thorns. Anyone who has gone up against her in an appropriations fight has been certain of coming out with scratches.

In all sincerity, Mr. Speaker, JULIA HANSEN's service has been an inspiration to all of us. No Member of the House has more compassion for the right cause. And when she determines that a cause is right, she can be as strong and unyielding as the giant fir trees of the district she represents so capably.

I have had the privilege of serving with JULIA HANSEN since she came to the Congress almost 14 years ago. I have worked with her and I have learned to admire her courage, respect her judgment, and marvel at her diligence.

Generations to come will owe JULIA HANSEN a large debt of gratitude for her work in preserving public lands of this beautiful Nation and for insuring that there will always be quiet places where the wildlife roams free, the water is pure, and the air clear.

We here know that JULIA HANSEN was the first woman to chair a subcommittee of the Appropriations Committee, that for interior affairs. But we are also aware that there has never been a more knowledgeable and hard-working chairman of any committee.

While we here did not share the benefits of JULIA HANSEN's talents and wisdom until 1960, her home State of Washington was already well aware of her contributions to public service. Before her election to Congress she had served with distinction for 22 years in the Washington Legislature, including a term as that body's minority leader.

Mr. Speaker, JULIA HANSEN has brought credit to her State and to this Congress for many years.

I know that I speak for all my col-

leagues in saying that we will miss her counsel, her wit, and her charm when we depart from this 93d Congress.

Mr. BENNETT. Mr. Speaker, we in Congress are certainly going to miss the spirited, able, and lovely lady from Washington, JULIA HANSEN. The country is going to miss her leadership here, too. She has left an imprint on our country for the better in everything she has done here; and in fact set a high standard for effective legislative achievement that would honor any person that has ever served here. We will miss you JULIA and the great things you have done for your country will always remind us of you.

Mr. McCLORY. Mr. Speaker, it is with the greatest sense of personal affection and respect that I join in today's tribute to one of the great women of the Congress, JULIA BUTLER HANSEN, Representative in Congress for the Third District of the State of Washington.

Mr. Speaker, I have been privileged to know JULIA HANSEN personally and to follow and analyze her thoughtful and conscientious work in this great legislative Hall. Her long years of service, totaling now 37 in all, attest to the record of her service—which has resulted in her constituents' returning her to this body session after session.

Mr. Speaker, JULIA HANSEN's special areas of public service are closely associated with the constituency which she has represented. Her love and respect for the out-of-doors, her affinity with the founders of our Nation, including the American Indians who inhabited this land even before her forebears arrived—have benefited all of us who serve with her in the Congress—and the American people throughout the Nation who are the true beneficiaries of her talents and devotion to the affairs of our Nation.

Mr. Speaker, I am proud to join today in honoring this great woman of the Congress and to extend my best wishes for many years of good health and happiness to the beloved Representative of the Third District of the State of Washington, JULIA BUTLER HANSEN.

Mr. CLEVELAND. Mr. Speaker, the impending retirement of our colleague from Washington, JULIA BUTLER HANSEN, represents a great loss to this body. Her long years of public service have eminently equipped her to discharge her duties as head of the Interior Appropriations Subcommittee with distinction. With the wide-ranging scope of this vital subcommittee's jurisdiction, Mrs. HANSEN has been immersed in national policy issues of increasing relevance to the critical needs of our time. Yet she has been most responsive to the fact that ultimately our policies involve people, programs, and projects. In this connection Mrs. HANSEN has been most helpful over the years in our efforts in the Second District of New Hampshire involving restoration of Atlantic salmon in the Connecticut River, the Federal fish hatchery at Nashua and Berlin, and the North Eastern Forestry Laboratory at Durham.

When she announced her intention to retire, I was struck by her observation concerning the more abrasive and burdensome aspects of service here in the Congress. I share many of these, as do a

number of other Members and a few of the more perceptive commentators who have written on the subject recently. So, in tribute to her service and in sympathy with her reasons for retiring, I can only wish her many years of the calmer life she has so fully earned in the Congress, and my personal word of thanks.

Mr. DON H. CLAUSEN. Mr. Speaker, I think I can safely say that the distinguished gentlewoman from Washington (Mrs. HANSEN) is among the most respected Members of the House.

To me, she typifies the best in responsive and responsible leadership.

While she has announced her retirement from the Congress at the end of this year, it is premature to say goodbye to her now since she can do more in the remaining year than most people could in several years.

JULIA is five times as good a legislator as any one outside of the Congress will ever know of her work. But those of us who serve with her and work with her on a daily basis know full well her extraordinary ability and talent.

If one needed to describe JULIA in one word, that word would probably be "knowledgeable." She is methodical in making sure she has a complete grasp of the issues that come before the Congress. Her understanding is unmatched.

She is constructive and always leaves accomplishment in her wake. Others have commented on her general achievements in the fields under the jurisdiction of the Interior Appropriations Subcommittee, but I can add to that more specifically from my own personal experience.

The Redwood National Park, the King Range National Conservation Area, the Point Reyes National Seashore, and the Golden Gate National Recreation Area are all in northern California and all owe their very existence in substantial measure to the gentlewoman from Washington. These areas will remain always as living monuments to JULIA BUTLER HANSEN and her great efforts to make the country she loves a better place for all Americans to enjoy.

I very much regret her decision to retire as it leaves a great void in the Congress. I do wish her the best in the coming year and in the years to come.

In closing, this brief message is directed to the people of her congressional district in Washington, who had the wisdom to send JULIA back to Congress each election year. We in the Congress, are deeply in your debt for sending this kind of quality representation to Washington.

You have every right to take great pride in the extraordinary contribution JULIA BUTLER HANSEN has made to her district, her State, and our Nation.

When JULIA gave you her word or made a commitment—you could count on it. Her word was her bond.

In attempting to adequately describe JULIA, I believe this phrase comes closest to doing just that—

The real purpose of our existence is not to make a living, but to make a life—a worthy, well-rounded, useful life.

JULIA, you have made life worth living for a lot of very grateful people—includ-

ing the Congressman from Redwood Country, California, USA.

I shall remain eternally thankful for you and your friendship.

Mr. WYMAN. Mr. Speaker, Representative JULIA BUTLER HANSEN, one of the most dedicated, respected, and admired Representatives in the Congress, will be greatly missed by all of us when she leaves Washington, D.C., at the end of the year when her term expires.

But after 37 years in elective office she certainly deserves the pleasures of a private life, or as she put it in announcing her decision to retire, "to write, garden, do as I please, hang up the telephone, or take the damn telephone off the hook."

A representative strongly devoted to the responsibilities of her office, she has had little time for those pleasures during her 14 years in Washington.

And that, along with her great ability and forcefulness, is why she has accomplished so much for the United States.

As chairman of the House Interior Appropriations Subcommittee, she has been a prime force behind responsible legislation which has benefited the territory she represents, the Pacific Northwest. And unlike so many others she has maintained an acute awareness of the needs of all the regions in the United States.

For example, she has long accepted a leading role in accelerating forest research in the Northeast. She has pursued with great success the establishment of programs to research into how forests can enhance urban environments, how tree diseases can be combated, how the timber yield can be improved, how recreational uses of forests can be expanded and, in anticipation of an increase in the demand for water in the coming decades, how to improve forest management to increase watershed resources for urban areas.

Her untiring efforts in this field for the benefit of the Northeast—including my home State, New Hampshire—are a clear example of the relentless attention and insightful understanding that she has afforded the problems of the entire country.

As equally impressive and commendable, Mrs. HANSEN is the living example of what some feminists only talk about. During her 37 years in public life, she has broken tradition in achieving a remarkable number of "firsts" for women in Government. Among the many others, she was the first Democratic woman to serve on the House Appropriations Committee, the first woman subcommittee chairman in either House or Senate of the U.S. Congress, and the first woman to serve as a member of the House Appropriations Subcommittee on Transportation.

The House of Representatives and the country have been ameliorated with her effective leadership and achievements, and her presence, felt by all, will most certainly be missed by all.

Mr. FOLEY. Mr. Speaker, I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. Mr. Speaker, may I say in the first place, it is very difficult to express all the appreciation and affection that I have for the Members here today who have said so

many kind things. I have a genuine affection for every Member of the State of Washington; but my friends, do not sit around and wait for me to run, because I am not going to. I think that has been one of the worries here for a great many years.

I want to say this, that each Member that comes here has an opportunity to do something for this Nation, because we believe in the parliamentary system of Government. We believe in the legislative branch. It has been my privilege to serve 37 years in some legislative branch of Government. I treasure the years that I have had to work with people; but more than anything, may I say from the bottom of my heart to my very beloved colleagues, I would never take the telephone off the wall to one of them and I do hope to see all of them. I shall never retire from my interest in America, nor my State, nor my district, nor the world itself.

I love you all and thank you again for your gracious comments.

The SPEAKER pro tempore. (Mr. MAZZOLI). The time of the gentleman has expired.

#### THE 56TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I take pride again this year in being able to join with my colleagues in observing and commemorating the independence of once-free Lithuania.

It is with pride that we in this Nation are able to stand as free men in this great public forum and speak without fear of rebuke or retaliation. This pride is mixed with sorrow when we remember that so many friends and relatives of American citizens behind the Iron Curtain do not share this great privilege with us.

I should like to recall two aspects of Lithuania relative to this commemoration, the 56th anniversary: namely, free Lithuania, and Lithuanians in my own State of Pennsylvania.

On February 16, 1918, the Lithuanian people broke a long period of Soviet domination—1795–1915—followed by a short period of German domination, and declared themselves an independent nation.

Just 21 short years later the Lithuanian people were again brought under Russian domination, and on August 3, 1940, Lithuania was declared a constituent republic of the Soviet Union—a cruel joke this country has never recognized.

Briefly occupied by the Nazi troops during World War II, the Soviets reoccupied the little country in 1944 with the help of the Red army, and to this day the Lithuanian Republic is a ward of the Kremlin colonists.

World War I cost the Lithuanian people a great deal for in 1915 they traded Russian oppression for German persecution. The Russians were finally gone, but the Lithuanian people were not free.

However, within 2 years two events, as important as any in this century, led to the eventual and long-awaited freedom and independence of the Lithuanian people: The Russian Revolution and the defeat of Kaiser Germany.

With independence on the horizon 200 Lithuanian delegates formed a congress laying the groundwork for an independent Lithuania based on ethnological frontiers. Finally, on February 16, 1918, Lithuania declared itself an independent state in the family of independent nations.

As we all know, a declaration of any kind does not establish a condition in fact. For example, our own American Declaration of Independence was made in 1776, but we were not free from the British until the War for Independence ended in 1783, and we did not become the country we know today until 1789.

Before the first year of independence had run its course, the German Army left the country, and immediately on their heels, the Soviet Army reentered the country. There obviously is more to being independent than merely saying so, for it was not until the following year the Russian Red Army was forced out of the country under the leadership of the Polish Army.

Besieged with problems at home and with that infinite patience that Communist governments seem to have, Russia decided to sign a peace treaty with Lithuania on July 12, 1920.

We know that Russia made a sham of that treaty within 20 years, but we did not know the extent of that deception until we realize exactly what the treaty included. That treaty made it clear that the Soviet Union recognized "without any reservation the sovereignty and independence of the State of Lithuania," and "voluntarily and forever renounced" all sovereign rights possessed by Russia over the Lithuanian people and territory. That would have been a treaty of splendor and hope if only the Russians had not intended it to be a farce and the most degenerate of jokes.

Following the treaty of peace with Russia, the struggling, newly independent nation immediately had a dispute of long standing with Poland on its hands involving the fate of Vilnius, the designated capital of Lithuania. When the issue reached the League of Nations, the city of Vilnius was awarded to Poland due mainly to the fact that Poles were in the majority of the city's population. This dispute wrecked Lithuanian-Polish relations until 1938.

Lithuania, which was recognized by the United States on May 31, 1921, joined the League of Nations on September 22, 1921, and thus began Lithuania's brave attempt as a free and equal independent nation in the world community.

As is the case with all new states who are not prepared by their colonial masters to assume self-government, there was some internal disruption and political discord. However, one cannot discount the great advances the country made during its brief tenure of independence in industrialization, farming

and agriculture, social legislation and in cultural pursuits. While the country struggled with itself, it did so with a dignity of which we can all be proud.

When war again engulfed Europe, little Lithuania was squeezed by both Germany and Russia, and during that conflict, was occupied by both countries, suffering terrible human and material losses. Since the end of World War II, Lithuania has been a colony of the Soviet Union.

I am especially proud, Mr. Speaker, that so many of these fine and brave people who have left Lithuania for one reason or another to come to the United States, have elected to settle in my own State of Pennsylvania and particularly in my congressional district in the northeastern part of the State.

In the last century coal mining and railroad employment drew many to Pennsylvania as well as to the steel centers around Pittsburgh and the great oil regions in the Alleghenies in northwest Pennsylvania.

Today we find many Lithuanians and their descendants living in Wilkes-Barre and the Wyoming Valley, Scranton, Shenandoah, Mahanoy City, Pottsville, Shamokin, Mount Carmel, and many other communities in my section of the State. They have made great and important contributions to their respective communities and have bravely and patriotically served our Nation during the periods of its greatest peril.

I deeply and sincerely wish along with these Americans that someday in the near future Lithuania will once again have the opportunity to govern its own affairs and destiny with dignity and human justice.

I include the following:

#### REMARKS OF JOSEPH KAJECKAS

(Translation of remarks by Joseph Kajeckas, Charge d'Affaires of Lithuania, on February 10, 1974 at a commemoration by the Washington Lithuanian-American Society of the 56th Anniversary of Lithuania's Declaration of Independence)

In commemorating the 56th anniversary of Lithuania's Declaration of Independence, we are remembering how the Lithuanian Taryba, in meeting in Vilnius on February 16, 1918, unanimously decided to address the governments of other countries in these words:

"The Council of Lithuania, sole representative of the Lithuanian people, in conformity with the recognized right to national self-determination, and in accordance with the resolution of the Lithuanian Conference held in Vilnius from September 18 to 23, 1917, hereby proclaims the restitution of the independent State of Lithuania, founded on democratic principles, with Vilnius as its capital, and declares the rupture of all ties which formerly bound this State to other nations."

After this there followed the struggles of the Lithuanian nation to achieve Lithuanian Independence. Thanks to the determination, sacrifices and dedication of the people, those battles were won. Lithuania became a full-fledged member of the family of free nations. With care and dignity she lived up to her ideals on the domestic front and honorably discharged all her obligations in the international community.

Alas, the Soviet Union, after concluding a secret agreement with Nazi Germany, breaking all the most solemn treaties she had contracted, occupied Lithuania in 1940.

Thus was extinguished the flowering of Lithuania's exercise of sovereignty. But the United States and other countries of the free world do not recognize that military, forcible occupation of Lithuania by the Soviet Union. The Lithuanian State thus continues to exist de jure. And we are not the only ones who commemorate February 16. The Secretary of State, Dr. Henry A. Kissinger, sent me the following message on behalf of the Government and People of the United States:

FEBRUARY 8, 1974.

DEAR MR. CHARGE D'AFFAIRES: On the occasion of the fifty-sixth anniversary of the proclamation of Lithuanian independence, I am pleased to extend to you and the Lithuanian people greetings and best wishes on behalf of the Government and people of the United States of America.

The efforts of the Lithuanian people to preserve their national heritage and to assert their right to self-determination are well known throughout the world. Our country, which is fortunate to have many citizens of Lithuanian background, is especially cognizant of the spirit and aspirations of the Lithuanian people.

Best regards,

HENRY A. KISSINGER.

On our national day, we are happy to have with us Mr. William S. Shepard from the Department of State and Congressman Robert Hanrahan. We are happy that each year, Lithuanian Independence Day is observed by proclamation of numerous governors of states and mayors of cities. February 16 is observed each year by the Congress of the United States. Already, on February 7 this year our Independence was commemorated in the United States Senate.

In their remarks, various Senators pointed out that Lithuania is today entirely in the control of Moscow, that throughout the land there is promulgated an intensive program of Russification and the usurpation of basic human rights. From their remarks it is clear that the free world clearly knows how zealously the Kremlin seeks to crush Lithuanian hopes of regaining sovereignty, and how systematically it strives to eradicate Lithuanian aspirations to regained independence. And in the West, renewed championing of the rights of Jews behind the Iron Curtain raises anew as well the basic rights to freedom of all the enslaved peoples behind the Iron Curtain.

It is all the more important these days to remain mindful of the subjugation of millions of people in the captive nations, because the Soviet Union's continuing aggression against these peoples has taken on refined and subtle forms of genocide—extending now to the systematic efforts, mentioned earlier, to destroy the ethnic identity and national individuality of the captive peoples. We can see how brutally insidious such Soviet efforts can be, when we see in the American press a team of Lithuanian, of Latvian athletes being referred to as "Russians". Behind the Iron Curtain, the efforts to destroy national identity take on increasingly familiar forms, such as arrests for contrived political reasons, complex systems of exile, or the nefarious practice of imprisoning individuals of conscience in "psychiatric hospitals".

These various practices show how important it is to see the Soviet efforts for what they really are, and the Lithuanian people depend on the truth remaining known in the free world and especially in the United States. As long as the truth remains known about Lithuania's right to freedom, her people will continue to be nourished by the promises held forth by the ringing words of America's own Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain

unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

As other nations have lived by these principles, so Lithuania hungers to live by the same right to freedom, a right so basic that we resolve wholeheartedly to continue to insist that the world cannot be said to live in peace when freedom is so flagrantly denied to the people of my ancient homeland.

Times change, it is true; and political climates change, and the slogans that accompany them. People used to speak of the absence of "hot" war as a hopeful state, called "peaceful coexistence." Now there is more and more talk of "détente," as though a state of mind or a set of semantic symbols truly represented something in reality. People who truly love freedom know what the reality of Soviet promises is, and what the reality is of people who suffer Soviet subjugation and who know what freedom is because they are willing to suffer in its pursuit.

Those whose eyes are not blinded by slogans, and who are willing to learn from the past, will realize how much to the point were the words of Brezhnev to his people in December, 1972, when he stressed the inevitability of ideological warfare between the communist and capitalist societies. The battle lines are truly drawn, and we should always take care not to be the dupes of words. Let us rather look to the deeds of those who profess to champion "peaceful coexistence".

In remembering that a "realistic" view of world affairs does not have to mean a view that fails to recognize how hopes and values dynamically shape human realities, let us note how important it is for the world that the United Nations become a body capable of effective championing of its ideals.

In weighing the possibilities available to the U.N. as a politically expressive force in the world, I am thinking in particular of the November 30, 1973 General Assembly resolution that reads as follows, in part:

"It is imperative that the United Nations should become a more effective instrument in safeguarding and strengthening the independence and sovereign equality of all States, as well as the inalienable right of every people to decide its own fate without any outside interference, and that it should take firm action, in accordance with the Charter of the United Nations, to oppose foreign domination and to prevent and suppress acts of aggression or any other acts which, in violating the Charter, may jeopardize international peace and security."

Such words speak to the heart of the Lithuanian people's hope that we will one day regain our national freedom and independence. We vow to work bravely and energetically to that end, believing that our cause must prevail because it is right.

Mr. DOMINICK V. DANIELS. Mr. Speaker, on February 16, 1918, the gallant people of Lithuania declared the establishment of the Republic of Lithuania. This event was the culmination of centuries of hope, hope that Lithuania might once again be a free and independent nation.

For 22 years, Lithuania was a respected and independent nation. Unfortunately, in 1940 along with her sister republics of Latvia and Estonia, Lithuania was swallowed up by its giant neighbor, the Union of Soviet Socialist Republics as a result of the infamous Hitler-Stalin pact of 1939. Earlier a significant number of Lithuanians had been absorbed into Adolf Hitler's Third Reich with the absorption of Memel and adjacent territories. In 1941, Hitler's legions conquered the Lithuanian nation and the Nazis maintained their control until the last days of World War II.

With the defeat of Hitler, the Lithuanian people were once again forcibly included into the Soviet system.

Mr. Speaker, despite years of oppression the proud Lithuanian spirit is untamed. Despite more than 50 years of systematic oppression of the Lithuanian language and culture, Lithuanian nationalism still is a burr under the saddle of those who would Russianize this indomitable people.

On behalf of all the people of New Jersey I salute the great Lithuanian people. Their cause will never be forgotten.

Mr. LANDGREBE. Mr. Speaker, I am proud to participate in the commemoration of the anniversary of Lithuania's independence.

Lithuanians are a proud people who have never forgotten their freedom in spite of alien oppression. Their history is rich and imbued with struggles to be recognized as a separate nation.

The tiny Baltic nation of Lithuania was founded in 1251. It grew to become one of the largest territorial empires and entered into a union with Poland in 1569. This independent state experienced few internal struggles and lived in peace for many years. All this harmony came to an end in 1795, when the Polish-Lithuanian community fell under Russian rule until World War I.

In 1918, on February 16, after years of Russian and German domination, Lithuania reestablished its own government. The sovereign State of Lithuania began to flourish, and agricultural and educational reforms were instituted. For almost 23 years, this tiny nation made its mark in the world community. It is ironic to note that Lithuania was recognized as an independent nation by most of the major powers, including the Soviet Union which signed a treaty in 1920, renouncing all of its territorial claims to Lithuania.

However, in 1940, the Soviet Union, instituting its policy of aggression and expansion, broke its treaty, and invaded with its armies and secret police. After World War II, a new terror commenced, culminating in the death of over 30,000 citizens and the inhuman treatment and deportation of over 350,000 men. This is in a country of 3 million.

It is important to know this history in order to understand the struggle of this people, and that although this may be the history of one nation, it is typical of many small Eastern countries which are now controlled by the Communists.

Let lessons be learned from the history of this valiant country. The people are still struggling against forced russification programs. In 1970, a Lithuanian, Simas Kudirka vainly pleaded for freedom during a tragic incident which President Nixon termed "shocking." In 1972, on May 14, a young Lithuanian committed an act of self-immolation for the cause of freedom. For 2 days, crowds rioted crying, "Freedom for Lithuania."

Mr. Speaker, such powerful and dramatic pleas for independence cannot be ignored. How many more "shocking" incidents need occur while we stand idly by? How can we speak of a détente with a government which attempts to destroy such nationalistic peoples as the Lithuanians?

I, for one, cannot and shall not forget their cries.

**Mrs. HOLT.** Mr. Speaker, the courageous people of Lithuania are celebrating the 56th anniversary of their declaration of independence at a time when their basic human rights are being denied them by the Soviets.

Lithuanian nationalism dates back to 1251 when all the municipalities of the area which was to become this small Baltic country, were unified. In 1918, the country declared their independence and defeated the Red army to achieve this. A constitution which emphasized the freedoms of speech, assembly and communication, was adopted, and this energetic nation made great progress both economically and in the field of human liberties.

In 1940, the Soviets ruthlessly destroyed these freedoms by occupying the country and determining its satellite status. Although the right of Lithuanians to direct their national destiny ended, their love for freedom was strengthened—their determination to regain this intensified.

For 34 years, these brave people have sacrificed their lives in defiance of Soviet suppression. It remains a compelling moral obligation for those of us in the free world to respond to their hope of freedom, and to encourage our Lithuanian brothers in their struggle for basic human rights.

**Mr. GREEN of Pennsylvania.** Mr. Speaker, on February 16, 1918, the Lithuanian people declared their independence. After over 120 years of struggle, a Congress of 200 Lithuanian delegates ended domination by both Russians and Germans and created a democratic state. Early in 1919, this independence was challenged by Russian Communists who entered the capital, Vilnius, and installed a Red government, but the courageous Lithuanians drove them out again in 1920. In 1922, a constitution according freedom of speech, assembly, religion, and communication was put into effect.

The 20 years of Lithuanian independence which followed were marked by great advances in the fields of agriculture and social progress and by important achievements in literature and opera. It was an era which paralleled the great cultural achievements in other historic nations.

Unfortunately, this golden era was short lived. On June 15, 1940, the Soviets once again invaded this great country, and Lithuanians were executed and exiled by their Soviet captors. It is a tribute to this great people, however, that no amount of Soviet brutality could break their spirit and their desire for independence.

They have had the grit to go on. Their struggle for freedom continues. That struggle shall ultimately result in victory, as did the American battle for independence.

That is why it is fitting that we in America should pay tribute to Lithuanian independence and that this special order be held for that purpose. And it is the reason for my own personal continued recognition of Lithuania as a separate state—not a Russian subject—and my

own pride in looking forward to the ultimate Lithuanian victory.

It is a struggle with which all Americans can—and should—identify. My prayers are with the Lithuanian people.

**Mr. HANLEY.** Mr. Speaker, each year on February 16, Lithuanians around the world join together in spirit to celebrate Lithuania's Declaration of Independence. This year as we mark the 56th anniversary of this memorable occasion we also commemorate the bravery and dedication of those Lithuanians who live under the control of the Soviet Union, in their oppressed homeland.

Though they are now dominated by the Soviets, the people of Lithuania still hold the same love of independence and freedom they did when their Republic was born.

The calls for freedom that have echoed throughout Lithuania since their subjugation by the Soviet Union have not gone unheard in the free world. Brave men such as Simas Kudirka, the Lithuanian sailor who sought sanctuary aboard a U.S. Coast Guard cutter, and Romas Kalanta, the young priest who publicly burned himself to death to protest the lack of religious freedom in his country, have brought the story of the Lithuanian people to us here in the free world.

We who enjoy the fruits of freedom cannot afford to forget those who are not as fortunate as we, such as our brothers in Lithuania. It could only be a grave mistake for us to be caught up in the "spirit of Moscow" and forget the plight of our oppressed brethren in Lithuania.

Let us today reassure these people who have been denied their freedom for so long, that we have not forgotten them and that we shall continue to devote our efforts and our prayers to their cause—the cause of freedom and self-determination.

**Mr. ADDABBO.** Mr. Speaker, I join my colleagues in this special ceremony to commemorate the 56th anniversary of Lithuanian Independence Day. The significance of this annual reminder of the history of Lithuania cannot be emphasized enough as we hear more and more about détente with the Soviet Union.

The story of the brief declaration of Lithuanian independence is a reminder to all of us that freedom does not come easily and that once achieved it is preserved only by constant effort. The illegal occupation of Lithuania by the Soviet Union and the oppression of a people who still yearn for liberty is a sad blight on the record of human rights. The lack of self-determination, civil, and religious liberties has not dampened the desire for freedom of these captive people and that is why we pay them tribute each year.

Basic international human rights have been violated and I join my colleagues in extending our hopes to the Lithuanian people for a time when we will celebrate their independence and freedom from the bonds of tyranny.

**Mr. COUGHLIN.** Mr. Speaker, today we are reminded of the 56th anniversary of the Declaration of Independence of Lithuania. Most anniversaries of independence, like our own, are celebrated with a spirit of nationwide joy and

thanksgiving. Lithuania's Independence Day, however, was celebrated only by Lithuanians outside their homeland, for Lithuania has been occupied by the Soviet Union since 1940.

Accompanying the Soviet's occupation are the usual denials of religious freedom, self-determination and human rights. This oppression, however, has not crushed the determined spirit of the Lithuanians to regain their freedom. They revolted in 1941, fought a guerrilla war from 1944 to 1953, and held many demonstrations in the 1960's and 1970's which culminated in the self-immolation of Romas Kalanta.

During a period when our Nation is troubled, I believe we should take the time to examine Lithuania's fight for freedom and support it as well as learn from it. Freedom is not a luxury to be taken for granted—it is the very essence of our country's existence and growth. It is an ideal that is a reality for us, but for some it is only a memory.

I share the hopes of the free world that liberty will thrive again in Lithuania and other captive nations. The right to shape one's own destiny is an individual one as well as a national one, and I sincerely hope to see the restoration of Lithuania's national identity and dignity.

I would also like to take this opportunity to extend to the Lithuanian American Council and to all Lithuanians my support and best wishes for success in the difficult task of peacefully restoring freedom to their homeland.

