

This board is composed of an appointee of the Secretary of the Interior as chairman and representatives of 12 Federal agencies.

State acceptance of this latest Federal program would be "voluntary" provided the State could afford to turn down the Federal seed money, and after 5 years, could battle against Federal "suasion short of sanctions to persuade a State to take advantage of the provisions of this act."

Despite assurances by the committee that the bill does not contemplate "no-growth" as a national policy, many American citizens are gravely concerned. When we look at the intent and scope of this bill, we learn that their concerns that the use of their private property will be taken away by the Federal Government without regard for the constitutional prohibition against seizure of private property, "without just compensation," are justified.

I, as one Congressman, share their concern, and hope that our colleagues will, also.

**"THE SKY IS GETTING BLACK, MY THROAT AND LUNGS HURT, AND THE AIR STINKS—WHY, IT MUST BE SPRING"**

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1974

Mr. BROWN of California. Mr. Speaker, as you walk about Washington over the next few weeks and months, enjoying the blooming of the cherry blossoms and the other beautiful indicators of the arrival of spring, I would like you and our colleagues here in the Congress to spend a few moments every now and

then thinking of the residents of southern California and the environment we are currently enjoying—no, enjoying is not appropriate, let me say the environment we are currently undergoing. Let me read you an article which appeared in the Riverside Press-Enterprise of last Saturday, March 16:

YEAR'S FIRST SMOG ALERT CALLED IN  
RIVERSIDE AREA

(By Mark Gladstone)

The first smog alert of the year was called in Riverside County Friday, as temperatures continued in the 80s and 90s.

The first-stage alert was called by the Air Pollution Control District in Rubidoux at 4:15 p.m. when the oxidant level reached .27 parts per million parts of air (ppm).

At 4:23 p.m., a high of .28 ppm was reached in the Riverside area. The alert was called off at 4:30 p.m.

An alert is called by the Riverside County APCD when oxidants reach .27 ppm.

The APCD said a first-stage alert means that people with respiratory problems should stay indoors and refrain from strenuous activity.

When the alert level is reached, the APCD contacts the news media, schools, and hospitals.

Press-Enterprise weather records show that Friday's alert is as early in the year as an alert has been called in the Riverside area. On March 15, 1972, an alert was called when the oxidant level reached .27 ppm.

Oxidant highs in other Riverside County communities as of 5 p.m. were: .21, Prado Park; .16, Perris; .09, Hemet; .06, Indio.

Outside the county, the high oxidant reading San Bernardino was .13 ppm; central Los Angeles .21 ppm; and Anaheim .15 ppm.

By 6:30 p.m. the oxidant reading in the Riverside area was .12 ppm. The oxidant level first went above .10 ppm at 11:38 a.m., according to the APCD. The state Air Resources Board has said that conditions adverse to health exist when the level is above .10 ppm for more than one hour.

The APCD expects the level to be .30 ppm or less in the Riverside area today and Sunday; .20 ppm or less in Prado Park; and .10 ppm or less in Hemet and .15 ppm or less in Palm Springs and Indio.

Temperatures in the western county remained in the 80s for the second day in a row. Riverside had a high of 83—the high for the year.

In the desert, the high for the year, 98, was recorded in Thousand Palms.

The National Weather Service expects the warm temperatures to continue today and Sunday.

Crop protection should not be needed in the western county Saturday night, according to the weather service.

Mr. Speaker, I intend to say a great deal more about this situation during this session of the 93d Congress, particularly as legislation which could have some effect on the pollution situation reaches the floor of the House for debate, but for now I will close with this brief reminder that the people of my district are having years taken off their lives by the man-made poison they are forced to breathe. Happy spring.

AMENDMENT TO H.R. 69

**HON. CARL D. PERKINS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1974

Mr. PERKINS. Mr. Speaker, pursuant to the provisions of House Resolution 963 regarding amendments to title I of H.R. 69, I am inserting in the Record the following amendment on behalf of Congressman AL QUIE and myself:

On page 46 in line 3 insert after "that" the following: "notwithstanding the provisions of section 425 of the General Education Provisions Act,"; strike in the same line the word "has" and insert in lieu thereof the word "may"; and in line 4 before "an" insert the following: "an advisory council for the entire school district and must establish".

## HOUSE OF REPRESENTATIVES—Monday, March 25, 1974

The House met at 12 o'clock noon.

Rev. Cecil LeRoy Morris, retired minister, United Methodist Church, Springfield, Ill., offered the following prayer:

Dear Lord and Father of mankind, amid the turmoil and tension of our times, may we be still and know with confidence that Thou art God. Let us be so attuned to the infinite that our finite selves may hear the still small voice, and may Thy spirit bear witness with our spirits that we are Thy children.

This day, we pray for the nations of the Earth, and for all who hold places of responsibility. Give wisdom that good will prevail. Especially, let Thy benediction be upon this House of Representatives, and let Thy grace reach out to the last individual in the farthest district.

Help us, O Lord, to have a deeper sense of gratitude for our goodly heritage. May "In God We Trust" be a true affirmation of our faith. And let us be reassured that righteousness does exalt a nation.

In the name of Jesus Christ. 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.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9492. An act to amend the Wild and Scenic Rivers Act by designating the Chattooga River, North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate

to a bill of the Senate of the following title:

H.R. 13025. An act 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 message also announced that the Senate insists upon its amendments to the bill (H.R. 7130) entitled "An act to improve congressional control over budgetary outlay and receipt totals, to provide for a Legislative Budget Office, to establish a procedure providing congressional control over impoundment of funds by the executive branch, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ERVIN, Mr. MUSKIE, Mr. RIBICOFF, Mr. METCALF, Mr. CANNON, Mr. PELL, Mr. ROBERT C. BYRD, Mr. ALLEN, Mr. PERCY, Mr. ROTH, Mr. BROCK, Mr. COOK, Mr.

HUGH SCOTT, and Mr. GRIFFIN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate with an amendment to the bill of the following title:

S. 1125. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 240. An act for the relief of Mrs. Wanda Martens;

S. 404. An act for the relief of Arthur Rike; S. 2362. An act granting the consent and approval of Congress to the Cumbres and Toltec Scenic Railroad Compact; and

S. 3228. An act to provide funeral transportation and living expense benefits to the families of deceased prisoners of war, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 85-474, appointed Mr. SPARKMAN, Mr. MONTAÑA, Mr. HUGH SCOTT, Mr. CURTIS, Mr. STAFFORD, Mr. ROTH, and Mr. WILLIAM L. SCOTT to attend the Interparliamentary Union Meeting to be held in Bucharest, Romania, April 15 to 20, 1974.

#### ANNUAL REPORT OF JOINT ECONOMIC COMMITTEE

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

Mr. BOLLING. Mr. Speaker, I have today filed with the House the annual report of the Joint Economic Committee. This is done in accordance with the Employment Act of 1946 which requires that the committee file with the Congress a report evaluating all of the major recommendations contained in the President's Annual Economic Report. I am sure that Members will find this document very helpful in assessing the very difficult problems of the U.S. economy and in dealing with legislation that relates to economic policy.

#### PERSONAL EXPLANATION

Mr. FLOOD. Mr. Speaker, on Monday, March 18, 1974, on rollcall No. 93, the vote on S. 2771, special pay bonus structure relating to Members of the Armed Forces, considered under suspension of the rules, I am recorded as voting "nay." I intended to vote "yea," and I wish the RECORD to so show.

#### VIETNAM VETERANS WEEK

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

Mr. MONTGOMERY. Mr. Speaker, I rise today to remind my colleagues that beginning this Friday, March 29, and running through Thursday, April 4, will be Vietnam Veterans Week. This special week is the result of action we in the

Congress took to focus attention on former U.S. servicemen who served in the Armed Forces during the Vietnam conflict. These men and women are deserving of recognition by their fellow Americans.

Veterans Week should also bring to mind the need for Congress to provide a realistic program of benefits for these veterans in order to provide them every opportunity possible to find employment and become productive members of the labor force. As a member of the House Veterans' Affairs Committee, I can say that this has been the objective of Chairman DORN and other committee members and it is an objective we will continue to pursue.

The veterans of Vietnam fought in the longest and one of the most difficult armed conflicts in which our Nation has ever been involved. They fought and served valiantly in order to preserve democracy for the freedom-loving people of Southeast Asia. Their contributions to freedom in that part of the world is yet to be fully recorded by history.

Mr. Speaker, I urge each of my colleagues to make note of Vietnam Veterans Week in their respective districts in order that we have a united effort of tribute to these fine service men and women. I also commend various organizations such as the U.S. Conference of Mayors and National League of Cities who are joining in the nationwide effort to secure employment for the Vietnam veterans. By all working together we will be able to provide proper recognition during Vietnam Veterans Week.

#### INTRODUCTION OF S. 3228, FUNERAL TRANSPORTATION AND LIVING EXPENSE BENEFITS ACT OF 1974

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

Mr. SEBELIUS. Mr. Speaker, last Friday my good friend and colleague, Senator BOB DOLE of Kansas, introduced special legislation pertaining to a unique and urgent problem. In a humanitarian effort to alleviate hardship on the families of men who died in captivity in North Vietnam, the Senate enacted Senator DOLE's legislation, the Funeral Transportation and Living Expense Benefits Act of 1974, S. 3228.

Today I am introducing this same bill so that this body can also accord the appropriate courtesies to the families of our prisoners who died in captivity and whose remains will be returned for burial in accordance with the Paris Peace Agreements of 1973. I trust that the House will take immediate action on this bill or one like it.

In order that my colleagues may better understand and appreciate the nature of this legislation, I am inserting Senator DOLE's comments at this point:

Mr. DOLE. Mr. President, the morning paper carried a most compelling story of the family of an American prisoner of war who died in captivity in North Vietnam. His remains—along with those of 22 other deceased POWs—have at last been released by Hanoi for burial in the United States. However, it appears that his family faces

the prospect of bearing the entire cost of traveling to Washington from Sacramento, Calif., to attend funeral ceremonies in Arlington National Cemetery.

This, naturally will entail a considerable expense for the family of this man—Navy Capt. John Abbott—as well as for the families of the 22 other servicemen whose remains were released in the last 2 weeks.

As most Americans recall, our Government made a gracious and generous effort to accommodate the families of the 556 POWs who were released by Hanoi in 1973. When these men were returned, at last, to the continental U.S. their families were flown in from distant cities for the joyous reunions which the entire nation witnessed on television. In addition, these men and their wives, mothers, or sweethearts were brought to Washington last summer as the guests of the President and the entire country for a day of recognition and honor which culminated in a state dinner at the White House.

Of course, these were entirely appropriate and fitting courtesies for these brave men and their equally courageous families. However, it now appears that standard military regulations and requirements may work an unfortunate hardship on the POW families who were not among those whose joy we shared last year. There is no authority to provide other than the standard military death benefits to the families of prisoners who died while in captivity.

Therefore, I am introducing the "Funeral Transportation and Living Expense Benefits Act of 1974" to, in some small way accord appropriate courtesies to the families of our prisoners who died in captivity and whose remains will be returned for burial in accordance with the Paris Peace Agreements of 1973.

I am proud to join my colleague, Senator BOB DOLE, in this effort and at this point introduce the Funeral Transportation and Living Expense Benefits Act of 1974.

#### MARYLAND DAY

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

Mr. BAUMAN. Mr. Speaker, 340 years ago today a tiny band of settlers from England stepped off their boat onto a small island in the broad mouth of the Potomac River. They were the first citizens of what later became the "Free State," the great State of Maryland.

Today, Marylanders, especially those in St. Mary's City, where Leonard Calvert and his party established the first colony in the State, are celebrating "Maryland Day," and I wish to express my pride in having the privilege of representing the area which includes St. Clements Island, where those first Marylanders stepped ashore in 1634, and St. Mary's City, the first settlement, and later the first capital of Maryland.

Throughout the history of America, Maryland has played a proud and important role in the development of the United States. Established as a bastion of religious freedom when other colonies were severely restrictive, Maryland led the way in establishing as commonplace the freedoms we all enjoy today.

Rich in history, Maryland has become a modern and progressive State, and its citizens contribute much to the Nation. Its farmers produce large quantities of feed grain, corn, soybeans, and other



crops; industry produces billions of dollars worth of manufactured goods each year; and Maryland leads the Nation in the production of oysters, clams, and striped bass. Broiler producers out on the Eastern Shore raise 350 million birds a year, more than 10 percent of the Nation's output.

Mr. Speaker, I happily join with all of the 4 million citizens of Maryland in celebrating "Maryland Day," and I invite all of you to come and visit us sometime soon. It is a trip you will always enjoy and remember, and it is only a tankful away.

#### JOHN GARDNER OF COMMON CAUSE

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

Mr. ANDERSON of Illinois. Mr. Speaker, I was not present in the Chamber last Thursday when the distinguished chairman of the Committee on House Administration made certain remarks with reference to John Gardner, the head of Common Cause.

The chairman said he took exception to an advertisement sponsored by that organization and he might well have risen to a point of personal privilege.

Well, John Gardner is not a member of this body and therefore cannot rise to a point of personal privilege, but the RECORD I have before me indicates that the speech, which I did not hear, indicated that the legislation which will be reported will apply to all candidates, and I quote, "candidates of all parties, and we hope to be able to apply it as well to common crooks like John Gardner, the head of Common Cause."

Mr. Speaker, John Gardner is a decent and an honorable man and one whom I am proud to call my friend. I have not always agreed with him on all issues, but he has interested himself in the process of government, and I cannot sit quietly by and see his name demeaned. John Gardner has had a distinguished career in public service as a former Secretary of Health, Education, and Welfare. Now as the head of Common Cause he is continuing to render enduring service of a very significant nature in the pursuit of the important objective of better and more responsive government. I consider him a truly great citizen of our Republic.

#### PROVIDING FUNERAL TRANSPORTATION AND LIVING EXPENSE BENEFITS TO THE FAMILIES OF DECEASED PRISONERS OF WAR

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3228) to provide funeral transportation and living expense benefits to the families of deceased prisoners of war, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the Senate bill as follows:

S. 3228

*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 "Funeral Transportation and Living Expense Benefits Act of 1974".

#### FINDINGS

Sec. 2. (a) The United States did in 1973 provide transportation and other amenities to families of five hundred and fifty-six returned prisoners of war for reunions upon these men's arrival in the continental United States after release from imprisonment by the government of the Democratic Republic of Vietnam and did in 1973 also provide transportation and other amenities to these returned prisoners of war and their families to attend ceremonies in their honor in Washington, District of Columbia.

(b) The remains of other prisoners of war, having died in captivity in Southeast Asia, are now being returned to the United States for burial.

(c) The United States owes no lesser degree of respect, honor or solicitude to the memories of the men who died in captivity and their families than in the cases of those who survived and returned alive to the United States.

(d) It is fitting and proper, therefore, as a mark of respect to those men who died in captivity while serving in the Armed Forces of the United States, the comparable courtesies and amenities be extended to the families of these deceased military personnel.

#### BENEFITS

Sec. 3. (a) The Secretary of Defense is authorized to provide funeral transportation and living expenses benefits for the family of any deceased member of the Armed Forces who shall have died while classified as a prisoner of war or as missing in action during the Vietnam conflict and whose remains shall have been returned to the United States after January 27, 1973.

(b) Such benefits shall include transportation roundtrip from such family members' places of residence to the place of burial for such deceased member of the Armed Forces, living expenses and other such allowances as the Secretary shall deem appropriate.

(c) Eligible family members shall include the deceased's widow, children, stepchildren, mother, father, stepfather and stepmother, or if none of these shall desire to be granted such benefits, the deceased's brothers, sisters, halfbrothers and halfsisters.

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

#### GENERAL LEAVE

Mr. HÉBERT. 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 matter on the Senate bill just passed, which the gentleman from Kansas (Mr. SEBELIUS) has previously addressed himself to.

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

There was no objection.

#### PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORT

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight tonight, March 25, 1974, to file its report on H.R. 12565, the Department of Defense supplemental for authorization for appropriations for fiscal year 1974.

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

There was no objection.

#### DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from Michigan (Mr. DIGGS).

#### REPEALING SMALLPOX VACCINATION REQUIREMENT FOR PUBLIC SCHOOL STUDENTS IN THE DISTRICT OF COLUMBIA

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8747) to repeal section 274 of the Revised Statutes of the United States relating to the District of Columbia, requiring compulsory vaccination against smallpox for public school students, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 8747

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 274 of the Revised Statutes of the United States relating to the District of Columbia (D.C. Code, sec. 31-1102) is hereby repealed.

Mr. DIGGS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 8747—as set forth in House Report 93-921—is to repeal section 274 of the Revised Statutes of the United States relating to the District of Columbia, which requires compulsory vaccination against smallpox for public school students. The law (D.C. Code, title 31, sec. 1102) states:

No child shall be admitted into the public schools who shall not have been duly vaccinated or otherwise protected against the smallpox.

This legislation was introduced at the request of the District of Columbia government.

#### NEED FOR THE LEGISLATION

Medical authorities in this country report that the risk of serious complication and death as a result of smallpox vaccination is far greater than the present risk of contracting smallpox.

The last confirmed case of smallpox in the United States occurred in 1949. Yet, as recently as 1968 there were nine deaths in this country, as well as 500 cases of serious complications, resulting from vaccinations against smallpox.

The last case of smallpox recorded in the District of Columbia occurred in 1932. However, within the last 6 months alone, two children have been hospitalized in the District of Columbia with complications from smallpox vaccinations.

The U.S. Public Health Service states that protection against smallpox can be maintained only through revaccination at regular intervals throughout the lifetime of an individual. The lack of smallpox in this country over the past 25 years, according to the Public Health Service, is not due to high levels of immunity, but rather due to the international effort to prevent the spread of the disease.

In view of the worldwide progress in the effort to eradicate smallpox, the Public Health Service reports that the probability of the disease being imported into this country is now minimal. It is projected that the world may be smallpox free within the next 3 years.

Accordingly, the Public Health Service, since 1971, has been recommending the discontinuance of compulsory, nonselective smallpox vaccinations. The District of Columbia is one of the last remaining jurisdictions in the United States to require that children entering public schools be vaccinated.

H.R. 8747 in no way precludes either voluntary vaccinations or selective mandatory vaccinations for persons, such as hospital workers or overseas travelers, who may be at greater risk of contracting smallpox. Vaccinations will continue to be available at no cost to District residents at District of Columbia public health facilities.

Because of the long tradition of vaccinating children against smallpox, the committee has urged officials of the District government, the board of education, and local medical organizations to engage in a cooperative effort to inform the general public of the reasons for this legislation and to inform them that vaccination on a voluntary basis is still available.

#### PRECEDENTS

The Center for Disease Control of the U.S. Public Health Service reports that, as of January 1974, only the State of Kansas, the District of Columbia, and the territories of Puerto Rico and the Virgin Islands have laws or regulations requiring smallpox vaccination. Legislation to repeal the requirement has been introduced in Kansas and the District of Columbia.

Since 1971, when the Public Health Service issued its recommendation against compulsory, nonselective smallpox vaccination, the following States have discontinued such laws or regulations: Arkansas, Connecticut, Florida, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, and West Virginia.

In the remaining 22 states and the territory of Guam, no statewide small-

pox vaccination requirements were in effect, as of 1971, nor have any been implemented subsequently. The Public Health Service is unable to supply information as to what actions may have been taken in this regard by local jurisdictions within those States.

#### AUTHORITY OF THE DISTRICT OF COLUMBIA GOVERNMENT NOT AFFECTED BY THIS BILL

Sections 118 and 119 of title 6 of the District of Columbia Code vest broad powers in the District of Columbia government to protect the public health, comfort and welfare against the danger of medical emergencies which might stem from the spread of communicable diseases such as smallpox.

The District of Columbia Council is empowered to promulgate, and the District of Columbia Commissioner to enforce, all such reasonable rules and regulations which may be deemed necessary to prevent and control the spread of communicable diseases in the District of Columbia.

This statutory authority, which would permit District officials to swiftly reinstitute compulsory immunization against smallpox should future conditions so warrant, would in no way be affected by enactment of H.R. 8747.

Also unaffected would be existing District of Columbia Health Regulations—title 8, sections 5:104, 5:114, and 7:107—which require hospital workers to be immunized against communicable diseases. These regulations are in keeping with the recommendations of the U.S. Public Health Service and the American Hospital Association, that immunity against smallpox be maintained by health personnel.

So long as any possibility exists of a smallpox importation, the Committee urges District health officials to strictly enforce these regulations by requiring that all workers in hospitals where smallpox might be treated, including school-aged volunteers, be vaccinated every 3 years.

#### HISTORY

H.R. 8747 was introduced on June 15, 1973, at the request of the District of Columbia government. On January 22, 1974, the Subcommittee on Labor, Social Services and the International Community held a public hearing, at which time testimony in favor of H.R. 8747 was submitted by officials of the District of Columbia government; the U.S. Department of Health, Education, and Welfare, U.S. Public Health Service; the Medical Society of the District of Columbia; and the District of Columbia Chapter of the American Academy of Pediatrics. The American Medical Association submitted a copy of its resolution, adopted June 1973, supporting discontinuance of compulsory smallpox vaccinations. A representative of the Board of Education of the District of Columbia stated that the Board does not directly support or oppose this legislation. However, no opposition to the legislation was expressed to the subcommittee at the hearing or since.

On January 29, 1974, the subcommittee held a markup session, at which time the bill was ordered favorably reported

to the full committee without amendment.

#### COMMITTEE VOTE

The bill, H.R. 8747, was approved by voice vote of the committee on March 14, 1974.

#### COST

The enactment of this legislation will involve no added cost to the government of the District of Columbia.

Mr. MAZZOLI. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the bill before us—H.R. 8747—would bring the laws of the District of Columbia relating to smallpox vaccination into conformity with those of nearly all our States, and into conformity with general medical opinion.

The bill would repeal the District's current legal requirement that all children must be vaccinated against smallpox before they can be enrolled in the public school system.

Because of the very impressive results of the worldwide effort to control and eliminate smallpox, we have now reached the point where the vaccination against smallpox poses a greater hazard to the health of U.S. citizens than does smallpox itself.

The risk of becoming infected with smallpox in this country has been reduced, for all practical purposes, to zero. The last reported case of smallpox in the United States was in 1949—25 years ago. Here in the District, there has not been a single case of smallpox in over 40 years. The last recorded case was in 1932.

In the meantime, however, a significant number of complications arising from smallpox vaccinations have caused grave illness and, in some instances, even death. As recently as 1968, there were nine deaths and over 500 serious complications in the United States resulting from untoward reactions to smallpox vaccinations.

As a result, the U.S. public health service, since 1971, has urged the repeal of compulsory, nonselective smallpox immunization laws and regulations.

Last June, the house of delegates of the American Medical Association adopted a resolution endorsing the Public Health Service's position.

This stand also is supported by the committee on infectious disease of the American Academy of Pediatrics.

Our committee has been informed by the Public Health Service that, as of February 1, 1974, the only remaining jurisdictions in the United States, besides the District of Columbia, which still require nonselective smallpox vaccination, are the State of Kansas, Puerto Rico, and the Virgin Islands. And in Kansas, legislation to repeal the requirement has been introduced.

In considering H.R. 8747 it is important to note that this legislation in no way prohibits or discourages voluntary smallpox vaccinations for adults or for children whose parents desire that they be vaccinated.

In fact, District of Columbia officials testified that they will continue to provide free smallpox immunization upon request at local health centers.



Of equal importance is the fact that the passage of H.R. 8747 will in no way limit the statutory authority of the District of Columbia Council to reinstate mandatory smallpox immunizations at any time that conditions might warrant such action.

Nor would H.R. 8747 preclude such selective immunization requirements as local health authorities might wish to impose for the protection of groups—such as hospital workers—who have a higher risk of exposure to smallpox.

In conclusion, Mr. Speaker, our committee is convinced, on the basis of authoritative medical testimony, that the risk of contracting smallpox has become so slight as to be insufficient to justify a policy of compulsory vaccinations, which on occasion can result in severe adverse reactions.

Our committee is assured that the District government will retain adequate legislative powers to safeguard the public health and welfare in the event of changed circumstances in the future.

I urge the passage of this bill, H.R. 8747.

Mr. FAUNTROY. Mr. Speaker, I rise in support of H.R. 8747, a bill to repeal the section of law requiring compulsory smallpox vaccination in the District of Columbia for public school students.

The report amply indicates the need for this act which is supported by the city government. I would only like to point out the fact that this bill will in no way affect any existing program or policy that has been adopted to guard the citizen against smallpox. Hospital workers, international travelers, and others who may reasonably expect to have contact with a smallpox carrier will continue to receive vaccinations on a voluntary basis or on a mandated basis as may be determined by the public health or the city government.

The only group this bill exempts are those children who will have no reasonable expectation of contact with a smallpox carrier. This exemption does not preclude voluntary vaccination but it does eliminate the risk of adverse reactions to the administration of the vaccine.

Mr. Speaker, I urge its adoption.

#### GENERAL LEAVE

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

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

There was no objection.

Mr. DIGGS. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

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

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

The question was taken; and the

Speaker announced that the ayes appeared to have it.

Mr. GROSS. 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 316, nays 1, answered "present" 3, not voting 112, as follows:

[Roll No. 107]

#### YEAS—316

Abdnor	Denholm	Jones, N.C.
Abzug	Dent	Jones, Okla.
Adams	Derwinski	Jones, Tenn.
Alexander	Devine	Jordan
Andrews	Diggs	Karth
Andrews, N.C.	Downing	Kastenmeier
Annunzio	Drinan	Kazen
Archer	Dulski	Kemp
Arends	Duncan	King
Armstrong	du Pont	Kuykendall
Ashbrook	Eckhardt	Kyros
Ashley	Edwards, Ala.	Lagomarsino
Aspin	Ellberg	Landgrebe
Baker	Eshleman	Landrum
Barrett	Evans, Colo.	Latta
Bauman	Evins, Tenn.	Lehman
Bennett	Fascell	Lent
Bergland	Findley	Litton
Bevill	Fish	Long, La.
Bieber	Fisher	Long, Md.
Bingham	Flood	Lujan
Blackburn	Flynt	Luken
Boland	Ford	McClory
Bolling	Forsythe	McCloskey
Bowen	Fountain	McCollister
Brademas	Fraser	McCormack
Brasco	Frey	McDade
Bray	Fulton	McFall
Breaux	Fuqua	McKay
Breckinridge	Gaydos	Macdonald
Brinkley	Gettys	Madigan
Brooks	Gilmao	Mahon
Broomfield	Gibbons	Mann
Brotzman	Gilman	Martin, Nebr.
Brown, Calif.	Ginn	Martin, N.C.
Brown, Mich.	Goldwater	Mathias, Calif.
Brown, Ohio	Gonzalez	Matsumaga
Broyhill, N.C.	Goodling	Mayne
Broyhill, Va.	Green, Oreg.	Mazzoli
Buchanan	Griffiths	Metcalfe
Burgener	Gross	Mezvisinsky
Burke, Fla.	Gubser	Miller
Burke, Mass.	Gude	Minish
Burleson, Tex.	Gunter	Minshall, Ohio
Burlison, Mo.	Guyer	Mitchell, N.Y.
Burton	Haley	Mizell
Butler	Hamilton	Molloy
Byron	Hammer	Montgomery
Camp	schmidt	Moorhead,
Carney, Ohio	Hanley	Calif.
Carter	Hansen, Idaho	Morgan
Casey, Tex.	Hansen, Wash.	Mosher
Cederberg	Hastings	Murphy, Ill.
Chamberlain	Hawkins	Murphy, N.Y.
Chappell	Hays	Murtha
Clancy	Hébert	Myers
Clawson, Del	Heckler, W. Va.	Natcher
Clay	Heckler, Mass.	Nedzi
Cochran	Heinz	Nelsen
Cohen	Helstoski	Nichols
Collins, Ill.	Henderson	Obey
Collins, Tex.	Hicks	O'Brien
Conable	Hillis	O'Hara
Conlan	Hinshaw	Owens
Conte	Hogan	Patten
Coughlin	Holifield	Pepper
Crane	Holt	Perkins
Cronin	Holtzman	Pettis
Culver	Horton	Peyser
Daniel, Dan	Hosmer	Pike
Daniel, Robert	Howard	Poage
W., Jr.	Hudnut	Podell
Davis, S.C.	Hutchinson	Powell, Ohio
Davis, Wis.	Ichord	Preyer
de la Garza	Johnson, Calif.	Price, Ill.
Delaney	Johnson, Colo.	Price, Tex.
Dellenback	Johnson, Pa.	Quile
	Jones, Ala.	Quillen

Railsback	Shuster	Vanik
Randall	Sikes	Vigorito
Rangel	Sisk	Waggonner
Rees	Smith, N.Y.	Walsh
Regula	Snyder	Wampler
Rhodes	Spence	Whalen
Rinaldo	Stanton	White
Roberts	J. William	Whitehurst
Robinson, Va.	Stanton,	Whitten
Robison, N.Y.	James V.	Widnall
Rodino	Stark	Wiggins
Roe	Steed	Wilson, Bob
Rogers	Steelman	Wilson,
Roncalio, Wyo.	Steiger, Ariz.	Charles H.,
Rooney, Pa.	Stokes	Calif.
Rosenthal	Stratton	Wilson,
Roush	Stuckey	Charles, Tex.
Rousselot	Studds	Winn
Roy	Sullivan	Wright
Runnels	Symington	Wyatt
Ruppe	Symms	Wyder
Ruth	Talcott	Wyllie
Sandman	Taylor, Mo.	Wyman
Sarbanes	Taylor, N.C.	Yates
Satterfield	Thomson, Wis.	Yatron
Scherle	Thone	Young, Fla.
Schneebeli	Thornton	Young, Ill.
Schroeder	Towell, Nev.	Young, Tex.
Shipley	Treen	Zwack
Shoup	Udall	
Shriver	Ullman	

#### NAYS—1

Seiberling

#### ANSWERED "PRESENT"—3

Dennis Frenzel Sebelius

#### NOT VOTING—112

Addabbo	Gray	Pritchard
Anderson, Calif.	Green, Pa.	Rarick
Anderson, Ill.	Grover	Reid
Badillo	Hanna	Reuss
Bafalis	Hanrahan	Riegle
Beard	Harrington	Roncalio, N.Y.
Bell	Harsha	Rooney, N.Y.
Blaggi	Huber	Rose
Blatnik	Hungate	Rostenkowski
Boggs	Hunt	Roybal
Burke, Calif.	Jarman	Ryan
Carey, N.Y.	Ketchum	St Germain
Chisholm	Kluczynski	Sarasin
Clark	Koch	Skubitz
Clausen,	Leggett	Slack
Don H.	Lott	Smith, Iowa
Cleveland	McEwen	Staggers
Collier	McKinney	Steele
Conyers	McSpadden	Steiger, Wis.
Corman	Madden	Stevens
Cotter	Mallory	Stubblefield
Daniels,	Maraziti	Teague
Dominick V.	Mathis, Ga.	Thompson, N.J.
Danielson	Meeds	Tierman
Davis, Ga.	Melcher	Van Deerlin
Dellums	Michel	Vander Jagt
Dickinson	Milford	Vander Veen
Dingell	Mills	Vessey
Donohue	Mink	Waldie
Dorn	Mitchell, Md.	Ware
Edwards, Calif.	Moakley	Williams
Erlenborn	Moorhead, Pa.	Young, Alaska
Esch	Moss	Young, Ga.
Flowers	Nix	Young, S.C.
Foley	O'Neill	Zablocki
Frelinghuysen	Parris	Zion
Fröhlich	Passman	
Grasso	Patman	
	Pickle	

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill with Mr. Reuss.  
 Mr. Rooney of New York with Mrs. Mink.  
 Mr. Kluczynski with Mr. Rarick.  
 Mr. Addabbo with Mr. Edwards of California.  
 Mr. Thompson of New Jersey with Mr. Frelinghuysen.  
 Mr. Carey of New York with Mr. Harsha.  
 Mr. Teague with Mr. Fröhlich.  
 Mr. Dominick V. Daniels with Mr. Hanrahan.  
 Mr. Riegle with Mr. Madden.  
 Mr. Green of Pennsylvania with Mr. Bell.  
 Mr. Moorhead of Pennsylvania with Mr. Huber.  
 Mrs. Grasso with Mr. Bafalis.

Mr. Reid with Mr. Mallary.  
 Mr. Staggers with Mr. Anderson of Illinois.  
 Mr. Rostenkowski with Mr. Esch.  
 Mr. Zablocki with Mr. Erlenborn.  
 Mr. Wolff with Mr. Maraziti.  
 Mr. Nix with Mr. Hanna.  
 Mr. Donohue with Mr. Hunt.  
 Mr. Cotter with Mr. McEwen.  
 Mrs. Boggs with Mr. Grover.  
 Mr. Biaggi with Mr. Don H. Clausen.  
 Mr. Pickle with Mr. McKinney.  
 Mr. Badillo with Mr. Slack.  
 Mrs. Chisholm with Mr. Danielson.  
 Mr. Mills with Mr. Dickinson.  
 Mr. Stubblefield with Mr. Cleveland.  
 Mr. Tiernan with Mr. Michel.  
 Mr. Van Deerlin with Mr. Conyers.  
 Mr. Young of Georgia with Mr. Vander Veen.  
 Mr. Mitchell of Maryland with Mr. Blatnik.  
 Mr. Corman with Mr. Parris.  
 Mr. Dellums with Mr. Gray.  
 Mr. Waldie with Mr. Pritchard.  
 Mrs. Burke of California with Mr. Collier.  
 Mr. St Germain with Mr. Lott.  
 Mr. Davis of Georgia with Mr. Jarman.  
 Mr. Dingell with Mr. McSpadden.  
 Mr. Mathis of Georgia with Mr. Milford.  
 Mr. Stephens with Mr. Skubitz.  
 Mr. Rose with Mr. Roncallo of New York.  
 Mr. Ryan with Mr. Steele.  
 Mr. Moss with Mr. Sarasin.  
 Mr. Moakley with Mr. Dorn.  
 Mr. Koch with Mr. Leggett.  
 Mr. Harrington with Mr. Steiger of Wisconsin.  
 Mr. Hungate with Mr. Ware.  
 Mr. Anderson of California with Mr. Vander Jagt.  
 Mr. Clark with Mr. Beard.  
 Mr. Flowers with Mr. Williams.  
 Mr. Foley with Mr. Young of Alaska.  
 Mr. Meeds with Mr. Zion.  
 Mr. Melcher with Mr. Young of South Carolina.  
 Mr. Passman with Mr. Patman.  
 Mr. Smith of Iowa with Mr. Roybal.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. HUNT. Mr. Speaker, on the roll-call on the passage of the bill H.R. 8747, to repeal smallpox vaccination requirement for students, I was delayed on my way over to the House Chamber, and was unable to cast my vote in time, the vote having been completed upon my arrival in the House Chamber. Had I been able to be present and cast my vote, I would have voted "aye."

#### PERSONAL EXPLANATION

Mr. GROVER. Mr. Speaker, at the time of the vote on H.R. 8747 to repeal the smallpox vaccination requirement for students in the District of Columbia, I was delayed at that time in an aircraft and was unable to cast my vote. Had I been able to be present I would have voted "aye."

#### REFERENDUM ON THE ISSUE OF THE ADVISORY NEIGHBORHOOD COUNCILS

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Co-

CXX—502—Part 6

lumbia, I call up the bill (H.R. 12109) to amend the District of Columbia Self-Government and Governmental Reorganization Act to clarify the provision relating to the referendum on the issue of the advisory neighborhood councils, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 12109

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first paragraph of the matter on the referendum ballot relating to the advisory neighborhood councils, appearing in section 703 (a) of the District of Columbia Self-Government and Governmental Reorganization Act is amended to read as follows:

"In addition, the Act referred to above authorizes the establishment of advisory neighborhood councils if a majority of the registered qualified voters of the District voting on this issue in this referendum vote for the establishment of such councils."

Mr. DIGGS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, The purpose of H.R. 12109—as set forth in House Report 922—is to amend the District of Columbia Self-Government and Governmental Reorganization Act—Public Law 93-198—in order to make clear that only a majority of voters voting on the issues in the May 7th referendum are needed to ratify the Advisory Neighborhood Council.

#### NEED FOR THE LEGISLATION

The District of Columbia Self-Government and Governmental Reorganization Act was approved December 24, 1973. The Act provides: first, the structure for an elected city government for Washington, D.C.; second, requires ratification of the new government charter at an election in the city, which has been set for May 7, 1974, and third, requires ratification of that portion of the law—section 738—dealing with Advisory Neighborhood Council at the same referendum election.

The referendum ballot is set out in section 703(A) of the act. For approval of the new charter, the act states:

The charter shall take effect only if it is expected by a majority of the registered qualified voters of the District voting on this issue.

However, approval of the Advisory Neighborhood Councils, on the other hand, is stated as requiring "a majority of the registered qualified voters in the District."

This latter requirement would mean, in effect, that all registered voters who stay home, and do not vote, on that day are counted as no votes against the Advisory Neighborhood Councils, which the Committee in its adoption of these provisions never intended. The error setting such an impossible goal for approval by the voters would be corrected by H.R. 12109.

#### PROVISIONS OF THE BILL

The bill adds the words "voting on this issue in this referendum", so that the ballot for the referendum on Advisory Neighborhood Councils will read as follows:

In addition, the Act referred to above authorizes the establishment of Advisory Neighborhood Councils if a majority of the registered qualified voters of the District voting on this issue in this referendum vote for the establishment of such councils.

#### HISTORY

Favorable action on the bill was taken by the Full Committee at meetings of February 4, 1974, and March 4, 1974. Full prior consideration of this question was given by the Committee in its prolonged hearings and mark-up sessions on the D.C. Self-Government and Governmental Reorganization Act of 1973—Public Law 93-198—approved December 24, 1973. The reported bill, H.R. 12109, is, then a, restating and clarification of this Committee's determinations reached in the first session of this Congress.

#### VOTE

H.R. 12109 was approved and ordered reported to the House by voice vote of the Committee on March 14, 1974.

#### COST

There would be no additional cost by the enactment of this legislation.

Mr. FRASER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this bill seeks to remedy a problem that was brought out in the conference committee.

When the conference committee agreed to authorize a referendum on the question of whether the residents of the District wanted to have a system of advisory neighborhood councils, the conference committee language resulted in wording that made it appear as though, in order to gain approval of the voters of the District, it required approval by a majority of all registered voters rather than a majority of those voting on the issue.

Mr. Speaker, this bill simply clarifies the intent of the conference committee, that the referendum would carry if the majority of the voters who vote on the issue should approve of the proposition of neighborhood councils. That is all the bill does; changes it from an absolute majority of all registered voters in the District, whether they vote or not, to a majority of those who take the time and trouble to go and vote.

Mr. Speaker, that is the American way, and I think that perhaps explains the proposal sufficiently so that the Members would be advised as to what the purpose of the bill is.

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

Mr. FRASER. Mr. Speaker, I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding. Mr. Speaker, what is the necessity of doing it the way in which the bill suggests?

Mr. FRASER. Mr. Speaker, it is really because the conference language inadvertently left the wording so that it had



to be a majority of registered voters in the city, whether they voted or not. This simply makes it clear that it is a majority of those voting on the issue. It is just to correct a defect in the conference language which authorizes the voting on this referendum. That is all it does.

Mr. ROUSSELOT. Mr. Speaker, could the gentleman describe for us, so that we know more about what the necessity of this kind of advisory neighborhood council is. Why do we need it?

Mr. FRASER. Well, the House passed a provision enabling the citizens to have this. What was agreed upon in conference was that the matter should be put to a referendum of the voters of the District.

In general, Mr. Speaker, I would only say that there has been a growing interest in permitting neighborhoods to have the opportunity to organize, using formal election machinery, so as to have advisory councils that would enable them to have a larger voice in the actions of the city government in matters that affect their part of the community.

Mr. ROUSSELOT. What will the neighborhood councils do? What are their specific functions?

Mr. FRASER. They are advisory in their functions. They are advisory to the city government. They are authorized to advise with respect to planning, zoning, recreation, public safety, and health. They are given a very small amount of money which they can use, for example, for the hiring of a part-time staff.

Mr. ROUSSELOT. Is it true that each advisory council is given a sum of money?

Mr. FRASER. It is based upon the population within the area. It comes out to 50 cents a person.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman will yield further, I will ask this question:

Let us take an average neighborhood council. How many dollars would that council have to spend?

Mr. FRASER. If the area embraces, let us say, an area of 20,000 people, the area would receive approximately \$10,000.

Mr. ROUSSELOT. And that would be used for what, a staff?

Mr. FRASER. It would be used for a staff, or they could use it for sending notices of meetings or newsletters through the neighborhood. They must use the money for a public purpose, and it is subjected to the accounting procedures of the District.

The money is given to enable them to function in carrying on their role of being sort of an advocate for the neighborhood.

Mr. ROUSSELOT. Will the Federal Government pay for that, or will the property taxes cover it?

Who will pay the cost of these neighborhood councils?

Mr. FRASER. It is measured by 1 cent per hundred dollars valuation on real property, so I think it is fair to say it is paid for by the District.

I might add that it is only expended in those areas which elect to go forward with these councils. The areas will not get the money automatically; the citizens must petition to have the council established even if the referendum is approved.

Mr. ROUSSELOT. So if the referendum in any given area is disapproved, the neighborhood council there could not function?

Mr. FRASER. No. If the referendum carries, the system is adopted. However, a further step is required, and that is that 5 percent of the citizens must petition to have the council created in their neighborhood.

Mr. ROUSSELOT. What I am asking is this: If an area does not wish to have a neighborhood council, then they can vote it down?

Mr. FRASER. No. The referendum is citywide, and the system may be approved, whether they want the system or not.

Mr. LANDGREBE. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I object to both the substance of this bill and the manner in which it was reported by the full Committee for the District of Columbia.

First. This bill makes it much easier to establish one of the most objectionable features of the Self-Determination Act—the advisory neighborhood councils.

The conference report accepted by the House specifically provided that the advisory councils would be established only "if a majority of the registered qualified voters in the District vote for such councils." This bill changes that requirement, and authorizes the councils if a majority of votes cast in the referendum favor their establishment. This means that a very small percentage can conceivably burden the people of the District with costly and chaotic local councils which will surely be controlled generally by the rabble-rousers in the community.

Make no mistake about it. These councils will be expensive—it is estimated that they will spend a minimum of \$400,000 per year, with an absolute minimum expenditure of \$2 million in the next 5 years. These costs will probably be much higher—and all D.C. citizens will be forced to pay higher taxes to support them. Since these advisory councils will require significant expenditures, I strongly feel that the present requirement of a majority of all registered voters should not be watered down as this bill would do.

Second. Mr. Speaker, I strongly object to the manner in which H.R. 12109 was pushed through the committee. This bill is an unwarranted attempt by its sponsors to use backdoor methods to make a significant change in the home rule law passed just 3 months ago by the Congress.

Absolutely no hearings were held on this legislation in the committee. I think we can all agree that legislation of this importance ought to be the subject of full and complete hearings in the committee before it is reported to the floor. In this case, however, the proponents of this bill chose to bypass normal democratic procedure as it suited their fancy. Several groups, such as the Federation of Citizens Associations and the Committee in Opposition to the Advisory Neighborhood Councils, have been denied an opportunity to testify on this bill.

Mr. Speaker, at the proper time I will move to have this legislation recommitted to the District Committee, so that full

public scrutiny can be brought to bear on it. Since this bill can mean higher taxes and neighborhood chaos for the people of the District, it is imperative that this bill be returned to committee where its long-range consequences can be studied for the first time in public hearings.

Mr. ROUSSELOT. Will the gentleman yield?

Mr. LANDGREBE. I yield to the gentleman.

Mr. ROUSSELOT. In other words, if we had the kind of participation we had in the last education election, maybe only 8 percent of the people turned out, and a majority of them could make a determination. Is that right?

Mr. LANDGREBE. I thank the gentleman from California for helping me to clarify this point. It is a very expensive subject we are dealing with. It can really be passed by the votes of those who would have a vested interest in having these councils come into being. Again, I strongly object to the fact that this bill has been brought to the floor and is present here without us holding hearings on it. If they are so dogged good, then why we cannot have the people of the community come in and discuss it pro and con and then come in with a bill that people will understand.

I will insert following my remarks today an article which appeared in the Washington Star-News of yesterday which is entitled "Financing Councils Could Stir Rebellions." This might sound like a shootout, but what they are referring to generally is the taxpayer's part in this community which is a touch and go situation just as it is clear across the country.

The article follows:

[From the Washington Star-News,  
Mar. 24, 1974]

#### FINANCING COUNCILS COULD STIR REBELLION (By Lynn Dunson)

A Taxpayers rebellion is brewing over plans to finance the proposed District advisory neighborhood councils with property tax revenues.

In less than two weeks the Committee in Opposition to the Advisory Neighborhood Councils has attracted 200 members—most of them blacks—who hope to stop the advisory council proposal in the May 7 home rule referendum.

"Taxpayers and homeowners are the least organized and the least heard," according to Dorothy Maultsby, chairman and organizer of the opposition committee.

Committee members, some of whom recently had their property assessment increased by the city, claim that the ANCs will result in even higher property taxes.

Further, the ANCs would duplicate the efforts of present neighborhood associations and would become a forum for malcontents and the politically ambitious. Mrs. Maultsby and Gladys Duncan, another member, contended.