**Mr. MINSHALL of Ohio.** Mr. Speaker, why would a people who have been subjugated by another country since 1940 observe the 56th anniversary of their Declaration of Independence? Why would a people, who are denied the right of worship, who are denied the right of self-determination, who are denied the right of dissent, who are denied the right to emigrate, consider themselves free? Because they are free—in spirit.

For centuries Lithuanians knew freedom in their kingdom by the Baltic shore. Then the imperial powers of Russia, Prussia, and Austria conspired against Poland and Lithuania and partitioned the countries amongst themselves. After 120 years of suppression by Russia, Lithuania finally gained her independence on February 16, 1918, 56 years ago. From 1918 to 1940, the independent Republic of Lithuania governed herself admirably. Then another conspiracy was formed, this time between Germany and Russia, and Lithuania once again fell subject to aggression. The U.S.S.R. occupied the country then outright annexed it.

However, the Russians have discovered that although they can subjugate the body, they cannot subjugate the spirit. The Lithuanians have never ceased their opposition to Soviet rule. The Amber Coast has seen revolts, guerrilla wars, demonstrations, and self-immolations. In one decade almost 30,000 Lithuanians gave their lives for freedom.

One can only imagine the number of Lithuanian political prisoners there are in Russia today: Men and women imprisoned or committed to psychiatric hospitals, because of a speech or a publica-

tion critical of the U.S.S.R. Such names as Vilnius, Statkevicius, Jablaskus, Sevruk, Lauce, are not as familiar as Solzhenitsyn, but the men are as brave and unrelenting in their search for truth and freedom for their people as Solzhenitsyn is for his people. When their goal is realized, the people may once again sing without fear, "Lithuania, our fatherland, land of heroes."

Lithuanians living in the United States continue to try to help their countrymen. The Cleveland Chapter of the Lithuanian American Council under the able leadership of K. A. Pautienis adopted the following resolution:

**RESOLUTION**

We, Lithuanian Americans of the Cleveland area, gathered at the parish auditorium of the Our Lady of Perpetual Help Church in Cleveland, Ohio, on Sunday, February 17, 1974, to observe the fifty-sixth anniversary of the restoration of independence of Lithuania; and

To honor those who died for Lithuania's freedom; and

To repeatedly condemn the forceful occupation of Lithuania by the Soviet Union, and the continuing physical, religious and cultural suppression of the Lithuanian people by the Soviets, all of which is the direct consequence of secret Soviet pacts with the former Hitler's regime; and

To alarm all the free peoples of the Soviet genocidal actions by settlement of Russian and other colonists on Lithuanian soil with the intent to alter the ethnic character of Lithuania's population, and also the recently intensified anti-religious activities seeking to destroy all churches; and

To recall the sad fate of Simas Kudirka, the many priests and thousands of Lithuanian citizens in the forced labor camps in Siberia.

Now, therefore, be it resolved, that:

1. We repeat our demands for the complete withdrawal of Soviet armed forces and all of their agents, thus enabling the Lithuanians to govern themselves.

2. We express our gratitude to the Administration and the Congress of the United States for the refusal to recognize the seizure of Lithuania by the Soviets and for the moral support for the Lithuanian cause, and also request that our Administration modify its present foreign policy by seeking freedom for Lithuania and the other Soviet enslaved nations.

3. We urge our Administration to direct the attention of the world opinion on behalf of the restoration of human rights in Lithuania and to protest such frequent violations by the Soviets.

4. We also urge our Administration to withhold any further aid to the Soviet Union until it releases Simas Kudirka and the countless numbers of other prisoners.

And finally, be it resolved to forward copies of this resolution to the President of the United States, the Secretary of State, to all Members of the U.S. Senate and the House of Representatives from Ohio and to the news media.

Although the United States has refused to recognize the seizure of Lithuania by the U.S.S.R., we must also actively press for the compliance of the Soviet Union with the U.N. Declaration of Human Rights. In view of this responsibility, I have introduced the following House concurrent resolution:

**CONCURRENT RESOLUTION**

Whereas the United States of America was founded upon and long cherished the principles of self-determination and freedom; and

Whereas these principles, expressed in the sovereign quality of nations, are the very reason for the existence of the United Nations, as set forth in the charter of that world organization; and

Whereas the United States and all other members of the United Nations have solemnly pledged themselves to make these principles universal and to extend their benefits to all peoples; and

Whereas, on December 10, 1948, the General Assembly of the United Nations passed the Universal Declaration of Human Rights which was accepted both by the United States and the Union of Soviet Socialist Republics, defining said rights as relating to citizens of all member states; and

Whereas, since 1918 Soviet communism has, through the most brutal aggression and force, deprived millions of formerly free peoples of their right to self-determination; and

Whereas the Congress of the United States has unanimously expressed in Public Law 86-90, approved July 17, 1959, its revulsion at the continued enslavement of the peoples of Eastern and East Central Europe who were described by the said public law as captive nations; and

Whereas the Hungarian, Polish, Czech, Slovak, Carpatho-Ruthenian, Latvian, Lithuanian, Estonian, East German, Rumanian, Bulgarian, Albanian, Ukrainian, and White Ruthenian peoples may only look to the United States and the United Nations for the restoration of their national self-determination and political independence; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion the problem of self-determination and political independence of the peoples of Eastern Europe; and

Whereas, despite the numerous resolutions passed by the United Nations General Assembly, Russian occupation troops are still maintained in Hungary and the issue of their removal has not come up for discussion in the Assembly since 1962; and

Whereas it is vital to the national security of the United States and to the perpetuation of free civilization that the nations of the world act in concert through the forum of the United Nations in demanding national self-determination and political independence for the peoples enslaved by Communist governments; and

Whereas the Constitution of the United States of America, in article II, section 2, vests in the President of the United States the power, by and with the advice of the Senate, to make treaties and to appoint Ambassadors: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That the President of the United States is hereby authorized and requested to instruct the United States Ambassador to the United Nations to request at the 1974 session, that (1) the United Nations insist upon the fulfillment of its charter provisions based on self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule; and (2) the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations through the withdrawal of all Soviet Russia troops and agents from other nations now under Communist rule and through returning to their respective homelands all political prisoners now in prison and labor camps; be it further

*Resolved,* That the President of the United States is further authorized and requested to use all diplomatic, treaty-making, and appointive powers vested in him by the Constitution of the United States to augment and support actions taken by the United States Ambassador to the United Nations in the interest of self-determination and political independence of these nations.

Mr. WIDNALL. Mr. Speaker, today it is my pleasure to add my sincere good wishes to the Lithuanian people on the occasion of the 56th anniversary of the Lithuanian independence day which occurred February 16.

It is important to note that the Lithuanian in his native country is unable to openly celebrate this event because of subjugation by the Soviet Union since 1940. However, the desire to be independent still burns in the hearts of the Lithuanian, and it serves as a source of inspiration for us and others who strive to maintain our liberties. Lithuanians in recent years have taken bold steps in attempting to establish their religious and political freedoms.

I, along with many other Americans, recognize the contributions of Lithuanians in the United States, and am aware of their dedication and desire to achieve their national identity. We hope that their efforts are not in vain.

I look forward to the day when Lithuanians will be able to celebrate their Independence Day in Lithuania and again express my congratulations to the Lithuanians for their determined efforts.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I am happy to be a participant in the commemoration of the 56th anniversary of the Lithuanian independence.

Although Lithuania has been a satellite state of the Soviet Union ever since World War II, Lithuania had once been an independent country under its first president, Antanas Smetona, in 1918. The Soviet Communists have attempted to obliterate the religion of the Lithuanians and they have collectivized the Lithuanian farms without the permission and the will of the Lithuanians themselves. However, Lithuania is just one of the several countries which the Soviet Union has forcefully and unjustly annexed to its "Communist Empire." Thus, I feel deeply for these trampled people and will support, wholeheartedly, their cause, and that of others, against oppressive communism.

Mr. DONOHUE. Mr. Speaker, it is a particular personal privilege and pleasure to join with my colleagues here this afternoon in commemorating the origin of Lithuania's independence 56 years ago.

This very special historical event occurred on February 16, 1918, after Lithuania had been occupied by czarist Russia for more than 100 years.

Under the Soviets hundreds of thousands of Lithuanians were rounded up and deported to torturous camps in Siberia. Thousands more were falsely accused of being political enemies and were murdered.

Religious practice was suppressed. Every Communist effort was and has been consistently made to eliminate the world renowned culture of the proud Lithuanian people.

Nevertheless, the supremely courageous people of Lithuania have not given up and never will give up their undying determination and desire to be free and independent again.

They have demonstrated themselves to be a stalwart people who will never abandon the moral values that are their heritage.

The brave and dignified conduct of the Lithuanian people, under Communist slavery, provides all the world with a noble example and inspiration that an unyielding spirit can resist and remove any injustice, no matter what it is.

However, as Americans, we must never pause or hesitate in our efforts to give every possible hope and aid to the Lithuanian people in their just cause.

In all appropriate assemblies and particularly in the U.S. Congress, we must continue to repeatedly condemn the illegal suppression of Lithuania, and other Baltic countries by the Soviet Union.

I believe that if we persevere in our determination to keep the penetrating searchlight of truth upon the oppressive conduct of the Communist leaders they will eventually be impelled to withdraw their forces from Lithuania and let these great people freely govern themselves.

The history of the world very clearly shows that all temporary tyrants and tyrannies must come to an end and that eternal truth and justice must finally prevail.

Let us all continue to work together to speed the ending of this tyranny in Lithuania.

#### GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### EXPORT POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. MCKINNEY) is recognized for 5 minutes.

Mr. MCKINNEY. Mr. Speaker, last year, due to overambitious export policies, last minute export controls had to be imposed on soybeans to avoid critical shortages at home. Judging from current predictions of shortages in wheat and other vital raw materials, it appears that Agriculture Secretary Butz and others who make U.S. export policy are again willing to sell the entire domestic supply of vital materials out from under the American people. Unless Congress acts immediately to reform export policy which is now based on misinformation and wishful thinking, we face the intolerable possibility of importing large amounts of Canadian wheat and other once abundant materials to meet our immediate needs.

If the Departments of Agriculture and Commerce are unable to accept the responsibility to adequately provide for our resource requirements through reasonable export policies, I propose that Congress adopt measures similar to the four point plan of the American Bakers Association to insure that exports of farm products, and other essential resources, do not cause domestic shortages.

The plan calls for: the determination of the minimum supply of any material—

of which the United States is a net exporter—needed for domestic use during each quarter of the fiscal year; the formulation of a plan to get that amount into the domestic markets; authority to delay delivery of such resources to foreign buyers until U.S. requirements are met; and finally, the imposition of export licensing requirements to effectively control the flow of products.

Mr. Speaker, the present condition of U.S. wheat supplies unmistakably demonstrates the need for such action by Congress. The Department of Agriculture now predicts that the carryover supply of wheat from the winter crop will be 178 million bushels, the lowest carryover in 27 years. On the basis of continued exportation at the present rate, others close to the situation predict that there will be a deficit of 2.1 million bushels by June 30—the date the new crop will begin to be sold.

Denying the possibility of a shortage, the Department of Agriculture admits the possibility of "regional dislocations." As a New Englander who is living through a gas shortage, I know only too well what a regional dislocation is and I do not intend to have the people in my area regionally dislocated again. The Eastern United States could be without bread from late May until September if, as a result of rampant exports, the domestic wheat supply ceases to flow to mills in the Midwest for even 2 weeks before the new crop is harvested.

The present policy would allow the people of some regions to suffer a shortage of bread. The present policy risks those shortages by depending on optimum weather conditions, adequate fuel supplies to harvest the crop, and sufficient fertilizer—made from fuel-based products. Whether the American people have enough grain products depends upon the willingness of Canada and other nations to sell the remainder of their winter crop to ease the pressure on the American market, the willingness of the Russians to defer delivery of past wheat purchases, and it depends upon the unlikely willingness of American farmers to flood the market with the entire spring crop immediately after the harvest.

When, due to high meat prices, most families depend heavily on grain products for their nutritional needs, there is no justification for a policy which entails such risks. Congress must act to eliminate those unnecessary risks and establish sound export policies.

It is alleged that the current policies have resulted in a favorable shift in the U.S. balance of trade. I believe Congress must weigh the value of a trade surplus achieved at the cost of high, inflationary prices for grain products. In that the United States produces more than three times its annual domestic wheat consumption, such high prices, or a shortage, are inexcusable.

Others oppose any change in present export patterns because that action may anger foreign customers and give the United States a bad reputation in the international market.

While remembering that the foundation of government policy should not be to please foreign buyers, but to see that

domestic needs are met, I believe a nation which feeds its citizens will gain the respect and favor of the entire international community.

The policymakers have had to admit the inadequacy of the current export policy on several occasions. During the last 2 years, export controls were hurriedly placed on soybeans, as well as copper and steel scrap. Even now, arrangements are being made to lift import quotas to allow the purchase of Canadian wheat if a shortage develops. These plans are explained as "safety measures."

I believe a safer course would be for Congress to establish a workable resource reserve program, such as the American Bakers Association has proposed, to avoid the threat of needless shortages.

Mr. Speaker, the American people are being victimized by unrealistic estimates of domestic needs and policymaking on the basis of hopes—not facts. Congress has the opportunity, and the duty, to require the Departments involved to fulfill their responsibility to protect the welfare of the people by establishing effective food and resource reserve programs.

#### STATE-CONDUCTED LOTTERIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 30 minutes.

Mr. HOGAN. Mr. Speaker, like other forms of gambling, the lottery has a long, colorful history in America. All Thirteen Original Colonies established revenue-raising lotteries, and several of the country's oldest universities trace their financial origins back to 18th century lottery wheels. By 1830, authorized and unauthorized lotteries were collecting an estimated \$60 million, five times the entire Federal budget. A series of scandals, however, turned public opinion and the Congress against lottery promotion, and by 1900 the legal lottery had disappeared.

Its reemergence as a revenue device dates back to 1964 and establishment of the New Hampshire Sweepstakes. Since then, seven other States have commenced to operate lotteries and another 20 are expected to follow suit in the next few years.

As the proliferation of State lotteries increases, interest in the revision or repeal of Federal statutes which inhibit their operation continues to mount. Current Federal law impedes the operation of State lotteries in a variety of ways:

It prohibits the mailing, or transportation across State lines, of lottery tickets. 18 U.S.C. 1301, 1302; 39 U.S.C. 3005;

It prohibits the mailing, or delivery across State lines, of newspapers containing lottery advertisements or lists of prizes drawn. 18 U.S.C. 1301, 1302;

It prohibits radio and television broadcasting of lottery advertisements or information concerning their operation. 18 U.S.C. 1304;

It prohibits the transportation of lottery materials across State lines. 18 U.S.C. 1953; and

It imposes an excise tax upon State lottery operations unless the winners are

determined by the outcome of a horse-race. 26 U.S.C. 4402.

With the exception of the tax provision, which the States have managed to maneuver around by basing lottery drawings on horserace results, Federal law imposes a real burden upon State lottery operations.

Mr. Speaker, because of the apparent need to change the Federal laws which impede the operation of those lotteries, I am today introducing legislation to amend titles 18 and 39 of the United States Code to exempt State-conducted lotteries from certain restrictive provisions of the Federal law. The effect of this legislation would be to allow States to freely conduct a lottery system within reasonable bounds.

Section 1084 of title 18 U.S.C. would be amended to permit the transmission of lottery information interstate as long as the information emanates from a jurisdiction where the lottery is State-conducted and is transmitted into a jurisdiction which permits the placing of bets or wagers on the former State's lottery.

Section 1307(a) of my proposed legislation seeks to render section 1301 nugatory with respect to State-conducted lotteries. Thus, the interstate transportation of lottery tickets, advertisements, and prize lists would be permitted. Inasmuch as the proposed section 1307(a) does not indicate that the tickets, and so forth, must be transmitted solely under the authority of an appropriate State agency, a private individual would be protected if he transports lottery tickets interstate as long as the tickets are obtained in, or perhaps originate from, a jurisdiction having State conducted lotteries. It would also insure that lottery information could be broadcast over radio and television.

Mr. Speaker, due to these existing restrictive Federal statutes, State-conducted lotteries are finding it costly to administer certain procedures. Since it is illegal to mail lottery tickets across State lines, those lottery States appealing to the out-of-State market, require that names and addresses be recorded on the tickets and that the tickets themselves be left inside the State. Receipts are issued as records of the tickets, but do not represent claim instruments. Aside from the cost involved, this procedure is annoying to many potential players. In addition, many newspapers and radio and television, are in violation of the law.

During the two centuries of this Nation's history, public policy has moved back and forth between permissive and restrictive attitudes toward State-conducted lotteries. Judging from the action of a number of State legislatures, the tide is now running strongly in favor of legalizing lotteries.

In the meantime, States are moving ahead on other fronts in their efforts to change the Federal law. Recently, the Third Circuit Court of Appeals unanimously held that 18 U.S.C. 1304 does not proscribe the broadcasting of winning numbers in State lotteries as a news item, such a broadcast is protected by the first amendment. The Court restricted the application of 18 U.S.C. 1304

to promotion of lotteries for which the licensee receives compensation.

Mr. Speaker, each of the Federal statutes were originally intended to discourage the growth of illegal games, yet, it has resulted in impeding the evolution of State-conducted lotteries. A congressional review has begun, with the creation of the Commission To Review the National Policy Toward Gambling, but Federal law does not seem slated for early revision. States anxious to act in the gambling field will have to work around Federal law for the time being.

The bill follows:

DISCUSSION DRAFT, JUNE 18, 1973

A bill to amend titles 18 and 39 of the United States Code, to exempt State-conducted lotteries from certain prohibitions of Federal law

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1084 of title 18, United States Code, is amended by adding at the end thereof the following new subsection:*

"(e) Nothing in this section shall be construed to prevent the transmission of any information with respect to lotteries, gift enterprises, or similar schemes conducted by any agency of a State under authority of law from any State in which such lotteries, gift enterprises, or similar schemes are conducted into any State which has enacted a law specifically permitting the placing of bets or wagers on such a lottery, gift enterprise, or similar scheme."

(b) (1) Chapter 61 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1307. State-conducted lotteries, gift enterprises, or similar schemes.

"(a) Sections 1301, 1302, 1303, and 1304 of this chapter shall not apply with respect to any lottery, gift enterprise, or similar scheme conducted by any agency of a State under authority of law.

"(b) For the purposes of this section, the term 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, or any other territory or possession of the United States."

(2) The analysis of chapter 61 of title 18, United States Code, is amended by adding at the end thereof the following:

"1307. State-conducted lotteries, gift enterprises, or similar schemes."

(c) Section 1953(b) of title 18, United States Code, is amended by inserting immediately after "publication" the following: " , or (4) the transportation of any materials or information with respect to lotteries, gift enterprises, or similar schemes conducted by any agency of a State under authority of law from any State in which such lotteries, gift enterprises, or similar schemes are conducted into any State which has enacted a law specifically permitting the placing of bets or wagers on such a lottery, gift enterprise, or similar scheme."

Sec. 2. Section 3005 of title 39, United States Code, is amended by redesignating subsection (c) as subsection (d) and by inserting immediately after subsection (b) the following new subsection:

"(c) This section does not apply to any lottery, gift enterprise, or scheme for the distribution of money or of real property or personal property, by lottery, chance, or drawing of any kind conducted by any agency of a State acting under authority of law. For the purposes of this subsection the term 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, or any other territory or possession of the United States."

## THE RIGHTS OF NURSING HOME PATIENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. COHEN) is recognized for 5 minutes.

Mr. COHEN. Mr. Speaker, in December of last year, I introduced H.R. 11759, the nursing home patients' bill of rights. As I stated at that time, the aim of this measure is to provide firm assurances to patients in nursing home facilities that their rights as citizens and human beings will continue to be recognized and respected. The legislation was developed with the help of numerous individuals knowledgeable and concerned about the problems encountered in long-term care facilities throughout this country. The rights it guarantees include the rights to privacy, to unrestricted communications with those inside or outside the nursing home, to adequate medical care, and to full knowledge of one's medical condition and proposed treatment.

I would like to take this opportunity today to inform the Members of the House of several developments which have occurred in the ensuing months. I am pleased to announce that the patients' bill of rights has now been introduced on the Senate side by Senators PERCY, CHURCH, and MOSS. These Senators, of course, have long been respected for their concern and involvement in the problems of the elderly. Also, the Department of Health, Education, and Welfare in a letter to me and in a statement in the *Federal Register* has indicated their intention to issue regulations on patients' rights and I understand that officials in the Department are continuing their work in this area at the present time.

I would also like to share with my colleagues some of the many expressions of support for H.R. 11759 which I have received from citizens throughout the country. The patients' bill of rights is now pending before the House Ways and Means and the Senate Finance Committees. While I recognize the heavy responsibilities these committees are presently carrying, it is my sincere hope that the concerns expressed in the following letters will encourage the committees to give favorable consideration in the near future to the enactment of the nursing home patients' bill of rights.

The article follows:

MEDOWAK, MAINE, February 1, 1975.  
Hon. WILLIAM S. COHEN,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE COHEN: We were pleased to read about your bill H.R. 11759 regarding Nursing Homes and Boarding Homes. It is long past due and we heartily support it.

Sincerely,

CLARENCE AND ARLENE SLOOTMAKER.

NATIONAL RETIREMENT CONSULTANTS,  
Columbus, Ohio, February 14, 1974.  
Hon. WILLIAM S. COHEN,  
Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. COHEN: Thank you for the copy of your proposed legislation on "Federal Nursing Homes Patients' Bill of Rights." You and your colleagues are to be commended. It is a good piece of work that should be included in the Social Security Act.

It is a sad commentary on life, however, when such a bill is necessary, but life being what it is sometimes such action is required. You stated in your address that one nursing home administrator told you that operating under these guarantees is just good business sense. For him the bill is not needed; but for those that do not operate in that manner, will the message reach them? Can the bill be reenforced?

Having the bill and calling it to the attention of the nursing home patient might not be enough. Many people who are patients in nursing homes are incapable of realizing their right either through lack of education or timidity or both. They might not be aware that they need a sponsor or guardian. In these cases the bill might be useless. Again how can the bill be enforced? Possibly we should have a federally administrated ombudsman system for the elderly to guarantee the bill of rights.

Again, I commend you for authoring the bill and I hope that it meets with success in both the House and Senate. If my organization can be of help in the preparation of future legislation, I would be happy to help.

Sincerely yours,

GEORGE BOE.

BATH REGIONAL ASSOCIATION

FOR RETARDED CHILDREN, INC.,

Bath, Maine, January 30, 1974.

Hon. WILLIAM COHEN,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE COHEN: The Bath Regional Association for Retarded Children, Inc. would like to voice our support for H.R. 11759, a bill which we understand would guarantee the civil rights of nursing and boarding home residents. Our Association provides an activity program for many disabled adults who reside in such homes. We have first hand knowledge of their rights being infringed upon.

Since the State of Maine has set a goal of returning many institutionalized people to the community, we feel that it would be in their best interests to have their rights guaranteed. We would appreciate a copy of the resolution and also would like to hear of its progress.

Thank you for your efforts.

Sincerely,

ROBERT L. JONES,  
Executive Director.

NOVEMBER 28, 1973.

STATEMENT MADE AT BLAINE HOUSE CONFERENCE WORKSHOP BY KATHERINE HULSEY

After several years of extensive visiting with patients in nursing and boarding homes, I am convinced of the need of a Bill of Rights for these disadvantaged human beings. I am also of the following opinions:

1. Any patient in a nursing or boarding home is a "Potential Prisoner of the Proprietor".

2. Although many patients are getting good care, there are also many who have no way of communicating with the outside, no way to better their so-called "living" and no way to obtain legal assistance. Furthermore, in many cases when efforts to help disadvantaged persons fail, it results in less care, worse treatment and hardships to the patient.

3. A nursing or boarding home facility can not be properly judged by its appearance. Some of the most unpretentious, drab homes give excellent personal care to each and every patient while some modern, highly-rated facilities care nothing about the individual patients.

4. A patient's emotional and mental well-being is as important, if not more important, than their physical well-being.

Please picture yourself—suddenly confined to a nursing or boarding home.

You will be lucky if you ever make another decision—when and what to eat, how much, when you go to bed and who you room with.

You may never again have a moment of privacy—no curtains around your bed, limited space and your door always open.

You might have a comfortable chair to sit in while out of bed.

You will never make or receive a telephone call.

You might or might not receive mail. Or it might be opened by the proprietor.

Perhaps the proprietor will forbid visitors. If you do have company someone might hover around to "listen".

Maybe you like to read—no light. Or watch T.V.—no outlet. Or listen to your radio—no room. The sun might bother your eyes—no shades.

If you complain, you might be told to leave. You might get shipped out—perhaps to Augusta State Hospital.

Perhaps while you still have your sanity, your roommates are mental patients. Or perhaps they are incompatible.

Maybe you will like your doctor—if you ever see him.

Maybe you will be worried about your money. You wonder where it is. Perhaps your check will be brought to you to sign, but you never will have any money for small necessities.

Perhaps your hair will never be washed because you have no means of paying the hair dresser who comes around.

Perhaps you will never see your personal belongings again. They might be "locked up" for safe keeping.

Perhaps you will make some friends and become "adjusted". Then suddenly, without warning, you will be moved to another floor or wing. Or perhaps you will be put into an ambulance and whisked off to another facility—maybe better, maybe worse. Maybe far away from those you know.

Friends may want to write, but perhaps your forwarding address will be given to no one.

As a fastidious person, you may have trouble adjusting to indecent odors.

You may be hungry and lonely.

Perhaps you will be tranquilized enough so you do not care.

This is an ugly picture. But it could be you or me some year in the future.

STATE COUNCIL OF OLDER PEOPLE,  
Portland, Maine, February 5, 1974.

Hon. WILLIAM S. COHEN,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE COHEN: At the February fourth meeting of the State Council of Older People, the Board of Directors unanimously passed a resolution supporting your bill HR 11759 for a Federal Nursing Home Patients Bill of Rights and urged that all members of the Board write to you personally concerning their support of this bill and also take the word back to the areas in Maine which they represent.

As you perhaps know, three directors of this group are elected from each of the five Task Force Areas in Maine so that Maine's elderly are well represented by this organization. We have a membership of approximately four thousand senior citizens.

Sincerely yours,

Mrs. JUNE F. PERKINS,  
Secretary.

AMERICAN ASSOCIATION OF RETIRED PERSONS, NATIONAL RETIRED TEACHERS ASSOCIATION,  
Washington, D.C., January 8, 1974.

Hon. WILLIAM S. COHEN,  
Washington, D.C.

DEAR CONGRESSMAN COHEN: I was glad to receive your letter of December 21 enclosing

a copy of H.R. 11759 providing for a patients' bill of rights in skilled and intermediate nursing homes. I have read the bill with care and feel that its adoption would strengthen the position of patients in all nursing homes and would measurably improve the standards of care in many homes where such standards are not fully observed. It is important for good patient care that patients' rights be clearly defined.

I will write to Congressmen Mills and Schneebeli urging hearings on the bill, and if hearings are held I would be happy to testify in its favor. In the meantime, if you will furnish us with 25 additional copies of the bill and your statement from the Congressional Record we will also see that members of our Legislative Council, who are in contact with State legislatures, receive copies. The fact that Maine is moving forward on this will be of interest to them.

Sincerely,

JOHN MARTIN,  
Special Consultant.

KHARTUM 1 YEAR LATER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana. (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, 1 year ago I rose in this Chamber to express regret and sorrow over the tragic murder of two senior U.S. diplomats in Khartum, Sudan, by some Palestinian terrorists of the small Black September guerrilla faction. At that time, I expressed my concern that such acts might threaten ceasefires in the Middle East and that, if this crime against Cleo Noel and Curt Moore, two innocent officers in the service of their country, passed without trials of the perpetrators, terrorism and violence will only increase and cycles of terrorism and counterterrorism will gain more acceptance as a fact of life.