According to a member of the D.C. Democratic Central Committee who asked not to be identified, there have been grumblings against the ANC concept there too, although few persons want to say so publicly.

Central Committee Chairman William Lucy has complained loudly and bitterly about the ANCs, calling it an "experiment by whites that is being foisted off on black people."

However, Lucy voted in favor of the ANCs at a meeting of the Committee to Support the Charter.

Mrs. Duncan, also a member of the support

committee, voted against the ANCs. Last week, she said that she thinks the advisory councils should be delayed at least until after the city has undergone reorganization.

There has been opposition to ANCs for some time, but this is the first time an ad hoc group has spoken out against the concept.

Recently, representatives from the predominantly white Federation of Citizens Associations, which last year testified against home rule on Capitol Hill, have been speaking against the proposal at neighborhood meetings.

Organized opposition to the controversial ANC measure could mean its death. To pass at the referendum a majority of all registered voters must vote for it. Home rule itself requires only a majority of those voting to pass.

The committee seeking to stop the ANCs must surmount the efforts of at least three other groups which have become the measures champions—the Committee to Support the Charter, The Ad Hoc Citizens' Committee To Support Passage of the ANCs and the Committee to Support Advisory Neighborhood Councils.

"Opposition is growing and we should be prepared for this," Sterling Tucker, vice chairman of City Council and chairman of D.C. Self-Determination Coalition, solemnly warned a group of advisory council proponents last week.

Tucker said that the depth of antipathy against the councils which he encountered at a gathering of 20 persons in a Northeast home last week surprised him.

Mrs. Maulsby said, "We want to get the issue before the people. Once people realize what is happening, that is catalyst enough to generate support."

"It's growing like wildfire once people are aware," she added. "They just aren't being told what will happen to their taxes."

Her group has attracted youthful, elderly, disabled and retired persons, and although its members are primarily property owners membership cuts across economic lines, she said.

If the ANCs are approved and established, they would get 1 cent for each \$100 of assessed value of property, or about \$400,000 citywide. The city council may also fund the ANCs through other methods.

"It's too costly," George W. Brady of the Federation of Citizens Associations declared. "It will be \$1 or \$2 million within two years. I'd be willing to bet, because of the usual bureaucratic growth and if the city has to go in and audit, that's more money."

Some ANC advocates have suggested that the elected city council might avoid property tax increases by tapping new sources of revenue or permitting ANCs to raise other funds on their own. But there's no guarantee that the council will move in that direction.

"With the kind of things the city has to face—Metro, maybe the Civic Center, food costs—we don't need to be taxed for something we don't need," Mrs. Maulsby contended.

"No study has been done of the city to see if this is feasible. Why thrust this thing upon us when we have to focus on new fiscal activities and organization for the city? We don't need this kind of stuff," she added.

Although there is no money appropriated for ANCs, they would not mean a tax increase per se, City Councilman Tucker said.

"However, we cannot give people a guarantee that taxes wouldn't go up. All we can say is, if they do go up, it's not necessarily because of advisory councils," he added.

"The truth is, we're voting for a pig in a poke," Tucker said.

Peter A. Hornbostel, a D.C. lawyer, who also has been promoting the advisory councils, takes a cavalier approach to the possibility of higher taxes.

"Home rule per se will raise property taxes," he stated bluntly. "It would be cheaper to have the city run out of the White House, but I don't want them running it. Democracy costs more than totalitarianism and it's less efficient."

Our Government at every level is way too expensive, in my opinion, and I wish time would permit me to read the entire article for you, because it certainly expresses the feelings of a number of people. It says that we should be prepared for opposition which is growing. According to Sterling Tucker, who is the vice chairman of the council.

I will not take the time of the House to go into further details on it, but there are certainly enough specific facts in opposition to this bill that it should be re-committed. I will offer a recommittal motion and let us take it back to the committee and hold hearings on it and bring the public in and then bring the bill out again.

Mr. ROUSSELOT. Will the gentleman yield further?

Mr. LANDGREBE. I am glad to yield.

Mr. ROUSSELOT. Would the gentleman state whether understanding is correct that these neighborhood advisory councils will in some ways actually duplicate services already being performed by the Community Services Division?

Mr. LANDGREBE. That is right. That is, of course, one of the major arguments against the proposal. Personally I can see only confusion arising from this type of unauthorized money spending project. It is the City Council that makes the final decisions. We could be creating a tremendous amount of chaos in the governmental processes of this city by doing this whether we have home rule or not.

Mr. ROUSSELOT. Is the gentleman saying that if we vote for this legislation today we are in effect, voting for duplicating services in some respects?

Mr. LANDGREBE. That is very possible. I think that is true, except, as I understand it, services being carried out today are on a voluntary basis.

I was invited to speak a couple of weeks ago to the organization on organizations in the community who studied problems and transmitted their findings to the City Council.

These are voluntary groups and organizations that all cities encourage. Passage of this bill will encourage the establishment of neighborhood councils, funded and paid by the taxpayers. They will be able to foment a great deal of controversy in this city, yet will not have the force and effect or responsibility of duly-elected officials.

Mr. Speaker, I will offer a motion to recommit this bill. I urge the support of all my colleagues.

Mr. FAUNTROY. Mr. Speaker, I rise in support of the bill, H.R. 12109, to amend the District of Columbia Charter to clarify the provisions on the neighborhood advisory council.

When we adopted the home rule legislation, one of the unfortunate phrases in the bill provided for a separate referendum question on the neighborhood advisory councils subject to approval by a majority of all "registered qualified voters in the District."

This is not what was intended; it could not have been reasonably interpreted by anyone as being the intent of Congress. In the first place, as nearly 20 percent of the residents of this city change their residences during the course

of a year, it is physically impossible for the city to assure that an absolute majority of registered voters could vote. Some people have duplicate registrations which arise because of their moves. Others have died, moved out of the city, or have no way of physically going to the polling place.

Additionally, in our society, the obverse to the right to vote is the right not to vote. There is no logical basis to convert that right into a negative vote which is precisely what the current language does.

Furthermore, because of the very serious difficulty of determining who is a registered and qualified voter in an accurate enough manner to arrive at a voter figure, it seems to me that serious due process issues are raised without an amendment. People who have died or moved from the city do not always give notice to the board of elections. Thus, there is no way to determine this figure and national projections extrapolated to the District simply cannot be used to arrive at a figure which will meet the requirements of the law.

Mr. DIGGS. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

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

MOTION TO RECOMMIT OFFERED BY  
MR. LANDGREBE

Mr. LANDGREBE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LANDGREBE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LANDGREBE moves to recommit the bill H.R. 12109 to the Committee on the District of Columbia.

Mr. DIGGS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

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

Mr. LANDGREBE. 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 question was taken by electronic device; and there were—yeas 118, nays 215, not voting 99, as follows:

[Roll No. 108]

YEAS—118

Abdnor	Burleson, Tex.	Crane
Archer	Butler	Daniel, Robert
Armstrong	Camp	W., Jr.
Ashbrook	Carter	Davis, Wis.
Baker	Cederberg	Dennis
Bauman	Chappell	Devine
Blackburn	Clancy	Duncan
Bowen	Clawson, Del.	Fisher
Bray	Cochran	Flynt
Breaux	Collins, Tex.	Fountain
Burgener	Conable	Frey
Burke, Fla.	Conlan	Gaydos



Goldwater  
Goodling  
Green, Oreg.  
Gross  
Grover  
Gubser  
Gunter  
Haley  
Hammer-  
schmidt  
Hébert  
Hinshaw  
Holt  
Hosmer  
Hudnut  
Hunt  
Hutchinson  
Johnson, Pa.  
Jones, N.C.  
Jones, Okla.  
Kemp  
King  
Lagomarsino  
Landgrebe  
Landrum  
Latta  
Madigan  
Mahon  
Maraziti

Martin, Nebr.  
Mathias, Calif.  
Mayne  
Michel  
Miller  
Minshall, Ohio  
Mizell  
Mollohan  
Montgomery  
Moorhead,  
Calif.  
Myers  
Nichols  
Pettis  
Powell, Ohio  
Price, Tex.  
Quillen  
Rarick  
Roberts  
Robinson, Va.  
Rogers  
Roussetot  
Sandman  
Satterfield  
Scherle  
Schneebeli  
Sebellus  
Shoup  
Shuster

## NAYS—215

Abzug  
Adams  
Andrews, N.C.  
Andrews,  
N. Dak.  
Annunzio  
Arends  
Ashley  
Aspin  
Barrett  
Bennett  
Bergland  
Bevill  
Blester  
Bingham  
Boland  
Brademas  
Brasco  
Breckinridge  
Brinkley  
Brooks  
Broomfield  
Brotzman  
Brown, Calif.  
Brown, Mich.  
Brown, Ohio  
Broyhill, N.C.  
Broyhill, Va.  
Buchanan  
Burke, Mass.  
Burlison, Mo.  
Burton  
Byron  
Carney, Ohio  
Casey, Tex.  
Chamberlain  
Clark  
Clay  
Cleveland  
Cohen  
Collins, Ill.  
Conte  
Cotter  
Coughlin  
Cronin  
Culver  
Daniel, Dan  
Davis, S.C.  
de la Garza  
Delaney  
Dellenback  
Dellums  
Denholm  
Dent  
Derwinski  
Diggs  
Donohue  
Downing  
Drinan  
Dulski  
du Pont  
Eckhardt  
Ellberg  
Esch  
Eshleman  
Evans, Colo.  
Evins, Tenn.  
Fascell  
Findley  
Fish  
Flood  
Ford  
Forsythe  
Fraser

Frenzel  
Fulton  
Fuqua  
Gettys  
Gialmo  
Gibbons  
Gilman  
Ginn  
Gonzalez  
Green, Pa.  
Griffiths  
Gude  
Guyer  
Hamilton  
Hanley  
Hansen, Idaho  
Hansen, Wash.  
Hastings  
Hawkins  
Hays  
Hechler, W. Va.  
Heckler, Mass.  
Heinz  
Helstoski  
Hicks  
Hill  
Hollifield  
Holtzman  
Howard  
Ichord  
Johnson, Calif.  
Johnson, Colo.  
Jones, Ala.  
Jones, Tenn.  
Jordan  
Kastenmeier  
Kazen  
Koch  
Kuykendall  
Kyros  
Lehman  
Lent  
Long, La.  
Long, Md.  
Lujan  
Luken  
McClary  
McCloskey  
McCollister  
McCormack  
McDade  
McFall  
McKay  
McKinney  
Mallory  
Mann  
Matsunaga  
Mazzoli  
Metcalfe  
Mezvinzsky  
Minish  
Mink  
Mitchell, N.Y.  
Morgan  
Mosher  
Murphy, Ill.  
Murphy, N.Y.  
Murtha  
Natcher  
Nedzi  
Nelsen  
Obey

NOT VOTING—99  
Addabbo  
Alexander  
Anderson,  
Calif.  
Anderson, Ill.  
Badillo  
Bafalis  
Beard  
Bell  
Blaggi  
Blatnik  
Boggs  
Bolling  
Burke, Calif.  
Carey, N.Y.  
Chisholm  
Clausen,  
Don H.  
Collier  
Conyers  
Corman  
Daniels  
Dominick V.  
Danielson  
Davis, Ga.  
Dickinson  
Dingell  
Dorn  
Edwards, Ala.  
Edwards, Calif.  
Erlenborn  
Flowers  
Foley  
Frelinghuysen

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:  
Mr. Alexander for, with Mr. O'Neill against.  
Mr. Teague for, with Mr. Addabbo against.  
Mr. Passman for, with Mr. Horton against.  
Mr. Mathis of Georgia for, with Mr. Rooney of New York against.  
Mr. Jarman for, with Mr. Steele against.  
Mr. Henderson for, with Mr. Kluczyński against.  
Mr. Flowers for, with Mr. Riegle against.  
Mr. Lott for, with Mr. Carey of New York against.  
Mr. Parris for, with Mr. Wolff against.  
Mr. Rose for, with Mr. Mitchell of Maryland against.  
Mr. Dorn for, with Mrs. Chisholm against.  
Mr. Roncallo of New York for, with Mr. Rostenkowski against.  
Mr. Collier for, with Mr. Blaggi against.  
Mr. Dickinson for, with Mr. Pritchard against.  
Mr. Froehlich for, with Mr. Thompson of New Jersey against.  
Mr. Huber for, with Mr. Badillo against.  
Mr. McEwen for, with Mr. Dingell against.  
Mrs. Boggs for, with Mr. Edwards of California against.  
Mr. Frelinghuysen for, with Mr. Harrington against.  
Mr. Beard for, with Mr. Moakley against.  
Mr. Young of South Carolina for, with Mr. Moorhead of Pennsylvania against.  
Mr. Patman for, with Mr. Nix against.  
Mr. Stephens for, with Mr. Dominick V. Daniels against.  
Mr. Bafalis for, with Mr. Tiernan against.

## Until further notice:

Mr. Waldie with Mr. Gray.  
Mr. Mills with Mr. Macdonald.  
Mr. Karth with Mr. Reid.  
Mr. Anderson of California with Mr. Anderson of Illinois.  
Mr. Blatnik with Mr. Danielson.  
Mrs. Burke of California with Mr. Litton.  
Mr. Madden with Mr. Bell.  
Mr. Conyers with Mr. Vander Veen.  
Mr. Corman with Mr. Davis of Georgia.  
Mr. Ryan with Mr. Edwards of Alabama.  
Mr. Pickle with Mr. Don H. Clausen.  
Mr. Reuss with Mr. Erlenborn.  
Mr. Foley with Mrs. Grasso.  
Mr. Hanna with Mr. Hanrahan.  
Mr. Hungate with Mr. McSpadden.  
Mr. Leggett with Mr. Harsha.

Mr. Meeds with Mr. Martin of North Carolina.  
Mr. Melcher with Mr. Milford.  
Mr. Roybal with Mr. Young of Alaska.  
Mr. Slack with Mr. Ruth.  
Mr. Smith of Iowa with Mr. Steiger of Wisconsin.  
Mr. Stubblefield with Mr. Vander Jagt.  
Mr. Van Deerlin with Mr. Ware.

The result of the vote was announced as above recorded.

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

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

The yeas and nays were refused.

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

Mr. LANDGREBE. 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 227, nays 111, not voting 94, as follows:

## [Roll No. 109]

## YEAS—227

Abzug  
Adams  
Alexander  
Anderson, Ill.  
Andrews, N.C.  
Andrews,  
N. Dak.  
Annunzio  
Arends  
Ashley  
Aspin  
Barrett  
Bennett  
Bergland  
Bevill  
Blester  
Bingham  
Boland  
Bolling  
Brademas  
Brasco  
Breaux  
Breckinridge  
Brinkley  
Brooks  
Broomfield  
Brotzman  
Brown, Calif.  
Brown, Mich.  
Brown, Ohio  
Buchanan  
Burke, Mass.  
Burlison, Mo.  
Burton  
Byron  
Carney, Ohio  
Casey, Tex.  
Chamberlain  
Clark  
Clay  
Cleveland  
Cochran  
Cohen  
Collins, Ill.  
Conable  
Conte  
Cotter  
Coughlin  
Cronin  
Culver  
Davis, S.C.  
de la Garza  
Delaney  
Dellenback  
Dellums  
Dent  
Derwinski  
Diggs  
Donohue  
Drinan  
Dulski  
du Pont

Eckhardt  
Edwards, Ala.  
Ellberg  
Esch  
Evans, Colo.  
Evins, Tenn.  
Fascell  
Findley  
Fish  
Flood  
Ford  
Forsythe  
Fraser  
Frenzel  
Fulton  
Fuqua  
Gettys  
Gialmo  
Gibbons  
Gilman  
Ginn  
Gonzalez  
Green, Pa.  
Griffiths  
Gude  
Guyer  
Hamilton  
Hanley  
Hansen, Idaho  
Hawkins  
Hays  
Hechler, W. Va.  
Heckler, Mass.  
Heinz  
Helstoski  
Hicks  
Hill  
Hogan  
Hollifield  
Holtzman  
Howard  
Ichord  
Johnson, Calif.  
Jones, Ala.  
Jones, Okla.  
Jones, Tenn.  
Jordan  
Karth  
Kastenmeier  
Kazen  
Koch  
Kuykendall  
Kyros  
Latta  
Lehman  
Lent  
Long, La.  
Long, Md.  
Lujan  
Luken

McClary  
McCloskey  
McCollister  
McCormack  
McDade  
McFall  
McKay  
McKinney  
Mahon  
Mallory  
Mann  
Maraziti  
Martin, N.C.  
Mathias, Calif.  
Matsunaga  
Mayne  
Mazzoli  
Metcalfe  
Mezvinzsky  
Miller  
Minish  
Mink  
Mitchell, N.Y.  
Morgan  
Mosher  
Moss  
Murphy, Ill.  
Murphy, N.Y.  
Murtha  
Natcher  
Nedzi  
Nelsen  
Obey  
O'Brien  
O'Hara  
Owens  
Patten  
Pepper  
Perkins  
Pettis  
Peyser  
Pike  
Podell  
Preyer  
Price, Ill.  
Quie  
Rallsback  
Randall  
Rangel  
Rees  
Regula  
Rhodes  
Rinaldo  
Robison, N.Y.  
Rodino  
Roe  
Roncallo, Wyo.  
Rooney, Pa.  
Rosenthal  
Roush  
Roy  
St Germain

Sarasin	Steelman	Whalen
Sarbanes	Stokes	Widnall
Schroeder	Stratton	Wilson
Seiberling	Stuckey	Charles H.
Shipley	Studds	Calif.
Shriver	Sullivan	Wilson
Sisk	Symington	Charles, Tex.
Smith, N.Y.	Thompson, N.J.	Wright
Staggers	Thone	Wyatt
Stanton	Thornton	Wydler
J. William	Towell, Nev.	Wyllie
Stanton	Udall	Yates
James V.	Ullman	Yatron
Stark	Vanik	Young, Ill.
Steed	Vigorito	Zablocki
Steele	Walsh	Zwach

## NAYS—111

Abdnor	Goldwater	Rarick
Archer	Goodling	Roberts
Armstrong	Green, Oreg.	Robinson, Va.
Ashbrook	Gross	Rogers
Baker	Grover	Rousselot
Bauman	Gubser	Runnels
Blackburn	Gunter	Ruth
Bowen	Haley	Sandman
Bray	Henderson	Satterfield
Broyhill, N.C.	Hinshaw	Scherle
Broyhill, Va.	Holt	Schneebeli
Burgener	Hosmer	Sebellius
Burke, Fla.	Hudnut	Shoup
Burleson, Tex.	Hunt	Shuster
Butler	Hutchinson	Sikes
Camp	Johnson, Colo.	Skubitz
Casey, Tex.	Johnson, Pa.	Snyder
Chappell	Jones, N.C.	Spence
Clancy	Kemp	Steiger, Ariz.
Clawson, Del.	King	Symms
Collins, Tex.	Lagomarsino	Talcott
Conlan	Landgrebe	Taylor, Mo.
Crane	Landrum	Taylor, N.C.
Daniel, Dan	Lott	Thomson, Wis.
Daniel, Robert	Madigan	Treen
W., Jr.	Martin, Nebr.	Waggonner
Davis, Wis.	Michel	Wampler
Denholm	Minshall, Ohio	White
Dennis	Mizell	Whitehurst
Devine	Mollohan	Whitten
Downing	Montgomery	Williams
Duncan	Moorhead, Calif.	Wilson, Bob
Eshleman	Myers	Winn
Fisher	Nichols	Wyman
Flynt	Powell, Ohio	Young, Fla.
Fountain	Price, Tex.	Young, Tex.
Frey	Quillen	Zion
Gaydos		

## NOT VOTING—94

Addabbo	Gray	Pickle
Anderson, Calif.	Hanna	Poage
Badillo	Hanrahan	Pritchard
Bafalis	Hansen, Wash.	Reid
Beard	Harrington	Reuss
Bell	Harsha	Riegle
Blaggi	Hastings	Roncallo, N.Y.
Blatnik	Hébert	Rooney, N.Y.
Boggs	Horton	Rose
Burke, Calif.	Huber	Rostenkowski
Carey, N.Y.	Hungate	Roybal
Chamberlain	Jarman	Ruppe
Chisholm	Ketchum	Ryan
Clausen	Kluczynski	Slack
Don H.	Leggett	Smith, Iowa
Collier	Litton	Steiger, Wis.
Conyers	McEwen	Stephens
Corman	McSpadden	Stubblefield
Daniels	Macdonald	Teague
Dominick V.	Madden	Tiernan
Danielson	Mathis, Ga.	Van Deerlin
Davis, Ga.	Meeds	Vander Jagt
Dickinson	Melcher	Vander Veen
Dingell	Milford	Veysey
Dorn	Mills	Waldie
Edwards, Calif.	Mitchell, Md.	Ware
Erlenborn	Moakley	Wiggins
Flowers	Moorhead, Pa.	Wolff
Foley	Nix	Young, Alaska
Frelinghuysen	O'Neill	Young, Ga.
Fröehlich	Parris	Young, S.C.
Grasso	Passman	
	Patman	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill for, with Mr. Hébert against.  
 Mr. Addabbo for, with Mr. Teague against.  
 Mr. Kluczynski for, with Mr. Dorn against.  
 Mr. Dominick V. Daniels for, with Mr. Flowers against.  
 Mr. Horton for, with Mr. Passman against.  
 Mr. Carey of New York for, with Mr. Rose against.

Mr. Rostenkowski for, with Mr. Stephens against.

Mr. Rooney of New York for, with Mr. Jarman against.

Mr. Mitchell of Maryland for, with Mr. Mathis of Georgia against.

Mr. Hastings for, with Mr. Young of South Carolina against.

Mr. Nix for, with Mr. Dickinson against.

Mr. Biaggi for, with Mr. Ware against.

Mr. Macdonald for, with Mr. Beard against.

Mrs. Chisholm for, with Mr. Bafalis against.

Mr. Moorhead of Pennsylvania for, with Mr. Froehlich against.

Mr. Tiernan for, with Mr. Wiggins against.

Mr. Wolf for, with Mr. Parris against.

Mr. Harrington for, with Mr. Huber against.

Mr. Badillo for, with Mr. Collier against.

Until further notice:

Mr. Blatnik with Mr. Hungate.

Mrs. Boggs with Mr. Stubblefield.

Mr. Leggett with Mr. Gray.

Mr. Melcher with Mr. Bell.

Mr. Waldie with Mr. Ryan.

Mr. Meeds with Mr. Litton.

Mr. Roybal with Mr. Chamberlain.

Mr. Riegle with Mr. Madden.

Mr. Reuss with Mr. Van Deerlin.

Mrs. Hansen of Washington with Mr. Don H. Clausen.

Mr. Reid with Mr. Frelinghuysen.

Mr. Anderson of California with Mr. Slack.

Mr. Danielson with Mr. Young of Georgia.

Mrs. Burke of California with Mr. McSpadden.

Mr. Dingell with Mr. Erlenborn.

Mr. Conyers with Mr. Corman.

Mr. Foley with Mr. Smith of Iowa.

Mr. Davis of Georgia with Mr. Hanrahan.

Mr. Edwards of California with Mr. McEwen.

Mrs. Grasso with Mr. Harsha.

Mr. Hanna with Mr. Milford.

Mr. Mills with Mr. Young of Alaska.

Mr. Moakley with Mr. Vander Jagt.

Mr. Patman with Mr. Roncallo of New York.

Mr. Pritchard with Mr. Pickle.

Mr. Steiger of Wisconsin with Mr. Ruppe.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. RUTH. Mr. Speaker, earlier today on the vote on the motion to recommit the bill H.R. 12109, the Advisory Neighborhood Councils referendum, I placed my card in the voting receptacle and voted "aye," but the electronic voting machine failed to record my vote. I would like the RECORD to show that I would have voted "aye."

## GENERAL LEAVE

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, H.R. 12109, Advisory Neighborhood Councils referendum.

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

There was no objection.

## DISTRICT OF COLUMBIA LAW REVISION COMMISSION ACT

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Co-

lumbia, I call up the bill (H.R. 12832) to create a Law Revision Commission for the District of Columbia, and to establish a municipal code for the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 12832

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "the District of Columbia Law Revision Commission Act".*

SEC. 2. (a) There is established in the District of Columbia a District of Columbia Law Revision Commission (hereafter in this Act referred to as the "Commission") which shall consist of fifteen members appointed as follows:

(1) Two members shall be appointed by the President of the United States.

(2) One member shall be appointed by the Speaker of the House of Representatives.

(3) One member shall be appointed by the President pro tempore of the Senate.

(4) One member shall be appointed by the minority leader of the House of Representatives.

(5) One member shall be appointed by the minority leader of the Senate.

(6) Three members shall be appointed by the Commissioner of the District of Columbia, one of whom shall be a nonlawyer, and one of whom shall be a member of the law faculty of a law school in the District of Columbia.

(7) One member shall be appointed by the Chairman of the District of Columbia Council.

(8) Two members shall be appointed by the Joint Committee on Judicial Administration in the District of Columbia.

(9) One member shall be appointed by the District of Columbia Corporation Counsel.

(10) Two members shall be appointed by the Board of Governors of the District of Columbia unified bar.

(b) No person may be appointed as a member of the Commission unless he is (1) a citizen of the United States, and (2) a bona fide resident of the District of Columbia and has maintained an actual place of abode in the District of Columbia for at least the ninety days immediately prior to his appointment as such a member.

(c) Members of the Commission shall serve for four-year terms and may be reappointed.

(d) The Chairman of the Commission shall be selected by the members of the Commission from among their number.

(e) Each appointment of members of the Commission shall be made, without regard to political party affiliation, on the basis of the ability of that person to perform his duties with the Commission.

(f) Appointments made to fill vacancies on the Commission shall be made in the same manner, and on the same basis, as original appointments to the Commission are made. A member appointed to fill a vacancy shall serve until the expiration of the term of the member whose vacancy he was appointed to fill.

(g) Members and the Chairman of the Commission shall be entitled to receive \$100 for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Commission, except no member or Chairman shall receive more than \$5,000 for the performance of such duties during any twelve-month period.

(h) While away from their homes or regular places of business in the performance



of the duties of the Commission, members, including the Chairman, of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(i) The Commission may appoint and fix the compensation of such personnel as it deems advisable. Such personnel shall be appointed subject to the provisions of title 5 of the United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter II of chapter 53 of such title relating to classification and General Schedule pay rates. Persons appointed to the staff of the Commission shall be so appointed solely on the basis of their ability to perform the duties of the Commission without regard to political party affiliation. Employees of the Commission shall be regarded as employees of the District of Columbia government.

(j) The Commission, acting through its Chairman, may request from any department, agency, or instrumentality of the executive branch of the Federal and District governments, including independent agencies, any information for carrying out the purposes of this Act; and each department, agency, instrumentality, and independent agency is authorized and directed, to the extent permitted by law, to furnish to the Commission the requested information.

(k) The Commission may enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(l) The Commission may establish such advisory groups, committees, and subcommittees, consisting of members or nonmembers, as it deems necessary and appropriate to carry out the purposes of this Act.

Sec. 3. (a) It shall be the duty of the Commission to—

(1) examine the common law and statutes relating to the District of Columbia, the ordinances, regulations, resolutions, and acts of the District of Columbia Council, and all relevant judicial decisions for the purpose of discovering defects and anachronisms in the law relating to the District of Columbia and recommending needed reforms;

(2) receive and consider proposed changes in the law recommended by the American Law Institute, the Conference of Commissioners on Uniform State Laws, any bar association or other learned bodies;

(3) receive and consider suggestions from judges, justices, public officials, lawyers, and the public generally as to defects and anachronisms in the law relating to the District of Columbia; and

(4) recommend, from time to time, to the Congress, and where appropriate to the Commissioner of the District of Columbia and to the District of Columbia Council, such changes in the law relating to the District of Columbia as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law relating to the District of Columbia, both civil and criminal, into harmony with modern conditions. In carrying out its duties under this Act, the Commission shall give priority to the examination of the common law and statutes relating to the criminal law in the District of Columbia, and all relevant judicial decisions, for the purpose of discovering defects and anachronisms in the law relating to the criminal law in the District of Columbia and recommending needed reforms, and this task shall be completed before the Commission begins the examination of the civil law in the District of Columbia.

(b) In addition to those duties of the Commission specified in subsection (a), the Commission shall prepare and recommend proposed uniform rules of practice, including rules relating to the conduct of hearings, for administrative agencies of the District of Columbia, including both independent and subordinate agencies, which conduct on-the-record hearings. The Commission shall also make a study of the District of Columbia Administrative Procedure Act for the purpose of preparing a manual, including relevant legislative history and legal precedents, for the guidance of the respective administrative agencies.

Sec. 4. (a) The Commission shall make an annual report of its proceedings to the President, to the Congress, to the Commissioner of the District of Columbia, and to the District of Columbia Council by March 31 of each year. All reports of the Commission to the Congress, including reports made under section 3(a)(4), shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate, and where appropriate, include drafts of proposed bills to carry out any of its recommendations.

(b) Upon the filing of the Commission's annual report at the end of the fourth full calendar year after the date that funds are first appropriated to the Commission, the Commission shall cease to exist, unless extended by Congress.

Sec. 5. (a) Section 7 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1507) is amended by adding at the end thereof the following:

"(d) Every regulation in the nature of a law or municipal ordinance adopted by the Council under authority specified in Reorganization Plan Numbered 3 of 1967, or under authority of any Act of Congress, upon enactment, shall be codified and published in a Municipal Code of the District of Columbia which shall conform as closely as possible and shall be cross-indexed with the District of Columbia Code compiled by the Committee on the Judiciary of the House of Representatives. The Council shall from time to time issue such supplements or otherwise update and keep current the Municipal Code of the District of Columbia established under this subsection. The first such codification and publication of the Municipal Code of the District of Columbia shall be completed within one year after the date of enactment of this subsection."

(b) The District of Columbia Council shall provide for public distribution (at cost) of the Municipal Code of the District of Columbia established by the amendment made by subsection (a).

Sec. 6. For the purpose of carrying out this Act, including the amendment made by this Act, there are authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the purpose of this Act.

With the following committee amendments:

On page 3, strike out lines 1 through 6 and insert in lieu thereof the following:

"(b) No person may be appointed as a member of the Commission unless he is a citizen of the United States. At least eight persons appointed to the Commission shall be bona fide residents of the District of Columbia who have maintained an actual place of abode in the District of Columbia for at least the 90 days immediately prior to their appointments as such members. The remaining persons appointed as members of the Commission shall be residents of the National Capital Region, as defined in the Act of June 6, 1924 (D.C. Code, sec. 1-1001 et seq.) (establishing the National Capital Planning Commission), who have maintained an actual place of abode in the National

Capital Region for at least 90 days immediately prior to their appointments as such members."

Page 7, line 4, strike out "priority" and insert in lieu thereof "special consideration".

Page 7, beginning on line 9, strike out "reforms, and this task shall be completed before the Commission begins the examination of the civil law in the District of Columbia," and insert in lieu thereof "reforms."

The committee amendments were agreed to.

Mr. DIGGS. Mr. Speaker, I move to strike the last word.

#### PURPOSE OF THE BILL

Mr. Speaker, the purpose of the bill, H.R. 12832, as reported by the Committee (H. Rept. 93-924), is to create a Law Revision Commission for the District of Columbia, whose duty it shall be to examine the law relating to the District of Columbia, to receive learned suggestions thereon and to recommend changes and reforms to the Congress and the District Council for the purpose of remedying defects and anachronisms in the law and to thereby bring the law relating to the District of Columbia, both civil and criminal, into harmony with modern conditions. The bill further seeks to create a municipal code for the District of Columbia so that all the laws enacted by the District Council may be in a codified form that will facilitate their use.

#### NEED FOR LEGISLATION

There has not been a complete revision of the District of Columbia Criminal Code since the early 1900's. There are many crimes listed in the Code which have no relevance in modern times. The Code also fails to take into account the changes that have generally taken place in the trends of the criminal law nationwide. The witnesses on this bill indicated that the Criminal Code is in drastic need of revision.

The President's Commission on Crime in the District of Columbia was aware of the need for Criminal Code revision. The Commission recommended that "the criminal law of the District of Columbia should be reviewed and reformed. The reviews should include reexamination of all substantive and procedural provisions of the law to provide a clear definition of criminal behavior to achieve fair and consistent policies in dealings with offenders and introduce new concepts of treatment into the code."

Under the Home Rule Act—Public Law 93-198, approved December 24, 1973—the District Council will receive jurisdiction over the Criminal Code 24 months after it takes office in January 1975, assuming the charter is ratified on May 7, 1974.

In the course of congressional consideration of this legislation, one of the most difficult questions was the issue of granting authority over the criminal sections of the District of Columbia Code. Drafters of the self-government legislation ultimately settled on an arrangement calling for the District of Columbia Council to acquire authority over the criminal sections of the District of Columbia Code 2 years after taking office in January 1975. During the interim, it was understood, a Law Revision Commission

would be created by the Congress, which would have as one of its responsibilities reviewing and recommending reforms of the code's criminal sections.

Thus, the Law Revision Commission, as created by the reported bill, is mandated to give special consideration to revision of the Criminal Code in order to effectuate this goal. The District is one of only four jurisdictions which has not recently revised its Criminal Code or is in the process of doing so.

Due to the longstanding need for criminal code revision, it is the intention of the committee that the Law Revision give special consideration to the examination and recommendation for revision of the criminal law. The committee intends that while the Commission need not deal exclusively with the criminal law, it should have substantially completed its work on criminal code revision before turning its attention to the civil law. The Commission should therefore to the extent possible complete the long-needed recommendations for criminal code revision before turning its attention to other areas of the law.

The actual need for substantive Criminal Code reform is rooted in the fact that an inadequate Criminal Code can result in improvisation and poorly guided discretionary authority by police, prosecutors and judges; a lack of understanding by the public as to what conduct is unacceptable; and ultimately, a decreased respect for the law and its enforcers.

More generally, the Law Revision Commission is deemed an important tool to eliminate antiquated and inequitable rules of criminal law by examining the common law and statutes of the District of Columbia, current judicial decisions and the actions of the City Council.

There have been many changes, too, in the field of civil law, including the areas of consumer affairs, and the environment, to mention just two. The Commission will also have the duty of reviewing the civil law with an eye toward recommending needed reforms.

The establishment of a Law Revision Commission was one of the specific recommendations of the Commission on the Organization of the Government of the District of Columbia—the Nelsen Commission. Such commissions are working effectively in such areas of proposing legislation in several States at this time.

#### CONCLUSION

The enactment of this legislation will mark the first time since the turn of the century that a comprehensive review of the District's code of laws will be undertaken. The failure to modernize these laws has led to needless litigation, complicated law enforcement efforts, and necessitated a steady flow of remedial and amendatory legislation through Congress. A thorough study, which this legislation would make possible, is long overdue.

The Law Revision Commission would supply Congress with needed recommendations on how the District of Columbia Code, in both its civil and criminal aspects, can be brought into harmony with modern social and legal conditions.

#### HISTORY

A public hearing was held by the Judiciary Subcommittee on this proposed legislation (H.R. 7412 and H.R. 7658) on July 11, 1973, at which time testimony or statements were submitted by Members of Congress; by the Chief Judge, District of Columbia Court of Appeals; the Corporation Counsel of the District of Columbia; Chairman of the New York State Law Review Commission; member of the Colorado Institute of Law and Society; representatives of a local law school; and the District of Columbia Bar.

The bill reported reflects several amendments proposed and considered by both the subcommittee and the full committee.

#### COST

The committee is informed by the District of Columbia government that there will be an estimated cost of \$223,000 per year for the operation of the Law Revision Commission. This is based on salaries for 15 Commissioners and a staff of 5 professionals with requisite clerical support and normal operating, contractual and travel expenses. The 4-year cost of the Commission would be \$892,000.

#### VOTE

H.R. 12832 was approved and ordered reported to the House by voice vote of the committee on March 14, 1974.

#### PROVISIONS OF THE BILL

##### ESTABLISHMENT OF A 15 MEMBER LAW REVISION COMMISSION AND APPOINTMENTS TO THE COMMISSION

A Law Revision Commission to consist of 15 members is established to be appointed as follows:

First, two members shall be appointed by the President of the United States.

Second, one member shall be appointed by the Speaker of the House of Representatives.

Third, one member shall be appointed by the President pro tempore of the Senate.

Fourth, one member shall be appointed by the minority leader of the House of Representatives.

Fifth, one member shall be appointed by the minority leader of the Senate.

Sixth, three members shall be appointed by the Commissioner of the District of Columbia, one of whom shall be a nonlawyer, and one of whom shall be a member of the law faculty of a law school in the District of Columbia.

Seventh, one member shall be appointed by the chairman of the District of Columbia Council.

Eighth, two members shall be appointed by the Joint Committee on Judicial Administration of the District of Columbia.

Ninth, one member shall be appointed by the District of Columbia Corporation Counsel.

Tenth, two members shall be appointed by the Board of Governors of the District of Columbia Unified Bar.

The members of the Commission must be U.S. citizens, and at least eight shall be bona fide residents of the District of Columbia for at least 90 days prior to their appointment. The remaining persons appointed shall be residents of the

National Capital Region. They will serve 4-year terms and will elect the chairman from among their members. The appointments shall be made without regard to political party affiliation and vacancies shall be filled in the same manner as the original appointment to serve out the remainder of the term.

The appointment process is designed to provide broad-based representation on the Commission so that it may function as a nonpartisan body which reflects the diverse views of the legal and nonlegal community.

#### COMPENSATION AND STAFF

Each of the Commissioners shall receive \$100 a day for their services including traveltime up to a maximum of \$5,000 per year. They shall also be allowed travel expenses and per diem in lieu of subsistence when traveling on Commission business. The Commission may appoint and fix the compensation of such personnel as it deems advisable on the basis of ability and without regard to political party affiliation. Employees of the Commission shall be regarded as employees of the District of Columbia Government.

#### POWERS OF THE COMMISSION

The Commission may request from any department, agency, or instrumentality of the Federal or District Government any information for carrying out the purposes of the act. The Commission may enter into contracts with governmental or private bodies for research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties. The Commission may establish such advisory groups consisting of members or nonmembers as it deems necessary for the efficient and effective discharge of its duties.

#### DUTIES OF THE COMMISSION

It shall be the duty of the Commission to review all the relevant law relating to the District of Columbia, including judicial decisions, for the purpose of discovering defects and anachronisms in the law and recommending needed reforms. The Commission shall receive and consider proposed changes from any bar association or other learned body, and from judges, public officials, lawyers, and the public in general as to defects and anachronisms in the law relating to the District of Columbia. It is the view of the committee that participation by these segments of the District of Columbia community is essential to the compiling of recommendations that realistically reflect the modern community and its needs.

The Commission shall recommend from time to time, to the Congress and where appropriate to the Commissioner of the District of Columbia and to the District of Columbia Council, such changes in the law relating to the District of Columbia as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law relating to the District of Columbia, both civil and criminal, into harmony with modern conditions.

The Commission shall give special consideration to the examination of the



criminal law and recommend changes in it.

The Commission is charged with preparing a proposed uniform rules of practice for administrative agencies of the District. The Commission shall also make a study of the District of Columbia Administrative Procedure Act of 1968 for the purpose of preparing a manual. This act, as amended by the Court Reform and Criminal Procedure Act of 1970, established uniform procedures for the exercise of powers and responsibilities by the administrative agencies of the District Government. The Nelson Commission Report recommended legislative reforms to provide an improved framework in which the District Administrative Procedure Act may operate. The uniform rules of practice governing the District agencies and the Administrative Procedure Act manual are viewed as useful tools for the guidance and information of District agencies.

The Commission must make an annual report of its proceedings to the President, the Congress, the Commissioner and the Council by March 31 of each year and shall include draft legislation where appropriate.

#### LIFE OF THE COMMISSION

The Commission shall have a 4-year life from the date that funds are first appropriated, unless extended by Congress.

#### MUNICIPAL CODE

The District of Columbia Administrative Procedure Act is amended to require that every regulation in the nature of a law or municipal ordinance shall be codified and published in a municipal code which shall conform as closely as possible to the District of Columbia Code. The code shall be kept current with supplements and shall be first completed within 1 year. The Code shall be available for public distribution, at cost.

#### AUTHORIZATION

For carrying out the purposes of this act, there are authorized to be appropriated out of the moneys in the Treasury not otherwise appropriated, such amounts as may be necessary.

Mr. FAUNTROY. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of the bill, H.R. 12832, to create a law revision commission and to establish a municipal code for the District of Columbia.

The need for such a commission has been amply documented. Among the recommendations of the Nelson commission filed with the Speaker of this House on August 17, 1972, was recommendation No. VIII-3 calling for the establishment of this commission. Additionally, it was amply evident in the numerous hearings on our home rule legislation, our previous probate code revisions, our consumer protection legislation, and in the 1973 edition of the District of Columbia Code that something had to be done. There are aspects of the code that are completely oblivious to the landmark decisions of the Supreme Court except as footnotes.

I also would like to point out the fact that the recent hearings which were held by my subcommittee on changing the

legal age from 21 to 18 years in the District pointed out numerous places where the law is unclear or the decisions of court completely ignored. This problem is greatly exacerbated in the criminal law sections of the code. Among the examples that we can cite are the sections on abortion, arson, mayhem, cruelty to animals, and domestic affairs. The lists go on. Whether or not we may agree with any of the interpretations of the law or its subsequent development and interpretation since the original enactment, I believe that we ought to have it in language that is reasonably clear and reflective of the current facts so that intelligent change can be made by those to whom that responsibility is entrusted.

A revision has not been authorized since 1900. In 1976 the District of Columbia will be vested with the authority over the entire code. We owe to these people a reasonably cogent and accurate statement of the law as it is. They should not be left with the need to both revise and determine what the laws ought to be.

I would finally like to note the fact that a very extensive number of bills which are pending before your committee are items which should properly come before a law revision commission. Among these are revisions in the law of rape, probate, automobile rentals, mechanic liens, and sex discriminations. Few of these bills would make extensive changes in the substantive law as much as they would bring the District into conformity with the majority of 50 States. This bill will substantially relieve the burden of the House and its committee on the District of Columbia. It will also improve the quality of the technical language that is the law beyond anything we can reasonably do in the short time we can devote to this effort if left alone.

Two other important facets of the bill relate to an examination of the rules of practice of the District of Columbia's administrative agencies and the Administrative Procedures Act as well as the development of a municipal code.

Uniformity in agency practices and procedures is both desirable from the viewpoint of those who appear before them and to assure that capricious actions which are contrary to procedural and substantive due process are not permitted.

As the agencies of the District of Columbia become increasingly involved in rulemaking procedures, it is incumbent that the city have the capability of creating a municipal code to which one can refer. This would be similar to the code of Federal regulations at the National Government level. This bill provides that it would be similarly cross indexed, to the District Code, of course, and available to anyone at the costs of publication.

In his report to the committee, the Commissioner of the District of Columbia notes that the District has entered into a contract with Autocode to compile and publish all of the rules and regulations in effect in the District. There is no inherent conflict between this existing

contract and the compilation of this code under the direction of the Commission since it is well within the authority of the Commission and the Council to authorize the entering into of such a contract. Additionally, I would like to point out the fact that while the District has voluntarily undertaken this codification, they are not under any legal compulsion to do so. The city would, however, be compelled to complete this codification under the provisions of this act.

Mr. Speaker, I urge the support of the Members of the House.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I should like to obtain answers to a question or two concerning this bill. In the first place, why must there be a 15-member Commission to recodify the municipal ordinances of the District of Columbia—a 15-member Commission, plus a staff?

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

Mr. GROSS. I yield to the gentleman.

Mr. FAUNTROY. The Commission would have the responsibility not for recodifying the municipal code, but the United States Code—the laws—passed by this Congress governing the District of Columbia; and, that is quite a sizable undertaking.

Mr. GROSS. Why must there be a 15-member Commission to do this? Why cannot the staff do it? Why must there be a 15-member Commission, ending up with a windfall of \$5,000 per year? What will be the function of the Commission members other than to draw \$100 a day and pocket up to \$5,000 a year for 4 years?

Mr. FAUNTROY. As I indicated earlier, the District of Columbia Code has not been revised since 1900—

Mr. GROSS. I do not care whether it has been revised since the ark was beached. I am not interested in that. I want the gentleman to tell me why this proposal has been made. Let me ask the gentleman the \$64 question. On page 9 of the bill, section 6, it is provided that the Commission and the staff will be paid from moneys appropriated from the treasury. What treasury are you talking about?

Mr. FAUNTROY. As the gentleman knows, there is the District of Columbia Code—

Mr. GROSS. Is the money to come from the U.S. Treasury?

Mr. FAUNTROY. That is correct.

Mr. GROSS. Why should the U.S. Treasury finance a revision of the District of Columbia municipal ordinances and laws, whatever they are?

Mr. FAUNTROY. The fact is that these funds will not go for revision of the municipal ordinances but rather for revision of the Code. The District of Columbia Code falls properly under the jurisdiction of the House Committee on the Judiciary, which is, of course, nationally funded. The revision of these codes is therefore a proper function of the National Government.

Mr. GROSS. Of the Federal Government?

Mr. FAUNTROY. Without question.

Mr. GROSS. Does the gentleman suggest that if Chicago needs a revision of its municipal code we should appropriate money out of the Federal Treasury for that purpose, or if Akron, Ohio, or any other city or town you can think of in this country needs it, that it should be financed out of the Federal Treasury?

Mr. FAUNTROY. I am not and do not suggest that. I am not suggesting that any Federal money will go into revision of the municipal Code of the District of Columbia. The only money spent will be on the revision of the Federal laws which are passed by this Congress which govern the people of the District of Columbia.

Mr. GROSS. The District of Columbia is already hiring an outfit known as Auto-code, Inc., to do something about the rules and regulations within the District. Why does the gentleman not employ a think tank to revise the Code for the District instead of appointing 15 members to a Commission, political appointees, and give each of them a windfall of \$5,000 a year for 4 years?

Mr. FAUNTROY. I want to make it very clear that the people of the District of Columbia through its local government is meeting its responsibility by paying for the publication of the municipal codes. This bill provides Federal money for that which is properly under the jurisdiction of the House Committee on the Judiciary for the revision of the Federal codes. I think it would be unfair to ask the citizens of the District of Columbia to assume that cost.

Mr. GROSS. What is unfair about it? They have just been granted home rule. What is unfair about the citizens of the District of Columbia financing the revision of their municipal code? What is unfair about it?

Mr. FAUNTROY. I think we have difficulty in defining the difference between the municipal code and the Federal code. The code which governs the people of the District of Columbia and for which these funds are sought was passed by this Congress.

Mr. GROSS. Why does the gentleman come here with an open-ended appropriation, with no limit to what can be spent on this thing, and ask that it be financed out of the U.S. Treasury? And why is it an open-ended appropriation?

Mr. FAUNTROY. If the gentleman will read this report he will see—

Mr. GROSS. Is that the way the gentleman proposes that the District of Columbia government be conducted now that it has home rule?

Mr. FAUNTROY. If I may refer the gentleman to page 8 of the report—

The SPEAKER. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 3 additional minutes.)

Mr. FAUNTROY. If I may refer the gentleman to the committee report on page 8 relative to the cost, he will read:

The Committee is informed by the District of Columbia government that there will be

an estimated cost of \$223,000 per year for the operation of the Law Revision Commission. This is based on salaries for 15 Commissioners and a staff of 5 professionals with requisite clerical support . . .

And so on.

Mr. GROSS. That is not what the bill says, is it? There are no fixed salaries for the staff and there is no fixed total expenditure. It is an open-ended appropriation, is it not?

Mr. FAUNTROY. No, it is very clear in the legislative history.

Mr. GROSS. Where are the fiscal limitations? I suggest the gentleman read section 6 on page 9 of the bill, the closing section of the bill. It is open ended, completely open ended.

Mr. FAUNTROY. I would agree that is the language there. If the gentleman, however, will read the language in the committee report, he will see that the legislative intent is very specific.

Mr. GROSS. The committee report is not binding. The bill as it is passed here today will be the binding language. The gentleman understands that.

Mr. FAUNTROY. I do; but the legislative history is not without some value for appropriation purposes.

Mr. GROSS. I still do not understand why a 15-member commission is paid \$100 a day and up to a maximum of \$5,000 for this purpose or a total of \$75,000 a year.

What will be done with the rest of the \$223,000 which the report says is necessary?

Mr. FAUNTROY. If the gentleman will look at the composition of the Commission, he will, I think, appreciate the desire of the committee to see to it that the Federal interests are adequately protected in the revision process.

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

Mr. GROSS. Yes, I yield.

Mr. WYLIE. The gentleman from the District of Columbia, Mr. Fauntroy, said in answer to a question propounded by the gentleman from Iowa (Mr. GROSS) that funding under this bill only applies to the codification of laws passed by this Congress.

I am not real sure that is accurate, because it says at page 8, line 14:

(d) Every regulation in the nature of a law or municipal ordinance adopted by the Council under authority specified in Reorganization Plan Numbered 3 . . .

In other words, it also refers to municipal ordinances adopted by the District of Columbia Council.

Then on page 9 is language as follows:

For the purpose of carrying out this Act, including the amendment made by this Act, there are authorized to be appropriated, out of moneys in the Treasury . . .

Is the gentleman suggesting that no money authorized to be appropriated in this bill will be used to codify the Council of the District of Columbia ordinances?

Mr. FAUNTROY. That funding is not covered by this bill.

Mr. WYLIE. Where does the funding come from for that?

Mr. FAUNTROY. It would come out of District of Columbia funds.

Mr. WYLIE. From funds already appropriated?

Mr. GROSS. Then why do not they pay for the revision?

Mr. FAUNTROY. This is a Federal responsibility.

Mr. GROSS. If this bill is approved, every municipality should be able to come here and get funds. If any municipality in any congressional district wants to revise its municipal codes, right here is the place to get the money. The line forms on the left.

The SPEAKER. The time of the gentleman has expired.

(At the request of Mr. WYLIE, and by unanimous consent Mr. GROSS was allowed to proceed for 1 additional minute.)

Mr. GROSS. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. WYLIE. Would the gentleman point to the language in the bill where it says the money will only be used to codify Federal laws relating to the District of Columbia? I think the gentleman from Iowa has made a valid point that the language could be interpreted to include municipal ordinances.

Mr. GROSS. Look at the language on page 8, the last sentence:

The first such codification and publication of the Municipal Code of the District of Columbia shall be completed within one year after the date of enactment of this subsection.

Mr. WYLIE. I agree with the gentleman. Will the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. WYLIE. Then it says at line 4: The District of Columbia Council shall provide for public distribution (at cost) of the Municipal Code of the District of Columbia . . .

I do not see any language there that the codification of the District of Columbia Code could be paid for out of moneys provided in this bill.

Mr. FAUNTROY. I would be pleased to answer that.

Mr. GROSS. Mr. Speaker, there is no justification whatever for the appointment of a 15-member Commission for the purpose of recodifying the municipal code of the District of Columbia at a projected cost of \$120,000 over the next 4 years for the Commission alone. Then there would be an expenditure of some \$600,000 for a staff during the same period and everyone knows the staff will do the work.

It is an outrage to saddle the taxpayers of the Nation with this bill of expense that is of benefit only to the municipal government of the District of Columbia.

By every rule of reason this bill ought to be defeated.

The SPEAKER. The time of the gentleman has expired.

Mr. RANDALL. Mr. Speaker, I move to strike the last word.

I take this time to direct a question or two to the chairman of the committee. First, let me say that ordinarily these code revisions are accomplished by the city counselor's office. My first question is: How many city counselors do you have down at City Hall?



Mr. FAUNTROY. We have one City Council.

Mr. RANDALL. No. I am talking about how many in the law department. How many lawyers are in the law department? The number of corporation counselors is what I am talking about. Of course one must be the head, but how many associates does he have?

Mr. FAUNTROY. I cannot give you that.

Mr. RANDALL. Ten or fifteen or twenty? The point I am making is that is their job to revise the code, those that are members of the Corporation Counselor's Office.

Mr. FAUNTROY. Of course, first of all it was the considered judgment of the Mayor's commission that they needed to contract out the revision of the municipal ordinances for reasons which, quite frankly, I am not able to explain at this point. But, these again are Federal responsibilities.

Mr. RANDALL. Mr. Speaker, we have been down that road before. Now we have home rule. The gentleman surely cannot say any longer that this is now a Federal matter. This is a District matter, we have voted home rule, which I supported.

Mr. FAUNTROY. Mr. Speaker, let me just indicate again that this commission was the result of the well-considered judgment of the Mayor's commission, which offered this formulation for revising the code.

Mr. RANDALL. Mr. Speaker, I have another question: I understand there is a contract to revise or codify what is called the Autocode. I understand that is to be reported July 1, 1974. Like most municipalities, the court and traffic code here in Washington should be a big part of the entire or total code. That is already being taken care of, is it not? Surely then we do not need all the money you are asking to do the remainder of the code other than the traffic code.

Mr. FAUNTROY. There is, at the present time. However, the City Council, the Mayor's commission at this time does not have the authority for that.

Mr. RANDALL. How much did the revision of the Autocode cost?

Mr. FAUNTROY. \$175,000.

Mr. RANDALL. Mr. Speaker, I am trying to see if someone knows the cost of Autocode. Does the chairman know?

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

Mr. RANDALL. Mr. Speaker, I yield to the gentleman from California.

Mr. REES. Mr. Speaker, it is outstanding in the contract that Autocode is \$175,000. Frankly, I do not know what they got. If the gentleman will yield further, I would like to address myself to this: I think the bill is necessary because they do not even have a code in the District of Columbia. They do not know where it is and do not have any administrative regulations in the District of Columbia. I do not know how an attorney can practice in the jurisdiction.

This bill is necessary just to make sure that they have a code.

Mr. RANDALL. Every ordinance is surely printed and available. It may not be indexed as well as might be preferred

but all the ordinances are printed in some kind of a code, of that I am certain and positive.

The gentleman cannot tell me that any city in America today does not print its ordinances.

Mr. REES. Let me give the gentleman an example. They are.

Mr. RANDALL. They are.

Mr. REES. That is why we need this bill, because they do not have a municipal code broken down into various functional areas.

Mr. RANDALL. Then that is just a matter or a question of indexing of the code.

Mr. REES. That is indexing.

Mr. RANDALL. We are talking about \$892,000, which is almost a million dollars, just to index.

Mr. REES. Nor do they even have their administrative regulations codified.

Mr. RANDALL. If they do not then they should have their code already indexed and codified by in-house associate or assistant counselors.

Mr. REES. No. If any jurisdiction needs a bill, a law revision commission, and if any jurisdiction needs a system where we are going to have specific codes, it is the District of Columbia, because the whole situation is a mess.

Mr. RANDALL. Now let us get back to the matter of Federal financing. This is all being financed by taxpayers' money of everyone in the United States in every one of you Members districts for the District of Columbia—even though we now have home rule.

The SPEAKER. The time of the gentleman from Missouri has expired.

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

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

Mr. RANDALL. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, I want to ask a question in order to make legislative history, if I may. Is it intended that no money appropriated in this bill be used for codification of the District of Columbia ordinances? Previously the gentleman from the District of Columbia indicated no.

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

Mr. RANDALL. Mr. Speaker, I yield to the gentleman from California.

Mr. REES. Mr. Speaker, section 5 deals with codification both of the municipal ordinances and of rules and regulations of the District.

It was put in later. It is not part of the Law Revision Commission, so there is no money for this purpose other than what normal funds there would be available internally to the city council, as far as the Commission is concerned. So section 5 is in addition to this bill, and it just says that they will codify the laws, and they will codify the administrative regulations, which is something they have not done until today.

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

Mr. RANDALL. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, that is not

what the bill says on page 9, section 6, in language as follows:

For the purpose of carrying out this Act, including the amendment made by this Act, there are authorized to be appropriated, out of moneys in the Treasury \* \* \* such amounts as may be necessary to carry out the purpose of this Act.

Mr. RANDALL. Mr. Speaker, I understand the point the gentleman is making. However, I have some other questions to be answered before my time has expired.

Mr. Speaker, let me ask the Delegate from the District of Columbia: Is it true that there are no limitations on salaries set other than the \$100 a day with a maximum of \$5,000 a year, relating to all 15 members?

Mr. FAUNTROY. The gentleman is correct.

Mr. RANDALL. It is true that members may be appointed to the Commission who live outside the District of Columbia?

Mr. FAUNTROY. That is true, pursuant to the amendment.

Mr. RANDALL. Well, Mr. Speaker, there are many questions that cannot be answered satisfactorily and so many unanswered questions that we should not pass this bill at this time. No Member has a stronger record for law enforcement than I have demonstrated over my years in Congress. But that is not the issue here. We have enough ordinances. We have home rule. We do not need to spend nearly \$1 million to have outsiders do a job that should be done by regular personnel in the city hall. The bill before us now should either be recommitted to the committee or defeated.

Mr. NELSEN. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I step into this situation with a little fear of getting involved in the legal interpretation of a measure such as this inasmuch as I am not a lawyer, but I wish to point out that the Nelsen Commission report recommended a Law Revision Commission for the District. The gentleman from Florida, Don Fuqua—and I know of no Member in this body that I have more confidence in than the gentleman from Florida, Don Fuqua—cosponsored a bill, H.R. 7658, which was designed to establish a Law Revision Commission. We have here in this Law Revision Commission bill, H.R. 12832, the work of the House District Committee in reporting out a legislative proposal on this subject.

I think that if we look at the record, we will find that many States have done exactly this same thing. This, of course, poses the question: Why do they not pay for it themselves? I will speak to this later and I will have an amendment which will insure that the costs are included in the District of Columbia appropriation and budget.

Now, the revision portion of the Code of the District of Columbia deals, as I understand it, with a code which has heretofore been passed only by Congress. However, the District of Columbia City Council would have authority under the Home Rule Act to enact legislation for the District of Columbia.

This proposal for a Law Revision Commission has its genesis in the work of the Nelsen Commission, which submitted its report to Congress on August 17, 1972. I

take this opportunity to insert in the RECORD the discussion and recommendation of the Commission on the Organization of the Government of the District of Columbia—the Nelsen Commission—that recommended a law revision commission that would among other things undertake a revision and review of the uniform Rules of Administrative Practice in the District of Columbia.

My views on the entire bill are set forth in the additional views as contained in the report accompanying H.R. 12832 as set forth below.

Congressman DON FUQUA, who served on the Commission on the Organization of the Government of the District of Columbia—the Nelsen Commission—and I introduced a bill which would have the Law Revision Commission implemented into legislative language. It was Mr. Fuqua's position that we should have another look at this matter 4 years after its enactment, and that is the way H.R. 12832 is drafted. I strongly commend this bill to you. I think that it is needed in the District of Columbia, that it will perform an important function not only for the citizens, but for the Congress, and all of us who are interested in the District of Columbia and its laws.

As I stated earlier, I will propose an amendment to H.R. 12832 that will clarify the matter that only District of Columbia appropriations were involved.

I include the following:

#### NELSEN COMMISSION REPORT

#### LAW REVISION COMMISSION AND UNIFORM RULES OF PRACTICE

The Commission believes that the establishment of a Law Revision Commission for the District of Columbia would supply a much-needed service now lacking in the legislative and administrative machinery of the District Government.

A Law Revision Commission, as contemplated in this report, would be a permanent body authorized by statute to conduct continuing studies into the anachronisms and inequities in the common law as well as statutory and case law, for the purpose of developing recommendations and reports to the governing legislative body for its consideration and adoption into law. Members of the Commission would include local attorneys and other professionals; and the Commission would be authorized to employ consultants and regular staff members to investigate and prepare studies under its supervision and direction.

The Law Revision Commission established in the State of New York in 1934, has served as the prototype for others created since that date. (L. 1934, c.597, effective May 16, 1934; 5 McKinney's Consol. Laws of New York, Book 31, Legislative Law, Art. 4A, Law Revision Commission, secs. 70 to 72.) It is composed of seven members, five appointed by the Governor for five years, plus the respective chairmen of the Committees on the Judiciary and on Codes of the State Senate and Assembly. The statute provides that at least two appointed members shall be members of law faculties of universities or law schools within the State and that four appointed members shall be members of the New York bar.

The Commission is charged by statute with the following duties:

"1. To examine the common law and statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms.

"2. To receive and consider proposed changes in the law recommended by the

American Law Institute, the commissioners for the promotion of uniformity of legislation in the United States, any bar association or other learned bodies.

"3. To receive and consider suggestions from judges, justices, public officials, lawyers and the public generally as to defects and anachronisms in the law.

"4. To recommend, from time to time, such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law of this state, civil and criminal, into harmony with modern conditions.

"5. To report its proceedings annually to the legislature . . . and, if it deems advisable, to accompany its report with proposed bills to carry out any of its recommendations." (5 McKinney's Consol. Laws of New York, Book 31 Art. 4A, sec. 72.)

The report of the New York Law Revision Commission for 1962 (Legislative Document (1962), No. 65) is illustrative of the type and quality of work performed by the Commission during a relatively active year. The report consists of 810 printed pages. It includes fourteen current reports and recommendations; studies directed by the legislature; recommendations presented in 1962; three studies and communications to the legislature without recommendation of legislation; legislative history of twelve recommendations submitted in 1961 which were enacted into law, and four others whose implementing bills did not become law; calendar of eight topics representing work in progress, nine topics on calendar for further study, and twenty-five proposals for future consideration. Representative recommendations enacted into law included: Appointment of Temporary Administrator for the Protection of the Property of a Missing Person; Power of Surrogate to Authorize Temporary Administrator of Estate of Missing Person to Join with Co-Tenants of Missing Person in Disposition of Real Property; Extinguishment of Estate of Missing Persons as Joint Tenant Upon Deposit of its Value in Court; Agreements Extending the Statutes of Limitation; Effect of Part Payment on Time Limited for Foreclosure of a Mortgage; Effect of Recording Executory Contract for Sale of Land and Priority of Vendee's Lien Arising from Payments Made Pursuant to [such] Executory Contract; and Accumulation of Income of Trusts for Religious, Educational, Charitable or Benevolent Purposes. The current calendar of topics under study included: Revision of Consolidated Laws to Transfer Provisions to More Appropriate Chapter or New Chapter; Application of Statute of Frauds to Agreements for Joint Venture to Deal in Land; Clearing Clouds on Title Resulting from Violation of Building-line Restrictions; and Effect of Contract Term Disclaiming Parole Representations to Bar Action for Fraud in Inducement of Agreement. Each study and report represents a detailed review of the problem in question, and is replete with legislative references and citations to relevant judicial precedents.

A considerable number of States have established Law Revision Commissions as a permanent, continuing part of their legislative and governmental structures. They include, for example, Michigan (*Mich. Compiled Laws*, 1967, 4.811, at 4.822-4.824); California (*West's Anno. Calif. Codes*, vol. 32A, secs. 10300-10340); Louisiana (*West's La. Stats. Anno.*, 1969, vol. 17, Title 24, Ch. 4, sec. 201); Pennsylvania (*46 Purdon's Penn. Stats. Anno.*, Title 46, secs. 65 and 431.1); Maryland (*Maryland Anno. Code*, Art. 40, secs. 48 to 53); and Virginia (*Virginia Code Anno.*, secs. 30-29 to 30-34). See also *Minn. Stats. Anno.*, secs. 3.31 to 3.38, 3.42; and secs. 3.301 to 3.302.

Helpful background information concerning the functions of Law Revision governmental units was made available to Com-

mission representatives by members of the bar in the District of Columbia, Philadelphia, and New York.<sup>1</sup>

In the District of Columbia Government, the Corporation Counsel serves as chief legal officer (*West's D.C. Code Encycl.* Secs. 1-301 to 1-303, and *Reorg. Order No. 50*, as amended, *West's D.C. Code Encycl.*, Vol. 2, pp. 202-207, and 1970-1971 *Ann. Cum. Pocket Part*, (p. 111)), much as the Attorney General and Corporation Counsel, or City Solicitor, serve the States of New York and Pennsylvania, and the cities of New York and Philadelphia, i.e., jurisdictions where law-revision commissions have been established for some years.

Experience demonstrates that an active Corporation Counsel's office, burdened with the day-to-day workload of litigation and accumulated administrative responsibilities, has little time or adequate facilities to undertake studies into legislative shortcomings, or to exercise initiative in formulating recommendations for specific legislative improvement. The work of law-revision commissions serves to supplement and assist, as well as ultimately to strengthen, the resources available to the chief law-enforcement officials. There need be no conflict between the two; in fact, there has been no occasion for incongruity but rather an opportunity for meaningful cooperation between them. The District Corporation Counsel is included among those that would be given a voice in the selection of members of the Commission proposed for the District of Columbia.

The statement of basic purposes and responsibilities for the District Law Revision Commission could be patterned after that governing the New York Law Revision Commission. (*Legislative Law, Art. 4A, 5 McKinney's Consol. Laws of New York*, Book 31, secs. 70-72.)

The proposed Commission would provide a systematic method of collecting, coordinating, and making available to the pertinent legislative bodies suggestions for law reform emanating from administrative and other public officials, judges, lawyers, bar associations, universities, and other organizations as well as the general public. Suggestions would be transmitted, after study, in the form of a comprehensive report and, wherever appropriate, a draft bill.

The proposed Commission should be authorized to prepare pamphlets on the District of Columbia Administrative Procedure Act (D.C. Code secs. 1-1501-1510) for the information and guidance of District Government departments and agencies as well as the general public. It is contemplated that such studies and pamphlets would contain pertinent extracts from legislative history, selected citations to court decisions, etc., along the lines of the manuals issued by the Attorney General of the United States with respect to the Federal Administrative Procedure Act (5 U.S.C. 551-559, 701-706, 1303, 3105, 3344, 5362, and 7521), including its Freedom of Information provisions, in 1947 and June 1967, respectively.

<sup>1</sup> They included Mr. Frank J. Whalen, Jr., (Spencer, Whalen & Graham), Washington, D.C.; Mr. William E. Zelter (Morgan, Lewis & Bockius), Philadelphia, Pennsylvania; and Mr. William B. Lawless (Mudge, Rose, Guthrie & Alexander), New York City. Their cooperation and support of the modern trend toward law-revision commissions could be characterized as enthusiastic. Valuable assistance was also provided by Mr. Arthur John Keefe, Professor of Law at Catholic University, Washington, D.C., formerly a member of the law faculty at Cornell University, where he was actively associated with various studies and related projects undertaken by the New York Law Revision Commission.



It is also recommended that the proposed Commission be authorized to prepare and issue uniform rules of practice, including hearing rules, to govern all District of Columbia agencies conducting on-the-record hearings to determine legal rights, etc., pursuant to statutory procedural requirement, constitutional right, or otherwise afforded by the agency. The uniform rules of practice would apply to on-the-record evidentiary proceedings of all District Government agencies, unless an agency (1) determined that a different procedural rule of its own, with respect to a particular area or matter, would better serve the public interest, and (2) demonstrated that fact to the satisfaction of the Commission. Uniform rules of practice for all departments and agencies of the Commonwealth of Pennsylvania were promulgated by the Committee on Documents (a permanent seven-member body appointed by the Governor) pursuant to section 1403 of the Commonwealth Documents Law, enacted July 31, 1968 (Law No. 240, July 31, 1968, 45 *Purdon's Penn. Stats. Anno.*, Title 45, secs. 1101-1611). The Committee on Documents is authorized to codify and revise the regulations (including procedural rules) applicable to all departments and agencies of the State government, having in mind uniformity of style and expression. The uniform rules of practice for Commonwealth of Pennsylvania agencies have been published, in printed looseleaf form, as Part II of the Pennsylvania Code, Chapters 31, 33 and 35 [Preliminary Provisions, Documentary Filings and Formal Proceedings, respectively], pp. 80.1 to 90.11, inclusive.

Recommendation No. VIII-3.—The Commission recommends that the District Government initiate legislation that would authorize the establishment of a Law Revision Commission for the District of Columbia, in the form of a permanent body as suggested in the preceding discussion, to be composed of fifteen members appointed as follows: (1) two each appointed by the Mayor-Commissioner, Chairman of the District of Columbia Council, District of Columbia Corporation Counsel, and the United States Attorney for the District of Columbia; (2) one each by the Speaker of the House of Representatives, majority leader of the Senate, the respective minority leaders of the House of Representatives and Senate, and the Chief Judges of the District of Columbia Court of Appeals and District of Columbia Superior Court; and (3) the Chairman by the President of the United States, subject to Senate confirmation.

#### ADDITIONAL VIEWS OF REPRESENTATIVE ANCHER NELSEN ON H.R. 12832

The Commission on the Organization of the Government of the District of Columbia (The Nelsen Commission) filed with the Speaker of the House of August 17, 1972, its Report which contained in Recommendation No. VIII-3 the recommendation for the establishment of a law revision commission for the District of Columbia. The thrust of this proposal was to provide for the establishment of a law revision commission that would examine anachronisms in the local District of Columbia Code, both civil and criminal laws.

On May 9, 1973, I introduced H.R. 7658 with Congressman Don Fuqua of Florida as a co-sponsor (Congressman Fuqua also served as a member of the Commission on the Organization of the Government of the District of Columbia), and in that bill there was a provision that the Congress would have an opportunity to review, after four years, how the Commission was performing its function. It was not our desire to limit the life of the Commission, unless the Congress in its judgment considered that it was failing to perform its duties as contemplated in such legislation. There is a similar provision in this bill, and I believe it is a provision which en-

hances its passage in the House and the Senate.

H.R. 7658, which I introduced and much of which is incorporated in H.R. 12832, the bill which this report accompanies, did not give priority to the study or examination of either the criminal or civil law. H.R. 12832, as taken up by the Full Committee on March 14, 1974, contained two provisions which were amended as follows:

1. *Eliminated priority for the study of criminal law to special consideration.* As originally provided in H.R. 12832, the Commission could not undertake the consideration of other matters until its examination of the criminal law was "completed." I agree with and quote favorably from a letter written by Frank J. Whalen, Jr. (a member of the Nelsen Commission Advisory Committee on Administrative Procedures), raising questions about this priority provision as it read before amendment:

"This priority provision seems to me to preclude establishment of the Commission on a broad base commensurate with the all-encompassing purposes described elsewhere in the legislation. Although the Commission should obviously devote a fair share of its attention to the criminal law, the effect of the priority provision would cause the Commission, for at least the first two years of its existence, and probably longer, to deal exclusively with criminal law. In my view, the appointments to the Commission will inevitably be made with this in mind, and the staffing and funding of the Commission will be similarly one-sided. The result will be that the Commission's attention will be devoted for a substantial period of time solely to Titles 22 through 24, of the District of Columbia Code (and the decisional law and other matters which are related thereto), to the complete exclusion of 46 other Titles and everything else.

"In the testimony of Professor MacDonald, who has for several years been the Chairman of the New York Law Revision Commission and who has been involved in the activities of that Commission since its very beginning almost 40 years ago, he made it very clear that he thought that the value of the Law Revision Commission was its receptivity to matters of all kinds which have legal impact upon the community and that it was definitely undesirable to bog down the Commission in a single aspect of the law. He specifically discussed, for example, the difficulties which the New York Commission experienced when it devoted most of its work for a period of about 6 years to examination of and adaptation of the Uniform Commercial Code into New York Law.

"In the last analysis, the effectiveness of the Commission will be measured largely by its ability to attract as members of the Commission persons who are able and willing to dedicate a substantial portion of their time to the work of the Commission. Most of the persons who will be appointed to the Commission must necessarily be lawyers and the number and variety of lawyers who will accept appointment to the Commission will be narrowed immensely if the Commission is going to devote itself solely to criminal law for a substantial period of time. Before the Commission will be able, under the proposed priority, to go forward with any other work, it will be essential to have the criminal law "task . . . completed." This would appear to compel a subsequent change of personnel after the completion of the criminal law phase in order to obtain the appropriate mix of Commission members and staff to deal with the wide-ranging problems which the Commission should normally be ready to handle. It seems to me that it would be desirable to eliminate the priority altogether, and to make it clear that the Commission should be established on the broadest base possible, and should be staffed to do its entire job from the very beginning."

2. *Membership on the Commission extended to the Metropolitan Area.* Certainly there is a need for local residents and those who practice to a substantial degree in the District of Columbia to be represented on this law revision commission. Certainly the provisions of the District of Columbia Self-Government and Government Reorganization Act, Public Law 93-198, provides that after January, 1975, judges appointed to the local courts must be residents of the District of Columbia. However, I am of the opinion that judicial appointments are in a very different case than appointees to members of the law revision commission established by this bill.

First, the appointment of judges is virtually a life-time appointment, in that the appointments are for 15 years. The appointments in this bill are for a substantially lesser period of time.

Secondly, the remuneration consists of \$100 a day up to \$5,000 per year for members of the law revision commission. If the quality of individuals appointed are of the caliber we envisaged when we recommended the formation of the law revision commission in the Nelsen Commission Report, they cannot begin to be compensated fully for their time. They would be leaders of the bar and scholars of note. Thus, I would expect that members appointed to the Commission would in the final analysis make a substantial economic sacrifice to the benefit of the District of Columbia by their service.

Furthermore, the problems which the law revision commission will be addressing are not purely local in nature. The commission must take into account the metropolitan characteristics of the community as a whole and that the District of Columbia is the Nation's Capital, yours and mine. As I understand it, there are somewhere in the vicinity of 18,000 members of the Unified Bar in the District of Columbia. The information I have is that 8,000 of these live outside the metropolitan area of Washington, D.C., and that somewhere between 2,000 and 3,000 of the members of the Unified Bar live in the District of Columbia. Accordingly, the amendment taken up in the Full Committee to permit appointment of individuals living in the Washington Metropolitan Area was again a provision which I believe enhances the passage of this measure in the House and Senate.

Finally, as to the question of funding this Commission, it is my understanding from a review of the testimony that the New York State Law Revision Commission, as testified to by Professor MacDonald, had a budget of approximately \$350,000. I believe that if the cost of the District of Columbia Law Revision Commission gets out of hand, the permanency of the Commission, which I believe we all endorse, may be threatened substantially. In four years the issue must come back to Congress for consideration of the continuance of the commission, and each year its budget must be justified. Accordingly, I exhort those who serve on the commission to do so with all the dedication and fervor at their command. But I also caution them to do so with an eye to the fact that we must all live within realistic budgets. This Law Revision Commission can perform an outstanding service to the community, the Congress, and the nation as a whole. I trust that those who serve on the Commission will do so in a very dedicated, but common-sense, manner. I am sure that they will, and when they do, they will be assured of success.

Mr. GOLDWATER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I do not rise to challenge the merits of this particular piece of legislation, although, after listening to the colloquy among the various members of the committee and the gentleman from

Iowa (Mr. GROSS) and the gentleman from Missouri (Mr. RANDALL) certainly I believe there is some wisdom to be gained as far as the language of this bill is concerned, since the language seems to be quite permissive.

The purpose of my rising is to perhaps examine the unrestrained authority and power of this Commission to collect information.

Section 2, subsection (j), says that—

The Commission, acting through its Chairman, may request \* \* \* any information for carrying out the purposes of this Act.

Mr. Speaker, I would like to ask the chairman of this committee and the delegate from the District of Columbia (Mr. FAUNTROY) whether this language in section 2, subsection (j), only applies to laws and related statutory information.

Or can it be construed to imply personal information about individuals?

Mr. FAUNTROY. No, it cannot be construed to imply personal information.

Mr. GOLDWATER. What kind of information, then, would this commission be collecting if not on individuals?

Mr. FAUNTROY. It would be only data that is relevant to the needs of law revision.

Mr. GOLDWATER. And you see no reason for this commission to request information on individuals per se?

Mr. FAUNTROY. I see no reason whatsoever for that.

Mr. GOLDWATER. So, in other words, what they are looking for is for a statistical research type of material and not personal information involving individuals?

Mr. FAUNTROY. Precisely.

Mr. GOLDWATER. Mr. Speaker, I appreciate the clarification by the gentleman from the District of Columbia and only wish to point out in closing that we have in the past, I believe, come down this road of making provisions in the law when we create an agency or commission which is sort of standard practice in authorizing the commissioners to collect information without any regard for any kind of safeguard for that information and without any regard for the effect it may have on the personal lives of individuals.

It seems to me, as we legislate in the future, we should take these things into consideration. Certainly today, with technology as it is and with the increased use of social security as an identifying number the potential for the invasion of privacy has increased when we given this kind of permissive language in these types of bills. This is a sort of boilerplate approach and one which we need to examine more closely and use more wisely.

Mr. KEMP. Will the gentleman yield?

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

Mr. KEMP. I would like to associate myself with the remarks of the gentleman from California (Mr. GOLDWATER).

I understand a good deal more about this legislation through his inquiry of the delegate from the District of Columbia, and I appreciate the answers

given to the gentleman from California in this colloquy. I also appreciate even more greatly the necessity, as the gentleman pointed out, of insuring that there are proper and adequate safeguards built into these "boiler plate" approaches.

I very much appreciate what the gentleman from California is doing, and I have joined with him in several pieces of legislation which would protect the rights of individuals to their own privacy.

Mr. GOLDWATER. I thank the gentleman for his support of this line of questioning and certainly recognize him as an individual who has expressed great concern for the personal privacy of individuals.

Mr. SMITH of New York. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I do not think I shall take the 5 minutes, but I do want to try to clear up several misapprehensions.

The gentleman from California (Mr. GOLDWATER) has just questioned whether this proposed bill might not open up fishing expeditions for personal information under section 2.

The fact is, though, that it will not, because section 3 sets forth what the duties of the Commission are, and the duties of the Commission are to study the present laws of the District of Columbia and to recommend from time to time to the Congress, and where appropriate, to the District of Columbia Council, such changes in the law relating to the District of Columbia as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law relating to the District of Columbia, both civil and criminal, into harmony with modern conditions.

So the concern of the gentleman about this Commission getting information about private individuals has no basis because it is allowed to get information only in regard to the duties of the Commission which are set out specifically in section 3.

There is one other matter that I would like to discuss a little bit, and that is that there is a small misunderstanding here. We have two sets of law involved here. One is the District of Columbia Code which is now in existence and which has been passed by this Congress from time to time. It is this code, which consists of both civil and criminal law, in regard to which the proposed Law Review Commission will operate chiefly to make recommendations. It will also examine from time to time the Municipal Code of the District of Columbia which will be the body of municipal ordinances which will be passed by the City Council after home rule becomes effective, and that is the reason for section 6 in which there is authorized to be appropriated out of the moneys of the Treasury such amounts as might be necessary for this act, and which will still be subject to the appropriations procedure in this House of Representatives under the chairmanship of the gentleman from Kentucky (Mr. NATCHER).

The Nelsen Commission recommended that the laws of the District of Columbia which have been passed by the Congress of the United States should be revised

where necessary. That is the purpose of this bill.

The home rule bill prohibits the new District Council of the District from doing anything about the criminal laws of the District of Columbia for a period of 2 years.

That is why it is necessary to have this Law Revision Commission which will look at the criminal laws of the District of Columbia now contained in the District of Columbia Code, for revision where and as necessary, and to recommend changes to the Congress of the United States.

This sort of a law revision commission has been in existence in my own State of New York since 1934, and it has performed and continues to perform an outstanding job in New York State in revising and making recommendations for the revision of the laws of the State of New York.

In answer to the inquiry of the gentleman from Iowa about why have a commission of 15 members, I would say that the experience in the State of New York with its law review commission since 1934 has indicated that the commissioners are the directors of the areas in which a study of revisions or possible revisions may be necessary. The staff do the actual work. The commissioners sit as experts. They will all be attorneys or judges or people who are expert in the laws today, and will decide what direction and into what areas the commission should move.

The commission by the bill is—  
The SPEAKER. The time of the gentleman has expired.

(By unanimous consent, Mr. SMITH of New York was allowed to proceed for 1 additional minute.)

Mr. SMITH of New York. Mr. Speaker, I just want to finish up by saying the commission, which will be looking at all the laws of the District of Columbia, is directed by this bill to give special consideration to a revision and a study of the criminal laws of the District, and to report back.

AMENDMENT OFFERED BY MR. NELSEN

Mr. NELSEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NELSEN: Page 9, line 10, after the word "treasury" insert the words: "credited to the District of Columbia and".

Mr. NELSEN. Mr. Speaker, the full section would read like this:

For the purpose of carrying out this Act, including the amendment made by this Act, there are authorized to be appropriated, out of moneys in the Treasury, credited to the District of Columbia and not otherwise appropriated, such amounts as may be necessary to carry out the purpose of this Act.

The purpose of the amendment is to clarify the question of where the appropriations—moneys—will come from to fund this bill. It should come out of the moneys of the District of Columbia, realizing, of course, that a large portion of their moneys does come from the Federal payment. However, this problem will be handled and will be subject to the review of the Subcommittee on District of Columbia Appropriations.

Mr. Speaker, I yield back the balance



of my time and insert in the RECORD at this point a statement of Congressman JOEL BROYHILL of Virginia:

STATEMENT OF HON. JOEL T. BROYHILL IN SUPPORT OF H.R. 12832

I rise in support of the bill H.R. 12832, the principal purpose of which is to authorize a Law Revision Commission for the District of Columbia. The creation of such a Commission was recommended in 1972 by the Nelson Commission on the Organization of the D.C. Government.

The Law Revision Commission established in the state of New York in 1934 has served as a prototype for other such Commissions created since that time in a number of other states, including my own state of Virginia. The provisions of H.R. 12832 relating to the Law Revision Commission for the District of Columbia are patterned closely after the New York statute.

The D.C. Law Revision Commission will consist of 15 members, of whom two will be appointed by the President, and one each by the Speaker of the House, the President pro tempore of the Senate, and the minority leaders of the House and the Senate. This will assure adequate appointive power, on a bi-partisan basis, by the Federal establishment. In addition, three members will be appointed by the D.C. Commissioner, one by the Chairman of the D.C. Council, two by the Joint Committee on Judicial Administration in the District of Columbia, one by the D.C. Corporation Counsel, and two by the Board of Governors of the D.C. Unified Bar.

The bill originally provided that all members of the Commission would be required to be residents of the District of Columbia. A Committee amendment, however, changed this subsection so as to provide that eight members of the Commission must be residents of the District, and the other seven members shall be residents of the suburban areas of the National Capital Region.

I heartily approve of this amendment, since many of the problems to which the Commission must necessarily address itself cannot be considered as being entirely local in nature. The task which the Commission is to perform must take into account the Metropolitan characteristics of the community as a whole, and the fact that the District of Columbia is the Nation's capital city. Further, a great many members of the D.C. Unified Bar are prominent attorneys who reside in the suburbs of Virginia and Maryland and who practice, partially or exclusively, in the District of Columbia. There is no question whatever that some of these attorneys will be able to contribute a meaningful input into the operation of this D.C. Law Revision Commission, and to broaden the scope of its efforts.

The duty of the Law Revision Commission will be to scrutinize in detail the common law and statutes pertaining to the District of Columbia, and also the ordinances, regulations, and acts of the D.C. Council, for the purpose of discovering defects and anachronisms therein, as a basis for recommending needed reforms in the laws governing the District.

In this work of evaluation, the Commission will receive and consider suggestions from judges, bar associations, public officials, lawyers, and others pertaining to defects existing at this time in the District of Columbia laws.

The Commission will recommend to the Congress and, where appropriate, to the Commissioner of the District of Columbia and the D.C. Council, what changes in D.C. laws it considers necessary to modify or eliminate antiquated and inequitable rules of law, and thus will act to bring the D.C. civil and criminal codes of law into a proper state of compatibility with modern conditions.

Experience in other cities and states has shown that an active Corporation Counsel's office, with its normal workload of litigation and administrative responsibilities, has neither the time nor the facilities to undertake studies into legislative short-comings, or to initiate recommendations for specific legislative improvements. The role of law revision commissions is to supplement and assist, and thus ultimately to strengthen, the resources available to the chief law enforcement officials in this vitally important area.

The proposed D.C. Law Revision Commission will also have two additional responsibilities, both of which are highly desirable. First, the Commission will be required to prepare and recommend uniform rules relating to the conduct of hearings for the use of the administrative agencies of the District of Columbia government, as well as to conduct a study of the D.C. Administrative Procedure Act as a basis for preparing a manual for the guidance of the city's administrative agencies.

The second of these additional duties of the Commission will be to codify all the regulations adopted by the D.C. Council in the nature of laws or municipal ordinances, and publish them in a Municipal Code of the District of Columbia. This Municipal Code is to conform closely to, and be cross-indexed with, the D.C. Code of Law, though of course it will not duplicate the text of that code in any way. The D.C. Council will be required to issue supplements from time to time so as to update this Municipal Code and keep it current. This will be the first time that the regulations and ordinances promulgated by the D.C. Council, under the authority granted them by Reorganization Plan No. 3 of 1967, as well as by various Acts of Congress, have been compiled into a single publication, and it is my opinion that this D.C. Municipal Code is long overdue.

Under the terms of H.R. 12832, the D.C. Law Revision Commission will cease to exist at the end of four years, unless extended by the Congress. It is true that the Nelson Commission recommended that this Commission be a permanent body, as is the case in a number of states. However, I approve this provision in this proposed legislation, as it will afford the Congress an opportunity to review and evaluate the performance of this Commission after a reasonable period of time.

This Law Revision Commission for the District of Columbia will assume a grave responsibility and will also have a unique opportunity to perform a great service to the District and to the entire Metropolitan area. I hope and trust that they will avoid sabotaging any of the important amendments to the D.C. Criminal Code which were enacted in the D.C. Court Reform and Criminal Procedures Act of 1970, after many months of diligent effort on the part of the House District of Columbia Committee. Some of these provisions, such as pre-trial detention and no-knock, were highly controversial at that time. But since that law was enacted in 1970, the rate of incidence of serious crime in the District of Columbia has declined steadily. During calendar year 1969, more than 83,000 offenses were recorded in the city in the areas of murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft combined. And during the year 1973, only approximately 51,000 such offenses were committed. This decline of some 39 percent in the incidence of these crimes in the District can certainly be attributed in great part to the efficacy of the provisions of the 1970 Act, and thus there can be no justification for the dilution of that most effective piece of legislation.

I believe that the D.C. Law Revision Commission which will be created by this proposed legislation will be an asset to the city, and I commend this bill to my colleagues for favorable action.

Mr. WYLIE. Mr. Speaker, I rise in support of the amendment.

Mr. Speaker, I respect the gentleman from the District of Columbia greatly and what he is trying to do by this bill, and his answers as to the intent and purpose of this bill. But I submit that there is an ambiguity in the language of the bill as to what the money authorized can be used for and from whence the money will come.

I refer to the language on page 6, section 3, in which it says:

(a) It shall be the duty of the Commission to—

(1) examine the common law and statutes relating to the District of Columbia, the ordinances, regulations, resolutions, and acts of the District of Columbia Council, . . .

And the language to which I previously referred on page 9.

I think the amendment of the gentleman from Minnesota clears that up and specifically gets to the question which was raised by the gentleman from Iowa (Mr. Gross), to which I referred. I, therefore, suggest that the amendment should be adopted.

The SPEAKER. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. DIGGS. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

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

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

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

Mr. RANDALL. 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 220, nays 119, not voting 93, as follows:

[Roll No. 110]  
YEAS—220

Abzug	Broyhill, N.C.	Diggs
Adams	Buchanan	Donohue
Anderson, Ill.	Burgener	Downing
Andrews, N.C.	Burke, Calif.	Drinan
Andrews,	Burke, Mass.	Dulski
N. Dak.	Burton	du Pont
Annunzio	Butler	Eckhardt
Arends	Carney, Ohio	Edwards, Ala.
Ashley	Carter	Eilberg
Aspin	Casey, Tex.	Esch
Barrett	Cederberg	Evans, Colo.
Bennett	Clark	Evins, Tenn.
Bergland	Clay	Fascell
Blester	Cleveland	Findley
Bingham	Collins, Ill.	Fish
Blackburn	Conable	Fisher
Boiland	Cotter	Flood
Bolling	Coughlin	Ford
Brademas	Cronin	Forsythe
Brasco	Culver	Fountain
Breaux	Davis, S.C.	Fraser
Breckinridge	de la Garza	Frenzel
Brinkley	Delaney	Frey
Brooks	Dellenback	Fulton
Brotzman	Dellums	Fuqua
Brown, Calif.	Dennis	Giaino
Brown, Ohio	Dent	Gibbons

Gilman Mathias, Calif.  
 Ginn Matsunaga  
 Gonzalez Mazzoli  
 Green, Pa. Metcalfe  
 Griffiths Miller  
 Gude Minish  
 Gunter Mink  
 Guyer Mitchell, N.Y.  
 Hamilton Mollohan  
 Hanley Moorhead,  
 Hansen, Idaho Calif.  
 Hastings Morgan  
 Hawkins Mosher  
 Hays Moss  
 Heckler, W. Va. Murphy, Ill.  
 Heckler, Mass. Murphy, N.Y.  
 Heinz Natcher  
 Helstoski Nedzi  
 Hollifield Nelsen  
 Holtzman Obey  
 Horton O'Hara  
 Hosmer Owens  
 Howard Patten  
 Johnson, Calif. Pepper  
 Jones, Ala. Perkins  
 Jordan Pettis  
 Karth Peyser  
 Kastenmeier Pike  
 Kazen Podell  
 Kemp Preyer  
 Koch Price, Ill.  
 Kuykendall Quile  
 Kyros Quillen  
 Lagomarsino Rallsback  
 Lehman Rangel  
 Long, La. Rees  
 Long, Md. Regula  
 Luken Rhodes  
 McClary Rinaldo  
 McCloskey Robison, N.Y.  
 McCollister Rodino  
 McCormack Roe  
 McDade Rogers  
 McFall Roncallo, Wyo.  
 McKay Rooney, Pa.  
 Macdonald Rosenthal  
 Mallory Roush  
 Maraziti Roy

## NAYS—119

Alexander Grover  
 Archer Gubser  
 Armstrong Haley  
 Ashbrook Hammer-  
 Baker schmidt  
 Bauman Henderson  
 Bevil Hicks  
 Bowen Hillis  
 Bray Hinshaw  
 Broomfield Hogan  
 Brown, Mich. Holt  
 Burke, Fla. Huber  
 Burleson, Tex. Hudnut  
 Burlison, Mo. Hunt  
 Byron Hutchinson  
 Camp Ichord  
 Chamberlain Johnson, Colo.  
 Chappell Johnson, Pa.  
 Clancy Jones, N.C.  
 Clawson, Del. Jones, Okla.  
 Cochran Jones, Tenn.  
 Cohen King  
 Collins, Tex. Landgrebe  
 Conlan Landrum  
 Conte Latta  
 Crane Lent  
 Daniel, Dan Lott  
 Daniel, Robert Lujan  
 W., Jr. Madigan  
 Davis, Wis. Mahon  
 Denholm Martin, Nebr.  
 Derwinski Martin, N.C.  
 Devine Mayne  
 Duncan Michel  
 Eshleman Minshall, Ohio  
 Flynt Mizell  
 Gaydos Montgomery  
 Gettys Murtha  
 Goldwater Myers  
 Goodling Nichols  
 Gross O'Brien

## NOT VOTING—93

Abdnor Chisholm  
 Addabbo Clausen,  
 Anderson, Don H.  
 Calif. Collier  
 Badillo Conyers  
 Bafalis Corman  
 Beard Daniels,  
 Bell Dominick V.  
 Blaggi Danielson  
 Blatnik Davis, Ga.  
 Boggs Dickinson  
 Broyhill, Va. Dingell  
 Carey, N.Y. Dorn

Harsha Moakley  
 Hébert Moorhead, Pa.  
 Hungate Nix  
 Jarman O'Neill  
 Ketchum Parris  
 Kluczynski Passman  
 Leggett Patman  
 Litton Pickle  
 McEwen Poage  
 McKinney Pritchard  
 McSpadden Reid  
 Madden Reuss  
 Mann Riegle  
 Mathis, Ga. Roncallo, N.Y.  
 Meeds Rooney, N.Y.  
 Melcher Rose  
 Mezvinsky Rostenkowski  
 Milford Roybal  
 Mills Sikes  
 Mitchell, Md. Slack

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill for, with Mr. Hébert against.  
 Mr. Kinney for, with Mr. Passman against.  
 Mr. Addabbo for, with Mr. Teague against.  
 Mr. Mitchell of Maryland for, with Mr. Rose against.  
 Mr. Rostenkowski for, with Mr. Jarman against.  
 Mr. Kluczynski for, with Mr. Sikes against.  
 Mr. Dominick V. Daniels for, with Mr. Young of South Carolina against.  
 Mr. Carey of New York for, with Mr. Abdnor against.  
 Mr. Moorhead of Pennsylvania for, with Mr. Collier against.  
 Mr. Wolff for, with Mr. Mathis of Georgia against.