Today, I regret to report that there has been no formal trial of the 10 men arrested and accused of involvement in the crime. In fact, two of the men originally accused of involvement are now free because they could demonstrate that they had no advance knowledge of the act to be committed.

It is true that preliminary court actions have occurred and are supposed to near completion soon. In September 1973, a brief session was held but action was postponed in part because several of the defense lawyers had been detained by the Sudanese Government on unspecified charges relating to internal political troubles. Sessions before a magistrate resumed in November, seeking to determine what charges, if any, were to be brought against the arrested. The sessions are still in progress, and it is hoped that final action in these preliminary hearings will result in formal charges and the opening of a trial.

But the fact remains that a year has passed and little has happened. It would be unfortunate if, with the passage of time and the occurrence of other important events in the area, moods have changed and this matter no longer receives a high priority.

For example, the United States, with a new Ambassador in Khartum, may be today reluctant to push the Sudanese as hard on this issue as it did several

months ago because it considers the Sudanese Government to be friendly, moderate, and understandably anxious to avoid strains in its relations with some of its more radical Arab neighbors. On another side, the Sudanese may be concerned that such a dastardly act could occur on their soil, but they may today be more preoccupied with trying to heal internal wounds caused by a long and bloody civil war between blacks and Arabs and trying to preserve workable relations with Palestinian groups so that Sudan will not be a target spot again. And 1 year later many Palestinian leaders, except perhaps those of the Black September group, may be fairly well convinced that what happened in Khartoum was a big mistake. They may even say now they are willing to try to prevent such acts in the future.

Mr. Speaker, we seem to be on the road toward a lasting Mideast peace which must eventually solve the Palestinian issue. But the road to peace will be long and there will be many stops, starts, and detours along the way.

Our preoccupation with getting peace talks in the Middle East started and moving, however, should not deter us from consideration of many other and related problems of the Middle East. Getting the oil embargo and production cuts lifted as soon as possible is one problem. Curbing terrorism on all sides is another. And continuing to urge and insist on a fair trial, public or closed, in the Sudan or elsewhere for those arrested in the killings of Cleo Noel and Curt Moore is another issue that we must press forward on all fronts. If we do not, the cause of true peace in the Middle East may be hindered and terrorists acts could again go unanswered, thereby once more fascinating and encouraging extremists and fanatics in the Middle East and elsewhere to air their frustrations with themselves and with the world in desperate acts of violence. I hope that the trial in the Sudan commences soon and justice is achieved in due course.

#### HEARINGS ON EDUCATION OF HANDICAPPED CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 30 minutes.

Mr. BRADEMAS. Mr. Speaker, one of the greatest human problems to which we must yet address ourselves is the education of handicapped children. Early last year, 13 of our colleagues joined me in introducing H.R. 70, the education for handicapped children bill. If this legislation were enacted, the Federal Government would help States provide special education for nearly 3 million handicapped children.

Joining me in sponsoring this bill, Mr. Speaker, were the gentleman from Kentucky, the distinguished chairman of the Committee on Education and Labor, the

Honorable CARL D. PERKINS; the gentleman from New Jersey (Mr. THOMPSON); the gentlelady from Hawaii (Mrs. MINK); the gentleman from Washington (Mr. MEEDS); the gentleman from Missouri (Mr. CLAY); the gentlelady from New York (Mrs. CHISHOLM); the gentlelady from Connecticut (Mrs. GRASSO); the gentleman from Kentucky (Mr. MAZZOLI); the gentleman from Michigan (Mr. O'HARA); the gentleman from Pennsylvania (Mr. DENT); the gentleman from New York (Mr. KOCH); the gentleman from Michigan (Mr. FORD); and the gentleman from New York (Mr. BADILLO).

Mr. Speaker, this week the Select Subcommittee on Education, which I have the honor to chair, will begin hearings on this measure.

Among the witnesses scheduled to testify will be the Governors of two of the largest Eastern States, the Honorable Milton Shapp of Pennsylvania and the Honorable Francis W. Sargent of Massachusetts.

The hearings will be held 9:45 a.m. on Wednesday and Thursday, March 6 and 7, in room 2175 of the Rayburn House Office Building.

Also scheduled to testify during the hearings will be Ewald B. Nyquist, commissioner of education for New York State, and Daniel Ringelheim, director of special education of the New Jersey State Department of Education.

We shall be hearing as well, Mr. Speaker, from a panel of attorneys who will discuss the constitutional rights to education of handicapped children. Included on that panel will be Thomas L. Shaffer, dean of the University of Notre Dame Law School; Donald Hollingsworth, an attorney from Memphis, Tenn.; and Pat Wald, a lawyer from the mental health law project of Washington.

Concluding our witnesses this week, Mr. Speaker, will be several parents of handicapped children, including Marilyn Gorham of Silver Spring, Md.; Muriel Lee of Nashville, Ind., and Samuel Teitelman of New Haven, Conn., who will tell us of their experiences in attempting to find appropriate educational settings for their youngsters.

#### DIMENSIONS OF THE PROBLEM

Mr. Speaker, there are, today, approximately 7 million handicapped preschool and school-age children. These children seek little more from life than other children—to learn and to grow—so that as adults they may contribute to society and enjoy the benefits of our great land. Yet these children, Mr. Speaker, continue to remain among the greatest sufferers of pain and injustice.

Their handicapping conditions vary: Mental retardation, deafness, speech impairment, visual damage and blindness, emotional disturbances, as well as motor and limb disabilities and multiple handicaps. But these youngsters, the "exceptional" among us, share one reality in common: the majority of them are still denied the opportunity to reach their full potential.

#### HANDICAPPED CHILDREN ARE NOT ADEQUATELY SERVED

Mr. Speaker, I am sure my colleagues will be distressed to learn that 60 percent of the 6 million school-age handicapped children in America are not now receiving any of the special educational services they need to develop their full potential. Fully 1 million children of that 60 percent, Mr. Speaker, are totally excluded from any form of publicly assisted education.

Literally hundreds of thousands of these young Americans are committed to caretaker institutions which provide only physical sustenance and are unable to meet the special educational needs of these children. Many of us will recall for example, the intense debate over the often deplorable conditions at the Willowbrook State School in New York State, a school which houses some 5,000 mentally retarded persons.

A special Federal task force created by the Secretary of the Department of Health, Education, and Welfare was sent to investigate that institution and observed in its report of October 1972, that a "very large number" of residents received only basic maintenance care. The investigative team further noted that this basic care was, itself, too often substandard, and they cited the nearly complete absence of eye examinations, the primitive quality of dental care, and the availability of medical services "only when crises occurred."

We are then, Mr. Speaker, not talking simply of the absence of training and education; we are speaking about the lack of even minimally adequate maintenance services for handicapped children.

#### STATE DIFFERENCES

In all candor, Mr. Speaker, whether a handicapped child receives educational services, depends, in large measure, on where that child lives. And we face, here, the major problem of providing educational services to handicapped children: the financial inability of the States to provide them.

Consider, Mr. Speaker, that in the 1971-72 school year:

Seven States were providing educational services for less than 20 percent of their handicapped children.

Nineteen States were serving less than 31 percent of their handicapped children.

Only 17 States in the entire country served more than 50 percent of their handicapped children.

Equally disturbing, Mr. Speaker, are the patent disparities in educational services when these services are considered by the nature of the disability.

I include here, once again, a chart, produced by the Council for Exceptional Children, that indicates that only 57 percent of trainable mentally retarded youngsters, 52 percent of speech-impaired children, 17 percent of the hard of hearing, 13 percent of the seriously emotionally disturbed, 45 percent of the deaf, 35 percent of the crippled, and 26 percent of the multihandicapped, are receiving the appropriate special educational services which they desperately require:

TABLE I.—HANDICAPPED CHILDREN BY DISABILITY RECEIVING AN EDUCATION

	TMR	EMR	HH	D	SI	VI	ED	C	OHI	MH
Estimated number of handicapped children.....	191,063	1,147,803	260,981	45,681	2,145,647	64,718	749,441	183,802	1,089,147	35,838
Number of handicapped children being educated.....	109,175	594,646	44,430	20,771	1,122,232	22,718	99,400	63,450	165,589	9,242
Percent of handicapped children being educated.....	57	52	17	45	52	35	13	35	2	26

Key: TMR—trainable mentally retarded; EMR—educable mentally retarded; HH—hard of disturbed; C—crippled or orthopedically handicapped; OHI—other health impaired (includes hearing; D—deaf; SI—speech impaired; VI—visually impaired; ED—seriously emotionally learning disabled); MH—multiply handicapped.

Clearly, Mr. Speaker, if we are to improve upon these woefully inadequate figures, we must provide additional assistance to the States to provide the services these children need.

#### EFFECT ON SOCIETY

But, Mr. Speaker, beyond the destructive effects to the individual child are the detrimental effects to society resulting from our neglect of handicapped children.

The President's Committee on Employment of the Handicapped has estimated that 2.5 million handicapped children will pass beyond school age during the next 4 years.

Without the educational services they need, 1 million of these children will be employed below the poverty level. Ten percent of that number will end up partially dependent upon family and community—most of them home idle much of the day, the rest, in sheltered workshops or under sheltered care.

But 650,000 of that 1 million young adults will be unemployed and on welfare at a continuing cost to the Nation, with an additional 30,000 totally dependent on others for their survival.

Mr. Speaker, the President's Committee estimated that 2.2 million of these children have the potential to be financial contributors to our society.

And I would be derelict if I did not point out, too, that keeping an individual in an institution throughout his lifetime, when that person might be functioning totally or partially in society, costs the American taxpayer, according to the President's Committee on Mental Retardation, \$250,000. Twelve years of special educational services, by comparison, Mr. Speaker, costs approximately \$22,000.

Even if we were to ignore the potential economic gain for both the individual and society resulting from the provision of special educational services, I believe my colleagues will agree that the tenfold costs associated with institutionalization are evidence of the waste and ineffectiveness caused by our failure to educate handicapped children.

#### COURT ACTIONS FOR THE HANDICAPPED

While exclusion and inappropriate education continue, Mr. Speaker, the American judiciary has begun to move, utilizing the equal protection and due process principles of the Constitution to end exclusion and inhumane treatment. Moreover, the courts are not simply suggesting that handicapped children must be given some sort of education, or the same education as other children receive, but the courts are now saying: Handicapped children have a constitutional right to whatever kinds of special education are required to help them meet their full potential.

#### PENNSYLVANIA

In January 1971, the Pennsylvania Association for Retarded Children brought suit against Pennsylvania for the State's failure to provide all retarded children access to a free public education. The plaintiffs included 14 mentally retarded children of school age representing themselves and "all others similarly situated." At issue in this landmark confrontation was a challenge to law and practice which excludes, postpones, or denies free access to public instruction for all exceptional youngsters who can benefit from special educational opportunities.

The court did not mince words in its subsequent decree. It mandated that the State could not apply any law which would postpone or in any way deny mentally retarded children access to a publicly supported education, including a public school program, tuition or tuition maintenance, and homebound instruction.

The court went further: by October 1971, the plaintiff children were to have been reevaluated and placed in programs.

And the court decreed, finally, that by September 1972, all retarded children in a State between the ages of 6 and 21 must be provided a publicly supported education.

#### THE DISTRICT OF COLUMBIA

And despite the financial difficulties, the State responsibility is clear. In the District of Columbia "right to education" case that was heard in Federal district court in 1972, the District claimed that it would be impossible to afford plaintiffs the relief sought unless Congress appropriated needed funds, or unless funds were diverted from other educational services for which they had been appropriated.

The court responded by saying:

The defendants are required by the Constitution of the United States, the District of Columbia Code, and their own regulations to provide a publicly-supported education for these "exceptional" children. Their failure to fulfill this clear duty to include and retain these children in the public school system, or otherwise provide them with publicly-supported education, and their failure to afford them due process hearing and periodic review, cannot be excused by the claim that there are insufficient funds. . . .

And, continued the court:

The District of Columbia's interest in educating the excluded children clearly must outweigh its interest in preserving its financial resources. If sufficient funds are not available to finance all of the services and programs that are needed and desirable in the system, then the available funds must be expended equitably in such a manner that no child is entirely excluded from a publicly-supported education consistent with

his needs and ability to benefit therefrom. The inadequacies of the District of Columbia Public School System, whether occasioned by insufficient funding or administrative inefficiency, certainly cannot be permitted to bear more heavily on the "exceptional" or handicapped child than on the normal child.

#### OTHER STATE ACTIVITIES

The remarkable acceleration of litigation with respect to education for the handicapped is evident when we observe that over 40 cases on the right to education for handicapped children have been filed or completed in 26 States.

Further evidence of the impact of judicial action as well as the burgeoning public awareness of the problems involved is the impressive number of new statutes mandating education for handicapped children which are being approved by State legislatures. In calendar year 1971, a substantial 237 out of 899 bills introduced regarding the education of the handicapped won final passage in State legislatures. The public journey from "charity" to "rights" via the avenues of the courtroom and the State assembly chamber is thus being accomplished.

Mr. Speaker, it is now incumbent upon the Congress of the United States to respond to the challenge of educating handicapped children.

#### COSTS FOR THE EDUCATION OF THE HANDICAPPED

Today the special education of handicapped children can no longer be viewed as some sort of "frill" to be addressed after the public school system has taken care of practically every other need.

But we must now also face candidly the hard economic reality. It costs more to educate most exceptional children; the standard terminology refers to the "excess cost" of providing such educational service.

A 1970 Office of Education report, "Educational Programs for Exceptional Children, Resource, Configuration, and Costs," demonstrates that the average cost of educating a handicapped child is 1.87 times the cost of educating a non-handicapped child—with a range of 1.18 for a child with a speech handicap to 3.69 for a child with a physical handicap.

How well are we doing, Mr. Speaker?

The most current data, an October 1970 National Education Association report, indicates that only 3.3 percent of the almost \$39 billion spent by all public jurisdictions on elementary and secondary education in the United States was spent on education of the handicapped—despite the fact that these children represent 10 to 12 percent of the total school-age population and that their education is more expensive.

The States and localities are making a valiant effort to increase their support,

and the present level of spending nationwide for the education of the handicapped is \$3.5 billion.

But, Mr. Speaker, it is estimated that it would cost about \$7 billion annually to provide the appropriate education which exceptional children have a right to enjoy. Thus, the total public financial commitment is barely half of what is needed.

And the Federal Government is today spending only \$350 million to help better the lives of these children through education.

#### EXISTING FEDERAL PROGRAMS

Mr. Speaker, it is not my purpose to ignore the value of existing Federal programs, however inadequate in relation to total need.

We now provide direct grants to the States under the legislative aegis of the Education of the Handicapped Act for the initiation, expansion, and improvement of special educational programs, along with centers and services to meet special needs, moneys for the training of personnel in special education, the operation of some early childhood projects, and support for continuing research in the education of the handicapped.

In other words, Mr. Speaker, present law provides a most commendable mechanism for making available "seed moneys"; it does not provide a desperately needed Federal partnership with the States to meet the full challenge of educating children with handicaps.

Nor would I gainsay the respectable progress at the Federal level when measured over the long run. For instance, 10 years ago the Federal Government spent less than \$1 million on education of the handicapped. This sum has increased over 300-fold. Ten years ago the benefits of early education and day care were limited to a fortunate few. But, more recently, the inclusion of the handicapped in Project Head Start and in vocational education programs means that more children are being served.

Nor do I wish to ignore numerous other Federal legislative initiatives that provide important services to handicapped Americans of all ages—services not necessarily related to education—such as the Developmental Disabilities Act and the half-century-old vocational rehabilitation program.

#### FEDERAL COMMITMENT LACKING

Nonetheless, Mr. Speaker, Federal support for the education of these "invisible children" remains scant and wholly insufficient. The total Federal commitment of \$350 million, when it finally reaches the beneficiary, represents only about \$30 per child.

Or, to look at it from a different angle, the Federal Government provides only slightly more than 1½ percent of the cost of educating each handicapped child, while, on the average, it provides almost 7 percent of the cost of educating all other children.

Let me put the point another way: Out of the \$1,000 per citizen spent by the Federal Government, only 50 cents is directed toward educating handicapped children.

Mr. Speaker, we must soon face the growing demand for justice from par-

ents, teachers, the courts and, in a real and haunting sense, from the children themselves. And the Federal Government as well as the States must help in that quest for justice.

The price tag is high; but the price tag handed to the American taxpayer, because of the failure adequately to educate our handicapped children will be, inevitably, far higher.

#### EDUCATION FOR HANDICAPPED CHILDREN BILL

That is why, Mr. Speaker, together with 14 colleagues on the Education and Labor Committee, I have introduced H.R. 70, the education for handicapped children bill.

Our bill, Mr. Speaker, would authorize the Federal Government to pay up to 75 percent of the "excess costs" involved in educating a handicapped child as compared to educating a nonhandicapped child.

Under the bill, Federal funds would be allotted to each State to enable the State to reimburse local school districts for up to 75 percent of the excess costs of educating handicapped children in the districts.

In brief, Mr. Speaker, the bill would enable the Federal Government to enter into a partnership with the States to help make good for America's 7 million handicapped children on the rich promise of American life—that each individual will be able to develop to his full potential.

It is on this measure, Mr. Speaker, H.R. 70, the education for handicapped children bill, that Governors Shapp and Sargent, and other witnesses, will be testifying before the Select Education Subcommittee tomorrow and Thursday.

Mr. Speaker, as we consider legislation to assist those whom we may call the "vulnerables" of our society—the poor and the elderly, the very young and the handicapped—some words from a great American President frequently return to my mind.

They were spoken by Franklin D. Roosevelt during the second inauguration address.

#### Said President Roosevelt:

The test of progress is not whether we add more to the abundance of those who have too much, it is whether we provide enough for those who have too little.

Mr. Speaker, for too long the handicapped children of America have had too little.

Let us act now to correct that injustice.

Mr. Speaker, the text of H.R. 70 follows:

#### H.R. 70

A bill to provide financial assistance to the States for improved educational services for handicapped children

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

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Education for Handicapped Children Act".

#### PURPOSE

SEC. 2. (a) The Congress finds—

(1) that the special educational needs of handicapped children are being met in only a few school systems in the United States;

(2) that there are no special educational services at all for 60 per centum of the estimated number of handicapped children in the United States;

(3) that there are many handicapped children throughout the United States participating in regular educational programs whose handicaps prevent them from having a successful educational experience because of a failure to detect the existence of the handicap;

(4) that developments in the field of the training of teachers for the handicapped and the development of remedial and testing procedures have advanced to the point that given appropriate funding sources and levels, State and local educational agencies can and will provide effective special education programs and services to meet the educational needs of the handicapped;

(5) that present State and local financial resources are inadequate to meet the special educational needs of handicapped children; and

(6) that it is in the national interest and welfare that the Federal Government support special educational programs for meeting the educational needs of the handicapped.

(b) It is the purpose of this Act that all handicapped children receive special educational services commensurate with their individual needs through programs operated by State and local educational agencies which will be of exemplary nature and high quality and designed to provide handicapped children an opportunity to participate meaningfully in family, community, and national affairs.

#### DEFINITIONS

SEC. 3. For purposes of this Act, the term—

(1) "handicapped children" means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or health impaired children or children with specific learning disabilities who by reason thereof require special education and related services;

(2) "Commissioner" means the Commissioner of Education;

(3) "the average per pupil expenditure for handicapped children" in a State shall, as determined by the Commissioner, be the aggregate current expenditures during the second fiscal year preceding the fiscal year for which the computation is made (or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available) of all local educational agencies in the State which provide special educational services to handicapped children, aged three to twenty-one years, inclusive, including the education of such handicapped children in homes and in institutions, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the total number of such handicapped children in average daily attendance to whom such agencies provided free public education during such preceding year and of such handicapped children receiving education as provided by any such local agency in homes or institutions;

(4) "the average per pupil expenditure for children" in a State shall be, as determined by the Commissioner, the aggregate current expenditures during the second fiscal year preceding the fiscal year for which the computation is made (or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available) of all local educational agencies in the State, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the total number of children, aged five to seventeen years, inclusive, in average daily attendance to whom

such agencies provide free public education during such preceding year;

(5) "excess cost" means the amount, if any, by which the average per pupil expenditure for handicapped children as defined in (3) in a State minus the average per pupil expenditure for children in such State exceeds \$800;

(6) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(7) "State educational agency" means the board of education of any State or other agency or officer of such State primarily responsible for the supervision of public elementary and secondary schools in such State, or, if there is no such officer or agency in such State, then an officer or agency designated by the Governor of such State or by the law of such State; and

(8) "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

#### AUTHORIZATION; DURATION OF PROGRAM

SEC. 4. (a) There are authorized to be appropriated for the fiscal year ending June 30, 1974, and for each of the next four fiscal years thereafter such sums as may be necessary for the purpose of making grants under section 5(a) (2) of this Act.

(b) There is authorized to be appropriated for each fiscal year for the purpose of making grants under section 5(a) (1) of this Act an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 5(b) of this Act.

(c) There are authorized to be appropriated such sums as may be necessary to carry out section 9(b) of this Act.

(d) There are authorized to be appropriated such sums as may be necessary to enable the Commissioner to administer the provisions of this Act.

#### GRANTS: AMOUNTS AND ENTITLEMENT

SEC. 5. (a) (1) The Commissioner shall allot the amount appropriated pursuant to section 4(b) for each fiscal year among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands for such year according to their respective need for such grants. The maximum grant which a local educational agency in the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this Act.

(2) In any case in which the Commissioner approves a State plan submitted to him pursuant to section 7, the grant which such State shall be eligible to receive for any fiscal year shall be the sum of—

(A) the amount obtained by multiplying the total number of handicapped children, aged three to twenty-one years, inclusive, in such State during the second fiscal year preceding the fiscal year for which the computation is made (or, if satisfactory data for that year are not available at the time of the computation, then during the

earliest preceding fiscal year for which satisfactory data are available) by \$600; and

(B) the amount obtained by multiplying the excess cost (as defined in section 3(5)) with respect to such State by 75 per centum of the total number of handicapped children in such State (as determined in order to compute the average per pupil expenditure for handicapped children in such State for such fiscal year).

(3) For the purposes of paragraph (2), the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallocation, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

(c) In the event the funds appropriated to carry out this Act are insufficient to make in full the allotments to which the States are entitled in any fiscal year, the allotment to each of the States for such fiscal year shall be reduced pro rata.

#### UNIFORM STANDARDS, CRITERIA, AND PROCEDURES

SEC. 6. As soon as practicable after the date of enactment of this Act, the Commissioner shall establish standards, criteria, and procedures to determine which children are "handicapped children" within the meaning of section 3(1). Such standards, criteria, and procedures shall be applied uniformly by all States submitting State plans to the Commissioner pursuant to section 7.

#### STATE PLANS

SEC. 7. (a) Any State which desires to receive grants pursuant to section 5 shall submit to the Commission through its State educational agency a State plan at such time, in such manner, and containing or accompanied by such information as he deems necessary. The Commissioner shall approve any such State plan and any modification thereof if he determines that such plan—

(1) sets forth such policies and procedures as will provide satisfactory assurance that funds paid to the State under this Act will be expended by the State either directly or through local educational agencies to initiate, expand, or improve programs and projects, including preschool programs and projects, which are designed to meet the educational needs of handicapped children throughout the State.

(2) provides for the identification of all handicapped children in the State, together with a list of the local educational agencies within the State responsible for the education of each such handicapped child, whether such child remains in the area served by the local educational agency or is sent out of the area for educational services. Such identification shall include the location in which each child is presently receiving educational services, a description of the services which each such child is presently receiving, and a statement as to whether or not each such child is institutionalized. Such identification shall be updated from time to time upon changes in the educational status and location of each such child;

(3) includes a proposal for the study of the State's present procedures for the insti-

tutionalization of handicapped children, including a study of the classification procedures for handicapped children and the services provided for such children within institutions, and an evaluation of whether institutionalization best meets the needs of such children. Such study shall also include recommendations for methods of deinstitutionalizing handicapped children, with recommendations as to how such children may best be integrated into the regular educational system, if appropriate.

(4) provides for the reduction of the number of handicapped children in the State who are institutionalized, where such institutionalization does not best meet the needs of such children, and for the integration of such children into the regular educational system;

(5) provides for the establishment of procedures for the classification of a child as a handicapped child, which shall include notice and an opportunity for a hearing, including an opportunity to examine records relating to such classification, to the parents or guardians of such child before a local educational agency makes or changes such classification, an independent evaluation of any such classification, and an opportunity for such parents or guardians to appeal the initial decision of such agency with respect to any such classification;

(6) provides satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are not enrolled in public elementary and secondary schools, provision will be made for participation of such children in special educational programs and services provided to handicapped children by the State or by local educational agencies;

(7) provides for procedures and objective measurements for evaluating at least annually the effectiveness of special educational programs and services in meeting the educational needs of handicapped children, including assurances that testing and evaluation procedures for purposes of this paragraph will be administered so as not to be racially or culturally discriminatory;

(8) provides for making such reports, no less often than annually, in such form and containing such information as the Commissioner may require to carry out his functions under this Act, including identification of all handicapped children in the State required by paragraph (2), together with statistical information as to the numbers of such children who are, and are not, being provided with special educational programs and services and information as to the steps being taken to provide such programs and services to all such children, and the results of the testing and evaluation procedures carried out pursuant to paragraph (7);

(9) provides for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of reports under paragraph (8) and proper disbursement of funds under this Act;

(10) provides that the State educational agency shall prepare and administer the State plan, and shall, from time to time but no less often than annually, review its State plan and submit to the Commissioner any modifications thereof which it considers necessary;

(11) provides for the establishment of a State Advisory Committee on Education for All Handicapped Children, consisting of an appointed membership which shall be broadly representative of individuals involved in the education of handicapped children, including educators, administrators of programs for handicapped individuals, and parents of handicapped children. Such State advisory committee shall (A) assist the State educational agency in determining priorities within the State for educational serv-

ices for handicapped children, (B) advise such agency of unmet needs within the State in the education of handicapped children. (C) review the State plan and make recommendations to the Governor regarding the education of handicapped children, and (D) perform such other functions as the Governor deems appropriate;

(12) provides for the distribution of grants under this Act to local educational agencies by the State educational agency on the basis of the relative need for special educational services in all geographical areas in the State and among appropriate subgroups on handicapped children in the State, as developed under the State plan;

(13) provides satisfactory assurance that the control of funds provided under this Act, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this Act, and that a public agency will administer such funds and property;

(14) provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, funds paid under this Act to the State, including funds paid by the State to any local educational agency;

(15) contains a statement of policies and procedures which will be designed to ensure that all educational programs for handicapped children in the State will be properly coordinated by the persons in charge of special educational programs for handicapped children in the State educational agency;

(16) sets forth policies and procedures which provide satisfactory assurance that funds made available under this Act will be so used as to supplement and increase the level of State and local funds expended for the education of handicapped children, and in no case supplant such State and local funds;

(17) the State education agency shall provide a plan for educational accountability that assures every handicapped child within a State an equal education program based upon measures of the effectiveness of those programs in terms of acquisitions of skills that increase the possibility of self-sufficiency of the handicapped child; and

(18) the State agency in carrying out its administrative responsibilities shall encourage exemplary and innovative approaches to meeting the special educational needs of handicapped children.

(b) The Commissioner may disapprove a State plan or modification thereof only after reasonable notice and an opportunity for a hearing to such State.

#### STUDY OF INSTITUTIONALIZED CHILDREN; REPORT TO CONGRESS

SEC. 8. (a) The Commissioner shall review the provisions of the State plans required under section 7(a)(2) and section 7(a)(3) relating to the education of handicapped children who are institutionalized, and shall disseminate information to the States concerning such efforts in other States as he determines will be useful to the States.