Until further notice:

Mr. Biaggi with Mr. Vander Veen.  
 Mr. Nix with Mr. Foley.  
 Mr. Tiernan with Mr. Young of Georgia.  
 Mr. Slack with Mr. Gray.  
 Mr. Reid with Mrs. Hansen of Washington.  
 Mr. Riegle with Mr. Danielson.  
 Mr. Pickle with Mr. Bafalis.  
 Mr. Badillo with Mr. Moakley.  
 Mr. Anderson of California with Mr. Beard.  
 Mrs. Boggs with Mr. Harsha.  
 Mr. Corman with Mr. Hanrahan.  
 Mr. Davis of Georgia with Mr. Madden.  
 Mrs. Chisholm with Mr. Leggett.  
 Mr. Hungate with Mr. Bell.  
 Mr. Harrington with Mr. McEwen.  
 Mrs. Green of Oregon with Mr. Broyhill of Virginia.  
 Mr. Meeds with Mr. Froehlich.  
 Mr. Waldie with Mr. Erlenborn.  
 Mr. Van Deerlin with Mr. McSpadden.  
 Mr. Stephens with Mr. Don H. Clausen.  
 Mr. Symington with Mr. Hanna.  
 Mr. Conyers with Mr. Blatnik.  
 Mr. Dingell with Mr. Frelinghuysen.  
 Mr. Dorn with Mr. Melcher.  
 Mr. Edwards of California with Mr. Milford.  
 Mr. Flowers with Mr. Patman.  
 Mrs. Grasso with Mr. Dickinson.  
 Mr. Mann with Mr. Pritchard.  
 Mr. Litton with Mr. Roncallo of New York.  
 Mr. Reuss with Mr. Mills.  
 Mr. Rooney of New York with Mr. Young of Alaska.  
 Mr. Mezvinsky with Mr. Smith of Iowa.  
 Mr. Roybal with Mr. Steiger of Wisconsin.  
 Mr. Charles H. Wilson of California with Mr. Ware.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. FAUNTROY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

## CONGRESSIONAL COUNTDOWN ON CONTROLS

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

Mr. STEELMAN. Mr. Speaker, the April 30 expiration date for the Economic Stabilization Act is now in sight. But every day the wage and price controls system only serves to weaken our economy, and I urge my colleagues to act now to end these controls immediately. Wage and price controls have certainly not checked inflation, and in fact, as the following article from the Wall Street Journal of March 13 indicates, the inflation rate in the United States now exceeds that in many other nations.

U.S. INFLATION RATE NOW EXCEEDS INCREASE IN MANY OTHER LANDS

(By Alfred L. Malabre Jr.)

Prices have recently begun to rise faster in the U.S. than in many other countries.

The development marks a major turnabout in world price trends. Until recently, Americans concerned over steep U.S. inflation rates could at least derive a bit of comfort from the fact that prices were going up even more sharply almost everywhere else. Indeed, as recently as a year ago there wasn't a major country where inflation rates didn't exceed the U.S. pace.

Today, in bleak contrast, there are seven countries in Western Europe alone—plus another 11 in other parts of the globe—where prices are rising at a more moderate rate than in America.

Analysts at the International Monetary Fund in Washington, as well as other private economists, hesitate to predict whether inflation will continue to be more feverish in the U.S. than in many other lands. Oil is among the imponderables. The latest price statistics generally available don't reflect the full inflationary impact of the Arab oil squeeze, which has tended to be harsher in Western Europe and Japan than in the relatively self-sufficient U.S.

## LOSING THE EDGE

In any event, the consensus view is that the U.S. in recent months has clearly lost its enviable edge in inflation-fighting. Moreover, it's widely felt that a continued sagging in the U.S. position could ultimately lead to renewed economic troubles quite apart from the price arena.

An economist at the International Monetary Fund warns, for instance, that "unless the U.S. can set a firm example in keeping inflation in check, it will be difficult for the U.S. to take the lead in working out arrangements for a lasting reform of the international monetary system." Without U.S. leadership, he adds, the likelihood of reforming the system seems "dim."

Another analyst, at Chase Manhattan Bank in New York, worries that, unless the U.S. can maintain a relatively effective rein on prices, "it's entirely possible that U.S. goods could encounter fresh difficulties in world markets, where only recently they have started to compete effectively again." He notes that in January, the latest month for which figures are available, the U.S. exports topped imports by nearly \$644 million, a dramatic improvement from January 1973, when U.S. trade was in deficit to the tune of about \$290 million.

The table below shows how good, in relative



terms, America's inflation record seemed as recently as last March and how the U.S. position has deteriorated since then. The first column lists the average increase in consumer prices in various West European countries and in the U.S. during the most recent 12-month period available, generally through January or December. The second column shows the consumer price rise in the same lands for the 12 months ended last March.

[In percent]

	Latest 12 months	Year ago
United States	9.4	4.7
Austria	7.8	7.6
Belgium	7.5	7.0
France	8.4	6.4
West Germany	7.8	6.9
The Netherlands	8.2	7.7
Norway	8.5	7.7
Sweden	8.0	6.0

In every case, the rate of inflation has accelerated. But the U.S. speedup, as the table indicates, has been by far the sharpest. Indeed, International Monetary Fund statistics show that only Britain, Italy and Switzerland within industrial Western Europe have steeper inflation rates now than America. The only other major industrial country whose price spiral remains more severe than that in the U.S., in fact, is Japan, where inflation was a fat 20.4% in the past year. Other places where inflation a year ago exceeded the U.S. pace but now is more moderate include such disparate lands as Iraq, Malta and Tunisia.

Many analysts cite the expansionary direction of U.S. economic policies in recent months as a fundamental cause of the country's deteriorating price performance, compared with the record elsewhere.

International Monetary Fund statistics show, for instance, that the U.S. money supply—defined as private checking accounts and currency in circulation—has grown more swiftly over the past year, while monetary expansion in most key countries has tended to slow. Economists generally hold that accelerating monetary expansion tends to bring a speedup in inflation and slowing monetary growth tends to foster more moderate price increases.

#### COMPARING MONETARY GROWTH

In the 12 months ended last March, U.S. monetary growth came to only 3%, IMF figures show. This was far more moderate than monetary expansion in any other major nation. Increases during the same span amounted to 11% in France, 14% in West Germany, 15% in Belgium, 16% in the Netherlands, 13% in Canada and a frenetic 27% in Japan.

Since then, however, U.S. monetary growth has sharply accelerated, while monetary expansion in almost every other key country has moderated, in some cases dramatically. In a recent 12-month period, according to the IMF, the U.S. money supply rose about 6%, twice the March 1973 rise. In the same period, monetary growth in West Germany and the Netherlands amounted to about 1%. Other countries where monetary expansion has slowed markedly since a year ago include France, Canada, Japan and Belgium. The only major nations, besides the U.S., where monetary expansion has accelerated are Britain and Italy. In each, it's noteworthy, inflation has begun to soar as double-figure rates.

A relatively rapid buildup of inflationary pressures in the U.S. also can be seen in statistics that compare factory operating rates in various countries. Inflation is more likely at a time when factories are operating at or close to capacity than when a substantial portion of facilities stands idle.

As recently as the start of 1972, accord-

ing to a Commerce Department analysis, U.S. factories, using 88% of their capacity on the average, operated at clearly lower rates than factories in the European Common Market, where plant operations averaged 91% of capacity. Recently, however, the analysis shows that U.S. operating rates, averaging a hectic 95% of capacity, actually exceeded the Common Market average of 92%.

Hefty gains in labor productivity, of course, tend to ease inflationary pressure that might otherwise build up from pay increases. Unhappily, a soon-to-be-released Labor Department study shows that productivity gains in the U.S. have recently been shrinking while increases elsewhere have been expanding.

#### PRODUCTIVITY IN PERSPECTIVE

Between 1972 and 1973, the study shows, productivity gains in the U.S. slipped from 5.2% to 4.7%. In the same two years, in contrast, productivity gains increased in Canada from 4.4% to 5.1%, in Japan from 10.1% to 18.9%, in France from 7.2% to 8% and in West Germany from 7% to 7.3%.

The lackluster U.S. productivity record, some analysts note, has come at a time when U.S. labor unions appear increasingly vocal about the need for big pay boosts to help workers regain purchasing power eroded in recent months by accelerating inflation.

U.S. workers generally remain by far the best paid in the world, even after repeated devaluations of the U.S. dollar and vastly larger annual pay boosts in such lands as Japan, where hourly pay went up an average of 21% last year, nearly triple the average U.S. gain. An unpublished Labor Department analysis places average hourly compensation for U.S. production workers last year at \$5.25. This compares with \$4.79 in Canada, \$2.12 in Japan, \$2.77 in France, \$4.32 in West Germany, \$2.72 in Italy and \$1.99 in Britain. The analysis uses currency exchange rates prevailing in the middle of last month to arrive at the foreign pay rates.

#### OTHER IMPODERABLES

The cost and availability of oil isn't the only imponderable that analysts cite when attempting to assess whether U.S. prices increases will continue to be relatively steep. Another uncertainty involves the question of U.S. economic policies in the months ahead. Will U.S. planners adopt a more conservative stance, for example, on the monetary front? And will the recent monetary stringency so evident in West Germany and elsewhere remain in effect?

There are still other uncertainties. How much does the progressive removal of controls in the U.S. alter America's relative prices? To what extent will wage-price restraints persist abroad? How may the current "floating" of currency exchange rates affect price patterns in the U.S. and elsewhere?

With regard to the last question, some economists contend that the advent of floating exchange rates has begun to make it harder for the U.S. to "export" inflation elsewhere. Under the old fixed-rate system, which fell apart in 1971, foreign governments were obliged to issue local currency for inflowing dollars at fixed rates of exchange. Foreign officials often complained that this arrangement forced them to issue more marks or whatever than was healthy for their particular economies.

Such transmission of U.S. inflation is far less probable with exchange rates that move around in response to supply and demand forces, it's claimed. The upshot, some analysts contend, is that the U.S. economy today is less likely than several years ago to escape the full inflationary impact of say, a highly expansionary monetary policy.

#### UAW PRESIDENT COMMENTS ON THE ECONOMY

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

Mr. CONABLE. Mr. Speaker, I note with interest that yesterday in Grand Rapids, Mich., Leonard Woodcock, president of the United Auto Workers said in a TV interview that this country is "in the grips of a capital goods boom." Agreeing with President Nixon's assessment of the state of the U.S. economy, Mr. Woodcock pointed out that we have more people employed than ever before, and that the economy—with one exception of autos and energy "has held up amazingly well." Apparently Mr. Woodcock expects the economy to take a dramatic upturn later this year, far from singing the blues at the current problems in car manufacturing.

No one could claim that this sophisticated and liberal labor leader is a puppet of Nixon administration economists, Mr. Speaker, and I hope more advocates of panic economic stimuli will hear his words and address instead the continuing concerns we all feel about inflation. The majority of the Joint Economic Committee, who should know better, are urging the pulling of all economic stops, including a big tax cut, and Mr. Woodcock's statement underscores the political nature of the committee recommendation.

#### ON THE RETIREMENT OF BILL MAILLIARD FROM CONGRESS

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from California (Mr. BOB WILSON) is recognized for 60 minutes.

Mr. BOB WILSON. Mr. Speaker, I had taken this special order to pay tribute to one of our colleagues, but I do not see him here. This is not a eulogy by any means. I guess he is here. We are pleased to pay tribute to Bill Mailliard.

Bill and I and some of us still here came in back in 1952; CHARLEY GUBSER and CRAIG HOSMER and a number of others. As a matter of fact, President Eisenhower and President Nixon rode in on our coattails back in 1952 in that great election. However, I want to recognize some of our California colleagues and others who want to join in this tribute to Mr. Mailliard. First of all, I want to recognize the dean of our delegation, the Honorable CHET HOLIFIELD.

Mr. HOLIFIELD. Mr. Speaker, I wish to thank the gentleman from California for securing this time for some Members who have admired Bill Mailliard for these many years so that we may express our appreciation for the tremendous record he has made both in his military career in World War II when he served on active duty for several years and received a number of awards of merit and commendations of different kinds and also for the 22 years of service in the Congress of the United States.

Bill served on the Committee on Foreign Affairs and on the Committee on Merchant Marine and Fisheries. He was the ranking Republican member of the Committee on Foreign Affairs and next to the ranking minority member on the Committee on Merchant Marine and Fisheries.

After his career in the active service during World War II he enlisted in the Naval Reserves and he achieved the rank of rear admiral, which I think was a tremendous honor given to him and which we all appreciate.

Bill has announced he is retiring from the Congress.

He has been given, I think, a very worthwhile appointment as Ambassador to the Organization of American States. It is certainly an appointment I can wholeheartedly concur in. I think the President has made a wise selection. With his good background on foreign affairs, having served on the House Committee on Foreign Affairs, the gentleman is certainly acquainted with the dealing with foreign nations and with their representatives, and I predict he will have a very fine career in the Foreign Service of the United States.

I certainly want to express my pleasure on having worked with the gentleman. He was the minority ranking member and, in my capacity as the ranking majority member, we had many, many contacts over the years and opportunities for different meetings which concerned the business of California and of all of our complete delegation. I have found him at all times cooperative. There was never a word of disagreement between us on the matters that we worked together on for the benefit of the delegation of the State of California.

I believe that this appointment will give Bill Mailliard an opportunity to enter a completely new field of service. Bill is young enough and vigorous enough, I believe, to go far in the Foreign Service of the United States.

I wish Bill and his wife, Millie, and their family the very best of luck.

Mr. BOB WILSON. Mr. Speaker, I thank the gentleman.

I am now pleased to yield to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, I appreciate the gentleman yielding me this time. It is appropriate that we take this occasion to review and express appreciation for the fine work Bill Mailliard had done during the time he has served in the U.S. House of Representatives. We are especially grateful to our colleague from San Diego, Bob Wilson, for assuring that this time is taken to recognize the good work of our fellow Member from California. Let me briefly review some of the reasons that many of us have found Bill Mailliard to be a responsible representative in the House, and why he has been considered by all of his colleagues to have been a competent Member of this body:

First, as ranking member of the House Committee on Foreign Affairs, Bill has always served in a knowledgeable and capable way. Although I have personally disagreed with him on certain issues such

as foreign aid, I do know that Bill has always been willing to present all the pros and cons of an issue brought to the floor by the Foreign Affairs Committee.

Second, he dealt with each piece of legislation in which he participated in a fair and constructive way. He has always answered the questions of individual Members in a factual manner and has never tried to flavor the answers in such a way as to prejudice a person's position to be compatible with his own view. I am sure that was not always easy to do with Members such as myself who so vigorously opposed foreign aid and other such legislation coming from his committee.

Third, while firm in his own position, Bill has made an effort to be helpful in presenting accurate and complete information. Bill is competent in the field of foreign affairs, and I think that the President should be congratulated for selecting someone who has such a fine background for the position of Permanent Representative of the United States to the Organization of the American States.

Finally, Mr. Speaker, as chairman of our Republican delegation from the State of California, Bill Mailliard dealt with the entire group in a positive and constructive way making sure that all viewpoints were heard, and that we were kept properly informed. He has never tried to work just for his own thoughts and ideas, but has tried to make certain that our entire delegation understood the issues before us so that we could discuss them in an objective and honest way. On many occasions, I clearly remember Bill's bending backward to treat all members of our delegation in an impartial manner. If someone started to roam off the reservation politically, Bill would bring a sense of balance to the situation. Bill Mailliard will be long remembered as a fine chairman of our Republican delegation. One who was not easily ruffled by crosscurrents of opinion—which I believe is an achievement when views are as diverse as they are in the House of Representatives today.

Again, I wish to congratulate the gentleman from San Diego, Mr. Wilson, for giving us this chance to recognize and thank Bill Mailliard not only for the contribution he has made in the House of Representatives but also for his dedicated service to the State of California and our Nation.

Mr. BOB WILSON. Mr. Speaker, I am now pleased to yield to the chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, it is with regret and at the same time with pride that I speak today about the decision of William S. Mailliard to resign from Congress to become U.S. Ambassador to the Organization of American States.

Bill Mailliard will be sorely missed by the House and particularly by his colleagues on the Committee on Foreign Affairs.

Bill has been a pillar of strength to the

committee ever since joining it in 1961. In 1969 he became the ranking minority member.

As chairman of the committee, I can attest to his contributions over the wide spectrum of foreign policy. Among the greatest of these was his bipartisan approach to international issues facing the Nation.

While Bill stood fast for his principles, and he and I differed on some matters, he never was one to inject narrow partisanship into committee proceedings. No chairman could have asked for steadier cooperation.

Mr. Speaker, I have often thought that service in the Congress offered valuable background for service as an ambassador. The elected Member is in contact with a wide range of people in his district. In Washington, he must cope with the variety of issues in Congress and with the bureaucracy downtown.

The man who performs well in these tasks is very likely also to perform well as an ambassador. We all know a number of Members who went on to serve with distinction in ambassadorial posts.

Bill Mailliard is, of course, exceptionally well qualified for his important assignment to the OAS at a time of changing relationships with our Latin-American neighbors.

He was for years the ranking Republican on the Subcommittee on Inter-American Affairs. He has been a congressional adviser at inter-American foreign ministers meetings. He has traveled widely through Latin America, and has examined problems firsthand on study missions for the committee.

His foreign affairs interests extend globally as well. He has served on delegations to the United Nations General Assembly, to the consultative Assembly of the Council of Europe, to the United States-Japan parliamentary exchange conference. Last summer he and I traveled together to Peking as members of a congressional delegation.

He was, prior to his resignation, a congressional adviser to the U.N. Committee on Peaceful Uses of the Seabed and the Ocean Floor and a congressional delegate to Law of the Sea Conference preparatory sessions. He was a member of the Commission on the Organization of the Government for the Conduct of Foreign Policy.

I congratulate the President on his being able to secure the services of Bill Mailliard.

The people of the Nation will benefit. My best wishes go to Bill, and to his charming wife Millie, and the family.

Mr. BOB WILSON. I thank the distinguished gentleman from Pennsylvania.

Mr. Speaker, I now yield to the gentleman from California (Mr. GUBSER).

Mr. GUBSER. I thank the gentleman for yielding.

It is a pleasure to pay tribute to our distinguished colleague, Bill Mailliard, as he leaves this House of Representatives in which he has served for more than 21 years to become Ambassador to the Organization of American States. When I use the word "distinguished" about Bill Mailliard, I do not use it lightly nor as a commonplace figure of speech.



Bill is a member of a very distinguished California family. We all know of his distinguished war record when he served as an aide to General MacArthur during the Pacific campaign.

His military record was so well recognized and his military achievements so complete that he was honored by appointment as an Admiral in the U.S. Naval Reserve.

My first contact with him was when he served again in a distinguished manner as an aide to then Governor Earl Warren in our State of California. In 1950 he ran a very tough and distinguished but unsuccessful race for Congress.

In 1952 his efforts were rewarded when he unseated a very popular incumbent in a district which was heavily weighted by registration against Bill Mailliard's own party. His career as a legislator certainly has been distinguished. We all know of his great contributions in the Committee on Merchant Marine and Fisheries. Certainly he was one of the prime movers of the National Maritime Act. The distinguished chairman of the Committee on Foreign Affairs has outlined Bill Mailliard's contributions in the field of international affairs.

Even though he represented a marginal district for a Republican, Bill Mailliard was never once afraid to take a controversial position if he felt that it was right.

The hallmarks of Bill Mailliard's service in Congress are summed up in three words: Distinguished, informed, and courageous.

I believe I was privileged to call him my friend. We had totally different backgrounds and yet I always felt that we were able to communicate even to the point of sometimes engaging in sarcastic repartee—and I must now admit, though I would not while Bill was still a Member of Congress, that I think he probably won our jousting by a slight margin.

I wish him well in his work as Ambassador to the Organization of American States. I know he will make a great contribution and in his new capacity will continue his distinguished effort on behalf of mankind and this Nation.

Mr. BOB WILSON. Mr. Speaker, I thank the gentleman from California for his contribution.

I yield now to the distinguished gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, I appreciate the gentleman yielding to me. I will be brief.

I want to say that I have served on the Committee on Foreign Affairs with Bill Mailliard ever since he came on the committee. I do not know of anyone I have served with in the 26 years I have been with whom it has been more of a pleasure to serve. Bill and I have not always agreed, in fact we have disagreed, but he has always been pleasant in his view. I have sat in many a conference with Bill when our patience was sorely tried in the other body, and he was always cheerful and calm and he stuck by his guns.

The only thing that makes me say I am not sorry to see him leave the House—and I am in a way—is the fact that I am

delighted he is going into the position to which he has been appointed as Ambassador to the Organization of American States. I think if anyone can take the American viewpoint to that organization in a way in which it will be listened to, it is Bill Mailliard. Therefore I say I am not sorry to see him leave and I know he will do a grand job.

Mr. BOB WILSON. I thank the gentleman from Ohio.

I yield to our colleague, the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Speaker, it is an honor for me to pay tribute to my distinguished colleague, and fellow Californian, the Honorable William S. Mailliard of San Francisco, on the occasion of his retirement as a Member of Congress on March 6, 1974, and appointment as Ambassador to the Organization of American States.

Over two decades ago, Bill Mailliard came to this House having first been elected to the 83d Congress in November 1952. We were freshmen Congressmen together, and I have watched his mark of excellence enrich the legacy of these Halls through the years.

Bill Mailliard is a distinguished citizen, sailor, and statesman. His achievements are manifold, but I will only mention a few:

He was "California's Outstanding Young Man," having been awarded that honor in 1952 by the California State Junior Chamber of Commerce.

He is a rear admiral in the U.S. Naval Reserve. In World War II, he served as an officer on the 7th Amphibious Force staff in the Pacific theater. Bill's battle awards include the Silver Star, Legion of Merit, Bronze Star, and numerous campaign ribbons. Following wartime service, he remained active in the Naval Reserve and progressed through the ranks to his present grade.

He was ranking Republican of the full committee of the House Committee on Foreign Affairs. Bill's expertise in Congress gravitated toward foreign policy and international relations. He was, in particular, a leading authority on Latin America, but he was also scholarly in European, Far Eastern, and African affairs. Bill was also ranking Republican on the Merchant Marine Subcommittee of the House Committee on Merchant Marine and Fisheries. In this committee he guided the bipartisan effort that led to the enactment of the Merchant Marine Act of 1970, which is considered the most significant piece of merchant marine legislation enacted in this country since 1936.

This body can stand proud on Bill Mailliard's record in the Congress. He has faithfully served the people of his District and the Nation for near a political lifetime, and served them with integrity and deduction. He now goes forward to serve his country in yet another difficult and challenging roll as envoy to the Latin Americas. I want to wish him fair winds and a following sea.

Mr. Speaker, I include in my remarks this brief biographical data which succinctly portrays the breadth of Bill Mailliard's distinguished career:

#### BIOGRAPHICAL DATA ON THE HONORABLE WILLIAM SOMERS MAILLIARD, MEMBER OF CONGRESS, SIXTH DISTRICT, CALIFORNIA

Address: 2336 Rayburn Building, Washington, D.C. 20515; 450 Golden Gate Avenue, San Francisco, California 94102.

Born: June 10, 1917, Belvedere, California. Parents: The late John Ward Mailliard, Jr. and Kate Peterson Mailliard.

Education: Tamalpais School, San Rafael, California; The Taft School, Watertown, Connecticut; Yale University, B.A., 1939.

Wife: Millicent Fox Mailliard.

Children: William Somers, Jr.; Antoinette; Henry Ward; Kristina; Julia Ward; Josephine Fox; Victoria Leigh.

#### CONGRESSIONAL CAREER

Election record: Nominee for Congress for 4th District, 1948; elected and re-elected Representative of 4th District 1952, 1954, 1956, 1958, 1960; re-elected as Representative of 6th District 1962, 1964, 1966, 1968, 1970.

#### Previous assignments

House Committee on Veterans' Affairs, 1953-54.

House Administration Committee, 1959-60.

Member, Board of Visitors, U.S. Coast Guard Academy, 1957-64.

Congressional Advisor, Organization of American States' Foreign Ministers' Meeting, 1964-67.

Member, British-American Inter-Parliamentary Conference, 1968-70.

Member, Anglo-American Parliamentary Conferences on Africa, 1956-69.

Member, U.S. delegation to the Consultative Assembly of the Council of Europe, 1970.

Member, U.S.-Japan Parliamentary Exchange Conference, 1968-69.

Member, Republican Task Force on Urban Affairs, 1969.

#### Present assignments

Vice-Chairman, California Delegation, 1969-71.

Chairman, California Republican Delegation, 1969-71.

Congressional Advisor, United Nations Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction, 1969-71.

House Committee on Merchant Marine and Fisheries, 1953-71: Ranking Republican of Merchant Marine Subcommittee; Member, Fisheries and Wildlife Conservation Subcommittee; Member, Oceanography Subcommittee.

House Committee on Foreign Affairs, 1961-71: Ranking Republican of full committee; Ex-Officio Member of all subcommittees.

#### PRESIDENTIAL APPOINTMENTS

U.S. Delegate to the 18th Session of the United Nations General Assembly, 1963.

Member, Corregidor-Bataan Memorial Commission, 1959-67.

Member, Official U.S. Delegation to Inauguration of the President of Mexico, 1970.

#### MILITARY SERVICE

Assistant Naval Attache, U.S. Embassy, London, England, 1939-40.

Bureau of Naval Personnel, 1941-42.

U.S. Naval War College, 1942.

Staff 7th Amphibious Force, Flag Lieutenant and Aide to Vice Admiral D. E. Barbey, 1943-46.

Released to inactive duty as Lieutenant Commander, 1946.

Commander, USNR, 1950.

Captain, USNR, 1958.

Commanding Officer, Capitol Hill Naval Reserve Unit, 1962-65.

Rear Admiral, USNR, 1965.

Awards: Silver Star, Legion of Merit, Bronze Star, and numerous campaign ribbons.

#### SPECIAL HONORS

California State Junior Chamber of Commerce, "California's Outstanding Young Man," 1952.

The San Francisco Chronicle Gold Medal of Achievement, 1961.

The Biennial Distinguished Service Award of Americans for Constitutional Action, 1961, 1963.

California Congressional Recognition Plan Commendation, 1963.

Propellor Club Brass Hat Award, 1968.

#### PREVIOUS CAREER

American Trust Company, San Francisco, 1940-41, 1946.

Assistant to Director, California Youth Authority, 1947.

Secretary to Governor Earl Warren, 1949-51.

Assistant to Director, California Academy of Sciences, 1951-52.

Mr. BOB WILSON. I thank the gentleman from California (Mr. HOSMER).

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

Mr. DEL CLAWSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I approach this moment with mixed emotions and mixed feelings in honoring our good friend and colleague, the gentleman from California, Mr. Mailliard. As the Members have already heard, Bill has resigned from the Congress in order to accept an ambassadorship.

When it was my privilege to come to this House as a junior Member, Bill Mailliard immediately became a friend and counselor to me. He helped me understand how I should conduct myself in the House of Representatives. Over the years as we have served together I have come to appreciate his counsel and advice and appreciate his standards of fairness and of being agreeable even when there is disagreement. Frequently we found ourselves on opposite sides of an issue. Nevertheless Bill was not one to let that kind of disagreement or controversy disturb his personal relationships nor his friendships.

I appreciate those qualities of character that make him a man and a friend. He has brought distinction and honor to the State of California, also to the House of Representatives and the Congress of the United States.

As we look over his past and the many hats that he has worn, we can appreciate the breadth of activity in which he has engaged and his many and varied experiences.

With that in mind, I am confident that this ambassadorship will bring again to the State of California and to all of us who are his colleagues and friends, distinction and honor. We can bask in the reflected glory that comes from the service of Bill Mailliard in this position; and we wish him well.

Mr. BOB WILSON. Mr. Speaker, I especially appreciate the remarks of the gentleman from California. He is one that has often said:

I would rather pass around flowers to the living than send flowers to the deceased.

There is no question, this is not an obituary. This is a real tribute to a man who is in the middle of a very fine career.

I yield to the gentleman from California (Mr. RYAN).

Mr. RYAN. Mr. Speaker, I thank the gentleman for the recognition.

I would like perhaps to start off by saying we can all find something to envy in

Bill Mailliard's departure in this way. I just talked to Mr. Mailliard a few minutes ago and suggested to him perhaps if he had a little bit of feeling that Tom Sawyer had in the famous book by Mark Twain, in which he attended his own funeral. This is not a funeral, of course, for Bill. He is in the middle of his career, as has been pointed out; but it is an occasion for a note of sadness, too, for those of us in California who have cause to regret his leaving.

One of the problems that have to do with the change and the shift in politics in California is with the well-intentioned efforts of reformers to recreate or to reconstitute the Congress through reapportionment. I certainly have no objection to reapportionment. In fact, I am very much in favor of it; but the manner in which it is done is worth a moment of attention today.

There seems to be abroad in the land the theorem that if the line looks neat on paper it must be fair. And if the line looks somewhat crooked or perhaps unusual in its shape, it is suspicious, therefore, and somehow hostile to the interests of good government.

I would like to point out to the Membership here, Mr. Speaker, that in this particular year we are losing by the same statute by resignation two of the most important Members of the California delegation of 43 Members. We are losing CHET HOLIFIELD by resignation, mostly because his district was reapportioned to the point it became very difficult for him to run at his age and he decided not to. He is the only chairman of a committee from the entire State of California which has 10 percent of the total membership of Congress and we feel that loss very keenly.

Equally as much, we feel the loss to Californians of Bill Mailliard's position and his reputation in this House. I have had very little time myself to measure him, except by listening to comments of others. I am very new here, but I have the good fortune, I think to be his neighbor.

I represent the district next to his south of San Francisco. I am very familiar with his reputation, with the manner in which he has conducted his office in the time he has been here and with his absolutely unstoppable ability to get reelected. I know that very well as a Democrat who has watched the political affairs in the bay area of San Francisco for a good many years.

Bill is a consummate and superb politician and that, to my mind, is the highest praise. He has that reputation at home and he has it in this Congress.

I think no Member of this Congress could leave with more than that. Beyond that, I think it is important to point out, as others have before me, including the distinguished chairman of the Committee on Foreign Affairs and the distinguished gentleman from Ohio (Mr. HAYS) that on the Democratic side of the Committee on Foreign Affairs, where I now serve, Bill Mailliard has a reputation as a person who is firm, whose position is easily taken, although it comes by hard thought and who once having taken a position of abdication and simply explain it in a reasonable fashion.

Bill Mailliard then, I think, is the kind of person who, were it not for reapportionment, would still be among us. While it is a loss to California and a loss to this House, I think, in the end, as has been pointed out before, it is a public gain for this Nation, because his new job as Ambassador to the Organization of American States is crucial to this country at this time.

Our relations with Latin America have suffered for years because of neglect, I believe, and mostly because it is customary to one in a high State Department position simply to follow in the footsteps of those who have gone before them. I am certain that Bill is not like that. In fact, I can criticize those who make the assumption that when a politician holds a high policymaking job that somehow it is less than totally acceptable to the best interests of the public. I am certain that in Bill Mailliard's succession to that position, it will mean that for the first time in a good long time that perhaps people in Latin America will have a man, who not only diplomatically understands the whole area of international affairs in politics, but also understands the delicate relations existing between the Presidency, the executive branch, the House of Representatives and Senate, and can do the job of which is required to give some strength to our foreign affairs in Latin America, which is so desperately needed at this time.

Mr. Speaker, I cannot help but say in closing that while it may seem trite that we have lost a good Member, a fine Member, a Member who is exemplary in his conduct and ability, probably in the interests of the United States, we are all better off. But for those of us who come from California especially, those of us who were his neighbors, certainly it is a sad loss, particularly because I have learned from him by example how to be a better Member of this House.

Mr. BOB WILSON. Mr. Speaker, I thank the gentleman from California for his remarks. I hope he will join me and other Californians in paying tribute toward the end of this session—if it ever does come to an end—a few days before the elections, to a number of Californians who are retiring. They include Mr. HOSMER, and Mr. GUBSER, both of whom he heard earlier today. Mr. HOSMER has been the ranking minority Member on the Committee on Interior and Insular Affairs and the Joint Committee on Atomic Energy.

We are suffering a considerable number of losses this year, and I think we Californians should again, at the end of this session, pay tribute to them on both sides of the aisle.

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

Mr. BOB WILSON. Mr. Speaker, I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding to me. I am very pleased to have this opportunity to extend my best wishes and congratulations to an excellent and dear friend, Bill Mailliard, as he assumes his new position.

Mr. Speaker, I have had the privilege



of serving with Bill on the Committee on Foreign Affairs ever since I have been in the Congress, and I am one of the older Members around here. I say to the gentleman from California (Mr. RYAN) that I have had an opportunity to evaluate Bill firsthand, and it has been a real privilege. He is an outstanding legislator who has served not only on the Committee on Foreign Affairs with distinction, but who has also exerted leadership in the Committee on Merchant Marine and Fisheries, where as late as 1970 he was highly instrumental in getting a new act passed, the Merchant Marine Act of 1970, the first major revision of the law since 1936.

On the Committee on Foreign Affairs, I became acquainted with him not only as a Member of the subcommittee which I have the honor to chair, and on which Bill became intimately acquainted with Latin America and made many investigative tours, contributing to successful policy decisions on the question of Latin America. I have watched him work in conference, and it is a real pleasure to see. Bill demonstrates his talent with feeling and with reason. He is going to surprise, I think, a lot of people at OAS, because Bill is somewhat low key, but that does not mean he is not strong, because he is. Nevertheless, with all that, he does have a great sense of reasonableness.

Therefore, he has been an outstanding legislator who has innate diplomatic abilities and presence and who has done great service as a ranking Member for the minority on the Committee on Foreign Affairs. At the same time, he was serving on the Committee on Merchant Marine and Fisheries.

He now undertakes a new career, I think, with an unusual and extensive and highly useful background.

Bill has been assigned all kinds of international responsibilities in groups of one kind and another. He has been an Ambassador to the U.N. He has participated in meetings, parliamentary and otherwise, with the European countries, including Great Britain, and with Japan, and around the country for that matter.

His knowledge of Latin America is extensive and useful, particularly now as Secretary Kissinger enunciates a new policy for the United States toward Latin America, at a time when not only our own policy is in doubt and in question, but when we are trying to renew and resurrect and reemphasize the very structure of our relations with the organization to which Bill Mailliard goes as Ambassador for the United States.

That very structure is under considerable question. Some want to do away with it altogether. There is a considerable move toward restructuring reforms.

Mr. Speaker, I know one thing that Bill Mailliard will not do: He will not go and simply listen to other people making speeches. Bill is going to go there and be active and represent the United States, and I know and I am confident that he will do that with great distinction and great ability.

Therefore, I am happy to join my distinguished colleague from California and

all my other colleagues here today in paying my respect.

Mr. Speaker, I wish him well, and I wish the best to his lovely wife, Millie.

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

Mr. BOB WILSON. I yield to the gentleman from New York.

Mr. KEMP. Mr. Speaker, I appreciate the gentleman's yielding.

I would like to say very briefly that I appreciate the fact that my good friend, the gentleman from California (Mr. BOB WILSON) has taken this time so that Bill Mailliard's colleagues, not only those from California, but those from New York as well, can share with him this time in paying tribute to a career that has spanned many terms in the U.S. Congress.

I would like to underscore what the gentleman from California has said and what the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania (Mr. MORGAN) has said earlier. Bill Mailliard manifests in the House and in his career the type of bipartisanship which is so desperately needed in order to make American foreign policy successful.

I am reminded of the words of one who said that "you serve your party best by serving your country first."

Mr. Speaker, I think certainly those words are very much true of the life of Bill Mailliard. He has served his party with great distinction by serving America first. That was uppermost in his mind.

I think we can say at this time that while the world is still a dangerous one, certainly it is a more stable world now. It is a world in which we are better able to negotiate our differences than ever before. For the first time in a little more than a decade, there are no American men in combat anywhere in the world.

The relationship that Bill Mailliard has had with Dr. Kissinger and with our President in helping to bring about the type of a foreign policy that can effectuate a more peaceful and a more stable situation certainly gives great credit to Bill's career in the Congress.

As he goes on to the tremendous responsibility as Ambassador to the Organization of American States, not only do we wish Bill the best from our own personal standpoints, but we wish him the best on behalf of his country, which he has always served with the utmost consideration.

Mr. Speaker, it has also been said at one time that "titles do not confer honor upon individuals, but individuals confer honor upon titles."

In serving in the Congress with Bill Mailliard, I think I can say that as a result of his service, Congress has risen somewhat in the eyes of those who really look upon it with a degree of objectivity, which is very much needed today. He has conferred honor upon the House of Representatives, and I know that he will confer even greater honor upon the title of Ambassador to the Organization of American States.

I am glad to join with the gentleman and with all our other colleagues in saying that we are grateful for his leadership, and we know it will continue.

This is a step toward even greater service, not just to his country but to the world as well.

Mr. BOB WILSON. Mr. Speaker, I especially appreciate the gentleman's remarks.

The gentleman mentioned the conferring of honor upon titles. Of course, Bill has a number of titles, as many of our colleagues have pointed out. I have wondered at times what we really should call him: "Mr. Ambassador," or "Admiral," or "Mr. Congressman," or "Hey you." But he certainly does have more than an ordinary number of distinguished accomplishment, and this new one is, I believe, sort of the frosting to top off the tremendous accomplishments of his life.

Again I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to associate myself with the remarks of my colleagues and with the thoughts of Mr. MORGAN, the distinguished chairman of the Committee on Foreign Affairs in expressing our regrets at the resignation of Mr. Mailliard from the House of Representatives.

As a member of the House Committee on Foreign Affairs, I have come to know and respect Bill Mailliard's knowledge, his integrity and leadership as the ranking member of that committee. As a freshman member of the committee, I have also come to appreciate his patience and guidance to the newer members.

Mr. Speaker, I am pleased to have this opportunity of joining my colleagues in wishing Bill Mailliard success, health, and happiness in all of his new endeavors.

The qualities of integrity and leadership that he has displayed to his colleagues in the Congress amply qualify Bill Mailliard for his new position as Ambassador to the Organization of American States.

Mr. ADDABBO. Mr. Speaker, I rise to join the Members who are wishing our distinguished friend and colleague, the Honorable William S. Mailliard, success as he takes on his new responsibilities as Permanent Representative of the United States to the Organization of American States. We will miss Bill in this Chamber but we can feel confident that he will be a most worthy spokesman for us in Latin America.

Congressman Mailliard's record of service in the House of Representatives has been distinguished. For the past 21 years he has served with great dedication and he has been an effective voice for his California constituents.

It is with regret that we bid our colleague from California farewell from the House, but with great pride that we wish him every success in his new assignment.

Mr. DE LA GARZA. Mr. Speaker, Bill Mailliard's long and distinguished record of service in this House speaks eloquently for itself. For more than two decades he has given outstanding representation to the people of his district, to his State, and to the Nation. I have been honored with his friendship and have had the pleasure of working with him on the

Merchant Marine and Fisheries Committee. I will miss him as he leaves us for service elsewhere.

His appointment as the Permanent Representative of the United States to the Organization of American States is an appropriate milestone in his career. He is no stranger to the field of foreign affairs, having served as a U.S. delegate to the United Nations General Assembly and as a member of the Commission on the Organization of the Government for the Conduct of Foreign Policy.

I join other Members in wishing Bill Mailliard well in his important new assignment. I know he will fill it with distinction.

Mr. BRAY. Mr. Speaker, Congress has lost an extraordinary Member, William S. Mailliard, due to his resignation. I am pleased to pay tribute at this time to this fine gentleman from California.

I have known Bill since shortly after he came to Congress in 1953, and during those years, I have watched closely as he played an increasingly important role, especially in recent years as head of the California Republican delegation. William Mailliard has a record of noteworthy accomplishments, ability and dedication to duty—a record of which he should be proud. Congress is the better for his service, and the gap he leaves behind will be hard to fill.

I want to wish Bill and his family the best of luck as he takes on his new role as the permanent Representative of the United States to the Organization of American States. I know all the Members of Congress join me in this wish.

Mr. BIESTER. Mr. Speaker, it is with mixed emotions that we observe a colleague depart Congress having compiled a distinguished record of service to his district and to the Nation at large. Bill Mailliard, who has left this Chamber after 21 years of service, is such a person. As much as we will miss his contributions to policymaking here in the House, we are fortunate, as is our country, that he will continue to share his talents and abilities as our Permanent Representative to the Organization of American States.

Although I have known and admired Bill since my service in the House began in 1967, my appreciation for his leadership has been heightened since my appointment to the Foreign Affairs Committee in the first session of this Congress. The opportunity to observe him in committee as ranking minority member underscored for me those qualities which have made him the respected and skilled leader that he is. Prior to his leadership role within the full committee, Bill was ranking minority member of the Inter-American Subcommittee. This background, in addition to his participation in numerous international conference and his intricate familiarity with our foreign policy, makes him a wise and valuable selection as OAS representative.

Our regret at seeing Bill leave is tempered with the appreciation that his years of service in the House will effectively be applied to his new responsibilities with the OAS. I trust that the friendships he has made here will carry over in our common efforts on behalf of

this Nation through the workings of the OAS and Congress. In this new undertaking, I join my other colleagues in wishing Bill the very best.

Mr. RHODES. Mr. Speaker, I join my colleagues on both sides of the aisle today to pay tribute to one of my good friends who has left us after 21 years of distinguished service in the House.

Bill Mailliard and I came to Congress together, and I have had the privilege through the years of working closely with him, both on legislative and party matters. Beyond that, I have enjoyed his friendship for the past two decades.

In taking over his new post as the Permanent Representative of the United States to the Organization of American States, Bill Mailliard brings to the job some unique qualifications. As a longtime and top ranking member of the House Merchant Marine and Fisheries Committee he is familiar with many of the mutual problems that we share with our neighbors to the south in oceanic matters. As ranking Republican on the House Committee on Foreign Affairs he brings a wide knowledge of international affairs and the interworkings of international organizations. These are essential in dealing with our relationships with our Latin American neighbors.

Above all, he will bring to the job his own warm kind of personal diplomacy. The President has chosen well in selecting Bill Mailliard for this important job of representing our Nation in this organization which seeks good relations between all the countries of the Western Hemisphere.

I know that we are going to miss him in the House. I know that after two decades of dedicated service to the people of California and constituents in the San Francisco area, that the people of the Sixth District are going to miss his leadership, his attention to the needs of the district, and his help for its individual citizens.

As an alumnus of our class in Congress, I will personally miss his candor and judgment. I join my colleagues in wishing him well in his new challenge.

Mr. EDWARDS of Alabama. Mr. Speaker, I join my colleagues in saluting the Honorable William S. Mailliard for his distinguished service in the U.S. House of Representatives. Bill Mailliard is an old friend of mine. As a newly elected member of the House Merchant Marine and Fisheries Committee, I found Bill to be a wise and able leader, always willing to help less experienced members of the committee.

Bill Mailliard will be missed here in Congress. But I am pleased that he will not be leaving public service. As my colleagues are aware he has received an appointment as the Permanent Representative of the United States to the Organization of American States. The wide breadth of Bill Mailliard's experience in public life should make him a vital force in achieving the purposes of the Organization of American States, such as "seeking the solution of political, juridical, and economic problems which may arise among the member States."