(b) The Commissioner shall report to the Congress no later than January 1, 1975, his recommendations with respect to changes which may be necessary in the amount and entitlement of grants under section 5 of this Act, and under other Acts which provide assistance for the education of handicapped children, in order to encourage the removal of handicapped children from institutions where appropriate, and to improve programs of instruction for handicapped children who require institutionalization.

#### PAYMENT

SEC. 9. (a) (1) If a State plan submitted to the Commissioner pursuant to section 7 is approved by him, then the Commissioner

shall pay to such State the amount which it is eligible to receive pursuant to section 5.

(2) From the funds paid to it pursuant to paragraph (1), each State educational agency shall distribute to each local educational agency of the State the amount for which such application has been approved.

(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this Act, except that the total of the payments in any fiscal year shall not exceed the greater of—

(1) 1 per centum of the total grant for such State as determined for such fiscal year pursuant to section 5; or

(2) \$75,000, or \$25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

#### WITHHOLDINGS

SEC. 10. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that—

(1) a State is not making a determined effort to provide directly or through local educational agencies effective special educational programs and services for all handicapped children in all areas of such State; or

(2) there has been a failure to comply substantially with any provision of any State plan approved pursuant to section 7;

the Commissioner shall notify the agency concerned that further payments will not be made to the State under this Act (or in his discretion, that the State educational agency shall not make further payments to local educational agencies affected by the failure) until he is satisfied that there no longer is any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this Act, or payments by the State educational agency under this Act shall be limited to local educational agencies not affected by the failure, as the case may be.

#### JUDICIAL REVIEW

SEC. 11. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 7, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

#### FOOD STAMPS FOR AGED, BLIND, AND DISABLED

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from New York (Mr. WOLFF) is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, I am introducing legislation today to restore to all aged, blind, and disabled, who are participating in the new supplemental security income program, their right to participate as well in the food stamp program. This legislation is urgently needed if we are to provide, for those who need it the most, an adequate level of benefits on which to survive.

Mr. Speaker, when Congress enacted the Social Security Amendments of 1972, creating the new SSI program of assistance to the needy aged, blind, and disabled, there was included a provision to exclude SSI recipients from eligibility for food stamps or surplus commodities. This was clearly an arbitrary and discriminatory provision, and Congress eventually came to recognize its inequity. Congress sought to correct the problem with passage of Public Law 93-233 last session. This legislation provides that SSI recipients will be eligible for food stamps unless they are receiving a so-called cash-out payment from the State to equal the bonus value of food stamps.

Unfortunately, this legislation solves only part of the problem. It means that SSI recipients in the five cash-out States—New York, California, Nevada, Massachusetts, and Wisconsin—are not eligible for food stamps. Especially for those who were formerly receiving public assistance and food stamps the loss of eligibility for food stamps has meant a reduction in the actual benefits they receive under the new SSI program. While these people face an especial inequity, the current program is unfair to all SSI recipients, regardless of whether they were "grandfathered" into the program or not.

For one thing, the bonus value of food stamps in my own State of New York, for example, does not equal the real value of the food stamps being received by those in the States which chose not to cash out. The bonus value of food stamps in New York is approximately \$10; the real value is closer to \$15. For another thing, when we consider our very high cost of living, high cost of food, rent and every other basic commodity, the level of benefits being received by SSI recipients, those most in need of our help, is simply inadequate to make ends meet.

Congress itself recognized the inadequacy and last session provided for a \$10 cost-of-living increase in benefits; the irony is, however, the Federal Government did not cover the increase because Congress altered the "hold harmless" provision for the States as provided in the 1972 amendments. Thus, because of this, several States, including New York, have felt they could not afford the increase and therefore have not passed through the \$10 in benefits to SSI recipients.

It seems to me we are quibbling when we deny eligibility for food stamps to SSI recipients in the five cash-out States. It would be far more equitable to regard the so-called cash-out payment as a cost-of-living increase, let it remain in the SSI payment, and restore these individuals' eligibility for participating in

the food stamp program. This is what my bill intends to do. It merely provides a channel by which SSI benefits can more accurately reflect the cost-of-living and more adequately respond to the needs of those least able to afford the demands of our inflationary economy.

Mr. Speaker, I would like to share with my colleagues an example, using dollar figures, of the inadequacies we are talking about. In Nassau or Queens County, which I represent, it is virtually impossible to find a one-bedroom apartment for less than \$150 a month. Food, as you well know, if you are living on just the basic necessities, runs anywhere from \$80 to \$100 a month. A single individual living alone in either Nassau or Queens, if he has no other "outside" income, receives a maximum of \$206 in SSI payments. I need not point out the degree to which this individual is struggling to make ends meet. The addition of food stamps for this individual might just mean the difference between starving and getting by.

Mr. Speaker, there are many inadequacies in the SSI program which it will take Congress and the States time to work out. I feel that our foremost concern must be to provide an adequate level of benefits. The needy aged, blind, and disabled depend upon our assistance; the least we can do is restore their right to participate in the food stamp program.

#### RUNAWAY BOYS AND GIRLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the national tragedy of runaway boys and girls has been widely reported and discussed in the pages of the daily press and the major newsmagazines. The number of runaway children is difficult to determine accurately but estimates place them in this country at about 1 million. Their numbers appear to be growing, their average age declining but estimated at 15 years. It is further estimated that some 20,000 runaway youths are presently wandering the streets of New York City.

Why these young people run away from home has been attributed to many factors—broken homes, uninterested parents, rejection, the generation gap, the youth culture. Whatever the reasons, the situation should concern all of us before aimless roaming and living on city streets become more widespread.

The tragedy of youth's alienation from their homes and families is further compounded by the evils and pitfalls which lie in wait on the streets of our cities. Too often these teenagers are lured or forced into drugs, prostitution, theft, and murder. The shocking headlines of recent months has exposed even more squalid, bizarre, and deadly ends that have swallowed up our young.

No major constituency in the Nation has escaped the problem of runaway youth. In the midst of this depressing facet of our national life it was gratifying and uplifting for me to take part on January 27 in the dedication of Valley Youth House in Bethlehem, Pa.

Valley Youth House is a private, non-

profit social welfare agency that was created to deal specifically with the runaway youth problem not only in Bethlehem, but also in Allentown, Easton, and the surrounding communities of the Lehigh Valley.

The house, a former private residence, is not a "drop-in" center. It is a shelter house, a place where runaways can retreat to for temporary haven, for counseling, for understanding. Staffed on a 24-hour basis by professional social workers, directed by a professional social worker, Valley Youth House ideally serves as a medium for reconciling the youths with their parents. Failing that, the House serves as a medium to refer young people to other social agencies for further help.

Prior to the dedication, it was my privilege to serve, in 1972, as campaign chairman for the first fund drive conducted on behalf of this shelter for runaways. We had received late that year a Federal Law Enforcement Assistance Administration grant of approximately \$95,000 through Pennsylvania's Governor's Justice Commission, subject to our raising \$50,000 locally. Our campaign was successful. Another fund raising campaign will be conducted in the near future and, of course, Federal funds will again be necessary to help the Lehigh Valley maintain this agency.

To get Valley Youth House started, a group of citizens from Allentown, Bethlehem, and Easton and outlying neighborhoods worked for over a year drawing up plans, getting the necessary and proper endorsements from local officials and agencies, and applying for Federal funds. This citizens group was composed of social workers, businessmen and women, bankers, housewives—interested people from every walk of life, banded together in a pioneer effort to improve the condition of the disaffected youth of their communities.

But I would particularly like to call the attention of my colleagues to the guiding force behind Valley Youth House. Peter P. Prichett who, until his untimely death last fall, worked ceaselessly to achieve his dream of a shelter house for the young. Because of Peter Prichett's untiring efforts the house became a reality. It was to dedicate Valley Youth House to Peter's memory that I attended the ceremonies in Bethlehem on the 27th.

During my congressional career I have been asked many, many times to take part in dedication ceremonies as have all of my colleagues in the House. They are after all a part of the job. But too often in a Congressman's life dedications become routine.

Let me assure you that I was more than routinely pleased and honored to be in Bethlehem last week because, far greater than my professional interest is my personal interest in Valley Youth House. Now I have dedicated more imposing physical structures. But what that modest home represents to me and to the families of the Lehigh Valley is far more impressive and inspiring than most of the others I have dedicated.

In the brief history of this shelter home for runaway children, Peter and the house were as one. Just as Peter and

the word dedication were as one. For Peter was a dedicated man.

He was dedicated to his family, dedicated to his work, to his church, to his community, and especially dedicated to the troubled youth and to their parents in the Lehigh Valley.

There are thousands of troubled families in my district. There are hundreds of runaway children who need a successful shelter house to restore them to their own homes. Or to aid them in other ways. Without a Valley Youth House these young people run the risk of living as rejected, discarded, broken, and disillusioned young men and women.

We cannot permit that tragedy to occur in the Lehigh Valley or anywhere else in this country. That was Peter Prichett's concern. And Valley Youth House represents his and our dedication to that concern.

The Lehigh Valley is fortunate indeed to have benefited from the devotion to youth exemplified by Peter Prichett. He has been succeeded as president of Valley Youth House by Eugene R. Kline, an equally dedicated business executive who gives unstintingly of his time and efforts. The shelter house itself is supervised by a capable, professionally trained social worker, Gary W. Stone. A board of directors of some 20 members of the Lehigh Valley actively serves the agency.

It would be impressive if I were able to report to my colleagues that Valley Youth House has chalked up a long record of successfully handled cases of runaway children. Numerically the figure is small, but growing as more and more people in the community become aware of it. Since the shelter house opened its doors last March, about 200 young people have been sheltered, counseled, referred, or returned to their homes.

I mention Valley Youth House to you today in the hope that you will consider, not the numbers, but the spirit, the vision, and the goal of Peter Prichett and his friends in the Lehigh Valley.

Our colleagues in the Senate have already reviewed and approved S. 645, the Runaway Youth Act. A House bill, H.R. 9298, is now awaiting hearings with the House Education and Labor Committee. I urge all of you in this body to give every consideration to the prompt passage of legislation which will help every community in our Nation to return its runaway children to their homes or keep them in their home community. The problem transcends regions and politics. The tragedy of runaway youth touches us all.

#### EMERGENCY ENERGY BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 5 minutes.

Mr. METCALFE. Mr. Speaker, recently the House passed and sent to the President the emergency energy bill. The President has stated that he will veto this bill because of section 110 which deals with the price of domestic oil products. I would like to include in the RECORD an editorial from the Washington Post for March 3, 1974, which ought to resolve the problems that the President has with this section of the bill.

## THE VETO AND THE ENERGY BILL

President Nixon is wrong in his decision to veto the Emergency Energy Bill. He is wrong in his purpose and wrong in his reasoning. It is a broad and valuable piece of legislation, addressing a great range of issues that the oil shortage raises. This veto would give somber evidence of the degree to which the President has now removed himself from the concerns of his fellow citizens, and the isolation in which he wraps himself.

Mr. Nixon's argument with the bill revolves around a section that would roll back the prices of one category of our oil supply, that part of domestic production now exempt from price controls. This oil amounts to roughly one-sixth of our current supply. It is utterly inaccurate for Mr. Nixon to suggest that a reduction in the spectacularly high price of this oil would deepen the current shortages and force us into gasoline rationing. It is equally inaccurate, on the other side of the issue for Sen. Henry Jackson (D-Wash.) to suggest that this rollback promises a large reduction in retail prices. The President and his adversaries are carrying on the debate in terms of mere slogans.

To see the price that we are all being asked to pay for Mr. Nixon's veto, it is necessary to look at the other sections of the bill. In addition to the rollback provision, it contains additional unemployment compensation for those who lose their jobs in the shortage. There is protection in this bill for service station operators against arbitrary cancellation of their franchises by the oil companies. There are requirements for the orderly collection of the statistics that the government now notoriously lacks. There are rules to govern an orderly conversion of power plants for coal without the present bypassing, and perhaps violation, of the Clean Air Act. There is the authority for the President to impose gasoline rationing. All of these provisions ought to be law now, but they are all in the bill that the President intends to veto.

The rollback provision is less than perfect. But, with its defects, it serves a purpose that Mr. Nixon evidently does not acknowledge. It sets a certain limit to the heights to which crude oil prices will be permitted to soar. A few numbers are helpful in following the argument. About half of the country's oil supply is under price controls at \$5.25 a barrel. About a third of foreign oil, currently selling at a bit over \$10 a barrel. The dispute is over the remaining one-sixth of the supply which, being uncontrolled has leaped up to the world price of \$10. The Emergency Energy Bill would roll it back to the controlled price and then, where production costs justified it, authorize Mr. Nixon to let it go up as high as \$7.09. Writing numerical price ceilings into law is a bad practice, particularly in a time of rapid inflation. But this fault is mitigated by the temporary nature of the law, which would run only 14 months. To judge whether the roll-back is reasonable, remember that the price of all American oil was around \$3.40 a barrel one year ago. Seven dollars is a price beyond the wildest dreams of oil men at any time up until last fall. At that price, incidentally, exploration and production go forward

at the industry's full capacity. Beyond that figure, higher prices do not increase production incentives enough to justify the cost to the consumer.

A reader recently wrote us a letter chiding us for neglecting the simplest and quickest answer to the gasoline shortage. He asked: Why not simply let go of prices and let drivers pay whatever the traffic will bear? The same question is apparently asked around the White House from time to time. That, in fact, is what most of the European countries have done. In Germany, for example, there are no lines of cars waiting at the service stations. The Germans find it incomprehensible that American drivers should be having such troubles, in a country that is the world's leader in oil production, while Germany, which must import all of its oil, has no shortage at all. The answer is as simple as supply and demand. In this country, most people see gasoline prices as a social issue as well as economics, and the government is holding down the price artificially by law. In Germany the government has let the free market set the price. While the German driver does not have to wait in line for gasoline, he is currently paying \$1.25 a gallon for it.

Prices are obviously going to keep rising in this country. In the end, they will come to rest when supply equals demand. But the purpose of wise government policy would be to use controls and rationing to get us through the transition without letting the price suddenly shoot up to panic levels that would certainly be much higher than any true equilibrium. In Germany, a country where mass transportation is good and commuting long distances by car is rare, the government can afford to view gasoline as almost a luxury. In this country it is a basic necessity for a very large number of people, by no means all of whom are well to do. The passage to higher prices of scarcer fuel needs to be a gradual affair. If Mr. Nixon vetoes the Emergency Energy Bill, Congress will have a clear responsibility to override that veto.

## UNEMPLOYMENT COMPENSATION IMPROVEMENTS

**THE SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 5 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I have today introduced legislation to help alleviate the situations faced by the increasing number of workers who are expected to become unemployed in the coming months. I believe that virtually all of the economic forecasters are in unanimous agreement that the number of unemployed is bound to increase in the coming months primarily, but not solely, because of the energy shortage.

The legislation I am introducing is in many respects similar to recommendations which were recently made by the

administration to provide for special unemployment compensation payments to workers who exhaust their regular unemployment compensation. These special unemployment compensation benefits would augment existing unemployment compensation programs by providing up to 13 additional weeks of federally financed benefits to those who work in areas experiencing high unemployment and who exhaust benefits under the State unemployment compensation laws and under the Federal-State extended unemployment compensation program. The legislation would also provide up to 26 weeks of benefits to workers in such areas who are ineligible for regular benefits because they worked in noncovered employment.

The legislation that I have introduced improves upon the administration's proposal in several respects.

In addition to providing for a special program, my proposal contains permanent amendments to the Federal-State Extended Unemployment Compensation Act of 1970 and also provides for an extension of a present temporary authority to the States to disregard the so-called 120-percent requirement of the States "on" and "off" indicators which will permit any State that has an insured unemployment rate of at least 4 percent to continue its extended benefit period until January 1, 1976 when the changes I am proposing in the permanent law would become effective.

My proposal would also increase the number of weeks that a worker could receive extended unemployment compensation under the permanent law from a maximum of 13 weeks to a maximum of 26 weeks.

Mr. Speaker, I shall include at the end of my remarks a brief comparison of the administration's proposed amendments and the provisions contained in my proposal.

It is my intention, Mr. Speaker, to urge that the Committee on Ways and Means give early attention to the matter of providing additional unemployment compensation to the long-term unemployed. I believe that it is incumbent upon the Congress to enact legislation of this nature without delay. The impending veto of the energy bill which contains, among other things, provisions to provide additional benefits to workers unemployed because of the energy crisis, enhances the timeliness of this issue. Although the provisions contained in the energy legislation leave much to be desired, they do relate to a problem which cannot be ignored.

The comparison follows:

## COMPARISON OF ADMINISTRATION PROPOSAL ON SPECIAL UNEMPLOYMENT COMPENSATION AND DRAFT BILL

## SUBJECT

## ADMINISTRATION PROPOSAL

## DRAFT BILL

(1) Benefit amount.  
(2) Eligible individual.

Equal to regular weekly benefit amount.

Same.  
Same.

(3) Duration of benefits.

Benefits are payable to: (1) those who have exhausted all rights to regular compensation and extended compensation if payable, and (2) those not otherwise eligible for compensation provided that they would qualify for regular compensation under State law if their employment and wages which are not covered by State law were treated as though they were covered.

Benefits are payable for one-half the number of weeks of a worker's regular benefits up to 13 weeks.

Same.

(4) Area and State triggers.	Benefits are paid on the basis of an area trigger.	Same.
	The rate of insured unemployment in an area must be either: (1) at least 4 percent and 120 percent of the rate for the corresponding 13 weeks in the period October 1, 1972, through September 30, 1973, or (2) at least 4.5 percent.	Same, except that special benefit claims would be included (they are excluded under the Administration proposal) in determining the rate of insured unemployment.
Financing.	An "area" must have a population of at least 250,000 and consist of an economically integrated geographical unit in which workers may readily change jobs without moving. All parts of a State not within a designated area are considered to be an area.	Same.
Effective date.	Financed from appropriations from Federal general revenues.	Same.
	Begins 30 days after enactment. Ends June 30, 1975.	Begins 30 days after enactment. Ends December 31, 1975 (when amendments to the Federal-State Extended Unemployment Compensation Act would become effective).
Amendments to the Federal-State Extended Unemployment Compensation Act.	None.	Doubles the number of weeks of extended benefits an individual could receive under the program. Under present law, an individual receives benefits equal to one-half of the number of weeks of his regular benefits up to a maximum of 13 weeks with an overall maximum on regular and extended benefits of 39 weeks. Under the bill, an individual could receive extended benefits for a period equal to the number of weeks of his regular benefits up to a maximum of 26 weeks with an overall maximum on regular benefits and extended benefits of 52 weeks.
Transition provision.	None.	Changes the national and State "on" and "off" indicators by reducing the requirements to put an extended benefit period in effect on a national or State basis. The rate of insured unemployment in the <i>national</i> "on" and "off" indicators would be decreased from 4.5 percent to 4 percent. The State "on" and "off" indicators would be modified by eliminating the present 120-percent requirement and by using a "seasonally adjusted" rate of insured unemployment in place of the "raw" insured unemployment rate presently used in the State triggers.
		Extends until January 1, 1976, the period in which states are permitted to disregard the 120-percent requirement in the State "on" and "off" indicators.

**"ON INTRODUCTION OF A BILL TO PROHIBIT THE CONTROL OF ALTERNATIVE ENERGY SOURCES BY INTEGRATED OIL COMPANIES"**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 5 minutes.

Mr. HARRINGTON. Mr. Speaker, I am today introducing legislation to ban the major oil companies from controlling alternative energy sources. It has become increasingly clear, in the past decade, that concentration of ownership within the energy industries has approached monopolistic proportions. Approximately 84 percent of American refining capacity is controlled by major oil firms, as is 72 percent of our natural gas production and 30 percent of our domestic coal reserves; 7 out of the 15 largest coal producers in the United States are oil companies; 17 oil companies account for approximately 55 percent of our uranium reserves. Last month, the first lease for developing geothermal steam resources on Federal lands went to the Shell Oil Co. And several months before that, the first lease for developing the Nation's oil shale resources went to Gulf and Standard Oil of California.

By prohibiting oil firms from owning corporations concerned with coal, oil

shale, tar sands, uranium, geothermal or solar energy development, my bill would halt this accelerating thrust toward complete horizontal integration of our energy sources.

It has always seemed to me that the oil companies are in violation of the Clayton Anti-Trust Act of 1914, which stipulates—

No corporation engaged in commerce shall acquire directly or indirectly the whole or any part of the stock or other share capital, and no corporation subject to the jurisdiction of the FTC shall acquire the whole or any part of the assets, of another corporation engaged also in commerce, where in any line of commerce in any section of the country, the effect of such acquisition may be substantially to lessen competition, or to tend to create a monopoly.

The legislation I am introducing today would fulfill the letter and spirit of the Clayton Act by making absolutely explicit prohibitions, which in my opinion, is clearly justified by the act.

We must seek relief from the current plague of high energy costs. Price competition has to be restored in order to achieve a lowering of these costs. It seems to me that domination of alternative energy sources by the major oil firms clearly presents a conflict of interest situation that most certainly should be prevented. If the oil industry is permitted

to acquire new energy sources, then how can we expect to see the restoration of price competition? For example, there exists no reason for an oil company to develop residential solar heating devices to the point where they would compete with home heating oil.

The most well-intentioned and public-minded corporation should never be expected to precipitate a price war concerning its own interchangeable fuel sources.

My proposed legislation differs from a bill introduced into the U.S. Senate by Senator ABOUREZK, in that the prohibitions I am discussing here would only apply to the integrated oil companies. It is my feeling that the nonintegrated independent entrepreneurs within the oil industry ought to be permitted to engage in the production of alternative energy sources. In fact, shut off as they are from any major role in the production of oil, the independents might very well face economic ruin if they are not afforded the opportunity to develop the country's other energy sources.

The bill I am submitting would, in addition to addressing the problems of high prices and inadequate supply, create new challenges for us as a nation. If the major oil companies are not allowed to acquire and control new sources of

energy, they will, of course, withhold their capital from developing these sources. So it is imperative that we begin now to create new centers of energy research and development funding and expertise—in the private sector, in government, and in the universities.

In fact, by keeping the major oil companies out of these economic areas, we can create additional opportunities for our Nation's sophisticated research and technology industries, hard hit by the recent economic situation. I suggest that this is the direction in which we must go, if we are to solve our energy scarcities without creating a scarcity of competition in the process.

#### CHANGES IN ALLOWANCES FOR MEMBERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, House Resolution 457, 92d Congress, provided the Committee on House Administration the authority to fix and adjust from time to time various allowances of Members of the House of Representatives. Pursuant to this authority the committee has issued order No. 12 as follows:

##### COMMITTEE ORDER No. 12

Resolved, That effective March 1, 1974, each Member of the House of Representatives shall be entitled to office space suitable for his use in the district he represents at such places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in post offices or Federal buildings at not more than three (3) locations if such space is available. Office space to which a Member is entitled under this resolution which is not secured by the Sergeant at Arms may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for office space not exceeding a total allowance to each Member of \$200 per month; but if a Member certifies to the Committee on House Administration that he is unable to obtain suitable space in his district for \$200 per month due to high rental rates or other factors, the Committee on House Administration may, as the Committee considers appropriate, direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding a total allowance to each Member of \$500 per month. In the event suitable office space is not available in post offices or other Federal buildings, and the Member certifies to the Committee on House Administration that he is unable to obtain suitable private space in his district for \$500 per month due to high rental rates or other factors, the Committee on House Administration may direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding approximately 1,500 square feet at rates not to exceed the highest applicable rate charged to Federal agencies in the district established by regulations issued by the Administrator of General Services pursuant to section 210 (j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)). Members shall be entitled

to have no more than three (3) district offices outfitted with office equipment, carpeting, and draperies at the expense of the General Services Administration.

As used in this resolution the term "Member" means any Member of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegates from the District of Columbia, Guam, and the Virgin Islands.

Committee Order No. 12 rescinds the provisions of Committee Order No. 1 revised.

#### A MONUMENT TO COPERNICUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 5 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, the Polish American Progress Association recently donated to Hudson County a bronze memorial tablet of the great Polish astronomer Copernicus which will be displayed in the lobby of the County Administration Building in Jersey City. The dedication ceremonies took place January 27, and it was my sincere pleasure to participate in these ceremonies.

Not only does this attractive tablet symbolize the many contributions made to Hudson County by its Polish-American community, but the Copernicus memorial will provide other citizens of the county with additional insight into the rich historical traditions of the Polish people.

Mr. Speaker, at the dedication, the principal speaker was my good friend, neighbor, and colleague, the Honorable HENRY HELSTOSKI. In his remarks, Congressman HELSTOSKI focused on the achievements of the Polish astronomer and discussed what the legacy of Copernicus means for people throughout the world. In view of the fact that I found his remarks informative and inspiring, I would like to take this opportunity to share his speech with our colleagues.

Congressman HELSTOSKI's remarks follow:

##### A MONUMENT TO COPERNICUS

Of all men it can be said that they have lived. But of few men can it be said that they have lived on.

Yet though Copernicus, the great astronomer and father of modern science was born in Poland 500 years ago, we have gathered here today to dedicate a tablet in his honor.

Copernicus was outstanding in many fields. One of history's greatest intellectuals, he distinguished himself as a theologian, scholar, painter, poet, physician, lawyer, economist, soldier, statesman and scientist. But above all, he was an eminent astronomer—so formidable that his theories have formed the foundation of modern astronomy. It was he who disproved the idea that the earth is the center of the universe, and he formulated theories which have led to our exploration of space today.

Copernicus completed his early education in Poland. However, he was soon attracted to Italy, which at that time was the intellectual center of the world. Young Copernicus saw many changes taking place—Columbus was carving out a new world, and Michelangelo, DaVinci and Raphael were at work altering our aesthetic perceptions forever.

At this time one of science's most fundamental axioms was the notion that the uni-

verse revolved around the earth. Copernicus challenged the dogma of the past, and persevered until he discovered that the universe revolved around the sun.

The Copernican theory, as it came to be known, met with outrage. His ideas were not accepted for many years, primarily as a result of opposition by the Church, for these new ideas dramatically conflicted with the teachings of the bible. However, Copernicus, his intellectual integrity sustained by his knowledge and expertise, confronted his critics and successfully challenged scientific traditions which had reigned supreme for centuries.

The 500th anniversary tribute to the Polish astronomer is particularly timely because of the relationship of his pioneering theory to modern space research. The National Aeronautics and Space Administration, for example, recently named a satellite in his honor, and last year, Pan American World Airways renamed one of its Boeing 707 planes "Jet Clipper Nicolaus Copernicus." In addition, the United States Postal Service has issued a commemorative stamp marking the Copernicus anniversary.

Copernicus, as today's dedication vividly underscores, has not only inspired people of Polish descent, but his achievements and contributions have inspired throughout the world. The principles for which he stood—diligence, integrity, and intellectual freedom—still remain among mankind's most admired virtues.

Today, we live in an age frustrated by an infinite number of complexities. Unfortunately, though perhaps justifiably, many citizens have become cynical about their government and disenchanted with the men they have elected to govern. However, as I turn to this tablet, I see the face of only one man, and I am reminded of all the good one great man can give mankind.

We all cannot be astronomers, poets, physicians or any of the many things this great man was. However, we all can be decent human beings, dedicated to embodying the principles for which Copernicus stood into our own daily lives.

So I say in conclusion, it is my sincere hope that this monument will serve forever as a vivid reminder to all who walk through these doors that the principles of integrity, dedication, and freedom still remain vibrantly alive.

#### A FAREWELL TO A "FAIR" LADY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Mr. DENHOLM) is recognized for 5 minutes.

Mr. DENHOLM. Mr. Speaker, the name of the Honorable JULIA BUTLER HANSEN is marked forever in the annals of history. Her deeds are marked in the topography of America—and her image of dedication to duty as a servant of the people shall be remembered by all.

JULIA BUTLER HANSEN has accomplished much for many but she has always held true to the dignity of the cause in the interest of those less fortunate. Her art of legislative works will be entered upon the scrolls of time but her understanding of humanity will live in the minds of men.