Mr. Speaker, Bill Mailliard has left an indelible mark on the legislative mo-

saic of our Nation. I regret his departure from the House, but I wish him every success in his new post.

Mr. ANDERSON of Illinois. Mr. Speaker, the gentleman from the Sixth District of California, William S. Mailliard, was first elected to the Congress in 1952, and with his decision to retire from our ranks this year he caps one of the most distinguished careers in Congress. This decision in itself gives us an insight into our gifted and complex colleagues. After 22 years in public service in the House of Representatives, he has chosen a new path to public service as the Permanent Representative of the United States to the Organization of American States. Those of us who have been so fortunate to serve with Bill—in my case during the past 14 years—have always known that he is truly a man who marches to his own beat. His life and contributions are on the public record as a distinguished thinker, a hero of war and recipient of the Silver Cross, a major force in the development of modern U.S. policy. But equally inspiring to his colleagues has been the fact that he is a man with little tolerance for narrow partisan thinking, with great compassion and conciliatory approach. We can all be thankful that such are the qualities that will be representing the United States in the OAS.

Only in the narrowest sense are we in Congress the losers as the result of Bill's decision. While he may be leaving effective office, through the Organization of American States, he will surely continue to articulate positions of great public moment in dealing with the issues that affect the life of our hemisphere. So, while we in this body, and his colleagues in the Foreign Affairs Committee will miss his incisive and intelligent contribution to our dialogs, he has found a forum through which nonetheless his point of view will continue to reach us.

In his new endeavor, I want to convey my best wishes to Bill and Mrs. Mailliard. May the future bring them both richly deserved good fortune and fulfillment.

Mr. ARENDS. Those of us who have served in these Halls for the past 21 years with such a distinguished colleague as Bill Mailliard will miss the day-to-day association with him in the months ahead. Indeed, the House of Representatives has lost an able and conscientious legislator, a scholar in the field of foreign affairs whose advice and counsel has been invaluable to all of us over the years.

But while his absence will be keenly felt in our legislative deliberations, it is reassuring to know that our Nation will still have the benefit of his considerable talents. Certainly the post of Permanent Representative and Ambassador to the organization of American States is a prestigious assignment. It is one which, unfortunately, has not always been given the high priority it deserves. No one is better qualified by training, experience, and personality to serve in this key post which is so vital to our foreign policy than Bill Mailliard. The President has made an excellent selection.

Bill has had an interesting and varied career. His military service was distinguished, he has worked with the California Youth Authority, and he gained



valuable experience in State government as assistant to California's Gov. Earl Warren. Since coming to Congress in 1953 his work has been outstanding both on the Foreign Affairs Committee and the Committee on Merchant Marine and Fisheries.

Bill has always had the ability to take the broad view of our role in world affairs, and he will be sensitive to the interrelationships and priorities which are so important not only to the United States but to everyone in the family of nations.

I know that Bill will win a multitude of friends throughout Latin America, just as he has here in the Congress and in diplomatic circles across the globe. He is a delightful person, and I was proud to be included in his circle of friends. I join with all my colleagues on both sides of the aisle in wishing him success and happiness in his new assignment.

Mr. TALCOTT. Mr. Speaker, I am pleased to join my colleagues in paying highly deserved tribute to the gentleman from California, Mr. Mailliard.

Although his resignation will create a significant loss to the Congress and the Committee on Foreign Affairs and the Committee on Merchant Marine and Fisheries, from which the Congress and the committees will not recuperate for years, I commend the gentleman upon his appointment as Ambassador to the Organization of American States.

I commend the President for selecting Bill Mailliard because of his long experience in the Congress and in Foreign Affairs and the Merchant Marine and Fisheries, which subjects are of great importance to all the countries of this hemisphere.

The knowledge and experience of a Member of the Congress is certain to be of great value to the Ambassador and to our Nation. Bill has extraordinary knowledge and experience.

I can think of no person as well qualified for this important position especially at this critical time in our history and our relationships with the other countries of this hemisphere.

I am grateful for the conscientious and wise service Bill Mailliard has performed in the Congress, not only for our Nation, but also for the State of California.

He is able, sound and effective. He is modest and self-effacing. These outstanding characteristics have served our State of California and our Nation well and they will continue to serve us well in his new capacity and responsibility as Ambassador.

This is a dual loss to the Congress and a dual gain to our ambassadorial corps. Mrs. Mailliard will serve admirably as our representative to other American nations.

We thank Bill and Millie for their outstanding service in the Congress.

We wish them every success and personal satisfaction in their new career as our ambassadors to the Organization of American States.

Mrs. SULLIVAN. Mr. Speaker, I feel it is a distinct privilege to join my colleagues in paying tribute to the Honorable William S. Mailliard, who has

resigned from this body to accept his appointment as U.S. Representative to the Organization of American States.

I personally considered Bill to be one of this body's most distinguished Members. His attributes and contributions over the years have been outstanding. Bill's history as a public servant manifests itself in an unusual combination of quiet leadership—a major source of influence without fanfare—extraordinary judgment and wisdom, and a keen insight for recognizing a common path on which men of opposite views may walk. He has served as mediator many times and has found solutions where compromise appeared impossible. Many of us came to Congress in 1952 along with Bill Mailliard, and in the past 22 years we have shared with him many victories, heartaches, and trials. To me, his departure marks the end of an era which began in 1952.

Our particular relationship began when we were both appointed to the Merchant Marine and Fisheries Committee.

His exceptional mind, along with his interest in the subject matter of the committees on which he served, have made him a leading authority on both foreign affairs and our Nation's merchant marine. When I say he is an exceptional man, I do not say it blithely. As a member and now chairman of the Merchant Marine and Fisheries Committee, I have been in a particularly good position to evaluate his performance over the years and it is obvious that Bill Mailliard is one of the most knowledgeable and best informed people involved in the maritime industry and maritime affairs. He was extremely helpful during the consideration of the Merchant Marine Act of 1970. As we all know, this was the first major piece of legislation on the subject since 1936. His efforts to enact legislation to revitalize the U.S. merchant marine were untiring. I know in my own mind that he was the one who most successfully led the bipartisan effort that brought about the act of 1970. Referring to his speeches on the subject prior to the enactment of the 1970 act, the California Recognition Program commended his efforts in 1968, saying:

The depth, comprehensiveness, and brilliance of these speeches constitute a major public service, even if their practical impact still lies in the future.

Bill has played an equally important role at the international level. He is a man who works hard for causes he thinks are sound, as evidenced by his early work on "safety at sea" and international efforts to resolve maritime problems between nations. In addition to Law of the Sea Conferences and Safety at Sea meetings, he was appointed as a Congressional Adviser to the United Nations Committee on the Peaceful Use of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction. The latter appointment was a result of his interest in oceanography and conservation as well as the merchant marine. As we all know, Bill has sponsored and cosponsored extremely significant legislation throughout this area. The myriad of

bills included proposals for a coordinated national boating safety program, requirements for radiotelephones on certain vessels, revising vessel documentation and licensing of personnel, establishment of various wildlife refuges, the Marine Mammal Protection Act, the Coastal Zone Management Act, the establishment of the National Advisory Committee on the Oceans and Atmosphere, and many others including the Endangered and Threatened Species Act.

I have cited just a few of the bills with which he was involved on the Merchant Marine and Fisheries Committee. His efforts and achievements on the Foreign Affairs Committee were of equal significance. Further, he has particular expertise in regard to our relationships with the Latin American countries, thus, the President could not have appointed a better Ambassador to the Organization of American States. I am also pleased for Bill about the appointment and I know he will be an effective representative of our country, but the fact remains that we, his colleagues, and the Nation will greatly miss Bill Mailliard's presence in this Chamber.

Mr. CORMAN. Mr. Speaker, today I join my colleagues in honoring the distinguished representative of the Sixth District of California, the Honorable William S. Mailliard. After 21 years of outstanding service in the House of Representatives, Bill Mailliard is leaving to become the Permanent Representative of the United States to the Organization of American States, where I am sure that his many talents will be put to good use.

Upon graduation from college, Bill entered the U.S. Navy, where he served on active duty throughout the Second World War. His outstanding military career was highlighted by the receipt of many distinguished awards, including the Silver Star, the Legion of Merit, the Bronze Star, and numerous campaign ribbons.

His release to inactive status in 1946 freed him to devote several years of dedicated service to the State of California. In culmination of his fine work there, Bill was named "California's Outstanding Young Man" by the California State Junior Chamber of Commerce in 1952.

Recognized by both his country and his State for his commendable achievements, Bill Mailliard embarked on his career as a U.S. Congressman in 1952, and was reelected every other year since.

He has distinguished himself here in his work on the Committees on Veterans' Affairs and House Administration, and later as the ranking minority member of the Foreign Affairs Committee, and as a ranking member of the Merchant Marine and Fisheries Committee. He will be sorely missed both as a capable colleague and as a good friend.

Mr. MOSHER. Mr. Speaker, for many years I have been associated with our distinguished colleague, Bill Mailliard in the Merchant Marine and Fisheries Committee. I have thoroughly enjoyed and profited from his wise, knowledgeable, effective leadership on the minority side of that committee.

Bill has played a most responsible and productive role there, often wielding an influence far beyond the scope of most ranking minority members, especially in Merchant Marine policy decisions.

In so many ways, few of our colleagues ever attain such a distinguished career as the gentleman from California. Let us just consider for a moment the scope of his lengthy public service; from his early association with Earl Warren when that distinguished jurist was Governor of California, his very significant career in wartime service with the U.S. Navy, his assignment as U.S. Naval Attaché to the Court of St. James, his distinguished career here in the House of Representatives, including not only his service on the Merchant Marine Committee but the Committee on Foreign Relations, rising to the position of ranking minority member there, and also his attainment of the rank of admiral in the U.S. Naval Reserve.

And now he will cap that great career with an important ambassadorship.

I am one of many who feel very grateful, privileged, and proud to have been associated with Bill Mailliard.

Mr. Speaker, we will greatly miss this most able gentleman from California, and I join with all our colleagues in confidently wishing him the greatest of success in representing the United States in the Organization of American States.

Mr. ROYBAL. Mr. Speaker, I join with my colleagues in saluting former Congressman William S. Mailliard.

His long and distinguished career in the House of Representatives, which spans more than two decades, has been one of dedicated service to his district and to the State of California, and he can certainly reflect with great personal satisfaction on his many achievements during this time. Although his resignation is viewed with a certain amount of dismay by all who have come to know him over the years, we are pleased by his appointment as the Permanent Representative of the United States to the Organization of American States and are confident that he will serve with the same dedication which characterized his tenure in the U.S. Congress.

I extend to him my sincere best wishes for every success in his new position and forthcoming pursuits.

Mr. DINGELL. Mr. Speaker, our distinguished Member, the Honorable William S. Mailliard, has served in this body with great distinction and ability. He has earned the respect and high regard of all of his colleagues. I have had the pleasure of serving with him on the Committee on Merchant Marine and Fisheries. I have found him at all times a worthy and dedicated servant of his constituents and a wise and perceptive legislator much concerned not only with international affairs but with regard to all of the values which are of such concern to thinking Americans.

Bill Mailliard has demonstrated a keen appreciation of a need for a wholesome and safe quality environment for all of our people. He was a leader on the enactment of the Environmental Quality Act and scores of other legislation that have come out of our committee.

His concern for the problems of the American Fisheries Industry and the American Maritime Commission has placed him in the forefront of those who have earned the respect for their service to these important American industries.

His leadership on foreign affairs is well known not only to his colleagues but to officials of four administrations and to Americans who have long wanted a clean and different foreign policy for this Nation.

Bill Mailliard has a distinguished record of accomplishments in the Congress. He is a warm and dedicated servant of the Sixth District of California.

As his friend and colleague, I will much miss him here in the Congress and join his friends and constituents in wishing him well in his many undertakings as the Permanent Representative of the United States to the Organization of American States.

He will be an outstanding public servant in that position and a credit to the United States.

Mr. FINDLEY. Mr. Speaker, I am grateful to my friend and colleague, the gentleman from California, for arranging this highly deserved tribute to the Honorable William S. Mailliard who is now the Permanent Representative of the United States to the Organization of American States.

I have had the privilege of being a colleague of Mr. Mailliard for the past 14 years and during the last 6 years I have had the special opportunity for a close relationship because of my membership on the Foreign Affairs Committee which he served with such distinction as minority senior member. His diligence and fair-minded approach and his constructive attitude on foreign policy questions have been a great inspiration to us all.

I join my colleagues in wishing him every success in his new assignment.

Mr. BAKER. Mr. Speaker, I want to add my voice to the chorus of recognition which is being recorded today to let the gentleman from California, Mr. Mailliard, know he leaves the Halls of Congress for his new assignment with the good wishes of his colleagues in this Chamber.

Although I have not known Bill Mailliard as long as many of you, I have come to appreciate during the last two terms how knowledgeable he is in foreign affairs and the influence he has had on this Nation's foreign policy through his long years of service on the House Foreign Affairs Committee.

Congressman Mailliard becomes the Permanent Representative of the United States to the Organization of American States at a time when his experience and leadership will be invaluable in providing solutions to the problems which face our neighbors in the Western Hemisphere.

I commend President Nixon for offering this appointment to a Member with such superb qualifications. I congratulate Congressman Mailliard for agreeing to accept this responsibility. As the Organization of American States fulfills its reasons for existence: to strengthen the peace and security of the continent; to

prevent possible causes of difficulties and to insure the pacific settlement of disputes which may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems which may arise among them; and to promote, by cooperative action, their economic, social, and cultural development, Bill Mailliard will represent us well and I wish him Godspeed in making his mark there as he did in Congress.

Mr. FRELINGHUYSEN. Mr. Speaker, I wish to join in paying tribute to William S. Mailliard, my distinguished colleague who recently resigned from the House in order to assume an assignment as permanent representative to the Organization of American States.

I have known Bill Mailliard throughout our 11 terms in the House. We both began our House careers in 1953 as freshman Congressmen from opposite sides of the country. Over our many years of service on the House Foreign Affairs Committee, I have been constantly impressed by his integrity, his profound understanding of global problems, his effectiveness as a legislator.

Over the years, he has served as a member of the British-American Inter-Parliamentary Conference, the Anglo-American Parliamentary Conference on Africa, the U.S. delegation to the Consultative Assembly of the Council of Europe, the U.S. Japan Parliamentary Exchange Conference. To all areas of foreign policy issues, Bill has brought an expertise and insight of the highest order. He has never been parochial in his views; he always looked at the larger issues. He believes strongly in the United Nations and served as a delegate to the 18th session of the U.N. General Assembly.

Bill has consistently urged the United States' active participation in world affairs. He recognizes that the time for isolationism is past and that the United States must do its full share to establish a stable world order.

Our colleague has always been devoted to public service and has never waited for the tide of opinion to roll his way. He has had the courage to take his own stands and has advocated his personal positions as well as those of the committee's in a very articulate manner. His leadership and expertise will be sorely missed by our committee.

Mr. Speaker, it is my belief that the mark of effectiveness of a statesman can best be gaged by the esteem in which he is held by fellow world leaders. In my travels around the world I have found Bill Mailliard has earned the highest respect by foreign leaders. As such, I am quite confident he will be a major asset to the OAS and will continue to contribute much to the interests of American foreign policy.

Finally, Mr. Speaker, as I succeed Bill Mailliard as ranking minority member of the House Foreign Affairs Committee, I must say that his friendship will be missed most of all.

It is an honor to follow in his footsteps, though we are all sad to see him leave.

Mr. MONTGOMERY. Mr. Speaker, I



am pleased to be able to participate in these tributes to Congressman William S. Mailliard and appreciate the gentleman from California, Congressman Bob Wilson, making the occasion possible. I was very sorry to learn that Bill Mailliard was resigning from the House of Representatives, but at the same time it is reassuring to know that we have someone of his preeminent qualifications to serve as the permanent representative of the United States to the Organization of American States.

Realizing there are many who wish to participate and our time is limited, I will be brief in my remarks. One of the traits of leadership that Bill Mailliard exhibits is his complete and thorough preparation on legislation being considered by the Congress. His example of always being well prepared to debate bills in either committee or on the House floor will always leave a lasting impression on me.

Mr. Speaker. A second point that should be noted is Bill Mailliard's very learned ability in the area of military and Reserve affairs. I personally will miss his wise counsel in all matters dealing with our Armed Forces and Reserve components.

I wish my good friend, Bill, the world's best in his new assignment. Our loss will be OAS's gain.

Mr. VAN DEERLIN. Mr. Speaker, our former colleague Bill Mailliard is truly a man of many parts. During more than two decades of public service he has been an exemplary diplomat, lawmaker, and even a flag officer in the Naval Reserve.

He brings to his new assignment as our Ambassador to the Organization of American States an impressive set of political, diplomatic, and legislative credentials.

While in the House he was able to gain a double perspective on the problems of Latin America through simultaneous service on both the Panama Canal subcommittee of the Merchant Marine and Fisheries Committee and the Inter-American Affairs subcommittee of the Committee on Foreign Affairs.

Of special interest to my own San Diego area constituents, Bill always had a sympathetic ear for the problems of our tuna fishermen, and he was co-author of the 1970 Merchant Marine Act which revamped the ship construction subsidy program and set a goal of 300 new merchant vessels in this decade.

Politically, he worked well with us on this side of the aisle while holding true to his Republican principles. His 5 years as chairman of the California Republican delegation were marked by harmonious relations with the Democratic dean of the delegation, our colleague, CHET HOLIFIELD.

Bill's diplomatic experience probably dates back to 1963, when he was appointed by President Kennedy as a delegate to the U.N. General Assembly that year. But prior to taking on that assignment, Bill had already logged years of practical experience in the Latin American policy area through his subcommittee memberships. In addition to his other attributes, he looks the part of a diplomatic man of distinction.

Mr. Speaker, I join our colleagues in wishing Bill and his lovely wife Millicent well in this new and important undertaking.

Mr. SCHNEEBELI. Mr. Speaker it is a privilege for me to have the opportunity to pay tribute to my friend and colleague, Bill Mailliard, upon the occasion of his resignation from the U.S. House of Representatives. It is exciting to contemplate his future as the permanent representative of the United States to the Organization of American States, although I very much regret the House is losing a Member of Bill's caliber.

With Bill's outstanding educational and military background, he served with distinction as ranking minority member of the very important Foreign Affairs Committee. He is an intensely intelligent and a very capable authority in the field of foreign affairs. He pursued his interests with a singleness of purpose and supported President Nixon's approach of establishing world peace for a long time in the future.

I participated in several conferences in foreign countries with Bill Mailliard and he always worked very hard. We were very proud of his leadership in representing the U.S. position on some vitally important issues.

I know Bill will continue to achieve success in his new job and I wish him the best of luck in the future. The House has suffered a great loss in his leaving.

Mr. BROOMFIELD. Mr. Speaker, the House suffered a tremendous loss recently when our distinguished colleague William S. Mailliard resigned to accept an appointment as the permanent representative of the United States to the Organization of American States. While I am sorry to see Bill leave, I certainly applaud this excellent appointment.

Bill's fine record during his 21 years in the House is a tribute to his concern for his country and his constituents. For 16 years I have worked closely with Bill on the Foreign Affairs Committee, and have come to admire and respect his ability and dedication. His work as ranking minority member for the past 3 years has been outstanding. During that time he has served ably as a member of the Commission on the Organization of the Government for the Conduct of Foreign Policy, and as a delegate to the United Nations Law of the Sea Conference.

There is no doubt that Bill is the right man to represent our country in the Organization of American States. His wealth of experience in the field of foreign policy, as well as his great interest in that area, make him a natural for the post.

I join my colleagues in paying tribute to Bill Mailliard for the outstanding work he has done for Congress and his country over the years, and wish him every success in his new position.

Mrs. HANSEN of Washington. Mr. Speaker, it is with regret that I learn that one of the very able Members of Congress from the State of California, William S. Mailliard, has resigned after 21 years to accept an appointment as the permanent representative of the United States to the Organization of American States.

Congressman Mailliard has served his district in the beautiful State of California with distinction and will be missed by all of the Members of the House. We are sure that he will continue to serve our Nation effectively in his new position.

Mr. Mailliard came to Congress with a long record of service to his State and country, first as a businessman, then as a member of the U.S. Navy during World War II. He also gave of his talents to the people of California in various State capacities before being elected to Congress.

I have had the pleasure of working with Representative William S. Mailliard particularly with respect to the Golden Gate Park where he did yeoman service for the people of California and his district as well as working for the establishment of this beautiful area in the national park system.

I shall miss him personally, and I wish the very best of everything in his new and very important position.

Mr. FREY. Mr. Speaker, I would like to join all the colleagues in the House to wish my good friend and distinguished Congressman, William S. Mailliard, the best in his new position as Permanent Representative of the United States to the Organization of American States. I had the pleasure when a freshman of serving with the Congressman from California on the Merchant Marine and Fisheries Committee. As ranking member, he did an outstanding job, not only in preparing and presenting legislation, but in helping those new to the Congress find their way. Like most young Congressmen, I appreciate and needed his help and guidance.

Bill has served the State of California and this Nation long and well. I know we are all delighted that he is going to continue in the service of this Nation that he loves so much. As many know, he has also served on active duty in the Navy and sometime ago received the rank of admiral in the U.S. Naval Reserve. Whatever he has done, he has done well. We wish Bill good luck and Godspeed, and thank him for his continuing outstanding service to this Nation.

Mr. JOHNSON of California. Mr. Speaker, it is with a great deal of pride that I join my colleagues in paying tribute to one of the Golden State's outstanding citizens and Representative, and my friend, the Honorable William S. Mailliard.

I first met Bill when he was serving as secretary to Gov. Earl Warren, and I have been privileged to work closely with him not only as a State legislator but also as a Federal legislator.

Over the years that I have been privileged to work with this distinguished gentleman I have found him honest, conscientious, and cooperative. He has served the State and the Nation admirably and as our Permanent Representative of the United States to the Organization of American States. I know Bill will continue his dedicated service to the Nation and its citizens.

Bill, all of us will miss you in the Halls of Congress where you have served so well. However, we want to wish you every success in your new assignment. We

know you will continue to make us proud of you.

Mr. FRENZEL. Mr. Speaker, I want to join the congressional chorus praising the service of Bill Mailliard. Bill has served the people of his district and his country well for more than 21 years.

As he leaves this body to assume his new position as permanent Representative to the OAS, he goes carrying with him the affection, respect, and admiration of all with whom he served. My personal acquaintance with Bill covers only a short period of his distinguished congressional career, but it does not take a long time to find out the ability of Congressmen like Bill Mailliard. I join all of his friends in thanking him for his distinguished service and in wishing him well in his new career.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am honored to join with so many of my colleagues to salute Bill Mailliard, who after 21 very productive years is leaving the House. Having known and worked with Congressman Mailliard for the last 8 years, I am truly sorry to see him leave the House. His loss will be felt not only by Members on his side of the aisle, but more importantly by the House as a whole.

As the ranking minority member on the Foreign Affairs Committee and the second ranking minority member on the Merchant Marine and Fisheries Committee, Bill Mailliard has provided strong and positive leadership not only to Republicans on these committees but to Republicans throughout the House. We have come to respect and listen closely to his thinking and his judgments. To younger Members of the House and those newly arrived, he has provided wise counsel and given us the benefit of his experience and knowledge. I feel privileged to have been able to serve with Bill Mailliard and to learn from him.

Though the House will be a little less bright for his leaving, I am happy to know that he will remain here in Washington as the Permanent Representative of the United States to the Organization of American States. I can think of no one more qualified in every way to take on the task of working to improve Inter-American Relations and fostering a spirit of cooperation among the nations of the Americas. So it is with mixed emotions that we here in the House salute Bill Mailliard. We are truly saddened by his leaving but at the same time confident that the United States is so ably represented in the OAS. It is comforting to know that while we will not have Bill on the floor of the House, we will see him from time to time on the Hill and we all look forward to that.

Mr. EVINS of Tennessee. Mr. Speaker, certainly I want to associate myself with the remarks of the gentleman from California (Mr. WILSON) and others in paying a brief but sincere tribute to our colleague Bill Mailliard who has resigned as a Member of the House to serve as the permanent representative of the United States to the Organization of American States.

Bill has served 21 years in the Con-

gress and has served with distinction on the Committee on Foreign Affairs and is now ranking Member of this committee.

The extensive experience and knowledge which he has acquired by virtue of his membership on the Foreign Affairs Committee will stand him in good stead as he assumes his new responsibilities as the U.S. representative to the Organization of American States.

Bill Mailliard has served his district, State, and Nation faithfully and well—and I know he will render further useful and distinguished public service as he assumes his new duties and responsibilities.

I wish for him the very best of good luck and success in his new endeavors.

Mr. MINSHALL of Ohio. Mr. Speaker, though we regret his retirement from the House of Representatives, we who have seen the expertise of our great friend and colleague, the Honorable William S. Mailliard, in the field of foreign affairs applaud with enthusiasm his appointment as permanent representative of the United States to the Organization of American States.

Much as his abilities will be missed in the House, where he has served for nearly 22 years with distinction and dedication, we recognize the challenges of his new position and our country's need for a man of Bill Mailliard's sterling qualifications to handle the assignment.

When he left this Chamber the first of this month to take up his new duties, he stepped down from two prestigious posts: Top ranking minority member of the House Committee on Foreign Affairs, and second ranking minority member of the House Committee on Merchant Marine and Fisheries. To fill two such demanding committee posts as capably as he did requires a man of great vitality, broad intellect, and wide-ranging knowledge. Bill Mailliard will be sorely missed on both those great committees, as he will be by all of us in this House who over the years have appreciated the worth of this outstanding Member, both as a statesman and a friend. We wish him well in his new post, to which we know he will bring the greatest honor.

Mr. GOLDWATER. Mr. Speaker, I want to commend my good friend, BOB WILSON, for taking this special order to pay tribute to a great American and an outstanding gentleman, Bill Mailliard.

In my judgment, the President acted wisely in appointing Bill Mailliard as permanent representative of the United States to the Organization of American States. This appointment has been greeted with tremendous acclaim, especially by those who have been privileged to work closely with Bill on matters relating to foreign affairs. It is always encouraging when a man of such immense talents is recognized in such an important way.

The House of Representatives will miss Bill Mailliard. We will miss his wisdom and counsel. Members of the California congressional delegation, Democrats and Republicans, will especially miss him because we have come to rely

so much on his guidance and advice on issues which have a significant impact on our State.

Bill Mailliard has achieved a number of legislative goals since his first election to the House of Representatives in 1952. One important measure that he offered is the Merchant Marine Act of 1970, which I feel could result in the salvation of the U.S. merchant marine fleet if carried forward by Congress and the Executive. The tragic deterioration of our merchant marine in the past 20 years poses many economic and security problems. We can ill afford as a free people not to be competitive in world trade and we must have more maritime vessels flying the American flag. Bill Mailliard recognized this a long time ago, and fortunately for all of us, he did something about it.

I think the United States is in a unique position to right some of the wrongs in our relations with our neighbors to the south. President Nixon has demonstrated his concern for American relations with South America and Latin America. By appointing Bill Mailliard to OAS, this country will be putting its best foot forward. I wish him well in his new job. It has been a honor for me to serve with him and I look forward to our continuing friendship and association in the future.

Mr. BROWN of California. Mr. Speaker, with the departure of Bill Mailliard from this body we have lost one of the foremost experts on the oceans to ever sit in Congress. Born almost 67 years ago on the island of Belvedere, in San Francisco Bay, Bill Mailliard has been associated with the sea throughout his life. From 1939 through 1946 Bill served in the U.S. Navy, in a variety of responsible positions, and he is a rear admiral in the Naval Reserves.

Since the seas are international resources, Bill Mailliard's active participation in international affairs, in addition to being excellent preparation for his new role as a diplomat, has been highly relevant to his continuing interest in the oceans. Long active in the United Nations—more than a decade ago Bill was a U.S. delegate to the 18th session of the U.N. General Assembly—in 1969 he became a delegate to the United Nations Law of the Sea Conference.

And in his role as a Member of Congress, serving on the two committees which have more to do with matters affecting the seas than any others—Foreign Affairs and Merchant Marine and Fisheries—Bill Mailliard has been able to have a major impact on legislation in this area. He is the author of the House Merchant Marine Act of 1970, and one can see Bill's influence in almost every piece of important maritime legislation that has come out of those committees in recent years.

Of course, Bill Mailliard's influence can be seen in much more than just legislation affecting the oceans, as large as that area is. Just this month we in the House passed legislation to enlarge Golden Gate National Recreation Area; Bill Mailliard is the person who wrote the legislation which created that 34,000-acre park. And on innumerable other



pieces of legislation, in diverse fields, the mark of Bill Mailliard is indelibly implanted.

I could go on for quite some time, Mr. Speaker, about Bill Mailliard's personal qualities: His helpfulness to many of us who arrived in the House when he was already a veteran Member, his honesty and civility in the course of legislative debate, his intelligence and independence—but I see that some of our colleagues are already devoting their attentions to these characteristics, so I will let their remarks reflect my own sentiments. Let me just close by wishing Bill the very best in his new assignment. He is well prepared by his experience and his abilities, and I expect that we will be hearing a great deal more of Bill Mailliard in the coming years.

Mr. ZABLOCKI. Mr. Speaker, I am happy to have this opportunity to join his many friends in paying tribute to Bill Mailliard, who has left this body to become U.S. Ambassador to the Organization of American States.

I have known Bill Mailliard since he entered the Congress in 1952 and since 1961 it has been my pleasure to serve with him on the Committee on Foreign Affairs. For the past 13 years he has contributed significantly to the work of the committee and his loss will be missed there.

Since assuming the role of ranking minority member of the committee, in 1961, Bill Mailliard has staunchly defended the bipartisan atmosphere which our committee members have felt to be so necessary to the proper operation of legislative responsibilities in the area of foreign and security affairs.

During our careers we have been on the same side of most issues. In particular, during the 92d Congress, Bill was especially helpful in obtaining needed reforms in the foreign aid legislation which ultimately became law.

Occasionally we have found ourselves on the opposite side of issues, as occurred last year during the consideration of the War Powers Act. Although Bill fought hard for what he believed to be right with regard to war powers, his opposition was always constructive and gentlemanly, and he helped shape a bill which—although not altogether to his liking—was better for having had his critical attention.

Most recently Bill and I have served together as the congressional representatives on the Commission on the Organization of the Government for the Conduct of Foreign Policy. In that forum, which is seeking to improve the ability of our Government to meet new challenges in international relations, Bill Mailliard has played an important role. His inquiring mind, his broad experience, and his practical sense have been invaluable to the work of the Commission.

Although we are losing a colleague, our Government still retains his services in a challenging and important post as U.S. representative to the OAS. I am confident that he will have the same dedication to his new tasks as to those which he has left behind, and that his contribution to our national interests will likewise be significant.

My wife, Blanche, and I join in wishing Bill and his lovely wife, Millie, the very best as they begin a new career in the service of our Nation.

Mr. ANDREWS of North Dakota. Mr. Speaker, I join my colleagues in paying tribute to an old friend and distinguished Member of the House for 21 years. While I congratulate him on his appointment as the Permanent Representative of the United States to the Organization of American States—a post for which he is so eminently qualified after serving with distinction for so many years on the Foreign Affairs Committee—I personally regret his retirement from Congress. I shall miss his good counsel and his almost unlimited capacity for friendship. I wish him Godspeed and best wishes for another long and distinguished career in his new post as our representative to our southern neighbors.

Mr. FRASER. Mr. Speaker, while I have been a Member of Congress, I have come to know and work with many members of the California delegation. Prominent among these is the Honorable William S. Mailliard, who was, until very recently, the ranking Republican on the House Foreign Affairs Committee.

Bill Mailliard has left the Congress, accepting an appointment as the Permanent Representative of the United States to the Organization of American States. Bill and I served together on the Foreign Affairs Committee since I came to the Congress in 1963. We have shared some of the same interests—Law of the sea, for instance—and traveled some of the same routes. Bill Mailliard is a prime example of the sort of people my parents came to know and respect in the years before their second retirement while they lived in California. He is a decent, hard-working, responsible son of California and the Congress will be diminished by his departure.

His loss will be especially felt by our committee. We wish him well in his new assignment, knowing that he will be an able representative of American interests in the broad sense of that often misused word.

Mr. MAZZOLI. Mr. Speaker, it is a pleasure to join my friends in the House in paying tribute to one of our colleagues, Bill Mailliard, of California, on the occasion of his resignation from this body.

Congressman Mailliard's long years of service in the House will stand him in good stead as he continues his career in Government as the Permanent Representative of the United States to the Organization of American States.

I extend my personal best wishes to Bill for happy and fulfilling service with the OAS.

Mr. CASEY of Texas. Mr. Speaker, it is my pleasure to join my colleagues today in a formal tribute to the service in this House of William S. Mailliard. And at the same time we all wish him the utmost success in his new duties as the Permanent Representative of the United States to the Organization of American States.

Bill Mailliard is eminently qualified for his most important assignment. He has distinguished himself as the ranking minority member on the Foreign Affairs

Committee and the Special Subcommittee for Review of Foreign Aid Programs.

His knowledge and counsel have been invaluable to this House in shaping its foreign commitments and in directing our resources toward meeting the most deserving needs. We must always remember him for his untiring efforts to end the Vietnam conflict and to do it with dignity and honor.

It has been my personal pleasure to serve with Bill Mailliard on the Merchant Marine and Fisheries Committee, and to travel with him and work with him in shaping legislation to strengthen our fishing industry and our vital shipping industry.

Those of us who were privileged to serve closely with Bill Mailliard learned quickly to respect his ability and integrity and to have the highest regard for his measured judgment.

Bill Mailliard's leaving the Congress after 21 years of service is a loss to our national legislative process and to the citizens of the Sixth District of California he served so ably.

But we can take pride in the fact that his career in distinguished service to his country is only being extended. We can be sure that our Nation's representation in the Organization of American States is now strengthened by the presence of Bill Mailliard.

I join my colleagues in bidding him a fond farewell and sincere best wishes for continued success in a new arena of leadership.

Mr. CEDERBERG. Mr. Speaker, I want to thank my good friend and colleague from California for making the time available today to recognize the achievements of Bill Mailliard during his service in this body.

Bill Mailliard and I came to Congress together in January of 1953 and it has been a personal pleasure to have been able to call him a friend during the intervening 21 years that we have continued to serve. Bill Mailliard's service in this body has been characterized by dedication to the best interests of the country and by his personal efforts to immerse himself in his work in order to make himself as knowledgeable and effective as possible.

This type of approach to the work of the Congress was recognized early in Bill Mailliard and, over the years, he became a voice to be sought after in the area of foreign affairs. His service on the Foreign Affairs Committee, and the time which he spent as ranking minority member of that committee certainly show his devotion to the Nation. America can be proud of the attention which Bill Mailliard gave to her interests.

In the same manner, his service on the Committee on Merchant Marine and Fisheries was characterized by an attention to the best interests of the country and a special dedication to his home State of California. The State of California will miss his concerted efforts to insure that the varied programs which fall under the jurisdiction of that committee recognized the special needs of a State with one of the longest coastal shorelines in the Nation. I am certain that all Californians take pride in the

work which he performed as a member of the committee and his devotion to the interests of their State.

Saying all this, however, I think we should recognize that Bill Mailliard, as Permanent Representative of the United States to the Organization of American States, will continue to have many opportunities to contribute to our national interest. I am certain that dedication which characterized his years in the Congress will be carried to this new assignment and that he will, as he has in the past, perform with distinction. The United States could not find a better man to represent their affairs in this critical period than Bill Mailliard.

So, while we take this opportunity to recognize Bill's leaving this body, those of us who shared his friendship hope that he will drop by to say hello once in a while, and we know that the country will continue to have the advantage of his fine services. I take this opportunity to wish him every success in the future.

Mr. PETTIS. Mr. Speaker, it is a privilege and a pleasure to join my colleagues in paying tribute to my good friend, the Honorable William S. Mailliard, on his recent retirement from the House.

Besides his personal friendship and his help and advice over the years, I think the special quality of Bill's I will miss most now that he has left the House, is his ability to cut through legislative rhetoric and get down to the basics of any issue being considered.

The quiet competence with which Bill Mailliard served did not grab him many headlines, but it got the job done—and done well. As a Representative for 21 years, as the ranking member on the Foreign Affairs Committee, and as chairman of the California Republican delegation, Bill Mailliard gave a great deal to our home State of California and to this Nation as a whole.

I know the same competence and performance excellence he displayed in Congress will be a further credit to the United States as our former colleague takes up his new assignment as Permanent Representative to the Organization of American States.

Bill, I wish you well as you meet this new challenge in your long and distinguished career of public service.

Mrs. HECKLER of Massachusetts, Mr. Speaker, the Organization of American States is most fortunate in having the Honorable William S. Mailliard as its newly-appointed Permanent Representative of the United States. While I was delighted to hear of the appointment which so aptly befits Bill's background and experience, I am truly sorry he will no longer be serving with such distinction in the House of Representatives.

Bill's 21 years of service in this Chamber have been highlighted by his invaluable expertise in the realm of foreign affairs. Both Republican and Democrat Presidents alike have benefited from his notable legislative ability coupled with his unswerving desire for peace in the world. His steady, seasoned outlook on the world's trouble spots have provided a sense of continuity through two unsettling decades spanning the Korean war to U.S. disengagement from Vietnam.

Though the House of Representatives will no longer be the recipient of Bill's highly regarded counsel, his talents will not go untapped. As Permanent Representative of the United States to the Organization of American States, Bill will meet the considerable challenge of inter-American foreign policy with long years on insight and experience. In that respected position he will serve his country well in the future as he has in the past.

Bill leaves the House as one of its most highly respected Members. My best wishes go with him as he takes up this fresh, new challenge. He will surely be missed, but I am deeply thankful that his ability will be put to excellent use in working with our hemispheric neighbors.

Mr. ROSENTHAL. Mr. Speaker, in view of the fact that there is a special order today so that we can pay tribute to our colleague, William S. Mailliard, of California, I want to be counted among those Members of the Congress who wish him well on his new assignment.

Bill was a well-established member of the California delegation when I arrived in Congress some 12 years ago, but I did not really get to know him closely until I was assigned to the House Committee on Foreign Affairs a number of years ago.

Although we are of different political persuasions, I have great respect for his abilities, which were recognized by all on the committee who have served with him. As the ranking Republican on that committee he has made an invaluable contribution to the accomplishments made over the years, and he leaves for his post as Permanent Representative of the Organization of American States with an enviable record.

His advice and counsel will be sorely missed by the committee, but I take this opportunity to wish him every success in his new venture. He richly deserves this honor, and will be an outstanding representative of the United States in promoting the peace and security of the countries of the Western Hemisphere. He is a responsible and responsive individual, and the needs and interest of this country will remain of paramount importance to him. We will be in good hands.

Mr. ANDERSON of California, Mr. Speaker, I have very mixed emotions over the March 5 resignation of my friend and distinguished colleague from California, the Honorable William S. Mailliard. Naturally I am sad to see Bill leave this great body after 21 years of devoted service to his State and country; but happy and proud that he was appointed as the Permanent Representative of the United States to the Organization of American States.

Our country is, indeed, fortunate to have a man of Bill's caliber, experience and character to represent us within the world community. His career is rich with countless past accomplishments demonstrating his ability to combine keen administrative skills with tact and diplomacy. Even a partial listing of his numerous accomplishments would not be sufficient to portray the polished class of this fine American. However, some indication of his resourcefulness may be

gained by recalling that he has been chosen by every President since Eisenhower to represent our country in assignments in both hemispheres, as well as being a delegate to the General Assembly of the United Nations.

Mr. Speaker, being from California, I have naturally had an opportunity to follow Bill's career for many years. I can recall some of his military assignments in the U.S. Navy as he rose to the rank of rear admiral; some of his numerous special awards earned since being chosen "California's Outstanding Young Man" in 1952; and naturally recall those early days we shared in Sacramento when he held numerous State positions including secretary to Gov. Earl Warren.

However, Mr. Speaker, it was here in the House that I really learned to trust and respect this outstanding individual. As a member of the Merchant Marine and Fisheries Committee, I relied upon some of the expertise which he had acquired during his 20 years tenure on this important committee. I am sure that the members of this committee will especially miss his guidance as the ranking minority member of the Merchant Marine Subcommittee and his knowledge of ocean resources.

After serving so devotedly his constituents of the Sixth Congressional District of northern California since 1952. I am confident that his service to them and the State will be greatly missed.

Mr. Speaker, I commend William S. Mailliard for his past accomplishments and congratulate him for his recent appointment. Speaking for my wife Lee, I wish him and his lovely wife Millicent, and family best wishes on their forthcoming adventure. I am confident that he will again serve his family, Nation, and now the world community with the same ability which has justly earned him the respect of his colleagues.

Mr. QUIE. Mr. Speaker, this occasion is both a happy and sad one—happy because it is a pleasure to pay tribute to one of our distinguished colleagues and sad because he has left the House of Representatives to become the Permanent Representative of the United States to the Organization of American States.

Congressman Bill Mailliard has earned an admirable record of service after being elected consistently since 1952, serving at different times on the House Committee on Veteran Affairs, House Administration Committee, and the Committee on Foreign Affairs. He distinguished himself on this latter committee, rising to the position of ranking minority member.

Congressman Mailliard participated in many international organization meetings. He was a congressional adviser to the Foreign Ministers' Meeting of the Organization of American States from 1964 to 1967. He represented the U.S. Congress at the Inter-Parliamentary Conference with Britain and Japan, and the Anglo-American Conference on Africa.

He was a delegate to the 18th Session of the United Nations General Assembly. Under U.N. auspices, he was a congressional adviser to the U.N. committee on the Peaceful Uses of the Seabed



and Ocean Floor Beyond the Limits of National Jurisdiction.

His achievements are not restricted to the legislative arena, but he has a distinguished career in the military. He was the Assistant Naval Attaché at the U.S. Embassy in London during the years 1939 and 1940. During the war, he was an aid to Vice Adm. D. E. Barbey of the 7th Amphibious Force. Following active duty, he rose in the ranks of the Naval Reserve to rear admiral and was Commanding Officer of the Capitol Hill Naval Reserve Unit.

We will miss Bill Mailliard, but wish him continued success in his new assignment.

Mr. SIKES. Mr. Speaker, the Congress is losing a dedicated public servant in the resignation of the Honorable William S. Mailliard of California from this body. We shall miss his dedicated service as a Member of Congress. It is fortunate that the Nation will continue to have the benefit of his sage counsel and wisdom as he takes up duties as Permanent Representative of the United States to the Organization of American States.

Bill Mailliard is uniquely suited to this new role. He has served in public life with distinction and in the military with high honor. His military service as Assistant Naval Attaché in London during the early days of World War II put him in the mainstream of military and diplomatic life. His service with Governor Warren of California gave him wide insight into statewide problems and he contributed to the solutions of those problems.

Since 1953, he has served with distinction as a Member of Congress and was honored in 1963 by being selected as the U.S. Delegate to the United Nations General Assembly.

Serving on the Committee on Foreign Affairs, Bill Mailliard is one of those best informed on what is going on in the world. He has been a leader in helping formulate and carry out the foreign policy of the United States.

It is with regret that I see him leave these halls where his cool head and wise mind have proved invaluable in those frequent instances when the Nation needed sound advice and leadership.

But I know my good friend, Bill Mailliard, will be a credit to himself, to his beloved California and to the Nation in his new duties. One can only say that we all are better for having known Bill Mailliard and wish him good luck and God-speed as he moves to new and challenging duties.

Mr. BELL. Mr. Speaker, today I would like to pay tribute to my colleague and fellow Californian, Congressman William Mailliard. He has made great contributions to both the Committee on Foreign Affairs and the Committee on Merchant Marine and Fisheries. His service to his constituents in the Sixth District of California, the San Francisco area, and to the country as a whole have been substantial and indeed impressive. His approaches to governmental problems have been both reasonable and innovative. His record must stand as a seeker of modern up-to-date solutions to 20th century problems. A first-rate problem solver.

Mr. Mailliard has been a Member of Congress for over 21 years, a significant reflection of the trust and respect that his constituents hold for him. As a fellow California Republican, I have had the pleasure of working closely with Bill on many occasions. His presence will surely be missed.

Though his resignation from the House will be a great loss not only for his constituents but for the Congress as well, his appointment as Permanent Representative of the United States to the Organization of American States will be a great addition to the country.

Mr. STRATTON. Mr. Speaker, I want to join with the other Members of the House on both sides of the aisle who have risen this afternoon to express their regrets that our former colleague, Bill Mailliard of California, has left this House to become the U.S. Ambassador to the Organization of American States. Of course, this is a great honor for Mr. Mailliard and a great honor to the House that he should have been selected for this important assignment. But I am truly saddened that Bill's very special expertise in the fields of foreign policy and defense policy should be lost to the House at the very time when we need them most. And not only his expertise, Mr. Speaker, but his quiet, reasoned non-partisan approach to these vital issues as well. We will miss Bill Mailliard's leadership in these next few weeks as we try to fight back the tide of isolationism and retreat from international obligations that appears to be growing in this House and across the country.

Bill Mailliard was a hero in World War II in the Navy in the Pacific, and rose to the rank of rear admiral in the Naval Reserve, one of only two Members of the House to have been so honored. Characteristically his major service here in Congress has been in support of those bipartisan programs and policies—developed and carried forward in Democratic as well as Republican administrations—which have tried over the past three decades to put the lessons of World War II into practice, and which, as the bedrock of an American foreign policy, have successfully forestalled the outbreak of a world war III that in the late 1940's so many gloomy prophets were telling us was almost inevitable.

To do this was a political and legislative undertaking. Mr. Speaker, that called no less for cool courage under fire than did the naval engagements which Bill participated in during the Pacific war. It was not always a popular course, and is not one today. But it was right, Mr. Speaker, and Bill Mailliard was already prepared to fight it out on that line. His Committee on Foreign Affairs will miss his leadership, as well as that of the gentleman from New Jersey (Mr. FRELINGHUYSEN) in the 94th Congress. We can ill afford to lose men of such outlook and capability in the House of Representatives.

But, of course, Bill Mailliard will be carrying on the battle for responsible and constructive cooperation between nations in a new and equally important forum. His skill and poise, plus the charm and graciousness of his lovely wife,

Millie, will be at work for our country in another vital arena of America's interest and concern—Latin America. We know the Mailliards will do the same great job there for America that they have done for America and for California here in the House of Representatives. My wife Joan joins me in wishing Millie and Bill Mailliard all success and happiness in their new assignment.

Mr. MICHEL. Mr. Speaker, during the 18 years I have served in this body, it has been my privilege to know, and to respect and admire, the gentleman from California who has left us to become Ambassador to the Organization of American States. I refer, of course, to our colleague William S. Mailliard, who was the chairman of the California Republican delegation in this body.

We shall miss him—his personality, his knowledgeability, his character and his integrity. However, we should compare his departure to the father who did not lose a daughter but rather gained a son-in-law; we should remember not our loss of a colleague but the Nation's gain of an ambassador to a key position.

Bill Mailliard has seen a lot of the world himself, and knows a great deal about it from his service on the Committee on Foreign Affairs where he was the senior Republican member.

Before U.S. entry into World War II, he was on duty with our Embassy in London as a naval attaché. Later, during the war, he served as an officer in the 7th Amphibious Force, and was awarded the Silver Star, the Legion of Merit, and the Bronze Star.

He has served in the Congress continuously since he was first elected to it in 1952.

To his new role he will bring an expertise and a perspective acquired in many ways over many years.

His long service on the Committee on Foreign Affairs has given him an insight into foreign affairs such as few men possess. Back in 1963, he was U.S. Delegate to the 18th Session of the United Nations General Assembly. He was also a delegate to the United Nations Law of the Sea Conference.

This body, which last December produced the first Vice President of the United States to be named under provisions of the 25th amendment, has made another fine contribution to the executive branch in the appointment of Bill Mailliard to the OAS position.

I join my colleagues in congratulating him and wishing him well—and I also congratulate President Nixon for having made so outstanding a choice.

Mr. MCCLORY. Mr. Speaker, it is with great personal pride that I express admiration for the long and distinguished service rendered by our colleague, Congressman Bill Mailliard of California's 6th District.

Congressman Mailliard has represented an area, including that portion of San Francisco where my two sisters, Mrs. L. A. Poole and Mrs. Paul K. Lovegren, reside. They have been proud to support him as their representative in the Congress, just as I have been privileged to serve with him in this great body.

Congressman Bill Mailliard has dem-

onstrated the kind of candor and competence which characterizes the highest in public service. Educated in accordance with the best which our Nation affords, and experienced in local and State government before coming to the Congress in 1948, Congressman Bill Mailliard has provided an expertise which is truly invaluable in this great legislative Hall of the Congress.

Mr. Speaker, it is noteworthy that Bill Mailliard has contributed substantially to the improvement of our international relations. As a former U.S. delegate to the United Nations General Assembly, and in many international conferences where he has represented our Nation, he has brought the kind of knowledge and skill to the promotion of good foreign relations which have helped bring us to the present era of an enduring peace.

Mr. Speaker, this Chamber has been honored by Bill Mailliard's presence and exemplary service here, and I hope and expect that his talents will continue to be utilized in the years ahead. I note, particularly, that he has been appointed as a Permanent Representative of the United States to the Organization of American States. Whether in this office or in some other capacity, I am confident that Bill Mailliard will be continuing to serve the best interests of our Nation and of the American people who will ever be his proud constituents. My wife, Doris, joins in extending to Bill and his beloved wife, Millicent, our good wishes for many happy, healthy, and useful years together.

Mr. BUCHANAN. Mr. Speaker, one of the great privileges which has come to me during my service in the House has been that of my association with our colleague, Bill Mailliard.

Until his recent appointment as the Permanent Representative of the United States to the Organization of American States, the gentleman from California was the ranking minority member of the House Foreign Affairs Committee. In that capacity, as will be the case in his present one, he served our country with great distinction.

The same qualities of leadership and of consistent courage which marked his career as a naval officer, marked his career in the Congress and as the Republican leader of our committee.

He and his lovely wife, Millicent, have a special place in the hearts of all of us who know them. They are the kind of people who have helped to make our Nation great and who constitute a part of its hope and of its strength.

It is a pleasure to join in this salute to a beloved friend and a distinguished public servant.

Mr. BINGHAM. Mr. Speaker, I am glad of the opportunity to join in paying tribute to Bill Mailliard, in expressing regret that he is leaving us, and in wishing him well in his new endeavors.

I personally have greatly enjoyed my contacts with Bill Mailliard on the Foreign Affairs Committee. We have not always agreed by any means, but he has brought to the committee's deliberations a mature judgment and a power of anal-

ysis that have been exceedingly useful on many occasions.

I also look back with pleasure on an occasion when we both participated in a conference of British and American parliamentarians interested in Africa.

Congressman Mailliard will be missed in the House, and especially in the Committee on Foreign Affairs. However, I and the rest of us, join in congratulating him on his appointment as U.S. Permanent Representative to the Organization of American States, an important post especially in these times when it is so necessary that our relationships with Latin America be strengthened and improved. All of Bill Mailliard's colleagues and many friends agree that he will make a major contribution in this role or in whatever he undertakes in the future.

Mr. BOB WILSON. I thank the gentleman from New York.

Mr. Speaker, I have taken this special order today to honor our departing colleague, Bill Mailliard. For 21 years we have served together in the House, along with a few others who came in with President Eisenhower and Vice President Nixon in 1953. He has become one of my closest friends, a gentleman to whom I could always turn for advice or help.

But for all of us too, he has set a benchmark of achievement to shoot for in trying to match his distinguished record of service to the American public. From the day he took oath of office in this House in 1953, Bill has built, through plain hard work, a record that should be the combined envy of a half dozen busy men, to say the least. Lawmaker—statesman—patriot—are but just a few of the titles earned by this great American in service to his country. I am sure they will be pointed to many times over—and rightfully so—in this hour of tribute to Bill Mailliard.

Although Bill and I served on committees somewhat afeld from each other, our legislative paths crossed many times in the course of his career. For example, I remember well his leadership and my cooperation in pushing for amendments to the 1936 Merchant Marine Act which restructured the ship construction subsidy program and bolstered shipbuilding activities on the west coast. This legislation resulted in bringing major shipbuilding and thousands of new jobs to my own home district of San Diego and it would not have been realized without the toil of Bill Mailliard in his work on the House Merchant Marine and Fisheries Committee. And when the illegal seizures of American tunaboats, most of them homebased in San Diego, continued on the high seas off South America in the early 1950's, Bill was there again to respond to the cry for help from the tuna industry. Again with his cooperation, the 1956 Fishermen's Protective Act was written and put into force. And when more teeth was needed in this protective law, he gave us the sympathetic ear and assistance to enact subsequent amendments in later years. These are just a few examples of the "Mailliard hallmark" for solving problems that went beyond the needs of his own district.

In my opinion, no greater legislator has walked these halls than Bill Mailliard. And now we see him leaving to take up still another career—that of U.S. Ambassador to the Organization of American States. For Bill, I am sure it will be a return to a first love, the art of international diplomacy, which he has skillfully honed since first serving as a delegate to the United Nations General Assembly by appointment of President Nixon in 1960 and in subsequent years through his work as a ranking member of the House Foreign Affairs Committee.

Bill, even though you and your wife Millie will be greatly missed here, all of us wish you well in your new assignment. We recognize the importance of developing and maintaining good relations with our neighbor nations in Central and South America. Indeed, you are the one who can bring us closer to this realization and all of us join in extending our warmest wishes for success in your new endeavor.

#### GENERAL LEAVE

Mr. BOB WILSON. 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 California?

There was no objection.

#### DECLINE OF AMERICAN INTERNAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK), is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, if you believe the press, the Soviet Union and Red China have become our friends and the cold war is over. However, we must remember that it was not during the cold war but while we were World War II allies with Russia that the Rosenbergs stole our atomic secrets for our Soviet friends. Even Alger Hiss was not a cold war spy but operated a whole ring in the Department of State during the 1930's, while Franklin Roosevelt thought it was possible to be friends with the Communists. As a matter of fact, the most effective Communist weapons used against American freedoms were during periods of American-Soviet friendship. During the cold war our internal security system blunted those Communist weapons.

To understand the Communist viewpoint, Gus Hall's recent speech to the National Council of the Communist Party is instructive. Hall is, of course, the proprietor of Moscow's branch office in the United States. Hall explained that "détente and confrontation are not opposites." He reminded the assembled Communists that the Soviets have a slogan, "There is no peaceful coexistence in the field of ideology." He said for the American Communists "there is no peaceful coexistence in the fields of economics, politics or ideology." Gus Hall said that



the job of the Communists is to "take advantage of the divisions and weaknesses" of their enemies. And let us make no mistake about it, we are the enemy that the Communists want to destroy. A détente with the Communists ties the hands of their enemies but leaves them free to promote aggressive war in the Middle East and Southeast Asia. It leaves them free to provide weapons for guerrillas and terrorist groups throughout the world. And it leaves them free to persecute the dissidents in the Soviet Union, while demanding that those Communists involved in violent crimes in the United States or other countries of the free world, not be prosecuted.

According to the FBI's annual report, as of July 1, 1973, the total number of Soviet-bloc personnel with diplomatic status in the United States was 2,686. According to the FBI:

These individuals represent a tremendous reservoir of potential intelligence operatives for the Soviet-Bloc intelligence services in the United States. Additional potential intelligence operatives may be found among the many Soviet-Bloc official and unofficial visitors in the United States whose number is growing each year.

Approximately 150 Red Chinese "diplomats" and so-called journalists can be added to that number. Of course, every country maintains contact with its journalists abroad to gather intelligence information. It is only the United States that frowns on this kind of thing. The Iron Curtain journalists however are different. They are primarily intelligence agents of the Communist countries, and their news gathering assignments are usually incidental.

As a result of the illusions spread by the Nixon-Kissinger honeymoon with Soviet Union and Red China the American Communists have begun to creep out of the woodwork. Old-time Soviet stooges whose names have not shown up in our committee hearings since the 1950's have suddenly surfaced again. The Communist Party runs candidates for public office under its own name. It has been attempting to reinfiltrate the labor movement which had bounced the Communist infiltrators as long ago as 1949. The Communists are deeply involved in racial agitation, particularly among the blacks and a start has also been made among the Mexican Americans, Puerto Ricans, and American Indians. The Communists do not like the term Indians so they have been calling them "Native Americans." Violence oriented groups, some controlled by Red China, others following directives from Castro's Cuba, have also begun to show their heads.

During a period of détente we have to be particularly alert to the continuing threat of Communist espionage, subversion, and violence. The Soviet frequently use the phrase "relaxation of tensions." What they really mean is the relaxation of our guard.

At a time when we need a strong internal security defense and an external intelligence system, we are weaker than ever before in our history. Some of this is due to the exposure of intelligence

gathering by our press. "Advocacy journalism" has taken the place of responsible reporting. What we are really talking about is a psychological warfare campaign against the United States being conducted by people who are using techniques designed to disrupt enemy operations in wartime. In the midst of a war you do what you can to expose—or blow the cover, as they say—enemy intelligence operations. You try to protect your own intelligence operations. When an American journalist revealed, as did Jack Anderson, that the CIA was listening to the telephones in Soviet officials' cars, that operation had to be discontinued. This takes a weapon out of America's hands. We now have less information about Soviet plans for aggression. According to the Israelis, American intelligence told them that the Egyptians and Syrians would not attack last October, that the military buildup was just a maneuver. As the result only 825 Israeli soldiers manned the defense lines at the Suez Canal when the massive attack started. Casualties were very high. The Israelis blame us for our bad advice. Perhaps if we were still listening to Brezhnev's telephone conversations the error would not have been made.

The elements of the press that could never find the space for the story of the mass murders committed by the Communists at Hue, spent days talking about an American soldier in Vietnam burning down a hut. The same elements of the press can find nothing to say about the extensive Soviet intelligence apparatus which spies, murders, and kidnaps all over the world. But any opportunity to blow the cover of a CIA operation, particularly if it is one of the few useful ones, is seized upon with glee. Do not get me wrong, I am no fan of the CIA. I remember when they funded leftwing extremist groups like the National Students Association in the United States and similar leftwing crackpots around the world. I also remember that the official that came up with these ideas was recently promoted to head the CIA liaison office in London. But when cutbacks are made in the CIA, they are usually the worthwhile operations.

According to the press our military intelligence in Europe recently canceled its investigations of European subversives operating against our military personnel. These groups encouraged desertions and attempts to murder officers—fraggings. The investigation was canceled after the cover on the operation was blown by an "advocacy journalist."

If anything our internal security is in even worse shape. The Subversive Activities Control Board, which had the responsibility of holding hearings on and citing Communist fronts, has been abolished. Even when it existed, the law only allowed it to work on groups controlled by the Communist Party, U.S.A., thus ignoring Chinese Communist-controlled groups, Trotskyite Communists, and other violence-oriented enemies of the United States. The Internal Security Division of the Department of Justice has been reduced to a section of the Criminal

Division. Police departments throughout the country who have done valuable work in watching the violence-prone radicals have cut back on their operations and in many cases have closed down their intelligence units. These cutbacks have often resulted from journalistic attacks, which panicked timid city fathers. Or as in New York, where Lindsay used it as an excuse for wholesale destruction of valuable files on violent organizations.

The Army has stopped watching civilians. The Pentagon brass retreated when their surveillance of subversives was attacked by the Senate Subcommittee on Constitutional Rights, chaired by Senator SAM ERVIN, and the hysterical element in the press. The Army surveillance had two purposes. One was to watch those civilians engaged in disruption or subversion of the military. The second was a general surveillance of violence-oriented groups, particularly during periods of urban disorder. As the National Guard had been called out in a number of instances, intelligence information was needed to determine whether they should be put out on the streets. The Kent State tragedy was the result of insufficient information in the hands of the military authorities.

During October 8 to 11, 1969, SDS Weathermen rioted in the streets of Chicago. Two investigators for the House Committee on Internal Security accompanied the military intelligence agents who were watching the rioting. Our men monitored the Army communications and were out on the streets with the military intelligence agents who penetrated the ranks of the rioters and reported back to their command post. An undercover police officer on the same assignment was severely beaten by SDS hoodlums. The military intelligence group ran some risk during this operation. But the information they reported back was of great value. First, they reported the actions and plans of the rioters and second, they reported the action that was taken to cope with the rioters by the Chicago Police Department. The National Guard was waiting in the armories to intervene if the police were incapable of controlling the riot. The military intelligence agents were able to report that the police were handling the problem. The National Guard units were kept in the armories. Had unnecessary guardsmen been committed to this operation a tragedy like Kent State might have taken place.

A star witness for the Ervin committee and the hero to the press was John M. O'Brien, a former military intelligence agent who alleged that the military had engaged in widespread surveillance of innocent civilian activity and had used illegal methods to accomplish this. The first opportunity anyone had to cross-examine O'Brien came last November when he testified as a defense witness in the Chicago 7 contempt case. Federal Judge Edward T. Gignoux concluded after hearing O'Brien's testimony that—

Mr. O'Brien's testimony was flatly repudiated in all presently significant aspects . . .

The Court rejects as utterly incredible the testimony of Mr. O'Brien.

O'Brien's "repudiated" and "incredible" testimony was used, however, in the campaign against military intelligence operations. As I stated before, the brass retreated under fire.

On November 10, 1971, the Committee on Internal Security met in executive session to hear the testimony of Rowland A. Morrow, the director of the Defense Investigation program Office. The testimony was later released. He revealed that the Department of Defense had destroyed all of their files relating to subversives, even those who have been active in subverting the military. We have reached the point, Morrow admitted, where a member of the Armed Forces who leaves the military post to attend a subversive meeting cannot be observed by military intelligence at that meeting.

As you know, the Federal Bureau of Investigation has the primary responsibility in the investigation of subversive activities. In the past this work has been enhanced by the activities of military intelligence, local police departments and congressional committees. Now, even the FBI's responsibility to do this important work is under attack.

All security conscious people breathed a sigh of relief when William Ruckelshaus was forced out of the Justice Department. On September 13, 1973, during his confirmation hearings to be Deputy Attorney General, Ruckelshaus twice referred to his plan to separate "the intelligence-gathering from the law enforcement functions of the FBI." Translated from Government gobbledegook into English, this means getting the FBI out of the field of investigating subversion. Now that Ruckelshaus and his mentor Elliot Richardson no longer inhabit the Department of Justice, do not think that the scheme is necessarily dead. There are still ideologues in the administration to promote this kind of nonsense.

The congressional committees have been the subject of attack.

As ranking minority member of the House Committee on Internal Security, I am not exactly shocked by this. We know we are doing a good job when we are under constant attack by the Communists and their friends. For the past 35 years our committee and its predecessor, the Committee on Un-American Activities, have been the subject of abolition schemes by the leftists and their well-meaning dupes. These schemes have always collapsed with their own weight, and the committee has gotten the overwhelming support of the Members of Congress for these many years. However, a new element has entered the picture. As one of the recommendations by the Bolling committee to "streamline" Congress, an attempt is being made to abolish the Internal Security Committee and give its functions to the Government Operations Committee. It would not be possible for the Committee on Government Operations to do the job now assigned to Internal Security. The entire staff of Government Operations will be

smaller than the present overworked staff of Internal Security. No subcommittee staff could possibly carry out this work.

The Committee on Internal Security's appropriation will be coming up before Congress in the next several weeks. Opponents of the committee are organized to cut that appropriation as much as possible. Their hope is that if we are sufficiently weakened so that we are unable to do our job this would be an argument for the committee's abolition and the transfer of its functions to the Government Operations Committee later this year.

Our committee's work is a matter of public record. The annual report of our committee is now available. It contains the summary of our committee's work for the year 1973. It summarizes hearings and reports regarding such things as revolutionary agitation in the prisons; Communist Party, USA, attempts to re-penetrate the trade union movement; The Communist Party, USA, as a defender of Soviet anti-Semitism; and such other hearings as those on Communist theory and practice in the Soviet Union, Red China and Chile.

In light of the weaknesses in both our internal security system and our foreign intelligence gathering, I intend to develop a legislative program to close some of these gaps. The House Committee on Internal Security is the logical committee through which such a program can be presented to Congress. Its continuation is an important part of our country's defenses. The committee can be used to strengthen the other agencies necessary to protect us from the Communist military threat abroad and the Communist subversive threat at home.

## AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Dicks) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, I would like to insert for the thoughtful attention of my colleagues several articles from volume IV of the publication XRAY, of the Africa Bureau, London.

The first article relates to African wages in South Africa.

The second article relates to the plight of the people in South Africa at the Dimbaza resettlement camp in Ciskei.

The third article relates to the official sports policy of South Africa and to South Africa's record in international sport.

The final submission relates to the relations of certain other governments with Southern Africa; namely, New Zealand, Australia, and Holland.

### SURVEYS REVEAL THE POSITION OF AFRICAN WAGES IN SOUTH AFRICA

Although the rate of increase in African wages has risen sharply in the past year, unskilled African workers are still earning between half and two-thirds of the poverty datum line (PDL) requirements.

This was one conclusion of two recent pay surveys conducted in SA for the period 1

August 1972—1 August 1973. They show an average increase of 20%—25% in African cash wages in industrial and commercial companies. The rate of increase was highest—nearly 30%—in Natal, largely attributable to the strikes there.

But wages for unskilled workers are still as low as R40 (c.£20)—R75 (c.£37.50) a month, compared with the Johannesburg Chamber of Commerce's latest PDL figure of R82 (c.£41) a month. African women workers fared even less well. Despite a rise of about 13% during the year, unskilled African women earn an average of R8.9 (c.£4.50) a week.

About 13% of African workers still earn less than R10 (c.£5) a week—compared with about 33% last year. Only 16% earn more than R20 (c.£10) a week. The wholesale trade still pays African men as little as R7 (c.£3.50) a week, and women R6.60 (c.£3.30).

Meanwhile the Consumer Price Index (CPI) has risen by 8.5% over the period. This suggests that the African wages increase was about two and a half times that of the CPI. But the CPI is based on a white family earning R4,600 (c.£2,300) a year, and spending 25% of its income on food. African families spend a much higher proportion of their income on food, the price of which has risen by 12.5%.

The average increase in Coloured and Asian workers' wages was a little less than the CPI. Again, assuming the CPI under-estimates the impact of rising food prices on poorer people, their economic position has declined over the past year.

White artisans' wages rose over the period on average by 8% to 10%, with some increases of 20%. White earnings generally rose by 10%. White artisans now earn between R320 (c.£160) and R390 (c.£195) per month basic—with another R60—R70 (c.£30—£35) in overtime. Top executive salaries rose 8%—10%, to between R13,000 and R20,000 (c.£6,500 and £10,000) a year.

A separate survey of farm labour wages in the Eastern Cape shows that top cash wages are about R14.60 (c.£7.30) a month; middle-range wages around R10.50 (c.£5.25) and bottom levels about R5.36 (c.£2.68).

The University of South Africa, in a "living standards" survey conducted under its market research bureau, concluded that medical and dental services, education and entertainment are "luxuries" beyond the means of a quarter of urban blacks. The survey, sponsored by South African firms, found that 22.5% of all African households earn less than "the minimum financial" requirements of members of a household if they are to maintain their health and conform with western standards of decency—that is, "to be fully dressed and clothed". This is defined as a Minimum Subsistence Level. Employers should aim, it says, to pay workers on a higher standard—a Minimum Humane Standard of Living, which includes medical care, recreation, education and contributions to pension and unemployment funds.

### DIMBAZA: DESPERATE FOR FOOD

Hundreds of people at Dimbaza resettlement camp in the Ciskei Homeland have been left desperate for food because they did not receive their ration entitlement for the whole of October.

In a press statement issued on 31 October, the Rev. David Russell said: "The vast majority of families of Dimbaza, who had previously depended for their livelihood on rations given out every two weeks by the authorities, have received nothing for the whole of October. Hundreds of people are affected and are desperate for food."

Mr. Russell, who lived on R5 (c.£2.50) a month for six months last year in protest against conditions in the resettlement camps, said the situation first came to his notice on



10 October. He tried to get in touch with the authorities to find out what had happened. The magistrate referred him to the Superintendent of Zvolitsha, Mr. N. Erasmus, who was in charge of rations. I had hoped that after my talk with the Superintendent decisive action would have been taken," Mr. Russell said.

On Sunday, 14 October, after his church service, he promised his congregation that they would do all they could to help the hungry and correct the situation.

"On Wednesday, 17 October, I went to Dimbaza and found 400 people outside the church office, hungry and asking for food. In all the time I have been going to Dimbaza I have never been so shocked and torn as I was that day in the presence of such numbers of hungry people," he said. "We started the task of systematically giving out food vouchers worth R2.50 (c.£1.25) and continued to do so in relays for the next 10 days. During all this time we scrupulously avoided saying anything publicly, but persevered in contacting the authorities in the hope that they would respond decisively and solve the crisis."

Despite approaches to the SA Government through the Ciskei administration, nothing had been done.

"There are hundreds of people hungry now and it seems they will continue to be hungry," he said. The local Church Aid organisation had paid out more than R1,000 (c.£500) on the food vouchers, and to make a further distribution to more than 500 families it would launch a nation-wide fund-raising campaign. The Border Council of Churches would meet this week to plan this.

"In the meantime while we are trying to keep death away with emergency supplies we will continue to plead with the authorities to see that rations are resumed as before for families without a breadwinner," he said.

#### OFFICIAL SPORTS POLICY OF SA

The present state of South Africa's sports policy is one of confusion, arising from attempts by the Minister of Sports, Dr. Piet Koornhof, to make a reality of the "multi-national sports policy" which was announced by Prime Minister Vorster in Parliament on 22 April, 1971.

This policy defines multi-national sports as competitions in which more than one nation compete—black South Africans being split into three nations (Bantu, Indian and Coloured). Prior to the South African Games in April 1973 ingredient of multi-national sports competitions was the participation of foreign teams (or foreign individuals in the case of individual sports).

The policy was dented at the SA games when foreign teams which had been invited for the football tournament withdrew at the last minute. Under pressure from the organizers and the black football bodies who had already prepared their teams, the Government adjusted the policy and allowed the tournament to proceed with SA whites playing the Bantu, Indian and Coloured teams.

After the South African Games in Pretoria, the Government was faced with conflicting imperatives. On the one hand, it had to recover ground lost to the hardliners, who reject any sport across colour lines. On the other hand, it needed to continue to project an "enlightened" image for international consumption.

#### WEIGHTLIFTER BANNED

Thus in June 1973 the Government refused permission for an African weightlifter, Archie Kasyamhuru, to compete for Rhodesia in a match against South Africa in Johannesburg. Yet in April the same weightlifter, Kasyamhuru, had competed in the Pretoria Games.<sup>1</sup> And in July 1973 the Government

refused to grant a passport to non-racial cricket chief Hassan Howa who planned to visit London to meet members of the International Cricket Conference.

#### "HONORARY WHITE" STATUS

But at the end of August the Government granted permission for a return fight in Johannesburg between black American Bob Foster, the world light-heavyweight champion, and SA's (white) Pierre Fourie. Bob Foster enjoyed "honorary white" status in Johannesburg while he prepared for his world title fight on 30 November. He was granted his visa in spite of earlier making strong statements about South Africa.

This was followed early in September by another passport withdrawal. Mr. Morgan Naidoo, president of the Non-Racial Swimming Federation, had his passport confiscated before his departure to Belgrade where South Africa's membership of the International Swimming Federation was being discussed. This probably contributed to the decision adopted by the Federation to expel South Africa from international swimming. Mr. Naidoo's absence was compensated by the presence in Belgrade of two delegates of the South African Non-Racial Olympic Committee.

#### MULTIRACIAL CRICKET MATCHES BUT THEN . . .

This ambivalence was to develop further with the granting of visas to two black cricketers who were included in a team sponsored by a well-known English cricket administrator, Mr. Derek Robins. Pakistani Younis Ahmed and West Indian John Shepherd toured South Africa with the Derek Robins cricket team. Most of the matches were played against white teams, with the exception of one against an African eleven. For accepting to play in SA, Younis Ahmed has been banned for life by the Pakistan Cricket Body.

#### CRICKET IS BANNED ON PRIVATE SPORTSFIELD

But during the Robins cricket tour on 5 October—Dr. Koornhof issued a special proclamation banning multi-racial sport on private grounds. This far-reaching piece of legislation is being used to stop the multi-racial Aurora Cricket Club of Pietermaritzburg playing matches against other clubs on privately-owned sportsfields. Previously Group Areas legislation effectively covered multi-racial sports only on Government or Municipal property.

The proclamation, whose implications are said to be stupefying legal experts, extends restrictions on the occupation of group areas by members of other races to any person who is at any time present in, or upon any land or premises in the controlled area or a group area . . . for a substantial period of time.

It was followed by a police raid during a match played by the Aurora Club in Pietermaritzburg on 13 October. The match was interrupted and names of the players and officials taken. The Club officials who are well-known SA cricketers, have announced that they will fight any prosecution, if necessary up to the Supreme Court.

In November, Dr. Koornhof granted a visa to black tennis star Arthur Ashe to allow him to play in the SA Open which started in Johannesburg on 19 November. Ashe had been refused visas twice in the past few years because of his "anti-SA statements". It appears the decision was prompted by a probable ban of SA by the powerful World Tennis Professional Association of which Ashe is vice-president.

It is difficult to guess the future direction of SA's sports policy. The Johannesburg Star of 14 October, 1973 describes the Government's sports policy as "so confusing lately that the idea has got abroad that, in fact,

there is no policy—that everything is played by ear". Dr. Danie Craven, SA's rugby boss, has come under heavy criticism for predicting that rugby was finished at the international level, on the basis that although other countries can still visit SA it has become impossible for South African white rugby teams to tour overseas, due to demonstrations—or Government bans in the case of New Zealand and Argentina.

Dr. Craven was also attacked for predicting mixed trials for the selection of future rugby teams. Putting the record straight, Dr. Craven is quoted in the Johannesburg Sunday Express (11 November, 1973) as follows: "I was criticised for suggesting mixed trials—something I have never said. But there are people who don't know the difference between mixed trials and a side chosen on merit. It is a principle, not a method".

He went on to say "All we have asked for is that Springbok teams be selected on merit. Nothing has come of it so far, but that's where we are going to finish up—selecting sides on merit."

It is probable that Dr. Craven would clear such a statement with the Government. If so, one may expect more sacred apartheid cows to be slaughtered on the altar of international sports relations.

#### SOUTH AFRICA'S RECORD IN INTERNATIONAL SPORT

1956. South African all-white Table Tennis Union expelled by ITTF Affiliation given to Non-Racial Table Tennis Federation. South African Government has consistently refused passports to Non-Racial teams entered for World Championships since 1956.

1963. South Africa barred from Tokyo Olympics.

1964. South Africa suspended from World Football by FIFA.

1964. South Africa barred from international competition by World Fencing body.

1967. Mexico refuses visa to South African team for Mini Olympics.

1968. Mexico refuses to invite South Africa to Olympics. IOC Executive confirms this decision by withdrawing invitation.

1968. South Africa expelled from World Boxing by AIBA.

1968. Cricket tour of South Africa by British Team cancelled by MCC.

1969. Hungary refuses visas to South African Team for World Pentathlon Championships.

1969. International Judo Federation refuses South African membership.

1970. British Government requests cancellation of cricket tour of Britain by a South African team. MCC cancels tour.

1970. South African team barred from world Netball Championship.

1970. South African team barred from World Gymnastics Championships in Yugoslavia.

1970. South Africa suspended from Davis Cup following boycotts by most European countries and demonstrations in Norway, Sweden and Britain.

1970. South Africa expelled from Olympic Movement by IOC.

1970. South Africa barred from World Cycling Championships, and expelled from FIG.

1970. South Africa barred from international Athletic competitions by IAAF.

1970. Following countries withdraw from South Africa Games after accepting invitations: US, Belgium, Italy, West Germany.

1970. Australia suspends athletic relations with South Africa.

1970. South Africa suspended from World Wrestling by FILA.

1970. South Africa barred from World Softball Championships in Japan.

1972. South Africa re-admitted to Davis Cup in Latin American Zone.

<sup>1</sup> 'Rand Daily Mail', 26 September, 1973

1972. South Africa non-starter at Munich Olympics and Rhodesia barred in *extremis* to save the Games.

1973. Argentine Government bans all sports contact with South Africa, including Davis Cup match.

1973. Brazil Government bans Davis Cup match on Brazilian territory.

1973. New Zealand Government forces cancellation of Rugby Tour by a South African Team.

1973. South Africa expelled from World Swimming by FINA.

1973. New Zealand Government decides to refuse entry to South African Women's team for Federation Cup (Tennis).

1973. FIFA President Sir Stanley Rouse is forced to back down and reverse decision taken by FIFA Executive to lift South Africa's suspension to allow international football matches at South African Games. Prior to reversal of decision both Brazil and West Germany had been forced to withdraw their teams.

1973. Australian Government decides to refuse all visas including transit visas to all South African sportsmen belonging to racial sports organisations.

1973. Supreme Council for Sport in Africa calls for expulsion of all racist South African organisations from International Federations and decides to grant affiliation to Non-Racial organisations who apply for membership of African sports confederations.

1973. The South African Amateur Swimming Federation (Non-Racial) is given full membership of the African Swimming Confederation.

Compiled by Chris D. deBroglie for SAN-ROC (South African Non-Racial Committee for Olympic Sports)

#### QUOTES

In the past three months the New Zealand Government has taken three steps to cut ties with SA. In September, it announced that all tariff preferences offered to SA would be revoked on 30 December.<sup>2</sup> In October, a world-fide market research group was prevented from conducting an opinion survey in New Zealand because one of the survey's customers was SA. The survey was related to travel, trade and tourism, but the New Zealand Government suspected the survey was being conducted as a result of the decision not to allow the Springbok rugby team into the country.<sup>3</sup> In November, the SA Women's Federation Cup Tennis team was excluded from New Zealand.<sup>4</sup>

Australia has announced that from September 1974, South Africa will not form part of the consortium which elected an executive director to the Boards of the International Monetary Fund and the World Bank. At present SA forms part of a group consisting of Australia, New Zealand, and, in the case of the fund only, Swaziland and North Samoa which elects an executive director and has the right to appoint an alternative director. If SA gained admission to another voting group in the IMF, because of the status of the other countries in the alternate group, representation on committees like the group of 20 and other key bodies might be denied.<sup>4</sup>

In a note accompanying his 1974 Foreign Ministry Budget, the Dutch Foreign Minister said that Holland rejected SA's apartheid policy and planned to stop subsidizing emigration to SA. Holland would also increase its contribution to the anti-apartheid fund of the UN, and give support to the international Defence and Aid Fund.

<sup>2</sup> 'The Star' Johannesburg, 20 October, 1973

<sup>3</sup> 'The Star', 29 September, 1973

<sup>4</sup> 'The Star', Johannesburg, 29 September, 1973

#### FERTILIZER SHORTAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. MATHIS) is recognized for 5 minutes.

Mr. MATHIS of Georgia. Mr. Speaker, as all my colleagues are well aware, the Fertilizer Institute in conjunction with all their members, is launching a major lobby effort against my legislation to place an embargo on fertilizer exports until a sufficient domestic supply has been guaranteed. As chief sponsor of this legislation, I feel I would be remiss if I did not answer the charges being hurled at the Congress, particularly the 105 Members who cosponsored the legislation with me.

I want the members who comprise the Fertilizer Institute to know that Congress fully realizes the necessity for international trade, but this legislation was introduced to underscore the severity of the fertilizer shortage to officials in this administration who can correct these problems. It has become increasingly apparent that many of the trade policies in which this administration has engaged are working to the detriment of the United States and not to our advantage. I felt that only through such decisive action could the gravity of the problem be effectively conveyed to them. In the absence of such congressional pressure, I feel the Department of Agriculture would have ignored the American farmer in this situation. In an earlier speech I stated that the Department never really acknowledged a problem until my bill had been introduced with 54 cosponsors. At that time they published a press release which stated that nitrogen fertilizer was short in 29 States and tight in 15. It also stated that phosphate and potash supplies were short in 30 and 24 States respectively.

In the March issue of Farm Journal, Mr. John Frazier, president of the National Grain and Feed Association, said that the livestock industry's annual requirement for dicalcium phosphate is about 1.6 million tons and the supply is only about 1.3 million tons. The manufacturers of this product state that they simply cannot manufacture without phosphoric acid. The absolutely incredible part of this is that the Commerce Department is predicting a 76.6-percent increase in exports of phosphoric acid for the first half of this year over the same comparable time in 1973. The second half of 1974 is predicted to be increased by 96 percent. I challenge the Department of Agriculture to prove the rationality of such proposals.

On March 18, I received a copy of a letter sent by the Central Resources Corp. of New York, to the Fertilizer Institute, Secretary Earl Butz, and Dr. John T. Dunlop, of the Cost of Living Council. The reference of the letter was to refute my legislation and was so headed. However, the entire first paragraph was an announcement, and I will quote directly:

We are pleased to advise you herewith that we have made our first sale of a shipload of approximately 10/15 thousand metric tons of

compound fertilizer manufactured by our Dutch subsidiary. The shipment is about to be loaded on the S/S Bulk Pioneer in Holland for arrival in the United States in time for spring application season.

It is inconceivable to me that such a transaction could not have been made 8 weeks ago, and I seriously doubt that one would have been made at this point in time had it not been for pressure from Congress.

Mr. Speaker, I can think of no other sector of the Nation of greater importance and dependence than agriculture. It is the basic industry of the entire Nation and its preservation as a viable industry is crucial. The motivation behind the introduction of my legislation was and is to influence full recognition of this fact to the Secretary of Agriculture. The farmers in this country are desperately searching for some indication of awareness and understanding on the part of the Department of Agriculture. This is made more difficult when the head of the Department seems to reflect the interest of large agribusinesses and large farming corporations. The small farmer needs an effective voice to speak for him and I can assure every Member of this House that my legislation is made in behalf of the small farmers who produce the majority of food and fiber in this country.

#### THE 56TH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF BIELARUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 10 minutes.

Mr. ANNUNZIO. Mr. Speaker, March 25 marks the 56th anniversary of the independence of the Belarusian National Republic, and I am glad to have the opportunity today to join my colleagues in the Congress in commemorating this important date in the distinguished history of Belarus.

Belarusians are people of an ancient culture and an illustrious past. As early as 1529 a code of laws was written in the Belarusian language. It is considered by historians to be one of the most complete handwritten codes of the Middle Ages.

The Belarusian people have been known under most confusing and improper terminology in English as Byelorussians and White Russians. That terminology is incorrect and offensive to Belarusian national pride because it was taken from the Russian language and not the Belarusian language. The Belarusian Coordinating Committee of Chicago has informed me that the people of their country prefer to be called Belarusians and prefer the country of their ancestry be called Belarus.

In 1917, the All-Belarusian Congress, representing all political parties and groups, convened in Minsk and overwhelmingly adopted a resolution of self-determination and elected a council or "rada" to implement that resolution. Although occupied and dominated by



neighboring nations for over three centuries, the heroic people of Belarus never lost their identity, traditions, culture, or language. On March 25, 1918, their rada solemnly proclaimed the nation's independence from Russian tsarism.

During the months following independence, however, the Red Army occupied Belarus and after that, the brutal face of Stalin's communism began to manifest itself. Churches were dynamited or turned into stables and warehouses, farms were forcibly collectivized, and nearly all of the nationalist leadership, thousands of scholars, writers, teachers, state officials, and students were arrested, deported, or just "liquidated" in jail. Even the language of Belarus was revised in 1933 by replacing certain words and other characteristics with the Russian equivalent.

The courageous people of Belarus are continuing their struggle to preserve their culture, traditions, and language, despite the terrible losses sustained in World War II and despite the continuing, and now official, Soviet policy of russification. Resistance in Belarus to russification remains very strong, not only among the older generation, but among the new young writers, poets, historians, artists, and scientists.

The hypocrisy of this Soviet policy is illustrated by the fact that though Belarus has a seat in the United Nations, and was one of the founding members, nearly all of those "representing" Belarus are Russians.

In 1973 the Soviet Russian Government introduced a new economic and administrative districting of the entire territory of the U.S.S.R. based on seven districts. This new partition ignores completely the existing ethnic groups and the union republics of the U.S.S.R., as well as their national needs. This new administrative partition is based on the aim to increase the might of the Russian empire and consolidate non-Russian nationalities into a single Soviet Russian nation by speeding the process of russification.

Because of the vicious cultural oppression, the occupation, and the domination of their homeland by the Soviets, many Belarusian people emigrated and there are some 5 million of these enterprising and resourceful people and their descendants in our own Nation. They and other Belarusian immigrants in the free world carry on the struggle for freedom, human rights, and dignity of their people and keep the peoples of the free world informed of the plight of the people of Belarus.

The Belarusian Coordinating Committee of Chicago, Illinois, is dedicated to the restoration of human liberty in Belarus and I commend its members and friends for their outstanding efforts to awaken the consciousness of free peoples everywhere and to lighten the burden suffered by the people of Belarus.

I am honored to join Americans of Belarusian heritage in Chicago and all over this Nation as they celebrate this 56th anniversary of Belarusian independence and I extend to them my warmest best wishes as they continue to contribute mightily to the United States and its ideals of freedom and human dignity.

This year the Belarusian Coordinating Committee celebrated the anniversary of independence with an observance dinner yesterday at the Regency Inn, 5319 West Diversey, Chicago, Ill. The committee has also sent letters to all delegation heads of the United Nations urging them to bring the matter of independence for Belarus and other non-Russian nations in the U.S.S.R. onto the agenda of the General Assembly of the United Nations for discussion as soon as possible.

Mr. Speaker, a letter to the Presidium of the U.S.S.R. has also been mailed, and so that every Member of Congress can have the opportunity to see their appeal, I am inserting a portion of this letter in the RECORD and urge the attention of my colleagues to it.

The excerpt from the letter follows:

BIELARUSIAN COORDINATING COMMITTEE OF CHICAGO, ILLINOIS.

[An Open Letter]

TO THE PRESIDUM OF THE SUPREME SOVIET OF THE UNION OF THE SOVIET SOCIALIST REPUBLICS,  
Moscow, U.S.S.R.

**YOUR EXCELLENCIES:** This letter is being addressed to you by Belarusian-born Americans and Americans of Belarusian ancestry, whose fathers and mothers either were or still are laborers, farmers, craftsmen, teachers and other professionals.

There are among us those who had lived through three occupations of our native Belarus, namely: the Polish and Russian when Belarus and Ukraine were divided at Riga Treaty in 1921 between you, the Red Russia and Poland; the Soviet and the Nazi German. There are those of us who were still children or in our early teens and had seen with our own eyes the holocaust of World War II and the crimes and atrocities perpetrated on our peaceful and innocent people by both the Nazis and the Communists directed from Moscow because they refused to side and support either one of you.

Those of us, who had survived all the terror and massacres of our fellow countrymen and who were blessed by the Almighty to find abode in the Western World, have been deeply discouraged by your actions in the post-war period and even today. We have followed every printed word by your government that we can get hold of and we find that you maliciously misrepresent the facts. Today we decided to challenge you and refute your false allegations and accusations by presenting the facts to all member delegations of the United Nations and their heads of the states.

We want the United Nations and all freedom loving people in the entire world to speak on behalf of the non-Russian Republics and their peoples in the Soviet Union and support and demand complete national independence for all of them, in the same manner as they had in demanding independence for the colonial peoples in Africa and Asia and other parts in the world, which, according to your Soviet Russian terminology, were held by Western capitalists.

The Western capitalist colonies, even the smallest ones like Grenada, which numbers only 100,000 people and which was given independence recently, have been disappearing. Now, what about the Soviet Union, the largest colonial empire on earth, which is dominated in almost its entirety by the Russians and carries the expansionist imperialistic policies of the Tsarist Russia? When will you let the non-Russian peoples, who number by the millions like Belarus, Ukraine, Latvia, Estonia, Uzbekistan, Kazakhstan, Lithuania, Georgia, Azerbaijan, Moldavia, Tajikistan, Kirghizia, Armenia and Turkmenia, to form their own independent states

and conduct their own affairs without your interference and directives?

You have been telling, for instance, that the non-Russian peoples in the Soviet Union have been enjoying same privileges and same equality as the Russians do and what a farce, an irony and misrepresentation it is? The Belarusian people cannot even go to see their relatives in the Western countries without first getting permission from Moscow, and those coming from the West as visitors and wanting to see their birth places, or visit their relatives in villages, cannot get the permission from the Byelorussian Soviet Government in Minsk, but the matter must be cleared first with Moscow. Is this the kind of equality the Belarusian people are getting from you?

You accuse the post-world war emigrants of crimes committed against humanity, but you have no proof for that because those who work for free Belarus were, as we stated in our first paragraph of this letter, children and in our early teens and could in no way be in a position to carry out acts of which you accuse us and besmear our good names. Naturally, there were some who collaborated and even served in German armed forces, but they joined in revenge for Communist perpetration of crimes when they discovered that their relatives were murdered by the NKVD members before Belarus was taken over by the Nazis, or those whose relatives were massacred by your red guerrillas who infested Belarusian forests and fought not so much against the German armies but the peaceful and innocent Belarusian people in order to turn them anti-German. They would set mines by villages on nearby roads at night, and when the Germans were to pass through during the day, the mines would explode killing several Germans and the rest would become outrageous and punished the villagers for your crimes by destroying their homes and often burning our people alive. Many Belarusians were also killed in this same manner if they had to travel that particular road when mines were set and their life was like an inferno. There was no peace at night or during the day. At night they trembled from fear because the red guerrillas could butcher them if they refused to cooperate with them and in a daytime they were afraid of the German retaliation against them for the crimes instigated by your red guerrillas.

Article 17 of the Soviet Union's Constitution states that: "The right freely to secede from the U.S.S.R. is reserved to every Union Republic," but in practice this cannot be carried out. We do not think we should go into detail again to explain what you did with those who dared to speak for more freedom and for complete sovereignty. You know it well yourselves—you killed them. And our people were not and are not more nationalist than all other nations in the world of which you also accuse us and our emigrant leaders.

Therefore, for the sake of God and humanity, on the occasion of the Declaration of Independence of Belarus by the Third Constitutional Act, dated March 25, 1918, which event is observed by all Belarusians in the Free World, including Belarusian Americans, we appeal to you, the Russian Communist leaders, to take your red mask off of your faces and tell the truth to the world that under the Soviet Union Russian expansionist and imperialistic motives are hidden and that the non-Russian Soviet Republics are not free, as you advocate, but that you will give back to them complete independence and soon.