Mrs. HANSEN has achieved what most women have never sought—and she sought what most men have never achieved. She has earned the retirement of tranquillity. Her 37 years of service to the people of America is a legislative challenge to her successor. Her announced retirement compels a farewell

to a "fair" lady. Fair in the steadfast principles of decency, diligence, and duty. Fair in first for the people as benefactors of her best effort. Fair in a firm understanding of equality for all.

I am honored to join the multitudes that remember JULIA BUTLER HANSEN for many kindly deeds, her legislative works—but most of all as a friend. I am hopeful that her 37 years of service to others will be equalled in the blessings of time in her retirement accordingly.

Mr. Speaker, it is not goodby to Mrs. HANSEN today—it is but a warm farewell to a "fair" lady.

#### NO-FARE MASS TRANSIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, I wish to direct the Members' attention to a significant development in my home State of Utah in the effort on the part of the people of this country to conserve our energy resources. Due to the persistent efforts of a determined and dedicated representative to the Utah State Legislature, the voters of the major counties of Utah will have a chance this November to approve a system of no-fare mass transit for the residents of our major cities.

I wish to insert, for the Members' information, the following newspaper accounts from the Salt Lake Tribune of the events leading up to the Utah State Legislature's becoming the first legislative body in the world to authorize a method for offering no-fare mass transit on a local basis.

[From the Salt Lake Tribune, Feb. 16, 1974]

NECESSARY ATTENTION CONVERGING ON URBAN MASS TRANSIT PLIGHT

The day of mass transit seems to have dawned once more. After years of indifference and neglect, state and federal officials are paying rapt attention to the matter.

In Utah, for instance, the State Legislature this year became the first such body to authorize a method for offering no-fare bus service on a local basis. Now, President Nixon has sent urban areas a valentine in the shape of approval for subsidizing bus, subway and other commuter line operating costs. These developments are truly overwhelming.

Mr. Nixon's move was particularly surprising. Until his special budget message to Congress Wednesday, the White House threatened to veto any congressional measure that channelled federal money to local mass transit operating costs. So crucial was Mr. Nixon's reversal that a previously-passed bill, tied up in a House-Senate conference committee, is expected to move now, incorporating the President's proposals.

According to initial reports, Mr. Nixon's package would mean \$70.8 million for Utah over a six year period. It's assumed approximately 75 percent would go to the heavily populated Wasatch Front, where increasing traffic congestion needs the alleviation that additional transportation financing can provide.

Work is already well along on one solution—a regional bus line, envisioned as meeting public transportation needs from Payson on the south to Brigham City on the north. The concept, and general agreement that better bus systems are an answer to many traffic related problems, prompted legislative approval for the no-fare referendum bill.

Sponsored and tirelessly promoted by Rep. Sam Taylor, D-Salt Lake, the law will permit residents in public transit districts to impose on themselves by vote a one-quarter percent sales tax for financing no-fare bus service. It could raise an estimated \$5.4 million in Salt Lake County alone. Mr. Nixon's plan would allocate Salt Lake City, which helps pay Utah Transit Authority bus line operating expenses, approximately \$7 million annually. The cup runneth over. Maybe.

Presidential proposals must still survive tough congressional travel. Highway groups will want to make sure they aren't losing too much control over money formerly spent on roadwork. Major metropolitan centers are already complaining about the distribution method, saying they need a larger share than presently recommended. It's not definite whether local or state governments will administer the eventual pay-out, which makes a difference as to how much actually ends up with transit operations.

As far as the UTA is concerned, even the Taylor no-fare program requires initial approval by county officials to gain the ballot, then a favorable public vote. And it could compete with another alternative allowed by the 1973 Legislature—a two mill property tax for financing minimum fare bus transportation. Depending on economic conditions by next fall, any tax increase could do poorly as a ballot issue.

Regardless, revived interest in better mass transit is appropriate. Reduced air pollution, reasonable commuter costs and less traffic congestion aren't possible without expanded, reliable interurban public transportation. It's now time for the public and public representatives to decide how to achieve as much.

[From the Salt Lake Tribune, Jan. 30, 1974]

#### UTAH HOUSE PASSES TRANSIT BILL

(By Clark Lobb)

"Sam's Bill" breezed through the Utah House of Representatives Tuesday 62 to 5.

The measure, sponsored by Rep. Samuel S. Taylor, D-Salt Lake City, provides for a no-fare transit system to be financed through imposition of a one-quarter cent sales tax in counties with transit districts (Salt Lake, Weber and Davis). The people of those counties will vote on the measure next November if their county commissions put it on the ballot.

The legislation is known formally as House Bill 13, but as far as the legislature and a sizeable crowd in the gallery were concerned it was "Sam's Bill." Seldom if ever has a single legislator devoted so much time and effort to a single piece of legislation. It marks the fourth time it has been voted upon in the House and the second time it has been passed. However, the bill now goes to the Senate which let it die on the table last year.

#### FACING CHOICE

There is a possibility that voters will have a choice of voting for HB13 or a bill passed last winter calling for a two-mill property tax increase on an option basis in counties with transit districts. Here again it will be up to the respective county commissions to place it on the ballot.

"I would welcome a choice between the two," Rep. Taylor said. "I'm that confident of my bill."

He said the energy crisis with its lower rates of speed has resulted in fewer accidents and that the fatality rate decreased from 25 deaths in January, 1973, to 5 deaths this January.

No one spoke against the bill, although Rep. Eldon H. Barlow, R-Clearfield, would have amended it to provide a minimum fare. He argued that the county should not be "locked into a no-fare system." He said, "They should be able to decide for them-

selves how much the fare should be. The amendment failed decisively by a voice vote.

[From the Salt Lake Tribune, Feb. 2, 1974]

#### UTAH SENATE APPROVES TRANSIT BILL

Breaking out in tears, Rep. Samuel S. Taylor, D-Salt Lake City, saw his no-fare transit bill passed by the Utah Senate Thursday night on a 17 to 9 vote.

"It's the people's victory," said the elated representative, shaking hands with everyone in sight.

The passage of the bill came after four successive legislative attempts to gain approval and each time it met failure in one house or the other.

#### PASSES 62-5 IN HOUSE

The House passed the bill last Tuesday on a 62 to 5 vote and the Senate, to the surprise of Rep. Taylor, gave a relatively new approval to the bill. Seventeen votes is a mere three votes more than is needed for a majority in the Senate. But a technical amendment was made in the Senate and the bill to be finally cleared must pass through the House again.

#### REFERENDUM PROVISION

The bill would permit counties in a public transit district to impose a referendum for voters to decide whether to permit an additional one-quarter percent sales tax to fund a no-fare transit system.

Senators after the balloting praised Rep. Taylor for his tenacious efforts to secure the measure.

Sen. Karl Swan, D-Tooele, acknowledged that in the representative's first attempt to gain passage, he thought him a "little hair-brained and way out in left field." But Rep. Taylor's persistence sold him, Sen. Swan said.

#### THE PEOPLE SPEAK

Supporters of the bill said citizens were "clamoring" for the no-fare proposal and Sen. Swan noted: "What the people want they ought to get."

Principal opposition to the measure was expressed by Sen. W. Hughes Brockbank, R-Salt Lake City, who said that the state government should retain the sales tax at the state level for financing government. He added there are questions as to what transit districts would do if there were any excess revenue from the local option sales tax.

The technical amendment involves unknowingly placing extraneous words into a separate section of the bill. The House will have to concur with the Senate amendment Saturday.

Several legislators noted that they looked at the optional no-fare proposal more favorably this time due to the threat of the energy crisis.

#### "EVALUATION OF EDUCATION: IN NEED OF EXAMINATION." A REPORT OF THE NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, of the many national advisory councils that consider federally supported programs, among the most diligent and valuable is the National Advisory Council on Education Professions Development, which Congress established in 1967 to consider the program supported by the Education Professions Development Act.

Recently this advisory council issued a preliminary statement of findings and recommendations in connection with a most important subject; namely, the way

in which Federal programs in education as well as the projects which are supported with these Federal funds are being evaluated.

I believe that Members of Congress will read with great interest this preliminary report. I understand that a full report on the subject of evaluation of educational efforts will be submitted by the Council on March 31, 1974.

Mr. Speaker, the report to which I have made reference follows:

EVALUATION OF EDUCATION: IN NEED OF EXAMINATION  
(A Report of the National Advisory Council on Education Professions Development)

PREFACE

The National Advisory Council on Education Professions Development was established by the Congress in 1967 to review and evaluate the effectiveness of the operations of the Education Professions Development Act (Title V of the Higher Education Act), and of all other programs of the Federal government having to do with the training and development of educational personnel. These programs, which involve an annual outlay in excess of half a billion dollars, are administered by a variety of Federal agencies: the Department of Health, Education, and Welfare; the National Science Foundation; the Office of Economic Opportunity; National Institutes of Health; the Manpower Administration of the Department of Labor; the National Endowments for the Arts and for the Humanities; and similar agencies. The members of this Council are appointed by the President. The Council submits its reports to the President and Congress.

In January of 1972 this Council submitted a report to the President and to the Congress in which we examined the policies governing a number of Federal efforts designed to bring about improvements in the training and development of those educational personnel who staff the schools and colleges of the nation.

In that report, entitled *Windows to the Bureaucracy*, we concluded that—with reference to policies needed to insure effective results from legislation—"the resources devoted to the formulation of policies are inadequate; the processes employed are primitive; and the results are unacceptable."

We outlined some specific steps that might be taken by both the Congress and the Executive Branch to bring about improvements in the formulation of "policies of effective means."

Since that time we have been conducting an inquiry into another equally important subject: *the way in which Federal programs in education—and the state and local projects which are supported with these program funds—are being evaluated*. The focus has been on the training of educational personnel, though we have included in our concerns the evaluation of other aspects of education.

The Council has addressed the question of evaluation on two earlier occasions. The first was in the Council's Second Annual Report, submitted in January 1969. This report ranged over a number of issues bearing on the improvement of the Federal effort in education. One chapter was devoted to Research and Evaluation.

Evaluation was the subject of a special report devoted exclusively to this topic. This was submitted in May 1969. We concluded this special report by saying:

"In its second annual report, submitted earlier this year to the President and Congress, this Council devoted a major section to research and evaluation. It has expanded on its statements in that report at this time because *the need for sensible policies concerning evaluation of educational programs is rapidly emerging as one of the major is-*

*sues in American education.*" (emphasis added)

In its current inquiry, this Council has been reviewing some of the major evaluations and evaluation research reported on during the period 1966 to date. It has also been seeking to identify the salient issues concerning the evaluation of educational endeavors.

This report is a preliminary statement of our findings and recommendations.

Over the past ten years some \$25 billion has been invested in Federal efforts to improve education in the elementary and secondary schools, in the colleges and universities, and in other settings.

The early part of this period saw the Federal government initiate a range of actions designed to bring about improvements in almost every aspect of the educational system; a number of pieces of landmark legislation were passed; substantial funds were appropriated to carry out this legislation; programs to implement this legislation were developed in the Office of Education, the National Science Foundation, the Office of Economic Opportunity, the National Institutes of Health, the Manpower Administration of the Department of Labor, the National Foundation on the Arts and Humanities, and other agencies.

*More recently, the emphasis has shifted from the initiation of efforts aimed at bringing about improvements in American education to an interest in determining whether these efforts are achieving their goals.*

EVALUATION OF FEDERAL ACTIVITIES GENERALLY

This interest in evaluating effectiveness is not confined to education. The following developments give some indication of the important role that has now been assigned to evaluation of Federal activities generally:

1. Increasingly in new legislation enacted and in amendments to existing statutes explicit provision for evaluation has been made. The General Accounting Office reports that in the areas of health, education, welfare, economic opportunity, and like Federal activities, there are twenty-three Acts in which formal objective evaluation is now prescribed. Some of these statutes have numerous provisions for evaluation.

2. The Executive Branch has been placing increasing emphasis on "cost-effectiveness" as a means for determining whether the results from given Federal programs are in proportion to the money expended. Such a procedure assumes the capacity on the part of the agencies to carry out appropriate and effective evaluation.

3. There has been a very substantial increase in the funds allotted for evaluation in the Executive Branch. The General Accounting Office reports that expenditures for non-defense program evaluation have jumped from \$19 million in 1969 to \$110 million in 1972.

4. It is clear that before the end of this year the Congress will have instituted some major reforms related to fundamental aspects of its own procedures. We speak of provisions for the establishment of budget ceilings; for machinery which will enable the Congress to set broad areas of priority concern; and for the creation of a Congressional Office of the Budget. The success of these reforms will depend, in no small way, on the capacity of the Congress to evaluate the effectiveness of the programs it has legislated—or at least to interpret evaluations conducted by the Executive Branch and to appraise the quality of such evaluations.

EVALUATION IN EDUCATION

In the field of education, the amount of activity devoted to evaluation has been considerable. Numerous evaluation studies, as well as books, monographs and articles analyzing the findings of these studies, have been published—all in an attempt to determine what works and what does not work

and, indeed, whether *anything* works in education.

The importance that has been assigned to evaluation, and the influence that evaluation studies have exerted to date, prompt a question that must receive serious consideration:

*Is "evaluation", as an aspect of social science research, capable of responding adequately to the extraordinary demands placed upon it by the developments cited above?*

This Council has been exploring this question over the last few months. This exploration has consisted of a review of major evaluation studies and an attempt to identify those salient issues which the President and the Congress might take into account in making decisions concerning the evaluation of educational effectiveness, and in appraising existing evaluations of Federal efforts in education. We intend to continue this inquiry. However, we feel it appropriate to report two conclusions arrived at up to this point:

1. There is a need for a full-scale examination of the concepts, methods and manner of conducting evaluations of Federal programs in education.

2. Federal agencies responsible for evaluating educational programs should prepare policy statements which identify and record the positions of these agencies on the major issues concerning evaluation. Such positions would form a basis for guiding the decisions of these agencies with respect to the kinds of evaluation they intend to pursue.

Members of the Council\* submitting this report are:

Waldo R. Banks, Sr., President, American Education Economic Assistance Foundation, Carson, California.

Larry J. Blake (Chairman), President, Flathead Valley Community College, Kalispell, Montana.

Jason E. Boynton, Associate Professor of Education, University of New Hampshire, Durham, New Hampshire.

Jennie A. Caruso, Dean of Women, Maple Heights West Junior High School, Maple Heights, Ohio.

Thomas R. Hills, Associate Professor of Political Science, Black Hills State College, Spearfish, South Dakota.

M. Elizabeth Jacka, Executive Vice President, National Merit Scholarship Corporation, Evanston, Illinois.

Marvin D. Johnson, Vice President for University Relations, University of Arizona, Tucson, Arizona.

Arnulfo L. Oliveira, President, Texas Southmost College, Brownsville, Texas.

Joseph Young—Executive Director.

SECONDARY BOYCOTTS ARE UNFAIR TO OTHERS

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, in every industry, but agriculture, the secondary boycott is considered immoral and illegal.

A secondary boycott is intended to hurt innocent persons who are not parties to any dispute.

Even union members are beginning to speak out, to the public, to their leaders, and to their fellow union members, against secondary boycotts because they are unfair and unjust.

Monte Mart is a small grocery business

\*As of September 1973. The Council consists of fifteen members. Appointments to fill current vacancies are now being made by the President.

in our congressional district. They sell Gallo Wine along with other brands. Customers can choose.

Caesar Chavez and UFW have a dispute with Gallo and threatened to picket the Monte Mart stores with whom they have no dispute. Monte Mart management offered to permit UFW members to conduct an "informational picket" inside their stores directly in front of the Gallo Wine display—and to furnish a table and chairs for the convenience of the picketers. What could be more fair.

The story and the reaction of the people who are on the scene is clearly and accurately told in an excellent editorial of the Salinas Californian of February 26, 1974.

I ask unanimous consent to include the editorial at this place in the RECORD, and I urge everyone to read it.

As the editor wisely suggests, we desperately and urgently need national farm labor legislation to stop unfair and immoral injury to innocent parties.

#### SECONDARY BOYCOTTS UNFAIR TO OTHERS

Judging from George Meany's comments on secondary boycotts last week, the current mass picketing at Monte Mart, and the huge crowd during a Superior Court hearing, isn't going to get much national support and funding.

Meany, speaking in Miami Beach last week, firmly rejected an appeal from Cesar Chavez for AFL-CIO help in boycotting Gallo wines on the retail level.

He said the AFL-CIO is willing to approve a product boycott of California grapes and lettuce, "but not a secondary boycott which would work to the detriment of the winery workers, or the meat cutters, or the retail clerks."

This shows the national union thinking on secondary boycotts and Meany was termed far less enthusiastic in his support for the UFW than he has been in the past.

This confirms our own beliefs and that of the union employees at Monte Mart. It doesn't gain the United Farm Workers supporters—it turns people against them. And, in the case of Monte Mart, it turns individual union members of other unions against them, which does irreparable damage to the labor movement, generally.

What has happened is that Monte Mart has been singled out by UFW for a concentrated effort. The result: 206 union employees at four Monte Mart stores have signed a petition objecting to picketing of the stores by UFW and sympathizers.

The petition asks Meany to exercise his influence to stop the UFW picketing which Monte Mart employees say is unfair and is jeopardizing their jobs.

The petition, signed by members of the Retail Clerks Local 839, or the Meat Cutters Union, asserts, "The UFW pickets are forcing many of our customers to trade at non-union stores and some of our fellow employees have been laid off as a result."

A copy of the petition has been forwarded to James Housewright, president of the Retail Clerks International Assn. in Washington, D.C., according to James Dobbs, Local 839 president. He said, however, that he is taking no stand on the matter at present because he felt it would be premature.

The Californian feels and agrees with Meany on the secondary boycott point, that Monte Mart employees have hit the nail on the head when they state, "What seems most unfair is that the UFW is picking on us rather than the producer of the product (Gallo wine) that they claim to have a dispute with."

The president of the employee's association

noted that a table and limited informational picketing had been offered the UFW at the store's main entrance, but the UFW would rather continue mass picketing.

The most incongruous of all facts is, however, that the employees state, "We are the only union department store in Monterey County affiliated with AFL-CIO and the AFL-CIO has supported the UFW."

This vividly supports the contention in every other industry but agriculture that secondary boycotts are wrong and should be banned. They are banned under the Taft-Hartley Act of 1947 in labor areas other than agriculture. That act's passage was based on the tenet that such a tactic as boycotting was an unfair labor practice and that the consumer is the principal loser.

In Monte Mart's case, union employees of different groups are fast becoming the losers, as well.

There is no basis for what is currently going on. The grievance is with Gallo, not Monte Mart, other grocery or liquor stores.

And, we repeat again, state and national legislation should be adopted to make this matter as clear for agricultural products, as it is for industrial products.

Secondary boycott intimidation has no place in a free society where collective bargaining is accepted and the primary sources are, and should be, the parties concerned.

#### NEW HOPE FOR CHARACTER EDUCATION

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, some years ago, I was considering the introduction of legislation to encourage character education. I was then dissuaded for the reason that clear guidelines and specific objectives could not be promulgated and, further, that this subject would only add another task to our already overburdened teacher corps.

I am very pleased that Ray Charlson, the outstanding superintendent of the Monterey County, Calif., Office of Education, has provided a succinct answer to what "character education" really is.

The six qualities of character which Dr. Charlson enumerates and describes are excellent guidelines for students, teachers, graduates, and dropouts.

Perhaps character education is not dead.

I ask unanimous consent to insert Dr. Charlson's editorial from the February 1974 issue of the Newsletter published by the Monterey County Office of Education.

#### MORE ON CHARACTER EDUCATION

(By Ray Charlson)

My comments regarding "What Every Happened to Character Education" in the last Newsletter brought forth a little chiding from my professional colleagues, and they asked the very good question, what do you think character education is? I don't have the talents to adequately answer that question, so I've gone to someone who is competent. My answer in part as to what is character education is given by Dr. William Menninger of the famed Menninger Clinic. He listed six qualities of character that one should seek to gain maturity. His description, summarized somewhat is as follows:

Sincerity.—All your cards face up. People know where you stand and how they stand with you. No sham, pretense, apple-polishing,

hypocrisy, arrogance or equivocation. Real all the way through.

Personal Integrity.—Similar to sincerity. But more, it refers to very special qualities of decency, honesty, loyalty, fair play and honor. Such a person has a deep sense of responsibility; he keeps his promises; he lives up to his commitments.

Humility.—Humility is often the character trait of great men. Maturity is often combined with modesty. Humility is rarely present in the smart alecks, the know-it-alls, the self-appointed saviors of the self-appointed patriots.

Courtesy.—Means much more than being thoughtful or polite to others. It means tolerance. I want to worship my God in my way and give full approval to you to worship your God in your way. I have my eccentricities and I approve of you having yours. You are just as good as I am and I respect your right to speak your piece even if I don't agree.

Wisdom.—The wisdom to make the right decisions and actions, to do the right things at the right time, and to give the correct guidance and counsel when it is needed.

Charity.—Maybe the most important, in broadest interpretation means the capacity to love. It implies the acceptance of the fact that we all have weaknesses; we all make mistakes. To be able to get along with people requires the charity of forgiveness.

I'm sure that if through our educational efforts and contacts with our students we help them to attain the traits and attitudes described by Dr. Menninger, then our country, our culture, and our democratic way of life will be strengthened and continued.

#### POSTAGE INCREASES

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SISK. Mr. Speaker, I am deeply apprehensive about the impact further postage rate increases will bear upon this Nation. Last Saturday's 2-cent across-the-board rate increase by the U.S. Postal Service, its second such raise since it was established by Congress less than 4 years ago, is significant in its effect and cause to ask when will it end.

The postage increase, which boosted an air mail stamp to 13 cents and regular first-class mail to a dime, is totally unwarranted and it is time Congress put an end to it.

Mail service is too important to a free nation to allow either inadequate service or frequent postage rate increases to be the norm, yet we have both. The mail is the one avenue everyone has not only to communicate with friends, but also to question and probe officials, and never has there been a greater need for the latter than today. But without an end to postage rate increases we are likely to price the cost of mail service out of the reach of a large segment of our society, especially the poor and those on fixed incomes, and that would strike at one of the basic premises of this country.

Our economy is out of control; at every turn the cost of living has skyrocketed, leaving the public to anguish and wonder when it all will cease. Two more cents for a stamp ostensibly may not seem like much, but, when one discerns that the mail is a primary means of communication over a year's time, then the cents quickly multiply into dollars.

Postage increases have already signif-

icantly affected publication of periodicals which disseminate necessary information, but are we going to stand by and allow the costs of first-class mail to become so stiff that it discourages the public from effectively using our mail system? The U.S. Postal Service is a legal monopoly, and inherent in such a status is that it should always safeguard the public from poor service and unwarranted costs. Unfortunately, such safeguards have not been assured in this case.

One must also raise the question whether the costs of first-class mail are, in effect, subsidizing the various other classes of mail. If so, then Congress must put a stop to it so that the American consumer pays only for actual services and is not subjected to hidden costs.

It is surely time for Congress to examine this entire issue, further delay will only foster the disdain of the public and complacency of the U.S. Postal Service, which, in turn, will precipitate more and more postage rate increases which none can afford.

#### MAILINGS UNDER CONGRESSIONAL FRANKING ACT

(Mr. UDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. UDALL. Mr. Speaker, I submit for printing into the RECORD at this point regulations affecting mass mailings under the Congressional Franking Act as adopted by the House Commission on Congressional Mailing Standards:

#### MASS MAILING RESTRICTIONS UNDER THE CONGRESSIONAL FRANKING ACT

Notice is hereby given that pursuant to Section 3210(a)(5)(D) of title 39, United States Code, the House Commission on Congressional Mailing Standards has prescribed regulations for the House of Representatives governing the time during which franked mass mailings, as defined under the subject, may not be made.

The statutory restriction on the use of the frank for such mass mailings prior to elections is set forth in 39 U.S.C. 3210(a)(5)(D) as follows:

"(5) It is the intent of the Congress that a Member of or Member-elect to Congress may not mail as franked mail—

"(D) any mass mailing when the same is mailed at or delivered to any postal facility less than 28 days immediately before the date of any primary or general election (whether regular, special, or runoff) in which such Member or Member-elect is a candidate for public office. For the purpose of this clause (D) the term 'mass mailing' shall mean newsletters and similar mailings of more than 500 pieces in which the content of the matter mailed is substantially identical but shall not apply to mailings—

"(i) which are in direct response to inquiries or requests from the persons to whom the matter is mailed;

"(ii) to colleagues in Congress or to government officials (whether Federal, State, or local); or

"(iii) of news releases to the communications media. The House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall prescribe for their respective Houses such rules and regulations and shall

take such other action, as the Commission or Committee considers necessary and proper for the Members and Members-elect to conform to the provisions of this clause and applicable rules and regulations. Such rules and regulations shall include, but not be limited to, provisions prescribing the time within which such mailings shall be mailed at or delivered to any postal facility to attain compliance with this clause and the time when such mailings shall be deemed to have been so mailed or delivered and such compliance attained."

Accordingly, the Commission has established the following regulations regarding restrictions on mass mailing:

"(a) Mass mailings as defined under Section 3210(a)(5)(D) of title 39, United States Code, may not be mailed as franked mail by a Member of or Member-elect to the House of Representatives when the same is mailed at or delivered to any postal facility other than the Publications Distribution Service of the House of Representatives, hereinafter referred to as the House Folding Room, less than 28 days immediately before the date of any primary or general election (whether regular, special, or runoff) in which such Member or Member-elect is a candidate for any public office.

"(b) Such mass mailings, if processed through the House Folding Room, shall be deemed to be in compliance with the subject statutes and these regulations, if delivered to the House Folding Room, with instructions for immediate dispatch, not less than 30 days immediately before the date of any such election. The House Folding Room shall issue a receipt, which shall specify the date and time of delivery and a brief description of the matter to be processed, to the Members at the time he or she delivers such mass mailings to the House Folding Room.

"(c) For the purposes of the subject statutes and these regulations, a Member of or a Member-elect to the House of Representatives, shall be deemed to be a candidate for public office at any election as hereinabove set forth if his or her name appears anywhere on any official ballot to be used in such election."

Although the commission does not anticipate any immediate changes in these regulations, the commission would appreciate, and therefore invites comments or suggestions which might assist in future revision of the rules. Comments should be submitted by mail to the commission at 207 Cannon House Office Building, Washington, D.C. 20515.

In consideration of the foregoing, the regulations on mass mailing restrictions as hereinabove set forth are made effective immediately.

Issued in Washington, D.C., on March 5, 1974.

MORRIS K. UDALL,  
Chairman.

Mr. Speaker, in order to assist Members of the House in determining the cut-off dates for mass mailings as they apply to the various primaries to be held by the States in 1974, the Commission has prepared a tabulation of these primary dates, as provided by the Republican and Democratic campaign committees, as well as the cutoff dates for mass mailings applicable thereto.

The dates listed in the second and third columns of the tabulation are the 28th and 30th day immediately before the primary election dates and, therefore, are the last dates, as appropriate, on which a mass mailing may be made.

The tabulation follows:

State	Date of primary	28 days	30 days
Illinois	Mar. 19	Feb. 19	Feb. 17
Texas	May 4 (June 1 <sup>st</sup> )	Apr. 6	Apr. 4
Alabama	May 7 (June 4 <sup>th</sup> )	Apr. 9	Apr. 7
District of Columbia	May 7	do	Do.
Indiana	do	do	Do.
North Carolina	May 7 (June 4 <sup>th</sup> )	do	Do.
Ohio	May 7	do	Do.
Nebraska	May 14	Apr. 16	Apr. 14
West Virginia	do	do	Do.
Pennsylvania	May 21	Apr. 23	Apr. 21
Arkansas	May 28 (June 11 <sup>th</sup> )	Apr. 30	Apr. 28
Oregon	May 28	do	Do.
Kentucky	do	do	Do.
California	June 4	May 7	May 5
Iowa	do	do	Do.
Mississippi	June 4 (June 25 <sup>th</sup> )	do	Do.
Montana	June 4	do	Do.
New Jersey	do	do	Do.
New Mexico	do	do	Do.
South Dakota	do	do	Do.
Maine	June 11	May 14	May 12
South Carolina	June 11 (June 25 <sup>th</sup> )	do	Do.
Virginia	June 11	do	Do.
Connecticut	Primaries held on 8th or 9th Wednesday following the close of the State conventions, which will convene between June 1 and July 15, 1974. <sup>1</sup>	do	do
Tennessee	Aug. 1	July 4	July 2
Idaho	Aug. 6	July 9	July 7
Kansas	do	do	Do.
Michigan	do	do	Do.
Missouri	do	do	Do.
Georgia	Aug. 13 (Sept. 3 <sup>rd</sup> )	July 16	July 14
Louisiana	Aug. 17 (Sept. 28 <sup>th</sup> )	July 20	July 18
Wyoming	Aug. 20	July 23	July 21
Alaska	Aug. 27	July 30	July 28
Oklahoma	Aug. 27 (Sept. 17 <sup>th</sup> )	do	Do.
Nevada	Sept. 3	Aug. 6	Aug. 4
North Dakota	do	do	Do.
Delaware	Sept. 7	Aug. 10	Aug. 8
Arizona	Sept. 10	Aug. 13	Aug. 11
Colorado	do	do	Do.
Florida	Sept. 10 (Oct. 1 <sup>st</sup> )	do	Do.
Maryland	Sept. 10	do	Do.
Minnesota	do	do	Do.
New Hampshire	do	do	Do.
New York	do	do	Do.
Rhode Island	do	do	Do.
Utah	do	do	Do.
Vermont	do	do	Do.
Wisconsin	do	do	Do.
Massachusetts	do	do	Do.
Washington	Sept. 17	Aug. 20	Aug. 18
Hawaii	Oct. 5	Sept. 7	Sept. 5

<sup>1</sup> Runoff election, if necessary. Applicable cutoff dates for runoff elections are not shown.

#### PATSY MINK SEEKS FUEL FOR HAWAII

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, since the fuel crisis began last October I have worked diligently in every way possible to bring more fuel to Hawaii.

Countless telephone calls have gone from my office to high officials of the Federal Energy Office in Washington, San Francisco, and Hawaii, both on behalf of specific Hawaii users and seeking broad policies to shorten lines at retail gasoline stations.

I have cooperated and worked with my congressional colleagues, Acting Gov. George Ariyoshi, and State legislative officials, and also sought on my own to increase the flow of gasoline to Hawaii consumers. My wire to Acting Governor Ariyoshi urging him to bring suit against the FEO was followed by his threat to do so, which I am convinced is the reason Hawaii received an extra allocation of gasoline for February.

In Congress I am seeking legislative relief for the gasoline shortage as well as congressional probes of oil company manipulations in the crisis.

To show how the energy crisis has affected my State, I am inserting for the RECORD my written inquiries and urgent appeals on behalf of more fuel for Hawaii:

NOVEMBER 1, 1973.

HON. JOHN KYL,  
Assistant Secretary for Congressional and  
Public Affairs, Department of the Interior, Washington, D.C.

DEAR MR. KYL: The enclosed letter from Mr. Hichiro Kobayashi of the Kobayashi Travel Service is forwarded for your attention.

Mr. Kobayashi has asked for relief from the effect of Federal fuel allocation regulations which bar his new bus company from receiving fuel.

I would appreciate your careful attention to his request. Please advise me on any action taken regarding this matter, and the reasons therefor.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 5, 1973.

MR. ROBERT PLETT,  
Assistant Director for Petroleum Allocation,  
Office of Oil and Gas, Department of Interior, Washington, D.C.

DEAR MR. PLETT: This is to urge that adequate fuel supplies be allowed for the operation of Hawaiian Airlines, Inc., and Aloha Airlines, Inc., in the State of Hawaii.

As set forth in the enclosed letter from one of the airlines, the air service currently provided among the islands of Hawaii is absolutely essential for the State economy and well-being of the people. There are no alternatives. In fact, the service is mandated by Federal certification.

I request that exemptions be considered for the increases in fuel allocation required by both airlines.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 5, 1973.

MR. DUKE LIGON,  
Director, Office of Oil and Gas, Department of Interior, Washington, D.C.

DEAR MR. LIGON: I am advised that an important construction job in the State of Hawaii is threatened by the shortage of fuel for helicopters. The helicopters now fly materials which can only be taken to the Hawaiian electric tower extension site in this manner.

Since the job started in 1973 there was no 1972 allocation. The company involved, Hawaii Helicopters International, P.O. Box 1401, Lihue, Kauai, Hawaii, says it needs immediate relief from quota restrictions. One thousand gallons a month of jet fuel are sought to complete the tower.

Your consideration of this request will be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 5, 1973.

MR. EUGENE W. STANLEY,  
Office of Oil and Gas, Region 9,  
San Francisco, Calif.

DEAR MR. STANLEY: This is to state my strong support for the urgent appeal by the Hawaiian Electric Company for a diesel fuel allocation in excess of that prescribed by regulations.

The company considers approval of its requested increase essential to the continued meeting of electrical power needs on the Islands of Oahu, Maui and Hawaii. Unless the 1973 and 1974 allocations it has requested are provided, there will be no way to provide essential services to the people of Hawaii.

The State of Hawaii is entirely dependent

on fossil fuel for its energy supplies, and has no alternative sources such as electrical power pool arrangements with other public utilities. It is believed that the base year of 1972 presents an inaccurate measure of the projected need, since the fuel use that year did not reflect the continuing population growth or the increased military presence on the Island of Oahu following the ending of the Vietnam war.

Your approval of the increased allocation requested is urgently sought.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 7, 1973.

MR. EUGENE STANLEY,  
Office of Oil & Gas, Region 9,  
Department of Interior,  
San Francisco, Calif.

DEAR MR. STANLEY: I am advised of the need of Mr. David Welsh, President, Makaha, Inc., P.O. Box 947, Walanae, Hawaii 96792, for additional fuel allocation for tour bus operation.

No diesel fuel was used by the firm in 1972, and therefore, it has no 1973 allocation under the regulations. Since the firm has \$100,000 in equipment which cannot operate without the requested allocation, the company faces financial failure without approval of the requested allocation. I request that it be approved.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 7, 1973.

MR. EUGENE STANLEY,  
Office of Oil & Gas, Region 9,  
Department of Interior,  
San Francisco, Calif.

DEAR MR. STANLEY: The enclosed letter from Mr. Charles E. McCrary of InterIsland Resorts, Hawaii, is forwarded for your attention.

I agree with Mr. McCrary's comments as to the great economic need for the transportation services for which the additional fuel allocation is sought.

Your approval of his request would be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 9, 1973.

MR. EUGENE STANLEY,  
Regional Representative, Office of Oil and Gas, Department of the Interior, San Francisco, Calif.

DEAR MR. STANLEY: I am advised of the need of Mr. Ralph Koga, N.K.'s Bus Service, Inc., 919 California Avenue, Wahiawa, Hawaii 96786, telephone (808) 621-0777, for an additional bus fuel allocation.

The use of this company's 30 buses has increased over the last six months but it is getting only 95% of the fuel from Standard Oil of the 70,000 gallons received in 1972. The buses are used to take children to school, field trips, and excursions on a year-round basis.

I request that the company's additional allocation be approved. Thank you for your assistance.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 13, 1973.

MR. EUGENE STANLEY,  
Regional Representative, Office of Oil and Gas, Region 9, Federal Office Building, San Francisco, Calif.

DEAR MR. STANLEY: This is to urge approval of the application of Kauai Electric Company, Hawaii, for an additional allocation of diesel fuel oil to run its electrical power generators.

Due to severe electrical power shortages and blackouts in past years, the company, which is the only provider of power on the Island of Kauai, has added an additional power generator. The generator was not in operation in November of 1972, the base month for the current month's allocation. Because of the increased fuel use of the additional generator, the allocation of 95% of the 1972 amount is about one-third short of the projected demand.

Without the requested increase, the company could be without fuel to run its generators during the latter one-third of November, 1973. This would result in a reduction of some 75 percent in the power supply on the island (the company provides about 25 percent by a generator run on Number 6 fuel, which is still in supply).

Due to the geographical separation of the island from any other source of power, there is no alternative of receiving power from another location. While the people of Kauai will make every effort to curb the use of power, I see no way to prevent a power emergency except by urgent approval of the requested additional allocation.

Your prompt assistance in this matter would be sincerely appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

HAWAIIAN ELECTRIC CO., INC.,

Honolulu, Hawaii, November 14, 1973.  
Representative PATSY T. MINK,  
Cannon House Office Building,  
Washington, D.C.

DEAR REPRESENTATIVE MINK: I want to thank you very much for taking time out of your very busy schedule to assist me, on behalf of Hawaiian Electric Company, with the fuel oil allocation problem.

Your support and assistance made it possible for me to successfully help the Company gain the necessary cooperation from the Oil and Gas Administrative Offices.

We in Hawaii, are fortunate to have you representing us in Congress, and most certainly should be proud.

On behalf of Hawaiian Electric Company, I sincerely thank you for your generous kouka.

Sincerely,

W. BUDDY SOARES,  
Director of Community Affairs.

[Telegram]

ADM. ELI T. REICH,  
Administrator, Office of Petroleum Allocation,  
Department of Interior, Winder Building,  
Washington, D.C.

Urgently request increased fuel allocation for Hawaii trucking industry. Monthly 1972 base distorted by 34-day West Coast Shipping strike starting January 17, 1972, and 41-day shipping interruption starting October 25, 1972. Both months were artificially low fuel use months for trucks in Hawaii. Hawaii transportation is unique since trucks must deliver to the consumer all products whether they arrive in State by ocean or air freight.

Hawaii now faced with slowdown in both transportation and construction with adverse economic results and serious worker layoffs now pending.

Your provision on immediate increase urgently required.

PATSY T. MINK,  
Member of Congress.

NOVEMBER 21, 1973.

RE MR. KEVIN JOHNS, Maliko Farms, Ma-  
kawao, Maui, Hawaii.

MR. EUGENE STANLEY,  
Regional Representative, Office of Oil and Gas, Region 9, Federal Office Building, San Francisco, Calif.

DEAR MR. STANLEY: The above named wrote you a letter dated November 13, 1973,

in which he asks for relief from the effect of Federal fuel allocation regulations which bar his newly established business from receiving diesel fuel. He was previously receiving a temporary allocation of 200 gallons per month.

His old supplier Mr. Jim Haines, Manager, Union 76, Kahului, Maui, Hawaii, has denied selling him fuel until he receives permission from your department.

His business, the only source of income for him and his family, is involved in tractor rental operations (with himself as operator) on an hourly basis to farmers in the Peahi-Kula area. Without any fuel his business will go bankrupt and his credit rating permanently damaged.

I would appreciate your careful attention to his request. Please advise me on any action taken regarding this matter and the reasons therefor.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 21, 1973.

Hon. RICHARD M. NIXON,  
President of the United States,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: According to a newspaper article quoting the Cost of Living Council, "despite a shortage of heating fuels in the country, U.S. exports of fuel oil in 1973 will be almost triple last year's."

I would appreciate your verification of this and an explanation of steps you have taken to curb the flow of fuel from the United States.

I also ask what steps have been taken to increase the importation of oil and fuel from countries other than the Arab states participating in the embargo against our country.

Thank you for your assistance.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 28, 1973.

Re H.R. 11031; H.R. 11450; and S. 2589.  
Hon. HARLEY O. STAGGERS,  
Chairman, Committee on Interstate and Foreign Commerce, U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is to request that any emergency energy powers legislation approved by the Committee protect the economy of the State of Hawaii.

Sec. 203(b) (2) of S. 2589 as passed by the Senate on November 19th directs the President to promulgate an energy rationing program which, among other things, restricts the use of fuel "for nonessential uses such as . . . recreational activities . . ." Sec. 204(b) (1), among other things, empowers the Civil Aeronautics Board to cut airline service not required for the public convenience and necessity.

The emerging thesis of such energy conservation proposals is that fuel consumption for recreational travel should be curbed in favor of more essential uses. While the objective is laudable in general, its specific effect on Hawaii may be disastrous.

What may be "luxury" travel in other States is an essential component of the economy in Hawaii. Visitors spent \$645 million in travel to Hawaii in 1971, and I am sure the amount has increased since then. By comparison, our sugar and pineapple sales totaled only \$344 million.

Legislation or an administrative program which blindly restricts all "recreation" travel as a "luxury" would actually jeopardize Hawaii's major industry and cause economic chaos. Since the whole purpose of our allocation plan is to protect the economy, it would

be foolish in the extreme to destroy the economy of an entire State in the process.

I strongly urge that the unique needs of the State of Hawaii receive full consideration in any legislation you may pass. Undue restrictions on the use of fuel for tour or charter buses, or rental cars, for example, would cripple our travel industry. Similar damage would be caused if airline flights to Hawaii were greatly reduced.

I believe the situation warrants a special amendment to this legislation exempting Hawaii's travel industry from restrictions, unless the agency taking such action demonstrates in advance that such restrictions would not damage the State's economy.

The jobs of many thousands of Hawaii workers and their families are at stake. While we want to do our part in conserving energy, I hope you will see to it that the vital concerns of Hawaii are not ignored.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

NOVEMBER 29, 1973.

Re H.R. 11031.  
Hon. HARLEY O. STAGGERS,  
Chairman, Committee on Interstate and Foreign Commerce, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: During markup of emergency energy powers legislation, I urge that the Committee specifically include language directing high priority in fuel allocation or rationing to public transportation systems.

I recognize that Congress provided some direction to the President in S. 1570, which was signed as P.L. 93-159 on November 27th. Nevertheless, S. 2589, the Senate-passed bill now before the Committee, contains further specific priority for public (mass) transportation in Sec. 204(c), which states: "The President shall develop and implement federally sponsored incentives for the use of public transportation, including priority rationing of fuel for mass transit systems, and Federal subsidies for reduced fares and additional expenses incurred because of increased service, for the duration of the energy emergency."

I feel similar language would be a vital addition to H.R. 11031. The situation of Honolulu, Hawaii, and many other cities, is that increased public transportation offers the only viable long-range solution to pressing transportation and energy problems. Honolulu has been developing a mass transportation system using buses, but its future is jeopardized by the fuel shortage. If the city is restricted to its 1972 allocation as originally proposed, it could not move forward with plans to increase the number of buses still more.

A definite, statutory requirement by the Congress that such mass transportation systems receive fuel priority would enable the city to go ahead with its plans to purchase additional buses. Otherwise, if the fuel situation is uncertain, it may be unable to do so. The net result, however, would be increased fuel use in 1974 because commuters would continue to drive to work in private automobiles.

Honolulu has experimented with free public use of buses in what may be a pilot project for other cities. A meaningful effort is being made to end the cycle of increased auto use and highway construction in one of the nation's most land-restricted areas. The results should be beneficial both to the environment and fuel consumption.

Any assistance you can provide to mandate specific benefits for public transportation in H.R. 11031 is urgently needed.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 1, 1973.

Hon. FRANK F. FASI,  
Mayor, City and County of Honolulu,  
Honolulu, Hawaii.

DEAR MAYOR FASI: Thank you for your letter of November 23 concerning the fuel crisis facing the bus system. To date, I have received no response from Admiral Reich at the Office of Petroleum Allocation, to which I sent a wire on November 27 urgently requesting approval of the city's emergency application for 60 day's fuel supply. I am advised, however, through contact with the Department of Transportation, that the Phillips Petroleum Company has agreed to supply fuel through the end of December.

I devoted considerable effort this past week, and will continue trying, to obtain specific statutory requirements of permanent priority for public transportation systems such as Honolulu's for fuel allocation. Enclosed is my letter to Chairman Staggers of the House Committee on Interstate and Foreign Commerce. Similar letters were sent to all other members of the Committee. The Committee has been working on H.R. 11031, the Administration's emergency energy powers bill which has already passed the Senate (in amended form) as S. 2589.

In addition to these communications, I worked with Councilman Frank Loo in arranging for him to personally speak with Chairman Staggers and other key members of the Committee to emphasize Honolulu's specific needs. Councilman Loo was in Washington on behalf of the Council. I have also talked with Committee members and will continue seeking urgent and mandated priority for public transportation.

Hopefully, we will be able to secure lawful guarantees of sufficient fuel for the city bus system during the energy shortage.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 4, 1973.

Hon. ELI T. REICH,  
Administrator, Office of Petroleum Allocation, Department of Interior, Washington, D.C.

DEAR ADMIRAL REICH: This is to request that regulations to be issued within the next two weeks on allocation of residual fuel consider the particular needs of the State of Hawaii.

Residual fuel is used by shipping companies which supply virtually all of Hawaii's daily needs. There are no alternative sources of supply for these goods since most is too bulky to ship by air. With the number of airplane flights to Hawaii probably to be reduced, we will be more dependent than ever on ocean shipping.

I strongly request that sufficient residual fuel be allocated to Hawaii and other offshore areas of the United States to meet their critical needs. Your attention to this matter will be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 4, 1973.

Hon. GEORGE R. ARIYOSHI,  
Acting Governor, State of Hawaii,  
State Capitol, Honolulu, Hawaii.

DEAR LT. GOVERNOR: In regard to your letter of November 7 concerning the fuel allocation program, I am advised that several problems on which you commented have been resolved.

Forms are now available for requesting additional allocations, and a Hawaii representative, Mr. H. Tucker Gratz, has been named for the allocation program. In addition, new regulations have been issued under a Congressional bill passed last month.

I am well aware of the continuing severe problems encountered by Hawaii businesses

and private users, and will continue exerting every effort to help them obtain essential fuel supplies.

I would strongly urge you to take a statewide inventory of all our energy requirements for 1974, listing the areas of highest priority.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 4, 1973.

MR. THOMAS G. HELD,  
President, Aloha Hawaii Travel Ltd.  
Honolulu, Hawaii.

DEAR MR. HELD: Thank you for your letter concerning the need to oppose any moves, by airlines or government, to cut flights to Hawaii on the basis that they are for vacation purposes. I completely agree.

While vacation travel may be a "luxury" to other States, in Hawaii it is an essential component of our economy. Visitors spent \$645 million in travel to Hawaii in 1971, a figure second only to national defense expenditures of \$721.8 million. Receipts from sugar processing and pineapple sales were only \$344 million by comparison. The trend is toward tourism becoming the dominant economic activity in Hawaii.

While all of us in Hawaii are aware of the need to conserve energy use, the economic lifeblood of an entire State must not be sacrificed in the process. I will make all efforts to assure that this does not happen.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 5, 1973.

MR. EUGENE STANLEY,  
Regional Representative, Office of Oil and  
Gas, Region 9, San Francisco, Calif.

DEAR MR. STANLEY: Mr. David Darling of Kula, Maui, Hawaii 96790, has asked for my assistance in obtaining an allocation of 80 gallons of diesel fuel a month. He has a small business utilizing one tractor with himself as the operator. He performs work for farmers in the area under a rental basis. His business was started in July of 1973.

Mr. Darling sent in his application forms for fuel allocation to the regional office in San Francisco on November 29. Unless it is approved, he will be forced to go on public assistance as the small business will be his only source of income.

Your approval of this request would be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 7, 1973.

Re Air Distribution, Inc., Box 947, Honolulu International Airport, Honolulu, Hawaii  
MR. EUGENE STANLEY,  
Regional Representative, Office of Oil and  
Gas, Region 9, San Francisco, Calif.

DEAR MR. STANLEY: Mr. William T. Parlette, Vice President-Planning, has advised me that this company has contacted Admiral Reich in an effort to secure additional fuel.

This new airline plans to serve air freight carriage requirements to the "neighbor islands" of Hawaii which are greatly in need of transportation services.

Your assistance in obtaining necessary fuel will be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 17, 1973.

HON. WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.

DEAR MR. SIMON: Urgently request your assistance before December 20 deadline to modify proposed regulations on 1974 alloca-

tion of aviation fuel to commuter airlines such as Royal Hawaiian Air Service, Hawaii, in order that the only source of public transportation to many Hawaii communities may be maintained.

Regulations as proposed would limit 1974 fuel to 90 percent of that used in 1972, which would very shortly forces airlines out of business. An allocation of 90 percent of 1973 usage, however, would allow Royal Hawaiian Air Service to maintain viable air service while still bearing a fair share of the fuel shortage burden.

In 1973 the airline is carrying passenger traffic. The majority of passengers are residents of small communities who have no feasible surface transportation alternative because of the geographic division of the State of Hawaii into isolated islands not connected by roads or rail.

Royal Hawaiian provides the only scheduled public air transportation at Hana, Kaanapali, Kalaupapa and Upolu Point. It carries more passengers than either Hawaiian Airlines or Aloha Airlines at Molokai and Lanai Islands. The airline connects all these small communities with the major hub airports of Honolulu, Kahului, Kona, and Hilo. It cannot continue to provide this essential public air transportation service to the citizens of Hawaii's smaller communities under the presently proposed fuel allocation regulations.

An appeal has been sent to your office by the airline. I respectfully request that you act in accordance with this appeal.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 17, 1973.

MR. RICHARD O. BUCK,  
Executive Vice President, Spencecliff Corp.,  
Honolulu, Hawaii.

DEAR MR. BUCK: Thank you for your letter concerning the urgent need for adequate fuel allocation to maintain employment in Hawaii. I completely agree that this is of great concern. With the other members of the Hawaii Congressional delegation, I have been actively seeking to obtain enough fuel in the coming year for our major industries such as tourism and construction.

The delegation, with Acting Governor Ariyoshi and other officials from Hawaii government and industry, met in Washington last week with key officials in the fuel allocation program. We had one objective: to impress on them the unique situation in Hawaii and need for recognition of this in the allocation program. We told them that travel is not a "luxury" in Hawaii as in other States, but an essential component of the economy. We gave them figures on the employment impact of such industries as construction, trucking, and shipping, as well as tourism.

The result was the officials pledged to seek recognition in the final regulations of the unique needs of Hawaii and our island territories. I am still seeking to assure that this comes about. Our congressional delegation and State officials have made a great effort to protect the interest of the people of Hawaii in this matter. I will continue doing all I can say as your Representative in the Congress.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

ALOHA HAWAII TRAVEL LTD.,  
Honolulu, Hawaii, December 17, 1973.

MR. WILLIAM G. FOSTER,  
Chairman of the Board, Hawaii Visitors Bureau,  
Honolulu, Hawaii

DEAR BILL: The enclosed copies of recent correspondence tell a story.

Obviously, I was concerned about the effect the "energy crisis" could have on our busi-

ness, so decided to do what I could about it through Hawaii's Washington representatives.

I'm very impressed with the immediate and real action taken by Representative Patsy T. Mink. Right now, as never before, we all need to review our faith in our elected officials; and, therefore, we appreciate their sincere efforts on our behalf.

Would you please acknowledge Representative Mink for her efforts?

Sincerely,

THOMAS G. HELD,  
President.

DECEMBER 19, 1973.

HON. WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.

DEAR MR. SIMON: This is to request revision of proposed mandatory petroleum allocation regulations (10 C.F.R. Ch. 11) in accordance with the enclosed proposal submitted to Mr. Duke Ligon and other Federal energy officials by the State of Hawaii and the four members of Hawaii's congressional delegation.

Specifically, the regulations should provide for the establishment of a new petroleum allocation district consisting of Hawaii and other U.S. territories and possessions in the Pacific. Within such district, an overall allocation should be made to the State based on current needs, with an appropriate percentage reduction based on the national energy reduction—but keeping in mind that petroleum supplies virtually 100 percent of Hawaii's energy needs. Thus a 10-percent cut of petroleum in Hawaii would be far more severe than a 10-percent cut in petroleum in any mainland State which has such alternative sources of energy as natural gas, hydroelectric power, and nuclear power, and is connected to other States by an electric grid system. Thus, any reduction in Hawaii petroleum should result in no more than the *total energy reduction* suffered in any other State as a result of the allocation program.

The State of Hawaii should be issued special authority under the regulations to apportion fuel within its allotment to the various end users. This authority is necessary because of the unique economy in which visitor travel is the largest single industry. Similarly, no national regulations governing transportation uses of fuel can possibly be equitable in Hawaii which has no automobile, truck, bus, or train transportation between islands. Regulations intended to shift use from one form of transportation by restricting its fuel would simply result in a termination of Hawaii transportation since the alternative envisioned nationally would not be available in the State. In addition, Hawaii is in no position to reduce its fuel needs through lowering space heating temperatures since very little energy is currently used for space heating.

Hawaii has a low per-capita energy use and most goes for uses directly connected with public health and safety or employment. The State is already devoting major efforts to increasing public transportation and reducing the use of private automobile transportation. Accordingly, your regulations should ask that Hawaii accept no more than a proportionate adverse impact of the fuel shortage. If the fuel shortage causes 6 percent unemployment in other States, we ask that it not cause 10 percent in Hawaii. Yet that would be the likely effect of the regulations as proposed which give no priority to our principal industry and do not recognize the composition of our transportation structure. I ask that revisions be approved along the lines suggested.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

DECEMBER 19, 1973.

HON. WILLIAM E. SIMON,  
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. SIMON: A change in proposed fuel allocation regulations is requested in order to permit adequate fuel to be supplied to Hawaiian Tug and Barge Co. and Young Brothers Ltd., Hawaii. They should be placed in category 1 instead of category 2 since they supply essential commerce services for which there is no alternative source.

Continuation of the transportation services they provide is far more important in Hawaii than for similar companies in other States because Hawaii has no automobile, bus, truck, or rail transportation between major islands to make up for any cut in ocean transportation.

These companies (1) move the bulk of all freight traffic between the islands which includes such critical cargo as foodstuffs, vegetables, refrigerated cargo, cattle, and construction materials; (2) provide, assist and standby tug service at Barber's Point Standard Oil refinery and Hawaiian Independent Refinery off-shore moorings, the facilities through which fuel supplies reach the refineries; (3) tow fuel, propane and bulk cement barges between the islands; (4) make monthly trips to the west coast with a 9,000 ton capacity grain barge in support of Hawaii flour mills, Hawaii's bakeries, and the cattle and other livestock industries; (5) provide tug assistance as required for all vessels entering and departing Honolulu harbor, the State's supply lifeline; (6) provide water taxi service to vessels anchored off-port of Honolulu; (8) military movement of cargo and freight to Canton and Johnston Islands and ship assist at Pearl Harbor; and (9) assist ships in distress in the mid-Pacific area.

They are a basic, critical function in the economy of Hawaii. Any cutback of fuel would spread major disruptions in employment and supply of essential goods to many businesses and individuals throughout the islands.

I urgently request a change in the regulations to recognize these factual conditions.

Very truly yours,  
PATSY T. MINK,  
Member of Congress.

## GENERAL CONTRACTORS

ASSOCIATION OF HAWAII.

Honolulu, Hawaii, December 19, 1973.  
Hon. PATSY T. MINK,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE MINK: We want to take this means to thank you and your fine staff for the excellent cooperation given our Committee during our visit last week in Washington. Our President, Mits Kaneshige and I came away from Washington most impressed by the high degree of professionalism shown by your staff and their dedication to you and the office that you hold.

We are highly elated by Secretary Simon's appointment of Paul Joy to a policy level staff position with the Energy Office. It is apparent to us now that our efforts in Washington were not in vain and that, in fact, we did get the job done.

For our part we want to thank you for your efforts on behalf of our energy team from Hawaii. Frankly, we feel that the questions you raised at our Monday morning briefing session gave rise to a complete review as to what we were all prepared to do and say at the Tuesday morning meeting with Mr. Ligon. Once again, may I repeat my special thanks to you for your participation.

Our President, Mits Kaneshige, joins me in wishing you and yours a joyous and happy holiday season.

Sincerely yours,  
GEORGE L. NOTTINGHAM,  
Chairman, Special Energy Committee.

December 19, 1973.

Mr. WILLIAM ARNTZ,  
Federal Energy Office, Region IX  
San Francisco, Calif.

DEAR MR. ARNTZ: The enclosed application of Citizens Utilities Company for fuel during 1974 for their power plant on Kauai, Hawaii, is referred for your attention.

I urgently request the provision of adequate fuel for this plant which is the provider of all public power on the island. Hawaii is not connected to any other power source by an electric grid and is completely dependent on sources located on the island.

Your speedy approval of the application in accordance with fuel allocation regulations is requested.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

## TELEGRAM

DECEMBER 21, 1973.

WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.

Please refer mandatory petroleum regulations published Federal Register December 13 concerning middle distillates subpart F, Agriculture Production. Imperative Agriculture Production as defined in regulations be moved from Category II to Category I because food production is highest national interest. Also, allocation for Agriculture Production must be increased to "current requirements up to 150% of base period" to allow for harvesting and processing of bumper crops. 1972 absolutely inadequate as base period year.

PATSY T. MINK,  
Member of Congress.

JANUARY 9, 1974.

Mr. WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.:

Strongly urge revision in motor gasoline allocation regulations favoring large businesses using 84,000 gallons annually. This discriminates against small business in Hawaii and elsewhere. Such small firms will be forced to compete with consumers for scarce supplies, while larger competitors will be guaranteed 100 percent of base period volume. Recommend even-handed treatment of all commercial users not based on size.

PATSY T. MINK,  
Member of Congress.

DECEMBER 21, 1973.

Hon. WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.

DEAR MR. SIMON: This is to request your assistance in obtaining approval of the enclosed request by Seatrain Co. for an increase in the allocation of fuel for the operation of container handling equipment of the firm's Honolulu terminal. The equipment consists of container cranes, truck tractors and portable generator sets for refrigerated containers, and is a vital part of the transportation lifeline for all Hawaii goods.

The monthly allocation of 95% of the 1972 amount used is insufficient because the firm's terminal operations were greatly slowed in 1972 due to shipping strikes which halted commerce.

Any assistance you can provide would be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

ROYAL HAWAIIAN AIR SERVICE,  
Honolulu International Airport, Hawaii,  
December 31, 1973.

Hon. PATSY T. MINK,  
House of Representatives,  
Washington, D.C.

DEAR MRS. MINK: On behalf of Royal Hawaiian Air Service and the thousands of

Hawaii citizens we serve, I would like to express my sincere appreciation for your immediate and positive response to our appeal for assistance regarding the fuel allocation program of the Federal Energy Office. Your letter of strong support for our request to Mr. William E. Simon stated the problem clearly and concisely, and I hope it will result in recognition of the special predicament we all are faced with here in the Islands.

As you know, the general allocation for scheduled commuter airlines has been revised upward from 90% to 100% of 1972 usage and hopefully the final regulations will include a workable method of appeal for hardship allocations. I am pleased to report that last Friday Royal Hawaiian was granted a temporary exceptional hardship allocation for the month of January by our State energy office and the local federal allocations officer, Tucker Gratz. This may bridge the gap until we can obtain an extended allocation for the rest of 1974 under the new regulations similar to that which was previously granted to Hawaiian and Aloha Airlines.

I will keep you informed of our progress and any problems which may arise in this effort. In the meantime, our deepest thanks again for your timely assistance.

Aloha,

ROBERT D. HAWS,  
President.

JANUARY 7, 1974.

Re Fuel for Hana, Hawaii  
Regional Administrator, Federal Energy  
Mr. WILLIAM ARNTZ,  
Office, Region 9, San Francisco, Calif.

DEAR MR. ARNTZ: Hana is a small town isolated on the southeastern shore of Maui Island and is not served by any commercial sea cargo company. The only air transportation is a small aircraft incapable of carrying large cargo. The only source of bulk supplies is land. The only land freight company of any type serving Hana is Redo Express, Inc.

Redo Express is owned by Mr. Valentine Redo, who also has the school bus and U.S. mail contracts servicing Hana. He advises he has been unable to obtain sufficient fuel for his freight, school, and mail vehicles, and therefore used part of the freight allocation to supply the school and mail needs.

Enclosed is a fact sheet on his fuel use. Mr. Redo advises me that the Hana gasoline station runs out of fuel and cannot reliably supply the school and mail vehicles. Unless an additional allocation is provided these services to Hana may be completely cut off, greatly endangering the public health and welfare. Your assistance is urgently requested in obtaining an adequate allocation for Mr. Redo.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

## SPENCECLIFF CORP.

Honolulu, Hawaii, January 7, 1974.  
Hon. PATSY MINK,  
House of Representatives,  
Washington, D.C.

DEAR MRS. MINK: Thank you for your letter, the related information and follow up information regarding Hawaii's unique needs concerning the current energy shortage.

We at Spencecliff appreciate your efforts and hope that your continued efforts will help Hawaii and its people through these difficult times.

Mahalo and Aloha,

RICHARD O. BUCK,  
Executive Vice President.

JANUARY 12, 1974.

Hon. WILLIAM E. SIMON,  
Administrator, Federal Energy Office,  
Washington, D.C.

DEAR MR. SIMON: The enclosed application of January 3, 1974, for additional fuel alloca-

tion for Royal Hawaiian Air Service is referred for your consideration.

Under new regulations on aviation fuel, regional carriers in Hawaii will receive 100 percent of base year allotment. Their supplemental allocations should allow them to handle an expected 10-15 percent increase over 1973 traffic levels, but the same regulations would allow Royal Hawaiian Air Service only the name amounts of fuel used two years are in 1972.

Royal Hawaiian Air Service provides vital public air transportation to many isolated communities which the scheduled regional carriers cannot afford to serve, and yet the citizens of these small communities face the same inter-island transportation problems as residents of the State's larger cities. I am hopeful that your office will recognize this need by granting this scheduled commuter airline a similar supplemental allocation as requested.

Thank you for your assistance in this matter.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

JANUARY 21, 1974.

Re Mr. W. R. Boddy, Waianae, Hawaii

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region 9, San Francisco, Calif.

DEAR MR. ARNTZ: Mr. Boddy is among a minority group which has been discriminated against in fuel allocation regulations.

The group consists of persons who converted their cars to diesel fuel use last year as a conservation measure. Lacking a 1972 use record, they have no 1974 allocation. Dealers say it is illegal to sell them diesel fuel, so they can't drive to work.

Your assistance in obtaining an allocation of diesel fuel for Mr. Boddy and others similarly situated is urgently requested.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

JANUARY 21, 1974.

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region 9, San Francisco, Calif.

DEAR MR. ARNTZ: Your assistance is urgently requested in obtaining fair consideration of an equitable increase in gasoline allocation for Mr. Richard T. Hashi, proprietor of a gasoline station as Wailuku, Maui.

As described in the enclosed material, Mr. Hashi has installed new facilities predicated on a break-even point of 35,000 gallons of gasoline to sell a month, but he has been allocated only 30,000 gallons. This appears to justify consideration of an increase of at least 5,000 gallons per month.

Your speedy assistance in this matter would be appreciated.

Your truly yours,

PATSY T. MINK,  
Member of Congress.

FEBRUARY 2, 1974.

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region 9, Fox Plaza Bldg., San Francisco, Calif.

Urgently request desperately needed added 2300 gallons gasoline for February for Stones Express, Honolulu, Hawaii, to move group tour luggage from airport and hotels. Already 40 employees out of work. Some 80 percent of Hawaii's travel agents depend on company. Visitor Industry to be thrown into chaos unless emergency allocation provided.

FEBRUARY 4, 1974.

Hon. WILLIAM E. SIMON,  
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. SIMON: The enclosed Resolution Number 149, as passed by the Hawaii House

of Representatives, is forwarded for your attention.

I am deeply distressed that the Federal Energy Office has not bothered to consider the unique needs of the State of Hawaii, in its gasoline allocation policies. I say "needs" since gasoline in Hawaii is used almost exclusively for essential purposes such as getting to and from work or in the principal economic activity of visitor transport.

In most States gasoline is used largely for pleasure driving. There are few highways in Hawaii so we do far less of this. As an example, Rhode Island has about 20 percent more population but uses 40 percent more gasoline for travel in a smaller land area.

In December of 1973 the Acting Governor of Hawaii and all four members of the Hawaii Congressional delegation conferred with Mr. Duke Ligon and two other officials who were involved in the preparation of fuel allocation regulations. We asked that as an isolated group of islands, isolated from any energy sources such as nuclear power, natural gas, coal, or otherwise, Hawaii be placed in a separate fuel allocation district. This was not done and we have not received the courtesy of an explanation of why not.

Nevertheless the Acting Governor and other officials still have attempted to do the best they can. A "Gasplan" was initiated in Hawaii to try to end chaos and violence at gasoline stations resulting from the Federal indifference. Success of this State allocation plan depends on an initial one-time supplemental allocation of gasoline to Hawaii.

Your prompt attention to the unusual and extreme hardships caused in Hawaii, and approval of an additional allocation as sought by the resolution, would be sincerely appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

FEBRUARY 8, 1974.

Hon. WILLIAM E. SIMON,  
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. ADMINISTRATOR: This is to request clarification of the basis for selecting ten cities under which the gasoline rationing plan, if implemented, would receive the least gasoline. Honolulu, Hawaii, was one of these ten cities.

I strongly protest the proposal because it is not based on the factual conditions in Honolulu. At present, we have no adequate mass transit system. All of my own Congressional district on the Island of Oahu is rural. If all drivers on the Island received only about 33 gallons per month, they would be unable to drive to work. This amount is completely inadequate.

Secondly, I protest the gasoline rationing plan itself. It would be grossly inequitable to give coupons to every licensed driver, whether his or her automobile is used for driving to work or not. Those who drive to work should receive top priority.

I suggest giving persons who drive to work first priority, based on the distance they commute. Where a family has only one employed person but two cars and two drivers, it would receive one and one half the worker's allotment. If the family had two employed persons, two cars and two drivers, it would receive two times the allotment. Where a family has more than two persons employed fulltime, similar multiples would be provided.

I am also greatly opposed to allowing coupons to be sold, which will create a terrible situation. Instead, we should allow coupons to be accumulated, thereby encouraging conservation for such purposes as saving for a summer vacation. Such encouragement could be provided by giving the coupons a greater value in terms of gasoline they will buy if held for more than a month. If a coupon expires at the end of a month, drivers will be encouraged to use them all up even in

wasteful ways. It is ridiculous to make people buy gas at the end of the month just because their coupons will be no good the next month!

Very truly yours,

PATSY T. MINK,  
Member of Congress.

FEBRUARY 8, 1974.

Hon. DONALD D. H. CHING,  
Senator, 4th District, State of Hawaii, Honolulu, Hawaii.

DEAR SENATOR CHING: We are deeply cognizant of the agonizing problems you are facing in the forthcoming Legislature as Hawaii struggles to meet the gasoline shortages which are currently being projected.

We would like you to know that we have been working night and day to try in every way possible to find answers to the many perplexing problems which have been brought to our attention. We stand ready to offer the services of our joint offices in any way that you deem necessary.

Much alarm has been generated because of Hawaii's inadequate allocation of gasoline. We have attempted on numerous occasions to obtain special consideration from the Federal Energy Administration for our problems in Hawaii with very little results thus far. But be assured that we will continue to pursue these matters vigorously.

Hawaii's gasoline allocation fraction for February 1974 is 85.9% of the 1972 consumption. This compares with other States as follows: Maine 74% (the lowest in the nation), California 82%, New York 81%, Rhode Island 83%, Washington, D.C., 76.7% Maryland 77%, Virginia 77%, Texas 85%, Indiana 85%, Minnesota 97% (highest in the nation). The national average is 83%.

We are of course keenly aware that the basic problem is the use of 1972 as the base year for us in Hawaii. We are still working to try to have this amended.

However given the allocation fraction of 85.9% for Hawaii, the further question that we feel must be explored is whether the local suppliers in Hawaii are supplying us all the gasoline to which we are entitled. To pursue this matter requires investigating this in Hawaii which we are advised that you will be soon undertaking. An actual inventory of the distribution to the retail outlets we feel is in order.

Should the Legislature be exploring these matters in the next week, we would like very much to participate in these hearings in any way that you may regard as appropriate. Alternatively if you feel that it would be preferable for the Congressional delegation to conduct its own inquiry into these matters, we are prepared to do so.

We are prepared to cooperate to the fullest extent in whatever way you feel is appropriate and timely and which can be helpful to you in your efforts.

Very truly yours,

PATSY T. MINK,  
U.S. House of Representatives.  
DANIEL K. INOUYE,  
U.S. Senate.

FEBRUARY 8, 1974.

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region #9, Fox Plaza Bldg., San Francisco, Calif.

Advised by Helen H. Morita, President of Charley's Taxi and Tours, Honolulu, Hawaii, they will be out of business in two days because Standard Oil will not release any more gasoline for February. Form FEO 17 filed January 15 your office still pending. Taxi and tour vehicles are supposed to receive 100 percent current requirements but this company receiving only 12 percent. Situation critical. Urgently request immediate assistance.

PATSY T. MINK,  
Member of Congress.

FEBRUARY 13, 1974.

Regional Representative WILLIAM ARNTZ,  
Federal Energy Office #9, Fox Plaza Bldg.,  
San Francisco, Calif.:

Advised that Aviation Center, flight school at Kahului, Island of Maui, Hawaii, closing Monday because of fuel lack. Standard Oil said to violate sections 211.113C and 211.144 FEO regulations by not providing allocation. Urge your assistance. Contact David Martin at the Center, 808-877-4687.

PATSY T. MINK,  
Member of Congress.

FEBRUARY 14, 1974.

Administrator WILLIAM E. SIMON,  
Federal Energy Office,  
Washington, D.C.:

Urgently request definite answer to this question: If Hawaii Governor imports Canadian gasoline, can this be kept and used in Hawaii over and above the existing allocation? Regional office will not provide answer.

PATSY T. MINK,  
Member of Congress.

FEDERAL ENERGY OFFICE,

San Francisco, Calif., February 15, 1974.  
Hon. GEORGE R. ARIYOSHI,  
Acting Governor,  
State of Hawaii,  
Honolulu, Hawaii.

DEAR GOVERNOR ARIYOSHI: This letter is in response to a request from National Office FEO that I amplify my letter to you of February 8, 1974.

In that letter I indicated that the State would become a supplier in the event it purchased the motor gasoline as proposed. I also directed your attention to Section 211.11(b) (5) (39 FR 1924, January 15, 1974). Under this section no supplier may use an allocation fraction greater than one (1.0). The allocation fraction is the basis used by a supplier to apportion his allocable supply among his purchasers and is computed by dividing the total allocable supply by the base period or adjusted base period volume. The allocable supply is defined as the total supply of the substance to be allocated including both imported and domestic fuels.

In any situation where the total allocable supply exceeds the base period or adjusted period volume, the fraction will necessarily exceed one (1.0) and is therefore surplus. Under this section, the surplus must be reported to the National FEO and the appropriate Regional FEO. The National Office may then direct distribution of the surplus. If the National Office does not act within 15 days, the supplier may distribute at his own discretion. The foregoing would be true regardless of whether the supplier was new and had no base period volume or if the supplier had been in existence and did have a base period volume.

The effect of the foregoing is to restrict the allocable supply of a particular supplier to his base period or adjusted base period volume. Any imported fuel is considered as a part of the total allocable amount and is not treated as a separate product to be considered as additional fuel. Therefore, to the extent that all allocable fuels including newly imported fuels exceed the above allocation fractions, it is subject to National Office FEO distribution.

Since this question is of interest to Senators Hiram Fong and Daniel Inouye and Representatives Patsy Mink and Spark Matsunaga, I will be sending copies of this letter to their attention. If I may be of further help, please call on me.

Thank you for your continued cooperation.

Sincerely yours,

WILLIAM C. ARNTZ,  
Regional Administrator.

CXX—338—Part 4

FEBRUARY 19, 1974.

Hon. WILLIAM E. SIMON,  
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. SIMON: This is to request approval of the request by mortuaries associations in Hawaii and other States for reconsideration of the petroleum allocation regulations restricting fuel for mortuaries.

Under the existing regulations the mortuaries do not receive priority allocation as they had during World War II, and thus may be unable to obtain fuel for their gasoline powered machinery used in digging graves.

Unless mortuaries receive a supply equal to their current needs a health problem may result. Your assistance in obtaining reconsideration and revision of the regulations would be appreciated.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

FEBRUARY 19, 1974.

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region 9, San Francisco, Calif.

DEAR MR. ARNTZ: This is to request approval of the request submitted through Texaco Co. for an additional petroleum allocation for the Texaco Service Station, Hilo, Hawaii, operated by Mr. Alan Higaki.

Mr. Higaki is suffering under Federal regulations because he worked hard and succeeded in building his business.

He bought the station on September 1, 1972. Unlike previous owners he worked hard and built gasoline sales to an average of 25,000 gallons a month. Unfortunately, the previous owner's sales were only 16,250 gallons in February of 1972, and Mr. Higaki will receive only 80 percent of this or 13,000 gallons. This is about 600 gallons a day and will be reduced even more since the previous owner's sales sank to 6,000 gallons in August of 1972, which is why he declared bankruptcy. At this rate the regulations will force Mr. Higaki into bankruptcy simply because his predecessor did likewise.

Your approval of an additional allocation would be appreciated for this station, as requested by Texaco.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

FEBRUARY 19, 1974.

Mr. WILLIAM ARNTZ,  
Regional Representative, Federal Energy Office, Region 9, San Francisco, Calif.

DEAR MR. ARNTZ: This is to request your assistance in obtaining a supplemental allocation of fuel for Kauai Mortuary, Inc., of Koloa, Hawaii.

Their major problem is diesel fuel. In 1973 the company used 606 gallons in the operation of its crematory. It is to receive this year only 230 gallons in June, the amount received in June of 1972.

This January the company received an emergency allocation of 50 gallons but needs at least 155 gallons to carry them until June. Their application is at the regional office of FEO in San Francisco.

I urge the approval of this small emergency allocation to avert a health problem.

Thank you for your assistance.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

[ITT Wire, Feb. 20, 1974]

Representative RICHARD S. H. WONG,  
Chairman, Special Committee on Energy,  
State Capitol, Honolulu, Hawaii.

Allocation fractions for March not compiled yet by FEO. They hope to have figures by end of this month but will not guarantee it. Originally announced allocation fractions

for February are Ala. 78.9, Alaska 83.8, Ariz 82.9, Ark 79.7, Calif 82.8, Colorado 85.8, Conn 82.1, Del 79.4, Fla 86.3, Ga 83.4, HI 85.9, Idaho 86.3, Ill 81.3, Ind 85.4, Iowa 88.3, Kansas 86.5, Ky 75.5, La 87.7, Me 74, Md 77.3, Mass 81.2, Mich 82.2, Minn 97.4, Miss 81.4, Missouri 83.3, Mont 86.1, Neb 82.6, Nevada —, NH 83.2 NJ 80.8, N Mex 88.8, NY 81.2, NC 78.2, ND 87.4, Ohio 90.2, Okla 86.8, Ore 78.8, Pa 80.7, RI 83.7, SC 78.3, S Dak 86.5, Tenn 77.8, Tex 85.8, Utah 81.8, Vt 82.2, Va 77.5, Wash. 85.0, W. Va 81.7, Wisc. 87.4, Wyo. 89.1, DC 76.7. Allocable supply is determined by adding up reports sent by all suppliers in state to FEO showing how much they will have on hand in the month from their own production of gasoline and from imports. Allocation fraction is determined by comparing the supply figure with the amount of gasoline used in the state in the same month in base year 1972. February national average shows states are receiving 83.3 percent of 1972 amount. On Feb. 9 Simon proclaimed diversion of up to 2 percent additional gasoline, for Ark, Del, Ill, Ky, Md., Maine, Miss, NJ, NC, Tex, Va, Tenn and DC, and up to 2 percent less for Iowa, Kans, Minn, N Mex, N Dak, Ohio, Okla, S Dak, Wisc and Wyo. On Feb 19 he repealed this order and substituted new list of 2 percent extra for Conn, Fla, Ill, Ind, Md, Mass, Mo, NY, Pa, and RI, and 5 percent extra for Ala, Ariz, Ga, Nev, New H, NJ, Ore, Vt, Va, and W Va. Have strongly objected to Simon that Hawaii was given no extra gasoline, and urged him to do so immediately. FEO figures show 389,300 barrels available supply in Hawaii for February 1974 reported by suppliers. State set-aside was 11,679 barrels, leaving 377,621 barrels total allocable supply. The allocation requirement was 439,800 barrels (gasoline used in state in February 1972). Shortfall is 50,500 barrels. Each barrel has 42 gallons of gasoline. So, 377,621 is .859 of 439,800. Hawaii's allocation therefore is 85.9 percent of 1972 base.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

Administrator WILLIAM E. SIMON,  
Federal Energy Office,  
Washington, D.C.:

Please provide exact figures by supplier on amount of gasoline actually delivered in Hawaii for use of public at retail gasoline stations in February 1974, compared with February 1972 and February 1973. Also how many gallons are being diverted this month to military use from that reported to FEO by the suppliers in their reports for February.

PATSY T. MINK,  
Member of Congress.

Administrator WILLIAM E. SIMON,  
Federal Energy Office,  
Washington, D.C.:

Strongly object to FEO order of February 8 diverting Hawaii civilian gasoline to military use. This allocation being subtracted gallon for gallon from local civilian supply. Since military defense is national concern any increased use should come from national allocation and the full burden should not be placed on one State. Hawaii civilian allocation should be increased corresponding to the amount diverted to military. Urge immediate action to maintain full civilian supplies of gasoline in Hawaii.

PATSY T. MINK,  
Member of Congress.

Administrator WILLIAM E. SIMON,  
Federal Energy Office,  
Washington, D.C.:

I speak for angry constituents in the State of Hawaii who believe that you have been unfair to Hawaii in failing to recognize our urgent needs for additional gasoline allotments. If any State is deserving of additional

March 5, 1974

gasoline, it is the State of Hawaii. Residents of every other State can easily give up one weekend's drive of 2 or 300 miles which would consume two tankfuls of gasoline and achieve a 15% reduction of their fuel consumption. However in Hawaii no such long driving is part of our customary use of the automobile. Our use of the automobile in Hawaii is confined to essential travel, to and from work, to and from the store, school, the hospital, etc. To ask our residents of Hawaii to give up 15% of their gasoline consumption is therefore an entirely different situation. The base year of 1972 is also unfair to Hawaii. It was the year of depressed economic activity as a result of the over 100-day long shipping strike. To use this base year is unrealistic for Hawaii. If you are now taking into account population growth and other factors in your re-distribution of gasoline to 20 States, it is absolutely unfair that you have not given Hawaii like consideration and like percentage of additional gasoline as you did the 20 States.

I urgently implore you to investigate Hawaii's needs and to include Hawaii in your current plan of additional allotments of gasoline.

PATSY T. MINK,  
Member of Congress.

FEBRUARY 20, 1974.

Rep. Patsy T. Mink charged William E. Simon, Administrator of the Federal Energy Office, with favoritism for giving 20 States additional gasoline and failing to consider Hawaii's plight. Mrs. Mink in a telephone call to FEO said Hawaii was being penalized for having taken the early initiative to control the emergency conditions which resulted from the FEO order.

Mrs. Mink also sent a wire to Simon in which she said, "I speak for angry constituents in the State of Hawaii who believe that you have been unfair to Hawaii in failing to recognize our urgent needs for additional gasoline allotments. If any State is deserving of additional gasoline, it is the State of Hawaii. Residents of every other State can easily give up one weekend's drive of 2 or 300 miles which would consume two tankfuls of gasoline and achieve a 15% reduction of their fuel consumption. However in Hawaii no such long driving is part of our customary use of the automobile. Our use of the automobile in Hawaii is confined to essential travel, to and from work, to and from the store, school, the hospital, etc. To ask our residents of Hawaii to give up 15% of their gasoline consumption is therefore an entirely different situation. The base year of 1972 is also unfair to Hawaii. It was the year of depressed economic activity as a result of the over 100-day long shipping strike. To use this base year is unrealistic for Hawaii. If you are now taking into account population growth and other factors in your re-distribution of gasoline to 20 States, it is absolutely unfair that you have not given Hawaii like consideration and like percentage of additional gasoline as you did the 20 States.

I urgently implore you to investigate Hawaii's needs and to include Hawaii in your current plan of additional allotments of gasoline."

Mrs. Mink also strenuously objected in a separate wire to the Federal Energy Office directive to divert additional gasoline from Hawaii's civilian stocks to military uses. She pointed out to William Simon, Adm. of FEO, that military defense is a national concern and therefore increased military use should be taken from the national allocation, not from the limited supply of a single small state. She urged immediate action to replenish the civilian supplies of gasoline in Hawaii.

Secretary JAMES R. SCHLESINGER,  
Department of Defense,  
The Pentagon,  
Washington, D.C.

Urgently request your review of the order to increase the military purchase of gasoline from the Barber's Point refinery in Hawaii. In 1973 military purchase of gasoline in Hawaii was an average of 500 barrels per day. Now the military purchase of gasoline is an average of 4,000 barrels a day. I do not question your need for the fuel. I do however question your need to buy it in Hawaii. Hawaii is short on gasoline and diesel oil. We are in need of every gallon of gasoline we can refine for our own civilian needs. We cannot afford to have the military draw down upon our scarce supplies. The military presence in Hawaii serves a national need. Accordingly it seems to me that the military needs should come out of the national pool or fuel reserve. Hawaii should not be made to suffer because the source of fuel for the military has been shut off. The military fuel needs should be brought in from other areas of the country. Whatever fuel the military takes from our Hawaii refinery should not come out of our civilian allotment. Your urgent attention is requested to help us alleviate this dire emergency condition for the State of Hawaii.

PATSY T. MINK,  
Member of Congress.

Acting Governor GEORGE ARIYOSHI,  
State of Hawaii,  
State Capitol,  
Honolulu, Hawaii:

Urge you to file suit immediately today in Federal Court against the Federal Energy Office as the State of Maryland has done. Have tried to obtain FEO justification for granting 20 States the additional gasoline without success. Was told this morning that the data and justification does not exist, and that efforts were now underway to gather them up and would be available for the public in early March. Accordingly since the decision to allocate additional gasoline was not based on known facts at that time. This can support a charge that the decision was arbitrary and capricious and therefore insupportable and Hawaii should be allocated additional gasoline same as the others. Not to give Hawaii additional gasoline is highly discriminatory, grossly inequitable, and unconstitutional.

PATSY T. MINK,  
Member of Congress.

Hon. RICHARD S. H. WONG,  
Hawaii House of Representatives,  
Honolulu, Hawaii:

As in all legal suits based upon hardship, urgently need facts to support this plea to FEO. Please send me data month by month based upon state tax records of gas consumption 1972 and 1973. Send me all info in detail, numbers unemployed because unable to get gas, businesses closed because of no gas, government services which are curtailed or cut because of no gas, increased costs to government on account of gas shortage, etc. Also send me base retail price of gasoline, average for 1971, average for 1972, month by month for 1973, and Jan., Feb., retail price in 1974. Suggest you follow thru as per your suggestion, as state of Maryland has done, and file suit today in Federal court. Send me the facts upon which you base your suit, so that I can work on it from this end. The reallocation of gas is dependent solely upon proof, repeat proof of hardship. Need hard data. Cannot just keep repeating as I have done since December, that we are suf-

ferring, we are in a crisis, the lines are long, etc. need the hard facts. Please help.

Thanks.

Very truly yours,  
PATSY T. MINK,  
Member of Congress.

FEBRUARY 21, 1974.

Rep. Patsy T. Mink has sent a wire to Acting Governor George Ariyoshi urging the State of Hawaii file suit immediately against the Federal Energy Office for its failure to allocate Hawaii additional gasoline when it did so to 20 other States.

Rep. Mink stated that she had been in touch with several officials in the Federal Energy office in Washington, D.C. and had been unable to obtain any information or data or justification for the granting of the additional gasoline to the 20 States and not Hawaii.

One FEO official whom she did not name her source, stated to Mrs. Mink, that the FEO did not have any data to justify its decision and that it was made arbitrarily. This same official stated that the data was being compiled after the fact and would be available in early March to support this decision.

Mrs. Mink urged Acting Governor Ariyoshi to file suit charging the Federal Energy Office with arbitrary and capricious action when it failed to accord Hawaii emergency status along with the other 20 States. Mrs. Mink advised the Acting Governor that she would be prepared to fly home to testify at the trial on behalf of the suit.

FEBRUARY 22, 1974.

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

DEAR MR. SIMON: This is in further reference to my request for more gasoline for Hawaii.

According to the enclosed correspondence, the shortage of gasoline in Hawaii has begun "to adversely affect the military mission of active duty uniformed personnel".

This is further proof of the existence of an acute shortage in Hawaii.

The FEO's admitted goof in allocating 5 percent more for gasoline-rich Georgia is doubly inexplicable in light of your continued refusal to acknowledge the actual needs in Hawaii!

Very truly yours,  
PATSY T. MINK,  
Member of Congress.

FEBRUARY 23, 1974.

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

DEAR MR. SIMON: Thank you for your letter of February 14 in response to my inquiry of January 9 concerning discrimination against small business in the gasoline allocation program.

I made the point that business concerns using more than 84,000 gallons a year receive an allocation of 100 percent of base period use, but small concerns receive no specific allocation and must compete at retail gasoline stations with all other users. This appears to grant favored treatment to Big Business and help put small business out of business.

Your reply acknowledged "there is the problem" but offered no solution to the problem, beyond the vague hope that retail gasoline dealers will "exercise some judgment in their sales to their customers." Such discretion, however, is outlawed by your own regulations which forbid dealers to give special treatment to particular customers.

Unless it is your policy to use these regu-

lations to consolidate all business in America into large economic concentrations, I fail to see the logic in your existing scheme. I ask a reasonable solution be attempted under which all business, whether large or small, is given an equal opportunity to compete. Thus there should be no favored treatment for users of 84,000 more of gasoline.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

Hon. JOHN T. DUNLOP.  
Director, Cost of Living Council,  
Washington, D.C.

Price of electricity on island of Kauai, State of Hawaii doubled in recent months. Due to price on bunker oil being sold to Kauai Electric by Standard Oil having increased in price for 400%. Question is why is not price of bunker oil which is sold in Kauai Electric not under the controls of your agency? Am told that bunker oil is sold at sea to ships. Same quality of fuel to electric companies called Residual No. 6. Is this correct? Also that Residual No. 6, is subject to price regulation, although bunker is not because sold on the high seas. Please clarify. Urgent that I have reply as soon as possible.

On Friday, February 22, 1974, at 11:30 a.m. I met with John Schaefer Deputy Assistant Administrator for the Federal Energy Office together with Dr. Fujio Matsuda, Eiler Ravenholt of Senator INOUYE's office, Alice Thompson and Larry Nakatsuka of Senator FONG's office, and Francis Nakamoto of Congressman MATSUNAGA's office. We discussed the matter of Hawaii bringing in foreign crude and were told that while crude oil was not under the agencies control and we were free to bring it in, all the refined products which were produced from it were subject to allocation and redistribution to the rest of the country. Thus this means that although we could bring in foreign crude oil, if we made gasoline out of it, it would not add to the overall gasoline supplies to which Hawaii would be entitled. In addition, since this gasoline we would refine would be higher in price than that we now receive shipped in from California, the net effect would be that we would not receive the gasoline from the west coast, but would be stuck with our own higher price gas and the consumers of Hawaii would have to foot the bill for the rest of the country.

Shortly thereafter John Schaefer announced his resignation from the Agency. Who knows what the policy will be next month. But the commonsense approach requires that the national distribution of all additional foreign gasoline brought in from any and all sources. Otherwise everybody in desperation will be outbidding the other, and in the end the poor American consumer will be stuck with the fantastically high priced gasoline on their hands, perhaps exactly what the administration wants.

On Saturday, February 23, at 3 p.m. I went down again to meet with Federal Energy Office officials. This time it was with William Walker, General Counsel of FEO. Present at this meeting were Eiler Ravenholt of Senator INOUYE's office, and Francis Nakamoto of Congressman SPARK MATSUNAGA's office. It was during

our discussions about Hawaii's need for more gasoline and our intention to go to court if we did not get any, that Mr. Walker took a phone call in the outer office, and came back in to say that Hawaii had erroneously been omitted from the list published the night before by William Simon listing 26 States to receive more gas. He told us that Hawaii would indeed receive more gas, approximately 2 million gallons which would be credited to the State set aside.

And so we moved on to March with still more anxieties and worries in store for the people of Hawaii and the Nation.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELLUMS (at the request of Mr. O'NEILL), for today, on account of illness.

Mr. MINSHALL of Ohio (at the request of Mr. DEVINE), for March 4, 5, and 6, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FOLEY, for 60 minutes, today.

(The following Members (at the request of Mr. BAFALIS) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 10 minutes, today.

Mr. ROUSSELOT, for 60 minutes, on March 6.

Mr. MCKINNEY, for 5 minutes, today.

Mr. HOGAN, for 30 minutes, today.

Mr. MILLER, for 5 minutes, today.

Mr. COHEN, for 5 minutes, today.

(The following Members (at the request of Mr. STUDS) and to revise and extend their remarks and include extraneous matter:)

Mr. HAMILTON, for 10 minutes, today.

Mr. BRADEMAS, for 30 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. MATSUNAGA, for 20 minutes, today.

Mr. WOLFF, for 5 minutes, today.

Mr. ROY, for 5 minutes, today.

Ms. ASZUG, for 5 minutes, today.

Mr. ROONEY of Pennsylvania, for 10 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. METCALFE, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 5 minutes, today.

Mr. HARRINGTON, for 5 minutes, today.

Mr. THOMPSON of New Jersey, for 5 minutes, today.

Mr. FASCELL, for 20 minutes, today.

Mr. DOMINICK V. DANIELS, for 5 minutes, today.

Mr. DULSKI, for 5 minutes, today.

Mr. DENHOLM, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. ADAMS, for 30 minutes, on March 6.

Mr. DENT, for 60 minutes, on March 6.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. MINK, to extend her remarks in the body of the RECORD, notwithstanding it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1,515.25.

Mr. CULVER, on the Alexander amendment prior to the vote.

Mr. RONCALIO of Wyoming, and to include letters, correspondence, and other extensive material during debate on the Alexander amendment.

Mr. HECHLER of West Virginia, during debate on Alexander amendment.

Mr. KYROS (at the request of Mr. HOLIFIELD), during general debate on H.R. 11793.

(The following Members (at the request of Mr. BAFALIS) and to include extraneous matter:)

Mr. VEYSEY.

Mr. FREY.

Mr. HANRAHAN in four instances.

Mr. KEMP in three instances.

Mr. ESCH.

Mr. SARASIN.

Mr. GILMAN.

Mr. WALSH.

Mr. ARCHER.

Mr. MCKINNEY.

Mr. HOLT in two instances.

Mr. WYMAN in two instances.

Mr. WYDLER.

Mr. BAUMAN in two instances.

Mr. RAILSBACK in two instances.

Mr. PRICE of Texas.

Mr. CONTE in two instances.

Mr. COLLINS of Texas in four instances.

Mr. GUDE.

Mr. GROSS.

Mr. MALLARY.

Mr. HOSMER in two instances.

Mr. McCLOY in two instances.

Mr. COUGHLIN.

(The following Members (at the request of Mr. STUDS) and to include extraneous matter:)

Mr. EVINS of Tennessee.

Mr. O'NEILL in six instances.

Mrs. BURKE of California in 10 instances.

Mr. BOLAND in three instances.

Mr. REES in two instances.

Mr. HARRINGTON in four instances.

Mr. ROY.

Mr. DE LA GARZA in 10 instances.

Mrs. MINK.

Mr. DIGGS.

Mr. LEHMAN in 10 instances.

Mr. HÉBERT.

Mr. MOLLOHAN.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. PICKLE in 10 instances.

Mr. HANNA.

Mr. WOLFF in three instances.

Mr. ANDERSON of California in two instances.

Mr. BURKE of Massachusetts.

Mr. PODELL.

Mr. HUNGATE.

Mrs. GRASSO in 10 instances.

Mr. FASCELL in five instances.

Mr. DRINAN in three instances.

Mr. STOKES in six instances.

Mr. DOMINICK V. DANIELS in two instances.

Mr. DULSKI in five instances.

Mr. ASHLEY.

Mr. JAMES V. STANTON.

Mr. WALDIE in two instances.

Mr. RODINO.

Mr. NIX.

Mr. RONCALIO of Wyoming in six instances.

#### ENROLLED JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 905. Joint resolution extending the filing date of the 1974 Joint Economic Committee report.

#### ADJOURNMENT

Mr. GINN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 6, 1974, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1978. A letter from the Assistant Secretary of the Army (Research and Development), transmitting a report of Army experimental, developmental and research contracts of \$50,000 or more covering the 6 months ended December 31, 1973, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1979. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1980. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to amend the Defense Production Act, as amended; to the Committee on Banking and Currency.

1981. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1975 for carrying out the provisions of the Board for International Broadcasting Act of 1973; to the Committee on Foreign Affairs.

1982. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970; to the Committee on Interstate and Foreign Commerce.

1983. A letter from the Administrator, Federal Energy Office, transmitting a draft of proposed legislation to provide for the labeling of major appliances and motor vehicles to promote and effect energy conservation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1984. A letter from the Under Secretary of the Interior, transmitting notice of a proposed credit against future royalty payments of the Union Oil Co. of California for various Outer Continental Shelf leases, pursuant to section 10(b) of the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1339 (b)) to the Committee on the Judiciary.

1985. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a request for the withdrawal of a case involving the suspension of deportation, previously submitted pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended (8 U.S.C. 1254(c)(1)); to the Committee on the Judiciary.

1986. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize appropriations for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes; to the Committee on Merchant Marine and Fisheries.

1987. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes; to the Committee on Merchant Marine and Fisheries.

1988. A letter from the Administrator of General Services, transmitting a revised prospectus for the Federal Office Building previously approved for construction at Saginaw, Mich., to the Committee on Public Works.

1989. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a prospectus concerning EPA's proposal to lease laboratory facilities at Research Triangle Park, N.C., pursuant to the Public Buildings Act of 1959, as amended; to the Committee on Public Works.

#### RECEIVED FROM THE COMPTROLLER GENERAL

1990. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the Panama Canal Company and the Canal Zone Government for fiscal year 1973, pursuant to 31 U.S.C. 841 (H. Doc. No. 93-226); to the Committee on Government Operations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on Foreign Affairs. H.R. 12920. A bill to authorize additional appropriations to carry out the Peace Corps Act, and for other purposes; with amendment (Rept. No. 93-875). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. H.R. 12471. A bill to amend section 552 of title 5, United States Code, known as the Freedom of Information Act (Rept. No. 93-876). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 954. Resolution providing for the consideration of H.R. 12341. A bill to amend the Foreign Service Buildings Act, 1926, to authorize sale of a property in Venice to Wake Forest University (Rept. No. 93-877). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 955. Resolution providing for the consideration of H.R. 12465. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations for the

fiscal year 1974 (Rept. No. 93-878). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 956. Resolution providing for the consideration of H.R. 12466. A bill to amend the Department of State Appropriations Authorization Act of 1973 to authorize additional appropriations for the fiscal year 1974, and for other purposes (Rept. No. 93-879). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 13213. A bill for the relief of certain natives of the Philippines who served in the U.S. Armed Forces during World War II; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 13214. A bill to provide for a temporary program of special unemployment compensation in areas of high unemployment and to amend the Federal-State Extended Unemployment Compensation Act of 1970; to the Committee on Ways and Means.

By Mr. BYRON:

H.R. 13215. A bill to amend the Export Administration Act of 1969, to provide a formula to control the exports of wheat, soybeans, and corn from the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. COLLIER:

H.R. 13216. A bill to require the execution of an oath or affirmation or declaration of allegiance before a passport is granted or issued; to the Committee on Foreign Affairs.

By Mr. ESHLEMAN:

H.R. 13217. A bill to require the Administrator of the Federal Energy Office to prescribe regulations to assure that the owners of abandoned gas stations take certain safety measures; to the Committee on Interstate and Foreign Commerce.

By Mr. FORD:

H.R. 13218. A bill to provide for the mailing of absentee voting matter free of postage; to the Committee on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 13219. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Pennsylvania:

H.R. 13220. A bill to amend section 402 of the Regional Rail Reorganization Act of 1973 to provide for an increase of \$500 million in the amounts authorized to be appropriated for rail service continuation subsidies; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California (for himself, Mr. HALEY, Mr. HOSMER, and Mr. LUJAN):

H.R. 13221. A bill to authorize appropriations for the saline water program for fiscal year 1975, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANDGREBE (for himself and Mr. SYMMS):

H.R. 13222. A bill to provide for a phase-out period for certain Federal elementary and secondary education programs which would otherwise expire on June 30, 1974, and for other purposes; to the Committee on Education and Labor.

By Mr. MATHIS of Georgia (for himself, Mr. DRINAN, Mr. GUDDE, Mr. GUNTER, Mrs. HECKLER of Massachusetts, Mr. HUNGATE, Mr. MITCHELL of New York, Mr. PREYER, Mr. RIEGLE, and Mr. WOLFF):

H.R. 13223. A bill to prohibit the exportation of fertilizer from the United States until the Secretary of Agriculture determines that

an adequate domestic supply of fertilizer exists; to the Committee on Banking and Currency.

By Mr. QUIE:

H.R. 13224. A bill to amend the Internal Revenue Code of 1954 to exempt certain trust income from the earned income limitation on the low income allowance; to the Committee on Ways and Means.

By Mr. SCHNEEBELL:

H.R. 13225. A bill to make permanent the provision in the Social Security Act for providing assistance for U.S. citizens returned from foreign countries; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 13226. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 13227. A bill for the relief of certain natives of the Philippines who served in the U.S. Armed Forces during World War II; to the Committee on the Judiciary.

H.R. 13228. A bill to amend the Internal Revenue Code of 1954 to temporarily reduce the excise tax on gasoline by 2 cents per gallon; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 13229. A bill to repeal section 411 of the Social Security Amendments of 1972 and certain related provisions of law in order to restore to aged, blind, and disabled individuals receiving supplemental security income benefits (under title XVI of the Social Security Act) their right to participate in the food stamp and surplus commodities programs; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. SIKES, Mr. BIAGGI, Mr. TIERNAN, Mr. PETTIS, and Mr. DAVIS of Georgia):

H.R. 13230. A bill to amend the Airport and Airways Development Act of 1970; to the Committee on Ways and Means.

By Mr. WYMAN (for himself, Mr. VAN DEERLIN, Mr. RIEGLE, Mr. THOMPSON of New Jersey, Mr. MOAKLEY, Mr. TALCOTT, Mr. ANDERSON of Illinois, Mr. JOHNSON of Pennsylvania, Mr. BLATNIK, Mr. BAUMAN, Mr. STUCKEY, Mr. DOMINICK V. DANIELS, Mr. KETCHUM, Mr. DRINAN, Mr. MORGAN, Mr. SANDMAN, Mr. PRITCHARD, Mr. WAGGONER, Mr. DERWINSKI, Mrs. CHISHOLM, Mr. MYERS, Mr. GUNTER, Mr. STOKES, Mr. SYMMS, and Mr. BROWN of Michigan):

H.R. 13231. A bill to amend title II of the Social Security Act to increase the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder, and to revise the method for determining such amount; to the Committee on Ways and Means.

By Mr. WYMAN (for himself, Mr. MONTGOMERY, Mr. LENT, Mr. JOHNSON of Pennsylvania, Mr. WILLIAMS, Mr. BROWN of California, Mr. GREEN of Pennsylvania, Mr. NICHOLS, Mr. ZION, Mr. HECHLER of West Virginia, Mr. FORSYTHE, Mr. DEVINE, Mr. WALSH, Mr. CHARLES WILSON of Texas, Mr. MAZZOLI, Mr. ROBISON of New York, Mr. HARRINGTON, Mr. REGULA, Mr. ROSE, Mr. GOODLING, Mr. PARRIS, Mr. BOLAND, Mr. HORTON, Mr. BAFALIS, and Mrs. BOGGS):

H.R. 13232. A bill to amend title II of the Social Security Act to increase the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without

any reductions from benefits thereunder, and to revise the method for determining such amount; to the Committee on Ways and Means.

By Mr. WYMAN (for himself and Mr. CLEVELAND):

H.R. 13233. A bill to amend title II of the Social Security Act to increase the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder, and to revise the method for determining such amount; to the Committee on Ways and Means.

By Mr. BARRETT:

H.R. 13234. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion allowance for oil and gas wells, to deny credit for foreign taxes imposed on income from such wells, and to provide for an excess profits tax on the income of oil producing and refining corporations; to the Committee on Ways and Means.

By Mr. BAUMAN:

H.R. 13235. A bill to amend the Rail Passenger Service Act of 1970 to require the National Railroad Passenger Corporation to initiate additional rail passenger service in the Northeast corridor to determine the feasibility of utilizing such service to alleviate transportation problems caused by the energy crisis; to the Committee on Interstate and Foreign Commerce.

H.R. 13236. A bill to require the Secretary of the Army and the Chief of Engineers to act on certain applications within 90 days or explain his failure to do so; to the Committee on Public Works.

By Mr. BIAGGI:

H.R. 13237. A bill to amend the Small Business Act to provide for direct loans at the rate of 4 percent per annum to small business concerns adversely affected by the energy crisis to assist them in meeting their normal operating costs; to the Committee on Banking and Currency.

By Mr. BINGHAM:

H.R. 13238. A bill to amend section 4(a) of the Agriculture and Consumer Protection Act of 1973, and for other purposes; to the Committee on Agriculture.

By Mr. BRINKLEY:

H.R. 13239. A bill to authorize the Secretary of Housing and Urban Development to encourage and assist in the development on a demonstration basis of several carefully planned projects to meet the special healthcare and related needs of elderly persons in a campus-type setting; to the Committee on Banking and Currency.

By Mr. CONLAN (for himself and Mr. RHODES):

H.R. 13240. A bill to implement the Federal responsibility for the care and education of the Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DRINAN:

H.R. 13241. A bill to authorize the disposal of tantalum minerals from the national stockpile; to the Committee on Armed Services.

By Mr. DULSKI:

H.R. 13242. A bill to amend title 5, United States Code, to extend the status of preference eligible to the spouse or dependent parent of a member of the armed forces in a missing status, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FORD (for himself and Mr. Nedzi):

H.R. 13243. 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. FROEHLICH:

H.R. 13244. A bill to amend the Agricultural Adjustment Act of 1933 with respect to the emergency treatment of imports of agricultural commodities and products thereof; to the Committee on Agriculture.

By Mr. GROSS:

H.R. 13245. A bill to require the execution of an oath or affirmation or declaration of allegiance before a passport is granted or issued; to the Committee on Foreign Affairs.

H.R. 13246. A bill to amend title 18, United States Code, relating to the production of false documents or papers of the United States, and the use of false information in obtaining official documents and papers of the United States, involving an element of identification; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 13247. A bill to require, upon written request by any individual, the disclosure of materials which relate to the receipt of any money from the United States by any person, State, or unit of local government; to the Committee on the Judiciary.

By Mr. HARRINGTON:

H.R. 13248. A bill to prohibit the control of alternative energy sources by integrated oil companies; to the Committee on the Judiciary.

H.R. 13249. A bill to amend the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 13250. A bill to amend titles 18 and 39 of the United States Code, to exempt State-conducted lotteries from certain prohibitions of Federal law; to the Committee on the Judiciary.

By Ms. HOLTZMAN (for herself, Mr. BADDILLO, Mr. BROWN of California, Ms. CHISHOLM, Ms. COLLINS of Illinois, Mr. CULVER, Mr. DANIELSON, Mr. DELLUMS, Mr. EILBERG, Mr. FRASER, Mr. FRENZEL, Mr. GONZALEZ, Mr. HARRINGTON, Mr. HOGAN, Mr. MITCHELL of Maryland, Ms. MINK, Mr. NIX, Mr. PODELL, Mr. RIEGLE, Mr. ROSENTHAL, Ms. SCHROEDER, Mr. TIERNAN, Mr. VAN DEERLIN, Mr. WON PAT, and Mr. YOUNG of Georgia):

H.R. 13251. A bill to amend the Fair Labor Standards Act of 1938 to narrow the circumstances under which an employer employing employees subject to that act may have wage differentials based on the sex of the employees; to the Committee on Education and Labor.

By Ms. HOLTZMAN (for herself, Ms. ABEZUG, Mr. BINGHAM, Mr. DRINAN, Mr. MOAKLEY, Mr. STARK, and Mr. STUDDS):

H.R. 13252. A bill to amend the Fair Labor Standards Act of 1938 to narrow the circumstances under which an employer employing employees subject to that act may have wage differentials based on the sex of the employees; to the Committee on Education and Labor.

By Mr. KYROS:

H.R. 13253. A bill to amend the Packers and Stockyards Act of 1921, as amended, so as to more adequately cover the egg industry, and for other purposes; to the Committee on Agriculture.

By Mr. O'HARA (for himself, Mr. ANUNZIO, Mr. ASPIN, Mr. CONABLE, Mr. HORTON, Mr. KEMP, Mr. KLUCZYNSKI, Mr. LANGREBE, Mr. LATTA, Mr. MINSK, Mr. STANTON, Mr. STEIGER of Wisconsin, Mr. STOKES, Mr. VANDER VEEN, Mr. VIGORITO, Mr. WALSH, and Mr. YOUNG of Illinois):

H.R. 13254. A bill to permit the diversion and withdrawal of additional water from Lake Michigan into the Illinois Waterway,

March 5, 1974

and for other purposes; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 13255. A bill to amend title 18 of the United States Code to provide in certain circumstances the death penalty for kidnapping, and to establish a rebuttable presumption with respect to certain unexplained disappearances; to the Committee on the Judiciary.

By Mr. ROGERS (by request) (for himself and Mr. HASTINGS):

H.R. 13256. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO:

H.R. 13257. A bill to encourage the movement in interstate and foreign commerce of recycled and recyclable materials and to reduce the quantities of solid waste materials in commerce which cannot be recycled or do not contain available recycled materials, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13258. A bill to amend the Internal Revenue Code of 1954 to eliminate, in the case of any oil or gas well located outside the United States, the percentage depletion allowance and the option to deduct intangible drilling and development costs, and to deny a foreign tax credit with respect to the income derived from any such well; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 13259. A bill to amend the Federal Boat Safety Act of 1971 in order to increase the Federal Government's share of the costs of State boat safety programs during fiscal year 1975 and thereafter, and to increase the authorization for appropriations for such programs; to the Committee on Merchant Marine and Fisheries.

H.R. 13260. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 5-year period, and for other purposes; to the Committee on Public Works.

By Mr. ROSENTHAL (by request):

H.R. 13261. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Hungarian Claims Agreement of March 6, 1973, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROY:

H.R. 13262. A bill to amend section 403 (c) of the Rail Passenger Service Act of 1970 to provide that States may request rail passenger service beyond the basic system upon agreement to reimburse the National Railroad Passenger Corporation for not less than 50 per cent of any losses associated with such service; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 13263. A bill to amend the Federal Property and Administrative Services Act of

1949, as amended, to provide for the assignment of surplus real property to executive agencies for disposal, and for other purposes; to the Committee on Government Operations.

By Mr. SISK:

H.R. 13264. A bill to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; to the Committee on Agriculture.

By Mr. TREEN (for himself and Mr. ARMSTRONG):

H.R. 13265. A bill to provide a tax revenue source for State and local entities by the reduction and elimination over a 4-year period of the taxes imposed under the Internal Revenue Code of 1954 on cigars, cigarettes, cigarette papers and tubes; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 13266. A bill to amend title 5, United States Code, to remove the requirement of 5 years of employee service immediately before retirement for an annuitant to be eligible to continue health benefits coverage after retirement; to the Committee on Post Office and Civil Service.

By Mr. WON PAT (for himself and Mr. MATSUNAGA):

H.R. 13267. A bill to authorize Federal agricultural assistance to Guam for certain purposes; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 13268. A bill to provide for public financing with respect to congressional elections, to establish a Federal Elections Commission, to impose limitations upon political contributions and expenditures, and for other purposes; to the Committee on House Administration.

By Mr. FINDLEY (for himself, Mr. RYAN, and Mr. BINGHAM):

H.J. Res. 927. Joint resolution to bring Atlantic community policy toward the Government of Greece before the Council of the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 928. Joint resolution to designate March 31 through April 6 of each year as "National Boys' Clubs Week"; to the Committee on the Judiciary.

By Mr. SHOUP:

H.J. Res. 929. Joint resolution regarding the status of negotiations with foreign governments in relation to debts owed the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. DERWINSKI, Ms. ABZUG, Mr. CHAPPELL, Mr. COLLIER, Mrs. COLLINS of Illinois, Mr. DAN DANIEL, Mr. FULTON, Mr. GUNTER, Ms. HOLTZMAN, Mr. HUNDRET, Mr. ICHORD, Mr. MCCOLLISTER, Mr. MOAKLEY, Mr. RIEGLE, Mr. SISK, Mr. SYMMS, and Mr. VEYSEY):

H.J. Res. 930. Joint resolution regarding the status of negotiations with foreign gov-

ernments in relation to debts owed the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FLOOD (for himself, Mr. BURLESON of Texas, Mr. CARNEY of Ohio, Mr. DOWNING, Mr. ESHLEMAN, Mr. FLYNT, and Mr. ICHORD):

H. Res. 948. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Res. 949. Resolution relating to the serious nature of the supply, demand and price situation of fertilizer; to the Committee on Agriculture.

By Mr. PRICE of Texas:

H. Res. 950. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

By Mr. TALCOTT:

H. Res. 951. Resolution expressing the sense of the House with respect to missing American newsmen in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Res. 952. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 267, 93d Congress; to the Committee on House Administration.

By Mr. VANDER JAGT:

H. Res. 953. Resolution relating to the serious nature of the supply, demand, and price situation of fertilizer; to the Committee on Agriculture.

## MEMORIALS

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

366. By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, relative to the supply of fertilizer; to the Committee on Agriculture.

367. Also, memorial of the Legislature of the State of West Virginia, relative to a feasibility study of the production of hydroelectric power at Tygart Dam, W. Va.; to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts:

H.R. 13269. A bill for the relief of Daniel Crowley; to the Committee on the Judiciary.

By Mrs. HOLT:

H.R. 13270. A bill for the relief of Charles Hammond, Jr.; to the Committee on Merchant Marine and Fisheries.

## EXTENSIONS OF REMARKS

### AMERICAN SECURITY COUNCIL REPORT ON VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES  
Tuesday, March 5, 1974

Mr. THURMOND. Mr. President, a year after the conclusion of our involvement in South Vietnam the American

Security Council has issued a report assessing the results of our efforts there.

This report, entitled "Vietnam: Not in Vain," is available at the Council Office here in Washington.

Mr. President, I ask unanimous consent that a press release accompanying issuance of the report, dated February 26, 1974, be printed in the Extension of Remarks at the conclusion of my comments.

There being no objection, the release

was ordered to be printed in the RECORD, as follows:

### PROPAGANDA ATTACKS THREATEN SAIGON'S SURVIVAL, SAYS VIETNAM REPORT

WASHINGTON, D.C.—An independent fact-finding group warned today that "the struggle for South Vietnam ultimately may be decided not on the battlefield but by the false facts and wrong impressions given to Congress and the American public by anti-Vietnam propagandists."

"There is reason for concern," said the fact-finders report, "that the Congress, pre-