Let God, the Almighty, be the Just Judge of it all and let His word come true that thou shalt not take advantage of thy neighbor. So be it known to the entire world that the power of His prayer is stronger than the steel and atoms. We pray and put our intentions and ourselves today at the feet of Jesus

Christ, our Saviour, and the goodwill of all mankind.

THE BELARUSIAN COORDINATING  
COMMITTEE OF CHICAGO, ILLINOIS

Dated at Chicago, Illinois, this 25th day  
of March, A.D. 1974.

HARRINGTON AND STARK MOVE TO  
FORCE DISCLOSURE OF MILITARY  
ALERT FACTS

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, together with my colleague Congressman STARK, of California, I am today introducing a resolution of inquiry to compel Secretary of State Henry Kissinger to provide the Congress with hitherto unrevealed information on the military alert—Defense Condition Status 3—called during the night of October 24, 1973, at the height of the Mideast crisis.

At some time after 11:30 on October 24, 1973, a military alert of American conventional and nuclear forces was ordered. Neither the American people nor the Congress know why this alert was ordered, or who ordered it, or how close the world came to nuclear war during this crisis. Because the Secretary of State has reneged on his promise of October 25, to reveal the pertinent information within a week, Congressman STARK and I are filing a resolution of inquiry—one of the strongest tools the House has to get information from the executive branch—to get the facts. The people of this country have a right to know—especially when their lives are at stake.

A resolution of inquiry puts the force of the whole House of Representatives behind a demand for information from the executive branch. In this case, the resolution of inquiry is directed to the Secretary of State. By the rules of the House, the committee to which the resolution is referred has 7 legislative days—excluding the first or last day—in which it is to act on the resolution. We expect that our resolution of inquiry will be referred to the House Foreign Affairs Committee, of which I am a member, and that by April 4 the committee will have completed its consideration of the resolution. At that time, the privilege granted the resolution by the rules and the practice of the House will make it possible for virtually immediate consideration by the whole House.

Failing State Department release of the information requested in our resolution—or an acceptable State Department agreement with the Foreign Affairs Committee to provide the requested information—on April 4 we expect to take the necessary steps to obtain the ratification of the House as a whole. While we are under no illusions as to the ultimate authority of the resolution of inquiry, we believe that this administration would be most ill-advised were it to attempt to avoid compliance with the resolution. We would hope that forcing the issue by a vote on the floor of the House could be avoided by a good-faith effort on the part of the State Department, but failing such action, we will actively seek passage of the resolution, with the result that the Secretary of State would have 10 days in which to comply with the requests and

furnish the information desired by the House.

We note, Mr. Speaker, that it is our conviction that the Resolution of Inquiry we have introduced conforms with the requirements of both the rules and the practice of the House as far as its privileged character is concerned. The resolution asks only for facts—not opinions. The facts requested are in the possession of the individual to whom the resolution is directed—in this case the Secretary of State. No investigations are required to comply with the information requested by the resolution. We note, in particular, that precedent has been established for requesting information from a head of a department in reference to a statement made by that officer. On August 12, 1913, Mr. Frank W. Mondell of Wyoming, in the first session of the 63d Congress, offered a resolution requesting from the Secretary of the Treasury certain facts upon which he based spoken charges. On a point of order that the resolution was calling for opinions, not facts, Speaker Clark ruled that a request for facts "on which he based" certain charges did not constitute a request for an opinion, and hence the point of order was overruled.

We realize that in the history of the House the Resolution of Inquiry is ordinarily used as a last resort—when other methods of obtaining information from the executive branch have failed. Such is the case in this instance. The Congress, and the press, have made every reasonable effort to get the information promised by Secretary Kissinger in his October 25 press conference, when he said:

We do not think it is wise at this moment to go into the details of the diplomatic exchanges that prompted this decision. Upon conclusion of the present diplomatic efforts, one way or the other, we will make the record available, and we will be able to go into greater detail . . .

As soon as there is a clear outcome we will give you the full information. And after that you will be able to judge whether the decisions were taken hastily or improperly.

We will be prepared, however, and I am certain within a week, to put the facts before you.

Mr. Speaker, it has been nearly 6 months since Secretary Kissinger promised release of the information that caused a global alert of American military forces, but we still do not know why—or how—our Nation was plunged into a crisis that President Nixon called the most difficult crisis we have had since the Cuban confrontation of 1962. Repeated congressional efforts to obtain the desired information, even if on a confidential basis, have been rebuffed by administration officials. Even the highest congressional leaders have been left in the dark.

Our resolution asks only for readily available facts. The facts desired—and the reasons the country needs to know—are these:

On the critical day of October 24, Soviet Ambassador Anatoly F. Dobrynin is said to have delivered two important diplomatic notes to President Nixon. These notes, from Communist Party Chief Leonid Brezhnev, have been characterized as being "brutal," "tough," or

"leaving very little to the imagination," and it is claimed that these notes contributed significantly to the decision to go on military alert. We ask for the texts of these diplomatic messages. Correspondingly, we ask for the texts of the messages sent by President Nixon in reply to the Soviet leaders.

In his press conference on October 25, Secretary Kissinger refers to "the ambiguity of some of the actions and communications and certain readiness measures"—presumably of Soviet military units—"that caused the President at a special meeting of the National Security Council last night, at 3 a.m., to order certain precautionary measures to be taken by the United States." In his press conference on October 26, Secretary of Defense Schlesinger refers to a "plethora of indicators"—referring, presumably to Soviet military actions—including a comprehensive alert of Soviet airborne forces and a Soviet naval buildup in the Mediterranean. We wonder why these limited actions on the part of the Soviet Union were met by a global alert of all American forces, both nuclear and conventional. Our resolution asks: "What were the actions and communications and certain readiness measures which Secretary Kissinger cited as at least partial cause for the alert?" And we also ask: "What were the precautionary measures—including the so-called Defense Condition Status 3, the technical term for the alert—referred to by the Secretary?"

In the same statement of October 25, Secretary Kissinger also indicates that the President ordered the alert at 3 a.m. on October 25, after a special meeting of the National Security Council. On the following day, October 26, Secretary Schlesinger in his press conference said that he, the Secretary of Defense, ordered the alert into effect at 11:30 p.m. on October 24, that the National Security Council meeting was "abbreviated"—in that the full membership was not in attendance—that the President did not attend this meeting, and that the President "approved the entire package" about 3 a.m.—approximately 3½ hours after the Secretary said he had implemented the alert status. Our resolution asks for clarification of the many ambiguities of available descriptions of the process used in calling the alert. We ask for a list of all meetings pertinent to the alert decision, that times of each of these meetings, the names and positions of the individuals who attended these meetings, and the decisions arrived at in the course of each of these meetings. This information should shed light on the confusion over the sequence of events leading to the alert, and who participated.

President Nixon has left the impression that he personally ordered the alert. In the President's October 26 press conference, he said:

When I received that information I ordered shortly after midnight on Thursday morning, an alert for all American forces around the world. . . .

Yet, considerable uncertainty exists, fueled by ambiguous statements from the Secretaries of Defense and State, as to just how involved the President was in the decision to go on alert. Our resolution asks: "At what exact time was the deci-



sion made to order a Defense Condition Status 3 into effect, and what person or persons made the critical decision?"

We are gravely concerned that on October 24 a fateful decision to move our country to the brink of nuclear conflict was made by a small group of men in the absence of participation by any elected leader. We are equally distressed that despite promises to the contrary, the Secretary of State has not come forth with the facts to support his contention that the "senior officials of the American Government are not playing with the lives of the American people." We would like to emplace our trust in the administration. But when the citizenry and the Congress are isolated from decisions affecting the survival of the Nation, by an administration whose veracity is surely suspect, nothing less than the full disclosure of the facts is acceptable.

Mr. Speaker, at this point I include the text of the resolution of inquiry, which I am introducing today with the support of my colleague, Congressman STARK:

#### RESOLUTION

*Resolved*, That the Secretary of State is directed to submit to the House of Representatives within 10 days after the adoption of this resolution the following information:

(a) The text of all diplomatic messages in the possession of the Secretary of State or the Department of State received from Leonid Brezhnev, General Secretary of the Presidium of the C.P.S.U. Central Committee of the Union of Soviet Socialist Republics, or from any other official of the Union of Soviet Socialist Republics, to the President of the United States, which were delivered on October 24 or 25, 1973.

(b) The text of diplomatic messages sent by the President of the United States, and in the possession of the Secretary of State or the Department of State, as replies to any of the diplomatic messages referred to in paragraph (a).

(c) A list of actions, communications and certain readiness measures taken by the Soviet Union which were referred to in the following statement made by the Secretary of State of October 25, 1974: "And it is the ambiguity of some of the actions and communications and certain readiness measures that were observed that caused the President at a special meeting of the National Security Council last night, at 3 A.M., to order certain precautionary measures to be taken by the United States."

(d) A list of the precautionary measures taken by the United States, including the initiation of a Defense Condition Status 3, which were taken by the United States and referred to by the Secretary of State in the statement of October 25, 1973, referred to in Paragraph (c).

(e) A list of all meetings attended by the Secretary of State on October 24 and 25, 1973, at which the conflict in the Middle East, and the actions of the Soviet Union referred to in paragraph (c) were discussed, and the times of all such meetings, the names and positions of all other individuals attending each of such meetings, and the decisions arrived at in the course of each of such meetings.

(f) The date and time of the decision, made in October, 1973, to order a Defense Condition Status 3, and the name of the person or persons making that decision.

#### PERSONAL FINANCIAL DISCLOSURE

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, for more than a decade I have made public an accounting of my personal financial condition, and today, I am continuing that policy by placing in the CONGRESSIONAL RECORD a financial statement for the calendar year 1973.

As I have commented many times in the past, I believe that Members of Congress and holders of high office in general should make periodic public disclosures of their personal finances. Such statements are needed to provide the American people with information that will enable them to assess whether the personal holdings of their elected representatives and public leaders have affected, in any way, the performance of their public trust. Such a disclosure is needed now, perhaps more than ever, and I urge the passage of legislation, such as I have introduced, H.R. 1868, which requires a complete public disclosure annually of all sources of income for Members of Congress, members of the Federal judiciary, and certain employees of the legislative, executive and judicial branches of the Government, as well as each individual who is a candidate of a political party in a primary or general election for any Federal office.

Further, in addition to making my financial report, I also am disclosing the amount of income taxes I have paid to the Federal Government and the State of Wisconsin for the calendar year 1973, as well as my 1973 real estate taxes. In view of the controversies involving the President and other public figures on their tax situation, I believe the inclusion of the amount of taxes paid is an appropriate addition to my annual financial disclosure statement and is one which I shall continue to include in such reports in the future.

Mr. Speaker, a report of my personal financial condition for calendar year 1973 follows:

Statement of financial condition, December 31, 1973	
Cash account with the Sergeant at Arms, House of Representatives	\$963.64
Cash	161.36
Securities (held for Children):	
Marriot Corp., 10 shares (17 1/4%)	181.14
Lionel Corp., 100 shares (2%)	288.09
Residential real estate: House, Arlington, Va. (assessed value)	69,650.00
Less mortgage	34,980.00
Equity	34,669.47
House, Sun Prairie, Wis.	29,000.00
Plus improvements	1,766.00
Lot	1,200.00
	31,966.00
Less first mortgage	19,315.94
Less second mortgage	4,500.00
	23,815.94
Equity	8,150.06
Household goods and miscellaneous personality	7,000.00
Miscellaneous assets, deposits with U.S. civil service retirement fund through Dec. 31, 1973, available only in accordance with applicable laws and regulations	35,460.07

Cash surrender, value of life insurance policies:

On the life of Robert W. Kastemeier	None
On the life of Dorothy C. Kastemeier	\$544.00
Donaldson Run Deposit	300.00
Automobiles:	
1963 Oldsmobile	100.00
1971 Ford Thunderbird	2,600.00
1966 Ambassador	350.00

Total assets

Liabilities including loan (4) notes, National Bank of Washington	3,200.00
Net	87,567.83

Income for Calendar year 1973, excluding congressional salary and expenses: Rent net	285.00
Total	285.00

1973 Federal income tax	6,881.93
State of Wisconsin income tax	2,792.05
1973 Sun Prairie real estate tax	621.95
Arlington, Va., real estate tax	1,067.04

1973 Taxes Paid

FERNAND A. THOMASSY—  
PUBLIC SERVANT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 5 minutes.

Mr. MORGAN. Mr. Speaker, on December 31, 1973, Mr. Fernand A. Thomassy, Pittsburgh district director of the Small Business Administration retired from government service. He had been in charge of SBA operations in western Pennsylvania since 1952.

Mr. Speaker, I know of no finer public servant. Mr. Thomassy is well-known throughout the western Pennsylvania area, and I can testify that his excellent reputation is richly deserved.

Mr. Thomassy's period of employment with SBA coincided almost identically with the life of that agency, and at the time of retirement, he was in point of service one of its two oldest employees.

His SBA career exemplified Mr. Thomassy's extraordinary devotion to the mission of his agency—the encouragement and development of small business capacity and opportunity. Under his leadership the Pittsburgh district portfolio grew to many millions of dollars in sound loans to worthy small businesses. These loans contributed incalculably to the Nation's employment and economic growth.

When Hurricane Agnes struck the Eastern part of the country, Mr. Thomassy's office compiled one of SBA's proudest records as measured by speed, quantity, and quality of service. Under conditions of intense pressure created by the greatest natural disaster that ever struck the United States, he and his staff carried out a massive relief and rehabilitation program, not only in strictest compliance with national policy, but also with minimal public criticism and absolutely no official criticism.

Prior to service with the SBA, Mr. Thomassy was a district director for the Governor of Pennsylvania's Highway Safety Commission, served as a member of Pennsylvania's General Assembly,

representing the first legislative district, Washington County, and also was a corporate tax examiner for the Commonwealth of Pennsylvania. During World War II, he served in the U.S. Navy as a gunnery officer on North Atlantic convoy duty.

Mr. Thomassy was graduated from Washington and Jefferson College in 1933. From then until entering military service, he was active in the management of family real estate and oil and mining interests in Washington County. He continues to reside in McDonald, Pa. His wife is the former Marion Calderwood Allen, of Miles City, Mont. Two sons, Fernand A. and John E., have followed in the family tradition of public service, holding U.S. Army commissions. Mr. Thomassy's father held elective office as mayor of McDonald. Another son, Allan R., is employed by a Pittsburgh industrial concern, and a daughter, Marion T. Root, is married to a Baltimore, Md., businessman.

I would like to extend my best wishes to Mr. Thomassy and his family. The people of western Pennsylvania have benefited from his service, and all residents of the Pittsburgh area can only hope that his successors are as talented and dedicated as he.

#### THE FEDERAL PAPERWORK BURDEN RELIEF ACT—A TREMENDOUS PUBLIC RESPONSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. YATRON) is recognized for 5 minutes.

Mr. YATRON. Mr. Speaker, as chief sponsor of the Federal Paperwork Burden Relief Act, which has been cosponsored by 160 of my House colleagues, I am gratified and encouraged by the response being received and the attention being given to the legislation, across the country, by numerous and varied segments.

In order to provide some insight as to the extent and nature of the response, I am submitting several examples, which I ask to be included in the RECORD.

I commend to the attention of my colleagues, for example, a guest editorial by Mr. Niel Heard, director of the National Federation of Independent Business in San Mateo, Calif., which appeared in the March 5, 1974, Pottsville Republican. These comments address themselves to the Federal paperwork problem and call for action on my measure:

YATRON'S TARGET—\$18 BILLION IN USELESS PAPERWORK  
(By Niel Heard)

There is a Biblical injunction against removing the mote from your neighbor's eye before first casting the beam out of your own eye.

Currently the Federal government strongly urges the public to save energy, yet the admonition appears to be unheeded in the labyrinths of Federal bureaucracy.

Paper is a highly energy-intensive product from the forest to the point of consumption. Yet according to Senator Thomas McIntyre of New Hampshire, unnecessary and duplicated reports required by various Federal agencies use up an estimated 10 billion sheets of paper by small business alone. This does

not account for the \$18 billion dollar preparation costs it is estimated small business must pay out to conform to the various edicts.

Congressman Gus Yatron of Pennsylvania has before the Congress legislation, co-sponsored by 155 of his colleagues, that would attack this paperwork jungle. His legislation strongly supported by the National Federation of Independent Business, would require the General Accounting Office to submit to Congress a report on this required filing of forms, and recommendations on how to eliminate the paperwork which serves no useful purpose.

According to the National Federation of Independent Business, 85 per cent of all small businesses employ less than 20 people, and 55 per cent have a gross volume of less than \$200,000 annually.

Senator McIntyre has stated that in New Hampshire, costs to small business operations for complying with the IRS filing requirements alone averaged \$325 in 1961, but by 1971 had jumped to an \$860 average, a jump of 160 percent in ten years.

No estimate was made by him of the additional costs created by the increasing demands for reports from the Economic Census, the Federal Trade Commission, the Social Security Administration, the Labor Department, and a host of other agencies not to mention state and local government demands. So much of the required information, under pain of prosecution for failure to comply, duplicates data already supplied some other agency of the government.

It would seem logical that in view of complaints the past years by small business over the costs, estimated at \$18 billion by Senator McIntyre, that bureaucracy would have long ago taken remedial steps to eliminate the paperwork jungle. But bureaucracy has never been charged with logic.

But it now seems, in the light of the energy shortage, that some action should be taken on Representative Yatron's bill. After all, 10 billion sheets of paper, even of the most modest quality, represents some 200,000 tons of paper which does use up a lot of forests and a prodigious amount of energy in some form.

The Wheeling News Register of March 7, 1974, Wheeling, W. Va., carried this account of the legislation:

#### WASTEFUL PAPERWORK

Paperwork, particularly bureaucratic paperwork, has a tendency to multiply out of just plain inertia if nothing is done to lessen it.

The National Federation of Independent Business, Inc., claims that reports required by various Federal agencies use an estimated 10 billion sheets of paper a year and the costs of filling out these sheets of paper amount to \$18 billion dollars.

One estimate says that costs to small business operations for complying with the Internal Revenue Service requirements alone averaged \$860 in 1971—a jump of 160 per cent from \$325 in 1961.

Congressman Gus Yatron of Pennsylvania has introduced a bill, co-sponsored by 155 of his colleagues including First District Congressman Robert H. Mollohan, that would require the General Accounting Office to submit a report on this required filing of forms with recommendations on how to eliminate the paperwork which serves no useful purpose.

Rep. Yatron's bill, if it does nothing else than cause some soul searching in the various bureaus, should, hopefully, slow down the manner in which paperwork is increasing.

A small businessman in Phoenix, Ariz., writes:

I read with pleasure in "Nation's Business," March 1974, that you are undertaking

an effort to reduce the amount of paperwork for the small businessman. I am a small businessman, and I have been crying for this for years. To the small businessman, this is especially important because he does not have a separate accounting department to read all of the fine print and it is now always desirable or easy to turn it over to a CPA or lawyer. . . . You have my support for this endeavor.

From Chisholm, Minn., I received these encouraging remarks from a physician:

I read recently you had a bill to reduce the waste of forms, copies and papers that each of us faces as a way of being "governed." For physicians, too, a good deal of effort and energy is lost in pointless recording. Could you possibly get me a copy of your bill? I'd like to encourage a little wider support.

According to the American Farm Bureau Federation:

Certainly, farmers in recent years understand as well as anybody the additional paperwork that is required as a result of various programs in the Federal Government. We are certainly enthusiastic about your bill and its attempt to obtain relief from some of this Federal paperwork.

The National Association of Insurance Brokers, in its regular publication, said of the measure:

Help may be in sight . . . The Federal Paperwork Burden Relief Act has been introduced by Rep. Gus Yatron (D-Pa.).

To indicate how varied are the segments of the Nation which support the paperwork proposal, consider the fact that Public Utilities Fortnightly carried an article in support. The magazine represents the public utilities industry and the article stated:

In view of the existing energy situation and the obvious fact that it is not expected to disappear overnight, Yatron said his legislation is particularly timely. Reporting requirements may be revised or increased during this period and the paperwork bill may provide meaningful answers as to how the requirements may be effectively coordinated and revised, so as to prevent an additional paperwork burden. Representative Yatron described his paperwork bill as simple and direct.

I note with pleasure that the National Association of Broadcasters has joined the long list of organizations officially endorsing the legislation. In its publication, the NAB states:

NAB has endorsed the bill (HR 12181) and urges broadcasters to support it.

Finally, in Nation's Business magazine, this reference is made<sup>1</sup> in the March issue:

#### CUTTING PAPERWORK FOR SMALL FIRMS

Small businesses can see a glimmer of hope in their constant battle against the unflagging growth of federal government paperwork.

Rep. Gus Yatron (D-Pa.), himself formerly a small businessman, has introduced a bill that would have the General Accounting Office "study the nature and extent of the federal reporting requirements."

Called the "Federal Paperwork Burden Relief Act," it would direct GAO to make recommendations to Congress for administrative actions and legislative enactments "deemed appropriate and necessary."

It's estimated that it cost small businessmen \$18 billion to handle some 10 billion sheets of paper involved in completing required federal reports in 1972. Sen. Henry



M. Jackson (D-Wash) has introduced companion legislation in the Senate.

Mr. Speaker, that "glimmer of hope" referred to in the article is precisely what I hope is represented by the Federal Paperwork Burden Relief Act. If the bill only accomplishes a much greater awareness of this serious and worsening problem, then I will feel that its introduction has resulted in a meaningful accomplishment.

I am encouraged—as are the 160 House cosponsors—by the tremendous response the measure is receiving from across the country.

#### PASSPORT OFFICE SEMINAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. EILBERG. Mr. Speaker, I wish to announce the third meeting in a series of seminars which have been conducted by the Department of State's Bureau of Security and Consular Affairs. This presentation by the Passport Office will be held in room 2237, Rayburn House Office Building on Monday, April 1, and will commence at 9:30 a.m.

During the meeting officials of the Passport Office will discuss the general procedures to be followed in applying for a passport including the documentation which must accompany such an application.

In addition, officials of the Visa Office, Department of State, will again be present to respond to any questions which were unanswered at the earlier meetings.

This will be the final presentation by the Department of State and I wish to invite all interested staff members, particularly those who work with immigration, citizenship, and passport matters, to attend this seminar.

I also wish to announce that on April 8 we will commence several seminars which will be conducted by officials of the Immigration and Naturalization Service, Department of Justice. The details and the subject matter to be discussed at that meeting will be announced at a later time.

#### TALLAHASSEE CELEBRATES 150TH BIRTHDAY AS FLORIDA'S CAPITAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FUQUA) is recognized for 10 minutes.

Mr. FUQUA. Mr. Speaker, this year marks the 150th anniversary of the selection of the site of Tallahassee, Fla., to be the capital city of the dynamic and progressive Sunshine State.

All during 1974 the people of Tallahassee will be celebrating this historic moment with a year-long slate of activities under the direction of a sesquicentennial committee.

This 12-month celebration is off to a stunning start.

On Monday, March 4, a gigantic birthday party, with a historical flair, entertained an overflow crowd at Centennial Field just south of the present capitol building.

A cast of hundreds traced Tallahassee's history, broke ground for the new Cascades Park to be built in the city, and topped off the evening by lighting 150 candles on a giant birthday cake.

It was on March 4, 1824, when Gov. William Pope DuVal, Florida's second territorial Governor, officially declared the area to be named Tallahassee, the State's capital.

A direct descendant of DuVal, Whit Chase of Sanford, lit the 6-foot tall, multicolored taper made from hundreds of donated candle parts to kick off the evening's celebration.

High school bands from the city schools, Godby, Leon, and Rickards, provided an assortment of patriotic music and choruses. The same schools sang a moving rendition of our State song "Old Folks at Home."

My good friend and the distinguished editor of the Tallahassee Democrat, Malcolm Johnson, reviewed the history of the territory before 1824 with a visiting spaceman termed "Alpha 13" and played by Tom Lantz.

Then came the depiction of the founding of the capital, with Dr. William H. Simmons, played by Commissioner of Agriculture Doyle Conner, and John Lee Williams, chamber of commerce executive Louis Polatty, reenacting how the two commissioners discovered a convenient point between Pensacola and St. Augustine.

The intense negotiations that were carried out with Seminole Chief Neamathla were reenacted and the major events from this historic period to today were illustrated and explained to an appreciative audience.

Then came the time to formally dedicate Cascades Park. This was originally a rolling waterfall in the general area of the celebration site that attracted Simmons and Williams to the area. The State has committed funds to reconstruct the waterfall and build a surrounding park. It will thus be a living memorial to the celebration.

Six members of Florida's cabinet were on hand to shovel the first bit of dirt for construction of the park. While Secretary of State Richard Stone narrated the history of the Cascades and how the reconstruction came about, possibly the most distinguished six-man shovel crew in history did the actual shoveling. They were Attorney General Robert Shevin, Comptroller Fred O. (Bud) Dickinson, Jr., Treasurer Thomas D. O'Malley, Commissioner of Agriculture Conner, and Commissioner of Education Floyd T. Christian.

The seventh member, Florida's great Gov. Reubin Askew was joined by our lovely and gracious first lady, Donna Lou, in the candlelight ceremony and cutting of the huge cake, along with Leon County Commission Chairman Lee Vause and Tallahassee Mayor Russell Bevis.

A special and most deserved presentation was made to another close personal friend, city manager Arvah Hopkins, for his efforts in helping with the sesquicentennial celebration.

The evening was topped off with a street dance.

It was a great kickoff.

Floridians are being treated to a bit

of history. New interest in our heritage has been created through this celebration.

In 1823 Florida was a recently formed territory. John Lee Williams of Pensacola and Dr. W. H. Simmons were named commissioners to select a permanent seat of government somewhere between the Ochlockonee and Suwannee Rivers.

Williams sailed from Pensacola to St. Marks and Dr. Simmons rode horseback, meeting on the Ochlockonee River, near St. Marks.

That event, too, was reenacted. State Senate President Mallory Horne sailed from Pensacola as Williams and Commissioner of Agriculture Conner set out on horseback from St. Augustine.

We were all saddened when Senator Horne's mother, Mrs. Cleveland R. Horne, passed away shortly after he arrived in St. Marks, following a 4-day sail. He was replaced by Chamber Executive Polatty.

Conner's overland journey was marked with visits at communities along the route, including his hometown of Starke. Making the trip with him were three ladies, Jessie Lee Wise, a spirited 46-year-old grandmother, who won the hearts of all her companions on the trail, Grace Berman, a 17-year-old high school student, and Bobbie Poe, a pretty springtime Tallahassee representative, who amazed her companions with her grit and determination.

Mrs. Wise and her husband have a 200-acre place near Jasper and although she said she was the "outdoor type," she had never camped overnight before the trip.

Miss Berman, a senior at a Fort Lauderdale high school, received credit in her history and journalism courses for the trip.

Mrs. Poe remarked after the trip that it was a "beautiful trip."

You could actually visualize what it must have looked like when Dr. Simmons made his trip 150 years ago. And the fellowship was tremendous . . . it was worth all the hardship.

Completing the party were Tallahassee Jaycees Ben Johnson, John Burch, and John Hunt, Tallahassee attorney Harold Lewis, Brooksville ranchman Bill Waldron, and a crew of professional horsemen and ranchers.

The trip took 8 days.

The crew that sailed from Pensacola with Senator Horne had a great voyage. Only one really experienced sailor was in the crew, Larry Ryan of Coastal Sailing of Tallahassee. Others were realtor turned ship's cook Roger Crawford, university professor and owner of the vessel Bob Dailey, who became interested in sailing only last August, his twin sons, Robert and Richard, who scrambled around the deck and rode the boatswain's chair to work on the rigging, and attorney Ken Gilleland, whose partner, Ben Thompson, was on Commissioner Conner's trail ride.

On arrival at St. Marks, they hoisted a city of Tallahassee flag, a Florida State flag, and a United States flag, which had been flown over the Capitol and which I proudly sent them for the occasion.

At the mouth of the St. Marks, a little

poetic license was played with history as Gen. Andrew Jackson, played by William Curtis Smith of Tallahassee, sailed out on a powerboat to greet the voyagers. In full dress regalia, the general waved a gleaming sword in greeting.

From another large yacht, State Chamber President Lee Everhart, his family and friends, Kinney and Betty Harley, waved greetings.

A third fast-moving boat brought St. Marks Mayor Alex Hobbs—dress shirted and tied-out to greet the Williams party.

Williams was transferred to a smaller boat and rushed to shore to greet a throng of St. Marks townspeople and costumed Tallahasseeans who were gathered to greet him. The crowd included Wakulla County Commission Chairman James Taylor, tax collector and chamber of commerce president James Gwin.

A host of Wakulla County folks fried fresh-caught mullet and hushpuppies to be served with cole slaw and cheese grits for a celebration fish fry.

A very special greeter in the crowd was Mrs. C. W. "Eleanor" Ketchum, a direct descendant of John Lee Williams and chairman of the sesquicentennial. We are all in her debt for the work she has done, and the success of the first part of the celebration is a tremendous tribute to Mrs. Ketchum and the committee.

From St. Marks, Polatty replaced Senator Horne for the ride by horseback to join up with Conner's partner and the reenacting of their historic meeting. Others in the party were Sheriff Raymond Hamlin, Ferris Johnson of the sheriff's mounted posse, and Captain Wayne Sowell of the sheriff's office, and Harold Bullard of Hidayay Stables of Ocala.

Not long ago, I rode past the site of what will be Cascades Park and again I pay tribute to Mrs. Ketchum who was instrumental in obtaining the support needed to institute the restoration of the waterfall and to build Cascades Park.

This waterfall seems to have been one of the determining factors in the selection of Tallahassee as the site of the Capital City. The commissioners listed the site as directly east of old fields of the Seminole Indians then living at Chief Neamathla's town on Lake Lafayette. This stream, wrote Williams, After running about a mile south pitches about 20 or 30 feet into an immense chasm, in which it runs 60 or 70 rods to the base of a high hill which it enters. . . .

The site for the capitol was west and north of the stream.

The name of the city is traditionally credited to Octavia Walton, daughter of Secretary of the Territory George Walton. The name "Tallahassee" she is supposed to have suggested is taken either from the Tallahassee Seminoles, who occupied the area, or from one of their villages. The word "Tallahassee" is of Creek derivation, meaning literally "old town." It has frequently been translated "old fields."

Mr. Speaker, I am proud of this celebration and wanted to share it in part with my colleagues and through the pages of the CONGRESSIONAL RECORD with

thousands who are interested in the history and heritage of our land.

I am proud to have the honor of serving the great people who make up the city of Tallahassee in the Congress. They have managed to keep the best part of our southern heritage alive, while at the same time being worthy of their special responsibility as an educational center and the seat of State government.

To all of those responsible for this celebration, I extend best wishes and sincere appreciation.

#### A CRY IN THE WILDERNESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 5 minutes.

Mr. PODELL. Mr. Speaker, I regret that in the past few weeks this body has been all too quiet on a topic which once concerned us greatly; that is, the problem of Jews in the Soviet Union who are trying to emigrate to Israel. Things have been quiet all over in this respect and I cannot understand why. We are no closer to having free emigration from that prison state now than we were 6 months ago, and we certainly cannot afford to become silent and complacent on this question.

Last week, there was a new incident in Russia which went largely unnoticed in the United States. Naum Alshansky, age 56, had been a lieutenant colonel in the Soviet army before he retired from service. He had served with distinction and had been awarded numerous decorations. After he retired, however, he decided he wanted to leave Russia and go to live in Israel. He applied for permission to emigrate in August 1971, and 6 months later he was stripped of his rank and pension. In protest last week, he renounced his Soviet citizenship and turned in his medals to the Presidium of the Supreme Soviet.

This was an act of supreme bravery. In taking this action, Alshansky stated that it was a disgrace for him to remain a Soviet citizen and to continue wearing the medals of a nation that had no respect for him, his people, nor their state, Israel. In a nation which either condemns those who dare speak out to languish away in "mental institutions," or throws them out of the country, Colonel Alshansky may well be running the risk of losing what little liberty he has left.

This man has been trying to leave the Soviet Union for nearly 3½ years. It is not known just why the Government refuses him permission to do so; perhaps they feel that he would give away precious military secrets to that menace to world peace, Israel. Whatever their reason is, it boils down to one simple explanation, plain and simple hatred of Israel and contempt for the Russian Jews who would prefer to live there as free men rather than in Russia as slaves.

The season of Passover, one of the most important Jewish festivals, is fast approaching. On Passover, we come together to celebrate the freedom of the Jewish people from bondage in Egypt.

The traditional sweetness of this festival will be soured, because there are still thousands of Jews literally in bondage to Pharaoh even today—men like Colonel Alshansky, their wives, their children, their aged parents, all seeking freedom to live, think, and act as free Jews in a nation which would welcome them gladly.

I think, Mr. Speaker, that we must not remain silent so long as there is one Jew in the Soviet Union who wants to leave, but cannot. I think that we must not remain silent until we see the doors to free emigration thrown wide by the Soviet Government. We have come so close to getting the concessions we want from the Russians that to rest now would be a betrayal of all we have fought for so long and hard these past months. We owe it to ourselves, we owe it to those in Russia and throughout the world who look to us for leadership, to continue speaking out until every Soviet Jew who wants to go to Israel can go to Israel without fear of harassment and punishment.

#### TOOL AND DIE ASSOCIATION SUPPORTS METRIC BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. TEAGUE) is recognized for 5 minutes.

Mr. TEAGUE. Mr. Speaker, the metric system of weights and measures is increasingly coming into use in the United States. Industrial firms, school systems, and important associations are taking steps to introduce the metric system in their daily work.

The Metric Conversion Act of 1974, H.R. 11035, was unanimously reported out from the Committee on Science and Astronautics last February after extensive hearings. This bill would provide a program of coordination for those firms who, through their own voluntary participation, wish to participate, and would provide a public education effort for schoolchildren and adults alike.

An important segment of American industry which would be affected by the change to the metric system is the tool and die industry. This industry provides the tools, dies, and precision machines which make American industry go. For the information of my colleagues, I am including in the RECORD a letter which I have received from the National Tool, Die & Precision Machining Association indicating their support for the metric bill.

The letter follows:

NATIONAL TOOL, DIE & PRECISION  
MACHINING ASSOCIATION,

Washington, March 21, 1974.

HON. OLIN E. TEAGUE,  
Chairman, Committee on Science and Astronautics,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. TEAGUE: It has come to our attention that certain groups, purporting to represent the best interests of labor and small business are strongly opposing passage of H.R. 11035.

Many of the arguments put forth by these groups seem to indicate some lack of accurate information on their part.

The National Tool, Die & Precision Machining Association represents 1,800 contract



metalworking firms throughout the country. A typical company in the industry has less than 30 employees, predominantly highly skilled machinists, toolmakers, diemakers and technicians.

We have been studying the trend toward metrication for the last ten years and feel that the following rebuttals must be made:

1. Legislation on the subject is definitely not premature. Metrication is already here and is growing daily. A nationally coordinated plan is absolutely necessary to avoid the economic chaos predicted by the labor groups.

2. All workers will not require retraining. Only a small portion of the work force is measurement sensitive, i.e., those required to make measurements. Our own industry's employees are probably the most measurement sensitive in the country, and even they will only be required to be familiar with a small part of the metric system. Where required, such training is usually conducted on-the-job at the employer's expense. The actual instructor/mechanic time spent in training is no more than one day. The learning curve continues on the job.

3. All personal tools of employees will not become immediately obsolete, since customary units will still be in use throughout and beyond any transition period. Some employers are making available for employee use any additional required metric tools, while others make such tools available to their employees for purchase at a substantial discount. In any case, a federal subsidy for costs to employees for personal tools already exists as a personal income tax deduction.

4. Some of the opponents to the bill do not seem to understand the differences between systems of measurement and systems of standards. While the transition to the metric system (of measurement) will provide the opportunity to streamline many of our ambiguous and superfluous commercial and industrial standards, metrication will certainly not require the tearing down of any buildings nor the replacement of electrical receptacles.

It is our opinion that in the best interests of our nation a national plan be established to coordinate the inevitable move to predominance of the metric system of measurement in the United States. We therefore urge you to support H.R. 11035.

Sincerely,

HOWARD H. H. JONES,  
President, NTDPM.

#### OMB CUTS FUNDS FOR FUSION

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, it is a sad state of affairs when the administration allows the Nation's long-term energy needs to be frustrated by an agency which has no expertise in the energy field. But that is what is happening. The Office of Management and Budget has ordered the Atomic Energy Commission to reduce its thermonuclear fusion R. & D. budget by \$140 million over the next 5 years. Even though this still leaves the fusion budget with a substantial increase over last year, the reduction will mean a delay of several years in the fusion development timetable and a cutback in the number of fusion test plants from three to two.

Mr. Speaker, thermonuclear fusion is the one energy resource which has the

potential for solving mankind's energy needs for all time. While its widespread practical use may be a generation away, we cannot afford to delay its development one minute.

Unlike nuclear fission, which relies on scarce supplies of uranium and produces high levels of radioactive wastes, fusion energy relies on hydrogen in sea water, of which there is an unlimited supply, and produces no dangerous levels of radioactive wastes.

While the practical use of fission reactors has already been demonstrated and promoted by industry, albeit not without some safety problems, fusion reactors are still in the development stage and depend almost solely on Government backing.

Yet, the administration's budget includes about four times as much money for fission energy as for fusion. This emphasis on depletable, pollution-causing energy resources is typical of three-fourths of the administration's Project Independence R. & D. program.

Unless the administration proceeds full speed ahead in the development of fusion and other unlimited, clean forms of energy which have recently been discovered as viable energy options, it may be responsible for creating an even worse energy crisis than we have now when all of our conventional fossil fuel resources are depleted.

An article from the Washington Post follows:

#### U.S. FUSION ENERGY PLAN DELAYED (By Thomas O'Toole)

The Atomic Energy Commission has stretched out its program to make electricity from thermonuclear fusion to close to the turn of the century, mostly on orders from the White House.

The stretch-out delays by about three years the AEC's timetable to produce commercial power from fusion, which is considered the ultimate means of making electricity because it depends on nothing more than the hydrogen from sea water for its fuel.

What the stretch-out does is to cut about \$32 million from the AEC's fusion budget for fiscal 1975, leaving it at \$102.3 million. This is still an increase of 55 per cent over what it was in fiscal 1974 and still allows for manpower gains of about 30 per cent in the fusion program.

The \$32 million reduction was ordered by the Office of Management and Budget, which also told the AEC to trim \$140 million from its five-year plan for fusion research. This still left the fusion budget for the next five years at about \$1.2 billion.

Reducing fusion spending by \$140 million over the next five years means that the AEC timetable for thermonuclear fusion will stretch out into the late 1990s instead of 1995. This also means a timetable revision along the way to 1995 as well as a cutback in the number of fusion test plants from three to two.

Spurred on by unusual success in three different areas of fusion research the AEC last year had planned to build fusion demonstration plants based on all three methods of making power from fusion.

The first plant was to have been ready in 1983, the second in 1987 and the last in 1995. The third one was to be the largest of the three and was to provide the "basis for commercial fusion power."

With the upcoming budget cuts ordered

by the White House, three plants can still be built but only at a stretched-out schedule and only using two designs instead of three. The third plant would be a demonstration facility instead of a full-scale test plant.

This means the first plant will be ready in 1985, the second in 1990 and the third in the late 1990s, probably right before the turn of the century.

#### COAL

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, as the author, with 50 of my distinguished colleagues, of a bill (H.R. 12045) to maximize the production and conversion of coal in the United States to supplement our energy supply, I have been very much interested in articles that appeared this last Monday and Tuesday in the Washington Evening Star upon the subject of coal as a supplemental source of energy to meet the national energy crisis. These articles show what we can do if we will determine to achieve maximum production and conversion of coal. Mr. Speaker, I include these two articles immediately following these remarks in the body of the RECORD:

[From the Washington Star-News Mar. 11, 1974]

#### EFFORT GEARS UP TO "COOK" GAS OUT OF COAL (By John Fialka)

(The hope that the nation someday could have sufficient supplies of its own energy rests upon the search for new sources of fuel. This is the first of two articles on the development of synthetic fuels from coal. The Star-News is making a continuing study of new energy sources. Other reports will be published in coming weeks.)

If the plans of a growing number of companies gain government approval, a new source of energy will be born on a desolate, windswept plateau in northwestern New Mexico sometime in 1978.

There, sitting on land leased from a Navajo Indian reservation, using technology developed by the Germans during World War II, a refinery-like complex of machinery would begin to produce high-grade synthetic natural gas from coal.

Because it would not be a pilot plant but a massive commercial venture, the start of the process would have enormous significance for "Project Independence," the Nixon administration's proposal to wean the United States from foreign fuel imports by the end of the decade.

Coal represents 80 percent of the nation's fuel reserves. The plant would "cook" coal with steam and oxygen to make pipeline-quality gas that, according to the gas industry, is in increasingly short supply.

But the plant's birth would mean much more than another red-letter day for the gas industry. Coal gasification, as it is being proposed, would make a sizable impact on consumer pocketbooks. Consumers would be required to pay more than three times the highest current rate for interstate gas to finance the project and to insure its private developers against failure.

It also would not be a welcome event for environmentalists, who would be likely to see vast land areas of the West stripped for relatively cheap, low sulphur coal to feed a rapidly growing complex of gasification plants planned for the late 1970s.

The financial interests involved in bringing in the first plant are enormous. A giant in the natural gas industry, El Paso Natural Gas Co., hopes to build the pioneer plant and mining complex for \$600 million.

According to the American Gas Association, the industry's major trade association, at least 11 other companies have recently bought interests in coal lands, secured water rights or made other commitments to build gasification plants.

Their plans, according to industry sources, are likely to be markedly similar to El Paso's. In the business of making gas from coal, Project Independence, if it is to move at all before 1980, will have to be based largely on German technology established more than a quarter century ago.

Although gas-from-coal plants were commonplace in American cities 50 years ago, they were dirty and inefficient. When new pipelines brought in clean, cheap natural gas from huge underground reservoirs in the Southwest, the American "gashouse" became a thing of the past.

During World War II, however, the Germans improved on synthetic fuel processes, and ran much of their war effort on gas, oil and gasoline made from coal.

There are now more than 30 German gasification units in operation around the world. Many of them were designed by a company called Lurgi Gesellschaft fur Wärme und Chemotechnik m.b.H. of Frankfurt.

According to Lurgi's U.S. representative, Dieter Schroer, the company is now designing six U.S. plants, including El Paso's, and has recently had negotiations with more than 20 other interested companies.

Plagued by a lack of coal research and development funds, the United States did not begin to think seriously about how to make synthetic fuels from its huge coal reserves again until the late 1960s. Now, there are half a dozen new pilot processes in the works that promise to be more efficient than the relatively expensive German techniques.

None of them will have logged enough experience to help with Project Independence before 1980.

"It is a sad state of affairs," said Frank C. Schora Jr., vice president of the Institute of Gas Technology, an AGA affiliate that has spearheaded much of the U.S. research.

"The only way a gas company can presently get the money from bankers to build is to show them something that is commercially proven," he explained. "That sends them to the Germans."

"There is no question that El Paso will start a whole chain of events going," said Dr. S. William Gause, acting director of the Interior Department's Office of Coal Research, who is looking for ways to put together a crash program to speed up U.S. energy technology.

Just when the chain of events will get started, however, is up to another federal agency, the Federal Power Commission, which has been mulling over El Paso's proposal since Nov. 15, 1972.

Since then, a dissident band of Navajos, seven major oil companies, the Environmental Defense Fund, nine natural gas companies, six pipeline companies, seven utilities and the staff of the FPC have intervened in El Paso's case to argue some of the most fundamental questions ever to come before the agency.

The biggest question is: Who will pay for the El Paso project? The answer is expected to set the pattern for the entire emerging industry.

According to a company spokesman, the initial price for the gas produced could be \$1.51 per thousand cubic feet. The estimate

has caused considerable consternation within the FPC because the highest price the agency has thus far allowed for interstate gas shipment is 55 cents per thousand cubic feet.

But El Paso does not want to be limited to the \$1.51 price. Rather, it has proposed that it be allowed to reimburse its two subsidiaries that will mine and gasify the coal for all their costs plus a 15 percent profit.

Then El Paso proposes to blend in the gas with the natural gas in its regional pipeline system and "roll in" the higher price in all gas bills, raising them by about 9 cents per thousand cubic feet. Under the proposed arrangement, El Paso would even be allowed to charge its customers the costs of the project if it fails to produce pipeline-quality gas.

As Travis Petty, executive vice president of El Paso, put it at an FPC hearing, the arrangement would "be relatively risk-free," compared to exploratory drilling for new natural gas reservoirs.

Other witnesses before the FPC, however, have viewed the El Paso pricing proposal with less enthusiasm. Dr. Charles Cicchetti, an economist testifying for the Environmental Defense Fund, argued that the "cost-plus" arrangement would make FPC's role in regulating prices "virtually meaningless."

"El Paso," he told the commission, "will be able to set prices to itself from a wholly owned subsidiary." In normal proposals, he added, investment risks are borne by investors.

And Rodney E. Stevenson, an FPC staff economist, has argued that to let El Paso implement the cost-plus arrangement would establish an "unreasonable price," siphon investor money from new drilling ventures that could provide cheaper gas and pass almost all development risks on to consumers.

Stevenson has urged that the FPC require El Paso to set a price on the gas and sell it to industrial users who have had their normal gas supplies interrupted in favor of higher priority users, such as homeowners.

El Paso has countered that its natural gas supplies are steadily dropping and that, by giving a favorable ruling on its case, the FPC "will have made a significant step toward energy independence."

But price is only one of the problems El Paso must settle to meet its goal of plant operation by January 1978.

Another problem is posed by the 120,000 Navajo Indians who live on the vast reservation where El Paso proposes to build its plant and strip mine approximately 700 million tons of coal to feed it.

Since Indians own sizeable pieces of the Western coal lands where energy companies are now proposing to build gasification plants, El Paso's dealings with the Navajos could set a pattern affecting the future of the industry.

In 1968 the Navajo tribal council agreed to lease El Paso 63 square miles of coal lands in an area that is 35 miles south of Farmington, N.M.

Word of the lease, however, failed to reach the residents of the leased area, the Burnham Chapter of Navajos, roughly 300 people.

According to Richard W. Hughes, attorney for the chapter, such news travels slowly in the sparsely populated area, where most people shun newspapers, speak Navajo and devote most of their time to raising sheep.

Most of the Burnham Navajos heard about the plan last March, when a team of El Paso executives appeared before a chapter meeting. Using maps and brochures and speaking through interpreters, the El Paso team said the project would mean jobs for the Navajos, who suffer from a chronically high rate of unemployment. The tribe, the energy execu-

tives promised, would be a "principal beneficiary," collecting \$2 million a year from coal royalties.

When the presentation had concluded, the Burnham Chapter voted unanimously to reject it.

In July, a team of executives from a consortium headed by the Western Gasification Co., which is planning to construct a plant similar to El Paso's in the same general area, came before the Burnham Navajos to seek their approval.

This time, it held a barbecue and produced an illuminated display of its plant, showing off its massive scale and promising more money and jobs.

After the barbecue, Burnham Chapter voted immediately to reject Western's plan.

"Navajos are good about that. They're very direct," explains Hughes, who argues that El Paso's plan would "devastate a strip of land 35 miles long and a couple of miles wide."

"When the coal is gone, after about 30 years, it will leave the tribe with nothing," he asserts, adding that the Navajos' "heritage consists in a very real sense of the ground they walk on."

However, Harris Arthur, a Navajo who is the chapter's president, insists that what will happen to the land is really a "secondary issue."

Arthur is resigned to the prospect that the land inevitably will be destroyed by mining. What is important, he argues, is that the Navajos have enough control over the project to use part of the money for training and education to guarantee that Navajos and not outsiders get the more skilled, better-paying jobs.

"Otherwise," he reasons, "they build a fine economy and then pull the rug out and leave. The white man can go somewhere else. We have to stay here."

Asked about Project Independence and the possibility of a national shortage of gas supplies, Harris added: "Everybody's hollering how the Navajos should sacrifice for the nation and so on. Many of our leaders have succumbed to this. It's hard to ignore because the federal government controls the pursestrings."

The reservation's Tribal Council, which has the authority to overrule the Burnham Chapter, may make a final decision on whether to allow El Paso to go ahead with its plant within the next few weeks.

Admitting that there has been a "communication problem" with the Burnham Chapter, an El Paso spokesman said the company is going "on the assumption that the vast majority of the Navajos will be for it when all the facts are out on the table and all of it has been considered."

Assuming El Paso settles the price question with the FPC and satisfies the Navajos, it still would have to satisfy state and federal authorities that the gasification plant is sound environmentally.

El Paso proposes to build a plant using a process similar to European processes that produce a relatively low-energy gas called "town gas." It is frequently used in industrial boilers.

The company also intends to add on a step that would convert the "town gas" to a high-energy product that could be piped and used in homes.

The coal would be pulverized and fed into a chain of pot-like reactors where the gas would be created with injections of steam and oxygen. Then the gas would pass along with the steam over a catalyst that might yield a product that is 96 per cent methane.

Then it would be almost identical to the natural gas in pipelines, which is at least 90 percent pure methane.

Whichever federal agency got the job of passing upon the environmental impact of



the development would be reviewing a process that has never been consolidated in one place, although most of its parts have been operated in Europe.

The agency would also have to project the impact of the nation's largest strip mine, created to feed the plant 10.7 million tons of coal a year.

The Federal Power Commission decided in September that it should not be the agency making such judgment. While El Paso's gas would be "molecularly identical" with the natural gas the FPC is obliged to regulate, the agency reasoned, it still would be synthetic gas and therefore "artificial" and not subject to federal natural gas laws.

With the ruling, the FPC confined its environmental studies to the impact of a valve, 2.3 miles away from the plant, where the coal gas would merge with El Paso's natural gas pipeline system.

The job of assessing the impact of El Paso's plant, required under the National Environmental Protection Act, has devolved upon the Interior Department, one of the agencies responsible for pushing Project Independence.

(Interior's Bureau of Indian Affairs is the trustee for the tribal lands and Interior's Bureau of Reclamation, which is now preparing an impact statement, would sell El Paso 3.385 billion gallons of water each year from the San Juan River.)

Settling the environmental issues would not be an easy task. The Navajo land is extremely dry, averaging around five inches of rainfall annually. El Paso proposes to restore, seed and irrigate the mined area and to fence it off until there is enough vegetative cover to permit grazing.

According to voluminous study of Western coal lands, done last year by the National Academy of Sciences, no one has yet proven that large scale revegetation can be done on such arid land.

According to Kelly Janes, section chief of an Environmental Protection Agency task force which has begun to study gasification processes, the Lurgi system used in Europe will pose air and water pollution problems.

While, as Janes points out, the problems "are not insoluble," the problem's environmental impact should have been under study "years ago," he asserts.

Accurate studies take time. At best, he says, EPA will be able only to come up with a quick "paper study" on the possible environmental impacts of the plant.

"There are a lot of questions here that will have to be answered," concluded Janes.

Meanwhile, at the Interior Department, officials are drawing up plans to subsidize the El Paso project and other "pioneer" synthetic fuel ventures to get them going in time to help Project Independence.

According to Interior's Dr. Gause, the El Paso project could provide a kind of national learning experience. "We would learn a lot if some of these were built. We won't know what all the environmental effects are until we get it all up," he told a reporter.

[From the Washington Star-News,  
Mar. 12, 1974]

FOR THE COAL INDUSTRY, FEDERAL  
RESURRECTION  
(By John Fiaska)

When it comes to multi-billion dollar federal "crash" programs, Project Independence promises to be unique: It will give American taxpayers something they can personally see, feel and smell for years to come.

The "crash" development of atomic bombs and space vehicles took place in guarded university buildings and on isolated military bases. But Project Independence—President Nixon's proposal to make the nation self sufficient in energy by 1980—will leave visible impacts all across the nation.

Underneath the rhetoric, the plan really calls for the federal government to resurrect the nation's coal industry—a job that will be

fraught with staggering costs and social, scientific and technological problems. Inevitably, it will leave environmental scars on the nation's land and air quality.

"We are undertaking a crash program now and we estimate that we might be able to replace as much as 3 million barrels per day of oil with synthetic fuels made from coal," William E. Simon, head of the Federal Energy Office, told officials of oil-consuming nations at an energy conference here last month.

"The coal industry probably must double its output by 1980," Simon told a congressional committee a few days earlier, pointing out that 602 million tons of coal were mined last year compared to a peak 630 million tons in 1947.

Teams of officials from Simon's FEO and other energy-related agencies now are struggling to back up the rhetoric with a variety of proposals that must be approved by Congress if Project Independence is to become something more than a phrase.

"They all seem to have one thing in common," remarked a senator who had seen some plans now privately circulating among government agencies. "They'll all seem unbelievable."

One that reportedly made a strong impression on Simon came from the pen of Dr. Henry R. Linden, director of Institute of Gas Technology. That is an arm of the American Gas Assoc., the lobby and trade association for the natural gas industry.

Last year, Linden, who is one of the most respected figures in energy industry research and development circles, took part in a task force that estimated there might be as many as five plants making synthetic gas from coal by 1980.

After the October Arab oil embargo, Linden wrote a different scenario, based on an all-out "crash program" approach, similar to the one that produced the atom bomb. After including every "doable" way he could think of to increase U.S. oil and gas production, Linden found that there was still a "great deficit" between his number and the ideal of self-sufficiency in energy by 1980.

To fill in the gap, he proposed that the government subsidize the construction of 41 synthetic fuels plants by 1980, including 5 shale oil plants and 36 plants that would make gas, oil and gasoline and methanol from coal.

Linden's plan assumed that the plants would be built by private investors attracted by a "carrot-type" federal program guaranteeing product prices once the plants were built.

How much would the "carrot" cost? Linden has no precise estimate but he regards as "not out of line" a Commerce Department study carrying a maximum price tag of \$98 billion over 14 years.

Commerce's scenario is slightly different, it calls for 37 synthetic fuel plants by 1980, including 26 coal gasification plants. Both Linden's and Commerce projections would rely heavily on the use of German processes, some of which have been used in Europe since before World War II.

How would the subsidy mechanism work?

The Interior Department is working on a third study that would have the government make bids on synthetic fuel at a price that would attract private investors' money to build synthetic fuel plants.

There could be four to six plants by 1980, according to the plan. The government would turn over the fuel it bought to the Defense Department which uses considerable fuel.

William Vogely, acting deputy assistant secretary at Interior for energy and minerals, said the subsidy might be used to aid the first proposed synthetic gas plant. El Paso Natural Gas Co. wants to build the plant in New Mexico and is asking the Federal Power Commission to set a rate for its gas-from-coal that would put all the costs on its consumers.

Total costs for the whole program could run as high as \$360 million per year, according to Vogely, if fuel prices reverted to levels when there was no embargo. If prices stayed high, government costs would be lower because private buyers would be competing for the fuel.

"Our position is that Project Independence must be defined as a program and not an idea. Interior is going to play a very major role in this," Vogely added.

According to Robert Shatz, a former aerospace engineer working under Simon at the Federal Energy Office, there are now "seven or eight" different scenarios under study. Shatz' office, picking the best elements from each, expects to deliver a final draft of Project Independence to Simon within three months.

Shatz said he has a task force studying various subsidy proposals, but has no firm estimate on how much such a program would cost taxpayers. Even if it cost \$10 billion a year, he pointed out, the only alternative would be to buy increasingly larger volume of imported fuel at "several times" that cost.

The big numbers now being uttered around Washington have amazed some industry experts, men who have watched the coal industry languish for years.

"There are going to be large winners and big losers in this. The political forces now working in this thing are enormous," said one man involved in the decision-making.

Some of the potential "winners," however, are not so sure. "Up to now, all I am getting from the government is rhetoric," complains Carl E. Bagge, who as president of the National Coal Association is the coal industry's chief lobbyist.

Bagge admits that one of the reasons federal subsidies are needed now is that the coal industry, over the years, has contributed very little toward research and development.

But coal, he argues, has been the "red-headed stepchild of the energy business," the chief victim of government tax breaks favoring oil and pollution controls. "Only five of the top 15 guys (coal companies) made a profit in 1973," he asserts.

The continuing slump in coal development also has been reflected by a lack of interest in the nation's mining schools. There were only 200 mining engineers graduated last year, according to Bagge, "a drop in the bucket" compared with demands envisioned by Project Independence.

"If we ever get going, the industry would gobble up these guys overnight."

Then there is the identity crisis the coal industry has. Of the top 10 coal production companies, the biggest is owned by a copper company, two are owned by steel companies, three are owned by oil companies and the rest are controlled by diversified conglomerates with interests far beyond the coal industry.

Major newcomers to the industry, now competing for coal lands in the West, include several more oil companies, gas companies and giants from the electric utility industry.

"In a way, it's mind-boggling to ask us to move together," Bagge adds.

"All this stuff that the public is being mesmerized with now. Liquefaction and gasification. You're not going to solve the problem by throwing billions into coal research and development overnight. Behind all of that there has to be an economically viable industry."

Bagge's solution is to have Congress pass a package of legislation guaranteeing coal's long-term stature as the nation's "mother fuel." Included would be permission for wide-scale strip mining in the West and a long-term relaxation of air pollution controls that inhibit the burning of coal by electric utilities in the East.

So far, despite vigorous verbal pressure from Simon and other government officials, even utilities that can burn coal have re-

fused to make long-term supply contracts with coal companies, Bagge notes.

"They think if they can just get through this winter the Arabs will turn on the spigots again. They're treating us like we're selling corn cobs or something."

In theory, it would appear that Arnold Miller and his United Mine Workers also would be a "winner" in Project Independence. In fact, it is giving him acute political problems.

The bulk of his 100,000 members work in underground mines in the East. The great majority of proposed synthetic fuel plants are targeted for relatively cheap deposits of coal that can be strip-mined in the West.

Many of the strip mines in the West use non-union workers and Miller sees the growing industry shift from East to West as a flight away from labor and safety problems.

"In the East," he noted in a recent speech, "the general rule of thumb is that you need about 200 men to get out a million tons a year. In fact that is the minimum work force needed. In the West, you can clear the same tonnage with ten men. If I were a coal baron, I'd be heading West. And they are."

Although the UMW has launched an organizing campaign in the West and has withdrawn open support for strict strip mining control legislation pending in Congress, sources close to the union believe that Miller will use his union's political strength to resist any congressional move to enhance Western coal production unaccompanied by aid for underground mines in the East.

According to Miller, Project Independence will aggravate an already serious manpower problem. Between 1950 and 1965, very few young miners were hired because the coal industry was switching over to mechanized equipment and the UMW was trying to preserve jobs for older members.

Now, almost half the union membership is between the ages of 45 and 70. The other half is between 18 and 30. As a result, 100,000 new miners will have to be recruited, half to replace retirees and half to provide manpower for the proposed expanded effort.

Miller, a former mine electrician and repairman, sees an even more critical problem in the ranks of his old trade. Many skilled workers have gravitated away from the mines.

Assuming all of Miller's and the mine-owners' manpower problems could be overcome and Appalachian mines began producing more coal, the result, according to a recent study by the National Petroleum Council, would overwhelm East Coast railroads.

The slump in coal production has encouraged railroads to cut back the number of open hopper cars needed to carry coal and to abandon many coal loading facilities, the report notes.

The report suggests that federal aid will have to be used to restore and expand the railroads' coal-carrying capacity.

When Congress gets the master plan for Project Independence, which presumably will show how to solve these financial, technological and manpower problems, the plan likely will come under attack by both Western and Eastern environmentalists for different reasons.

A host of Western politicians from Sen. Mike Mansfield, D-Mont., down to county water board commissioners are expressing varying degrees of shock at the size of strip mining projects now proposed to develop the massive reserves of coal, lying in veins as thick as 72 feet, under thin Western soils.

Without massive and expensive revegetation projects, arid Western soils have almost no capacity to recover after surface mining. A study by the National Academy of Sciences last year noted that turquoise mines, dug by Indians in New Mexico during the 15th century, still are "barren."

John Hardaway, a geological engineer who has been studying strip mines in the West

for the Environmental Protection Agency, says that even when mine operators launch projects to reclaim and revegetate, there is no assurance at the present time that that will work.

Another problem will be presented by ash waste produced at gasification and electric generating plants, he noted. The ash is usually buried in mined pits before the topsoil is replaced.

Ground water, Hardaway noted, may leach out heavy metals and other toxic substances from the ash and inject them into local water supplies. "We have no comprehensive estimates on this yet."

In the East, the environmental problem will revolve around moves to relax air pollution controls, especially proposed rules that would restrict sulfur emissions from coal-burning electric utilities.

Simon has asked for a five-year postponement of so-called "secondary standards," designed to restrict pollution damage to plants and such materials as rubber and nylon which sulfur tends to attack.

The White House is currently weighing proposed legislation that would also weaken pollution controls in other areas, including relaxation of measures that prevent the pristine air quality of rural areas from being "degraded" to urban levels.

According to Dr. S. William Gause, acting director of Interior's Office of Coal Research, some of these changes will not go far enough. Sulfur controls will have to be held off longer than five years to encourage the development of new underground mines in the East, he asserts.

"Who's going to put \$60 million into a new mine and then have sulfur and safety standards change on him?" Gause asked.

The theory of the proposed changes is that "primary standards," which will not be relaxed, would still prevent any direct hazard to human health. EPA officials, however, admit they know very little about sulfur pollution. Other scientists have argued that waiving the stricter, secondary controls will endanger persons who already have respiratory problems.

The hasty development of coal, the coming age of the "mother fuel," will reshape American life in many ways. Not all of them will be good.

Because of the lack of research devoted to coal, even the best ideas in the coming legislative grab bag called Project Independence—those which will not offend any vested interest—will involve problems that may not yield to quick solutions. Planners call such things "trade-offs."

For example, if coal in the East is taken out of underground mines (making the UMW and Western environmentalists happy), it can be processed into methanol, a fairly inexpensive liquid that can be substituted for gasoline (making East Coast motorists enormously happy.)

The processing plant would have a closed system, removing the unwanted sulfur from coal so that it can be condensed and sold as a by-product (making Eastern environmentalists and energy companies happy.)

Then come the trade-offs. According to an Interior study, a methanol-fueled car would have to visit gas stations twice as often or carry massive gas tanks. It would get about half the mileage of a gasoline-fueled car.

Long lines of cars would probably not clog gasoline stations in the winter, though, because of another trade-off: Drivers in the post-Project Independence era will probably have great difficulty starting methanol-powered cars in cold weather.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Young of Alaska (at the request

of Mr. RHODES), for today, on account of official business.

Mr. KLUCZYNSKI (at the request of Mr. O'NEILL), for this week, on account of official business.

Mr. KETCHUM (at the request of Mr. ARENDT), for today, on account of official business.

Mr. CORMAN, for today, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CLANCY, at the close of legislative business and after all other special orders heretofore entered into, to be permitted to address the House for 1 hour, on March 27, 1974, and to revise and extend his remarks.

Mr. HOLIFIELD, for 1 hour on Tuesday, April 2, 1974.

(The following Members (at the request of Mr. KEMP) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 15 minutes, today.

Mr. FORSYTHE, for 10 minutes, today.

Mr. ASHBROOK, for 30 minutes, today.

(The following Members (at the request of Mrs. COLLINS of Illinois) and to revise and extend their remarks and include extraneous matter:)

Mr. DIGGS, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. MATHIS of Georgia, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. HARRINGTON, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. MORGAN, for 5 minutes, today.

Mr. YATON, for 5 minutes, today.

Mr. EILBERG, for 5 minutes, today.

Mr. FUQUA, for 10 minutes, today.

Mr. PODELL, for 5 minutes, today.

Mr. TEAGUE, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PEPPER and to include extraneous matter notwithstanding the fact it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$627.

Mr. ROUSH in two instances.

(The following Members (at the request of Mr. KEMP) and to include extraneous material:)

Mr. TREEN in four instances.

Mr. ROBISON of New York.

Mr. FINDLEY in two instances.

Mr. BROYHILL of Virginia.

Mr. KEMP in three instances.

Mr. BROOMFIELD.

Mr. BELL.

Mr. CLANCY.

Mr. SANDMAN.

Mr. FORSYTHE.

Mr. MINSHALL of Ohio.

Mr. BUCHANAN.

Mr. BAUMAN in two instances.

Mr. RAILSBACK.

Mr. HOSMER in three instances.

Mr. WYMAN in two instances.

Mr. ABDNOR.

Mr. BAKER in two instances.



Mr. WYDLER.  
 Mr. ASHBROOK in two instances.  
 Mr. LENT.  
 Mr. COLLINS of Texas in four instances.  
 Mr. FRENZEL in two instances.  
 Mr. QUIE.  
 Mr. CHAMBERLAIN.  
 Mr. RHODES in six instances.  
 Mr. REGULA.  
 Mr. DERWINSKI in three instances.  
 Mr. HUBER.  
 Mr. MARTIN of North Carolina.  
 Mr. BROYHILL of North Carolina.  
 (The following Members (at the request of Mrs. COLLINS of Illinois) and to include extraneous matter:)  
 Mr. WALDIE in three instances.  
 Mr. ANNUNZIO in six instances.  
 Mr. GONZALEZ in three instances.  
 Mr. RARICK in three instances.  
 Mr. MCFALL.  
 Mr. BYRON in 10 instances.  
 Mr. DORN in 10 instances.  
 Mr. MURPHY of New York.  
 Mr. JONES of Alabama.  
 Mr. HARRINGTON in 10 instances.  
 Mr. ADDABBO.  
 Mr. FORD.  
 Mr. STOKES in six instances.  
 Mr. HANLEY.  
 Mr. KAZEN.  
 Mr. HEBERT in two instances.

Mr. BURKE of Massachusetts.  
 Mr. JONES of Tennessee.  
 Mr. YOUNG of Georgia in six instances.  
 Mr. GAYDOS in 10 instances.  
 Mr. BOLAND in two instances.  
 Mr. FASCELL in three instances.  
 Mr. STUDDS in eight instances.  
 Mr. STUCKEY.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 240. An act for the relief of Mrs. Wanda Martens; to the Committee on the Judiciary.

S. 404. An act for the relief of Arthur Rike; to the Committee on the Judiciary.

S. 2362. An act granting the consent and approval of Congress to the Cumbres and Toltec Scenic Railroad Compact; to the Committee on the Judiciary.

#### ADJOURNMENT

Mrs. COLLINS of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 26, 1974, at 12 o'clock noon.

#### CONTRACTUAL ACTIONS, CALENDAR YEAR 1973, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the CONGRESSIONAL RECORD pursuant to section 4(b) of Public Law 85-804:

ASSISTANT SECRETARY OF DEFENSE,  
 Washington, D.C., March 21, 1974.

HON. CARL ALBERT,  
 Speaker of the House.

DEAR MR. SPEAKER: In compliance with Section 4(a) of Public Law 85-804, the calendar year 1973 report on Extraordinary Contractual Actions to Facilitate the National Defense is transmitted herewith.

Table I shows that 241 contractual actions were approved and that 110 actions were disapproved. Included in the number of actions approved are 107 actions for which a potential Government liability cannot be estimated.

Table II lists the actions which have an actual or potential cost to the Government of \$50,000 or more. Also included in this list are the 107 actions above for which a potential cost cannot be estimated.

Sincerely,

ARTHUR I. MENDOLIA,  
 Assistant Secretary of Defense (Installations and Logistics).

#### EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE (PUBLIC LAW 85-804)

TABLE I.—SUMMARY REPORT OF CONTRACTUAL ACTIONS TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY-DECEMBER 1973

(Dollar amounts in thousands)

Department and type of action	Actions approved			Actions denied	
	Number	Amount requested	Amount approved	Number	Amount
Department of Defense, total.....	241	\$10,821	\$5,330	110	\$9,273
Amendments without consideration.....	9	7,708	3,203	20	5,516
Correction of mistakes.....	56	1,057	930	46	2,975
Formalization of informal commitments.....	28	366	327	33	782
Contingent liabilities.....	107	267	190	1	
Disposition of property.....	1				
Other.....	40	1,423	680	10	
Army, total.....	61	8,420	3,944	55	6,191
Amendments without consideration.....	8	7,328	2,978	7	4,351
Correction of mistakes.....	17	882	769	15	1,059
Formalization of informal commitments.....	24	210	197	32	781
Contingent liabilities.....	9			1	
Disposition of property.....	1				
Other (Secretarial authority and residual powers).....	2				
Navy, total.....	94	1,546	803	14	1,085
Amendments without consideration.....	1	1,423	680	4	
Correction of mistakes.....	6	28	28	6	1,035
Formalization of informal commitments.....	3	95	95	4	50
Contingent liabilities.....	84				
Disposition of property.....					
Air Force, Total.....	48	771	499	22	1,946
Amendments without consideration.....	1	380	225	2	130
Correction of mistakes.....	19	63	49	19	1,815
Formalization of informal commitments.....	1	61	35	1	1
Contingent liabilities.....	14	267	190		
Other (Contract modification or termination).....	13				
Defense Supply Agency, Total.....	38	84	84	19	51
Amendments without consideration.....				5	
Correction of mistakes.....	14	84	84	8	51
Other (Contract modification or termination).....	24			6	0

Source: Department of Defense, OASDA (Comptroller), Directorate for Information Operations, Mar. 13, 1974.

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF \$50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY-DECEMBER 1973

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
<b>AMENDMENTS WITHOUT CONSIDERATION</b>			
Army: Alabama Industries, Inc., Sylacauga, Ala., 35150.	\$432,960	155 mm M107 projectiles.	Alabama Industries was formed to complete a contract abandoned by Golden Industries. The contractor's plant is privately owned but the production equipment is Government owned and furnished. The equipment is in such condition that the estimated production capability of 70,000 projectiles per month could not be met. The Government exercised its option for an additional quantity to be produced at a reduced rate of 60,000 and then to 40,000 per month. The contractor is suffering such a loss due to increased labor, material and overhead costs, because of the unexpected decreased production rate caused by inadequate equipment, that it will be forced to stop operations. It is determined it was not in the interest of the Government to require performance under the option so as to cause the financial ruin of the company.
Ovitron Corp., Standard Winding Division, 44-62 Johnes St., Newburg, N.Y. 12550.	1,812,000	AN/PRC-25 radio sets.	Ovitron has had difficulty producing the radio sets in accordance with the drawings and specifications and as a result has lost considerable money. The Government required stricter testing of the sets which resulted in a higher rejection rate and a slowdown in production. The company is in desperate financial condition even with 100 percent progress payments. The entire production under this contract has been earmarked for allocation to several International Logistics Grant Aid countries. Delivery is past due and there is a pressing need for delivery as soon as possible. With production now proceeding on a normal basis the Government can satisfy delivery requirements in considerably less time than procuring from another producer and at considerable monetary savings.
Inter-Alloys Corp., P.O. Box 1539, Bartow, Fla. 33830.	656,384	Class 60, armored vehicle launched bridges.	The company encountered many errors and omissions in the drawings and specifications. After some items were manufactured according to the drawings they would not meet requirements necessary to pass inspection. This resulted in delays and increased costs until a satisfactory item could be developed. The Government has experienced this same trouble with several other contractors for this bridge over the years and the technical data package should have been corrected.
Air Force: Granger Associates, 1360 Willow Rd., Menlo Park, Calif. 94025.	225,000	AN/GRT-18 UHF ground-air radio transmitters.	One of the requirements of the solicitation was an overall weight limit of 50 lbs per unit. On the day the company was notified that their proposal was responsive they submitted an amendment stating that the 50-lb limit was marginal, it could not guarantee this weight, but would use it as a target. When the prototypes were delivered in December 1965 they weighed 102 lbs and the Government rejected them. It was determined that the 50-lb limit was impossible, however, the Government chose to abide by this until August 1967 when the limit was changed to 75 lbs, thus the production schedule slipped by approximately 2 yrs during which time the unit price increased. Although the contractor was late in delivering the acceptable prototypes the Government took no formal steps to correct their cost problems. It was determined that it was unfair for the Government to unduly delay that recognition and the necessary corrective action.
Navy: Servrite International Ltd., New Preston, Conn. 06777.	680,000	Dairy products.	Contract was awarded in August 1971 for a term of 5 years to supply dairy products for U.S. Naval and NATO installations in and around Naples, Italy. Due to an extraordinary rate of inflation the contractor has been losing money since its 1st year of performance. Servrite is the only source meeting the U.S. Public Health Service and U.S. Department of Agriculture standards regarding pasteurization and sanitation. The closest dairies outside of Italy which can meet the health requirements are located in Austria which would cost close to \$1,000,000 more per year than for Servrite products.
<b>CORRECTION OF MISTAKES</b>			
Army: A. R. F. Products Inc., Raton, N. Mex. 87740.	626,913	AN/GRC-50 radio sets.	During the performance of the contract additional costs and delays were incurred as a result of numerous discrepancies in ECOM drawings. It is determined that the failure of the Government to properly correct the technical data package placed the contractor at an unfair disadvantage.
<b>FORMALIZATION OF INFORMAL COMMITMENT</b>			
Army: Westinghouse Electric Corp., Box 1693, Baltimore, Md. 21403.	124,000	Project MALLARD.	The MALLARD project had been assigned a high priority. Westinghouse responded to the RFQ on Dec. 3 and the project officer requested a precontract authorization to allow the work to begin. It was the Government's intention to recognize all valid costs until a contract was executed. The precontract cost authorization was extended 3 times and in November 1970 the contractor was informed that the procurement was canceled. It is determined that the claim is appropriate.

**CONTINGENT LIABILITIES**

Provisions to indemnify contractors against liabilities on account of claims for death or injury or property damage arising out of nuclear radiation, use of high energy propellants, or other risks not covered by the contractor's insurance program were included in 107 contracts (the potential cost of these liabilities cannot be estimated inasmuch as the liability to the Government, if any, will depend upon the occurrence of an incident as described in the indemnification clause). Items procured are generally those associated with nuclear-powered vessels, nuclear armed guided missiles, experimental work with nuclear energy, handling of explosives or performance in hazardous areas.

In addition to the above, indemnification clauses will be inserted into all air transportation contracts entered into by the Military Airlift Command for transportation services to be performed by air carriers which own or control aircraft which have been allocated by the Department of Transportation to the Civil Reserve Air Fleet.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2085. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a list of award dates for contracts involving weapons systems covering the period March 15-June 15, 1974, pursuant to 10 U.S.C. 139 (b); to the Committee on Armed Services.

2086. A letter from the Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report recommending the average student load for each category of training for each component of the Armed Forces for the next 3 fiscal years, pursuant to 10 U.S.C. 138(d)(2); to the Committee on Armed Services.

2087. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a draft or proposed legislation to amend the Clean Air Act; to the Committee on Interstate and Foreign Commerce.

2088. A letter from the Chairman, Consumer Product Safety Commission, transmitting the first annual report of the Commission, covering the period May 14-June 30, 1973, pursuant to section 27(j) of Public Law 92-573; to the Committee on Interstate and Foreign Commerce.

2089. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on amendments and

modifications to contracts in connection with the national defense executed by the Department of Defense during calendar years 1973, pursuant to 50 U.S.C. 1434(a); to the Committee on the Judiciary.

**REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Joint Economic Committee on the 1974 Joint Economic Report; (Rept. No. 93-927). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 12627. A bill to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Miss Keku*, owned by Clarence Jackson of Juneau, Alaska, to be documented as a vessel of the United States so as to be entitled to engage in the American fisheries (Rept. No. 93-928). Referred to the Committee of the Whole House.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 10972. A bill to delay for 6 months the taking effect of certain measures to provide additional funds for certain wildlife restoration projects; with amendment (Rept. No. 93-929). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 12925. A bill to amend the act to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce (Rept. No. 93-930). Referred to the Committee of the Whole House on the State of the Union.

	Number of contracts		
	Army	Navy	Air Force
Aerojet General Corp.			3
Automation Industries, Inc.		1	
Avco Corp.		1	
Boeing Co.			4
General Dynamics Corp.		33	
General Electric Co.		15	
Hercules, Inc.			2
Honeywell, Inc.		1	
Lockheed Missiles & Space Co.		13	
Mason & Hanger—Silas Mason Co., Inc.	2		
Murphy Pacific Marine Salvage Co.		1	
Newport News Shipbuilding & Drydock Co.		3	
Northrop Corp.		1	
Ocean Search, Inc.		1	
Olin Corp.	1		
Raytheon Co.		6	
Rockwell International Corp.		2	
Textron, Inc.			2
Thiokol Corp.			3
Western Electric Co.		5	
Westinghouse Electric Corp.		6	
Proposed	1		
Total	9	84	14



Mr. EDWARDS of California: Committee on the Judiciary. S. 969. An act relating to the constitutional rights of Indians (Rept. No. 93-931). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEBERT: Committee on Armed Services. H.R. 12565. A bill to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, and other weapons and research, development, test and evaluation for the Armed Forces, and to authorize construction at certain installations, and for other purposes; with amendments (Rept. No. 93-934). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDWARDS of California: Committee on the Judiciary. S. 1836. An act to amend the act entitled "An act to incorporate the American Hospital of Paris", approved January 30, 1913 (37 Stat. 654) (Rept. No. 93-932). Referred to the House Calendar.

Mr. EDWARDS of California: Committee on the Judiciary. S. 2441. An act to amend the act of February 24, 1925, incorporating the American War Mothers, to permit certain stepmothers and adoptive mothers to be members of that organization (Rept. No. 93-933). 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. ANDREWS of North Dakota:

H.R. 13688. A bill to amend section 2412 of title 28, United States Code, to provide in a condemnation proceeding the discretionary award of fees and expenses of attorneys to the condemnee; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 13689. A bill to regulate Federal campaign contributions and expenditures; to the Committee on House Administration.

By Mr. COCHRAN:

H.R. 13690. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to prohibit the Secretary of Transportation from imposing certain seatbelt standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN (for himself and Mr. CHARLES H. WILSON of California):

H.R. 13691. A bill to amend the customs brokers licensing provisions of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 13692. A bill to provide for the establishing of uniform State limitations on the size of motor vehicles using public highways, and for other purposes; to the Committee on Public Works.

By Mr. FULTON:

H.R. 13693. A bill to amend the Internal Revenue Code of 1954 with respect to lobbying by certain types of exempt organizations; to the Committee on Ways and Means.

H.R. 13694. A bill to amend the Internal Revenue Code of 1954 to provide that the requirement of filing certain returns and the tax on unrelated business income shall not apply to certain nonprofit social clubs, domestic fraternal societies, and veterans organizations; to the Committee on Ways and Means.

H.R. 13695. A bill to amend title XVIII of the Social Security Act to provide for a voluntary insurance program to allow medicare home patients to receive prescribed drugs; to the Committee on Ways and Means.

By Mr. HAMMERSCHMIDT:

H.R. 13696. A bill to authorize the Secretary of the Army to convey certain lands to

the city of Charleston, Ark.; to the Committee on Armed Services.

By Mr. HOSMER:

H.R. 13697. A bill to amend the Clean Air Act to assume consideration of the total environmental, social, and economic impact while improving the quality of the Nation's air; to the Committee on Interstate and Foreign Commerce.

By Mr. KAZEN:

H.R. 13698. A bill to amend the Internal Revenue Code of 1954 to restrict the authority for inspection of tax returns and the disclosure of information contained therein, and for other purposes; to the Committee on Ways and Means.

By Mr. KING:

H.R. 13699. A bill to repeal the earnings limitation of the Social Security Act; to the Committee on Ways and Means.

By Mr. LENT:

H.R. 13700. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. LUJAN:

H.R. 13701. A bill to include the Escalante trail in the study category of the National Trails System Act; to the Committee on Interior and Insular Affairs.

H.R. 13702. A bill to prohibit psychosurgery in federally connected health care facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 13703. A bill to amend title 39, United States Code, to require that any cancellation mark used by the Postal Service have the name of the post office and the State from which any matter is mailed, the zip code number assigned to such post office, and the date on which the matter is mailed; to the Committee on Post Office and Civil Service.

H.R. 13704. A bill to amend title 39, United States Code, to authorize the mailing of letter mail, postal cards, and post cards to Members of Congress in their representative capacity by a sender such Member represents at no cost to the sender subject to the availability of appropriations to pay the cost thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MCCORMACK (for himself, Mr. PRICE of Illinois, Mr. HOLIFIELD, Mr. HOSMER, Mr. ULLMAN, Mr. DOWNING, Mr. BROWN of California, Mr. FUQUA, Mr. LEGGETT, Mr. RARICK, Mr. BEVILL, Mr. RIEGLE, Mr. PREYER, Mr. CARNEY of Ohio, Mr. DENHOLM, Mr. MCKAY, Mr. MILFORD, Mr. THORNTON, Mr. MICHEL, Mr. DERWINSKI, Mr. MCCLOSKEY, Mr. KETCHUM, Mr. PARRIS, Mr. FRITCHARD, and Mr. CONLAN):

H.R. 13705. A bill to amend the Atomic Energy Act of 1954 to provide for improved procedures for planning and environmental review of proposed nuclear powerplants, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. MARAZITI:

H.R. 13706. A bill to provide funeral transportation and living expense benefits to the families of deceased prisoners of war, and for other purposes; to the Committee on Armed Services.

By Mr. MURPHY of New York:

H.R. 13707. A bill to amend title XVI of the Social Security Act to provide that the 1974 increases in social security benefits shall be disregarded in determining an individual's eligibility for supplemental security income benefits, and to provide that support and maintenance furnished a mentally retarded individual living in another person's household shall not constitute income to him for supplemental security income benefit purposes; to the Committee on Ways and Means.

By Mr. RAILSBACK (for himself, Mr. FAUNTROY, Mr. GUDE, Mr. HARRINGTON, Mrs. HECKLER of Massachusetts, Mr. HORTON, Mr. LENT, Mr. MCCLOSKEY, Mr. MCKINNEY, Mr. MOAKLEY, Mr. MOLLOHAN, and Mr. PREYER):

H.R. 13708. A bill to confer jurisdiction upon the District Court of the United States for the District of Columbia of certain civil action brought by the House of Representatives Committee on the Judiciary, and for other purposes; to the Committee on the Judiciary.

By Mr. ROE (for himself and Mrs. CHISHOLM):

H.R. 13709. A bill to amend section 4a, the commodity distribution program of the Agriculture and Consumer Protection Act of 1973; to the Committee on Agriculture.

By Mr. ROE (for himself and Mrs. CHISHOLM):

H.R. 13710. A bill to amend the National School Lunch Act and for other purposes; to the Committee on Education and Labor.

By Mr. ST GERMAIN:

H.R. 13711. A bill to provide for tax counseling to the elderly in the preparation of their Federal income tax returns; to the Committee on Ways and Means.

By Mrs. SCHROEDER:

H.R. 13712. A bill to amend the Internal Revenue Code of 1954 to provide for an increase in the amount of the personal exemptions for taxable years beginning after December 31, 1973; to the Committee on Ways and Means.

By Mr. SEBELIUS:

H.R. 13713. A bill to provide funeral transportation and living expense benefits to the families of deceased prisoners of war, and for other purposes; to the Committee on Armed Services.

By Mr. STUCKEY:

H.R. 13714. A bill to regulate commerce by establishing a nationwide system to restore motor vehicle accident victims and by requiring no-fault motor vehicle insurance as a condition precedent to using a motor vehicle on public roadways; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 13715. A bill to provide assistance and full-time employment to persons who are unemployed or underemployed as a result of the energy crisis; to the Committee on Education and Labor.

By Mr. WALDIE (for himself and Mr. ASPIN):

H.R. 13716. A bill to terminate the granting of construction licenses of nuclear fission powerplants in the United States pending action by the Congress following a comprehensive 5-year study of the nuclear fuel cycle, with particular reference to its safety and environmental hazards, to be conducted by the Office of Technological Assessment; to the Joint Committee on Atomic Energy.

By Mr. YOUNG of Florida:

H.R. 13717. A bill to amend title 5 and title 44, United States Code, to lengthen the time period between the publication of a Federal rule and the effective date of such rule, and the time period between the publication of notice of a hearing and the beginning of such hearing; to the Committee on the Judiciary.

H.R. 13718. A bill to insure that recipients of veterans' pension and compensation will not have the amount of such pension or compensation deducted, or entitlement thereto discontinued, because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. DENHOLM:

H.J. Res. 948. Joint resolution to amend title 5 of the United States Code to provide for the designation of the 30th day of May

of each year as "Memorial Day"; to the Committee on the Judiciary.

H.J. Res. 949. Joint resolution to amend title 5 of the United States Code to provide for the designation of the 11th day of November of each year as "Veterans Day"; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 950. Joint resolution making an urgent supplemental appropriation for the fiscal year ending June 30, 1974, for the Veterans' Administration, and for other purposes; to the Committee on Appropriations.

By Mr. HARRINGTON (for himself and Mr. STARK):

H. Res. 1002. Resolution: An inquiry into the military alert invoked on October 24, 1973; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Res. 1003. Resolution providing funds for the expenses of the Committee on House Administration to provide for maintenance and improvement of ongoing computer services for the House of Representatives and for the investigation of additional computer services for the House of Representatives; to the Committee on House Administration.

By Mr. LONG of Maryland (for himself, Mr. CORMAN, and Mr. ROE):

H. Res. 1004. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the importing, inventorying, and disposition of crude oil, residual fuel oil, and refined petroleum products; to the Committee on Rules.

By Mr. MARAZITI:

H. Res. 1005. Resolution to launch an investigation by the General Accounting Office into alleged abuses of rights of privacy by telephone companies; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself and Mr. MARTIN of Nebraska):

H. Res. 1006. Resolution authorizing the printing of the transcript of the proceedings in the Committee on Rules of October 25, 1973; to the Committee on House Administration.

## MEMORIALS

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

393. By Mr. HANSEN of Idaho: Memorial of the Legislature of the State of Idaho, relative to removal of the prohibition to inclusion of impact aid in the calculation of State equalizing school aid; to the Committee on Education and Labor.

394. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to the observance of "Employers Support Week for the Guard and Reserve"; to the Committee on Armed Services.

395. Also, memorial of the Legislature of the State of South Carolina, relative to an investigation of the "International oil monopoly"; to the Committee on Interstate and Foreign Commerce.

396. Also, memorial of the Legislature of the State of Oklahoma, urging the Congress to propose an amendment to the Constitution of the United States to make it mandatory that the amount of any deficit in the national budget submitted by the President be underwritten by a surtax on individual and corporate income, unless Congress, by other method of financing or by reduction of expenditures, provides for a balanced budget for the year; to the Committee on the Judiciary.

397. Also, memorial of the Legislature of the State of Oklahoma, relative to the curtailment of recreational activities and the destruction of existing facilities on the Wichita Mountains Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. SCHROEDER introduced a bill (H.R. 13719) for the relief of Nestor Manuel Lara-Otoya, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

410. By the SPEAKER: Petition of the City Council, New York, N.Y., relative to efforts to obtain information about Americans listed as missing in action; to the Committee on Foreign Affairs.

411. Also petition of Lisa Thomas, Hendersonville, N.C., and others, relative to the revocation of the license of radio station WXUR, Media, Pa., to the Committee on Interstate and Foreign Commerce.

412. Also, petition of the National Capital Area Department, American Federation of Government Employees, AFL-CIO, Washington, D.C., relative to the proposal to abolish the Committee on Post Office and Civil Service; to the Committee on Rules.

## EXTENSIONS OF REMARKS

### STANLEY W. HULETT NAMED DEPUTY DIRECTOR OF BUREAU OF OUTDOOR RECREATION

#### HON. RALPH S. REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. REGULA. Mr. Speaker, I insert at this point in the RECORD a copy of a press release from the Department of the Interior announcing the appointment of Stanley W. Hulett as Deputy Director of the Bureau of Outdoor Recreation. I add my congratulations to the many that I know Mr. Hulett has already received and I congratulate the Department of the Interior upon the appointment.

Stan Hulett did a great job for the Park Service and I know he will do the same for the Bureau of Outdoor Recreation.

The press release follows:

STANLEY W. HULETT NAMED DEPUTY DIRECTOR, INTERIOR DEPARTMENT'S BUREAU OF OUTDOOR RECREATION

The appointment of Stanley W. Hulett as Deputy Director of the Interior Department's Bureau of Outdoor Recreation was announced today by Interior Secretary Rogers C. B. Morton.

"I am pleased to have a man of Mr. Hulett's proven administrative talents join BOR in its second highest post at a time when the importance of providing recreation opportunities for the people has never been

greater," Secretary Morton said. "Mr. Hulett's diversified experience with the National Park Service and on Capitol Hill will be invaluable to the nationwide programs of the Bureau of Outdoor Recreation."

As Deputy Director of BOR, Hulett will share with Director James G. Watt responsibility for managing the Bureau and directing the planning, development, and coordination of outdoor recreation programs.

Hulett succeeds Roman H. Koenings who served as Deputy Director of BOR since July 1971, and was instrumental in implementing the State grant program under the Land and Water Conservation Fund. Koenings has been appointed Assistant Director for Resources of Interior's Bureau of Land Management.

Hulett, a native of California, has served as Associate Director for Legislation, National Park Service, since March 1972. In that position, he was responsible for legislation affecting the Nation's system of parks, monuments, historic sites, and recreation areas. During Hulett's stewardship of the Service's legislative program, 14 new units were added to the National Park System during the 92nd Congress. Among these were Golden Gate National Recreation Area in California; Gateway National Recreation Area, New York and New Jersey; Cumberland Island National Seashore, Georgia; and Fossil Butte National Monument, Wyoming. Hulett was in charge of the Service's Congressional relations and public information programs, international affairs, and liaison activities with other Federal agencies, State and local governments, and the private sector.

Hulett came to the Department of the Interior as Legislative Coordinator in 1971, following two years as Legislative Assistant to California Representative Don H. Clausen.

A 1960 graduate of Stanford University, Hulett is past president of the Mendocino County (Calif.) Chamber of Commerce; a past president of the Willits Chamber of Commerce; an official delegate to the Rotary International convention in France in 1967; and past president of the California Lumbermen's Accident Prevention Association.

Hulett is married to the former Mary Ann Minenna. They live with their son Gregory in McLean, Virginia.

### ALABAMA WINNER IN VOICE OF DEMOCRACY CONTEST

#### HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. JONES of Alabama. Mr. Speaker, the winner for the State of Alabama in the Voice of Democracy Contest sponsored by the Veterans of Foreign Wars was an outstanding student from the Sheffield High School in Sheffield, Ala.

The winning speech was delivered by William Ernest Cunningham and, subsequently, he came to Washington for competition in the national finals.

His remarks on the responsibilities of the citizen have meaning for all.

In order to share his views with others, I include his remarks in the RECORD at this time: