say regarding slavery and the slave trade in the states? Elbridge Gerry of Massachusetts answered that it could not. It only had to refrain from giving direct sanction to the system.

Perhaps this is the view that seemed to silence the venerable Benjamin Franklin. The oldest and easily one of the most respected members of the Constitutional Convention, Franklin brought with him a strong resolution against the slave trade that had been entrusted to him by the Pennsylvania Abolition Society. Although he was one of the most frequent speakers at the Convention, he never introduced the resolution. With faint hearts such as Gerry's and Franklin's there is little wonder that South Carolina and Georgia were able to have their own way in wording the provision that declared that the slave trade could not be prohibited for another twenty years. One need only to look at the slave importation figures between 1788 and 1808 to appreciate how much advantage was taken of this generous reprieve.

The Founding Fathers did no better when it came to counting slaves for purposes of representation and taxation. Northerners, who regarded slaves as property, insisted that for the purpose of representation they could not be counted as people. Southern slaveholders, while cheerfully admitting that slaves were property, insisted that they were also people and should be counted as such. It is one of the remarkable ironies of the early history of this democracy that the very men who had shouted so loudly that all men were created equal could not now agree on whether or not persons of African descent were men at all.

The irony was compounded when, in the so-called major compromise of the Constitution, the delegates agreed that a slave was three-fifths of a man, meaning the five slaves were to be counted as three persons. The magic of racism can work magic with the human mind. One wonders whether Catherine Drinker Bowen had this in mind when she called her history of the Constitutional Convention *The Miracle at Philadelphia.*

If slaveholders feared possible insurrections by their slaves, they were no less apprehensive about the day-to-day attrition of the institution caused by slaves running away. They wanted to be certain that the Constitution recognized slaves as property and that it offered protection to that property, especially runaways. Significantly, there was virtually no opposition to the proposal that states give up fugitive slaves to their owners. The slaveowners had already won such sweeping constitutional recognition of slavery that the fugitive slave provision may be regarded as something of an anti-climax There was, as Roger Sherman of Connecticut pointed out, as much justification for the public seizure and surrendering of a slave as there was for the seizure of a horse. Thus, a slave, who was only three-fifths of a man, was to be regarded in this connection as no more than a horse.

And the Constitution required that slaves who ran away were not to enjoy the freedom that they had won in their own private war for independence, but were to be returned to those who claimed title to them. Consequently, there was a remarkable distinction between fighting for one's political independence, which the patriots expected to win and did, and fighting for one's freedom from slavery, which these same patriots made certain that the slaves would not win.

At the outset it was observed that we tend to shy away from making criticisms or judgments of those who occupy the seats of the mighty. This is not good either for ourselves or the institutions and way of life we seek to foster. If we would deal with our past in terms of the realities that existed at the time, it becomes necessary for us to deal with our early leaders in their own terms, namely, as frail, fallible human beings, and—at times—utterly indifferent to the great causes they claimed to serve.

We may admire them for many things: their courage and bravery in the military struggle against Britain; their imaginative creativity in forging a new instrument of government; and their matchless service to a cause that captured the imagination of people around the world.

It does not follow, however, that we should admire them for betraying the ideals to which they gave lip service, for speaking eloquently at one moment for the brotherhood of man and in the next moment denying it to their black brothers who fought by their side in their darkest hours of peril, and for degrading the human spirit by equating five black men with three white men or equating a black man with a horse!

We are concerned here not so much for the harm that the Founding Fathers did to the cause which they claimed to serve as for the harm that their moral legacy has done to every generation of their progeny. Having created a tragically flawed revolutionary doctrine and a Constitution that did not bestow the blessings of liberty on its posterity, the Founding Fathers set the stage for every succeeding generation of Americans to apologize, compromise, and temporize on those principles of liberty that were supposed to be the very foundation of our system of government and way of life.

That is why the United States was so very apprehensive when Haiti and most of the other Latin American countries sought to wipe out slavery the moment they received their political independence. The consistency of those nations was alien to the view of the United States on the same question.

That is why the United States failed to recognize the existence of the pioneer republics of Haiti and Liberia until this nation was in the throes of a great civil war and sought to "use" these countries for colonizing some blacks. Earlier recognition would have implied an equality in the human family that the United States was unwilling to concede.

That is why this nation tolerated and, indeed, nutured the cultivation of a racism that has been as insidious as it has been pervasive.

Racial segregation, discrimination, and degradation are no unanticipated accidents in this nation's history. They stem logically and directly from the legacy that the Founding Fathers bestowed upon contemporary America. The denial of equality in the year of independence led directly to the denial of equality in the era of the bicentennial of independence. The so-called compromises in the Constitution of 1787 led directly to the arguments in our own time that we can compromise equality with impunity and somehow use the Constitution as an instrument to preserve privilege and to foster inequality. It has thus become easy to invoke the spirit of the Founding Fathers whenever we seek ideological support for the social, political and economic inequities that have become a part of the American way.

It would be perverse indeed to derive satisfaction from calling attention to the flaws in the character and conduct of the Founding Fathers. And it would be irresponsible to do so merely to indulge in whimsical iconoclasm.

But it would be equally irresponsible in the era of the bicentennial of independence not to use the occasion to examine our past with a view to improving the human condition.

An appropriate beginning, it would seem, would be to celebrate our origins for what they were—to honor the principles of independence for which so many patriots fought and died. It is equally appropriate to be outraged over the manner in which the principles of human freedom and human dignity were denied and debased by those same patriots. Their legacy to us in this regard cannot, under any circumstances, be cherished or celebrated. Rather, this legacy represents a continuing and dismaying problem that requires us all to put forth as much effort to overcome it as the Founding Fathers did in handing it down to us.

SENATE—*Monday, July 14, 1975*

(Legislative day of Thursday, July 10, 1975)

The Senate met at 11:30 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. FORD).

PRAYER

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

Almighty God, may that righteousness which exalts a nation be the code of conduct for all citizens and the pattern of political life for our leaders. Forbid that the lofty standards of the Founding Fathers should ever be discarded or the idealism of youth sour into cynicism. Keep our faith in Thee and in Thy law steadfast and sure.

And now that another day of service in this Chamber has been given to us, we pray for the gifts of self-mastery and self-control, for wisdom beyond our own and for strength which comes from Thee. Make us sensitive to the needs of all the people, careful to hear and evaluate the judgments of our colleagues, heedful of the promptings of conscience, and obedient to the guidance of Thy spirit. In all our ways may we acknowledge Thy higher rulership and persevere in the work of Thy kingdom.

We pray in His name who lived and died doing the will of our Heavenly Father. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, July 11, 1975, be approved.

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

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 258 and 269, in that order.

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

BILINGUAL COURTS ACT

The Senate proceeded to consider the bill (S. 565) to amend title 28, United

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

States Code, to provide more effectively for bilingual proceedings in all district courts of the United States, and for other purposes, which had been reported from the Committee on the Judiciary with amendments as follows:

On page 4, line 11, strike "118," and insert "119,";

On page 6, line 5, strike "1975." and insert "1976.";

So as to make the bill read as follows:

S. 565

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 "Bilingual Courts Act".

CONDUCT OF BILINGUAL PROCEEDINGS

SEC. 2. (a) Chapter 119 of title 28, United States Code, is amended by adding at the end thereof the following new section:

"§ 1827. Bilingual proceedings

"(a)(1) In any criminal action, whenever the judge determines, on his own motion or on the motion of a party to the proceedings, that (A) the defendant does not speak and understand the English language with a facility sufficient for him to comprehend either the proceedings or the testimony, or (B) in the course of such proceedings, testimony may be presented by any person who does not so speak and understand the English language, the court, in all further proceedings in that action, including arraignment, hearings, and trial, shall order an oral simultaneous translation of the proceedings, or an oral simultaneous translation of that testimony, to be furnished by an interpreter in accordance with the provisions of subsection (b) of this section.

"(2) In any civil action, whenever the judge determines on his own motion or on the motion of a party to the proceedings, that (A) a party does not speak and understand the English language with a facility sufficient for him to comprehend either the proceedings or the testimony, or (B) in the course of such proceedings, testimony may be presented by any person who does not so speak and understand the English language, in all further proceedings in that action, including hearings and trial, the court shall order an oral translation of the proceedings to be made by an interpreter in accordance with the provisions of subsection (b) of this section. The judge shall also determine, in the interests of justice, whether the translation shall be simultaneous, consecutive, or summary in nature, except that if a party requests a simultaneous translation, the court shall give the request special consideration.

"(3) In any criminal or civil action, the judge, on his own motion or on the motion of a party to the proceedings, may order all or part of the non-English testimony and the translation thereof to be electronically recorded for use in verification of the official transcript of the proceedings.

"(4) The defendant in any criminal action, or a party in any civil action, who is entitled to a translation required under this section, may waive the translation in whole or in part. The waiver must be expressly made by the defendant or party upon the record and approved by his attorney and by the judge. An interpreter shall be used to explain the nature and effect of the waiver to the non-English-speaking defendant or party.

"(5) The term 'judge' as used in this section shall include a United States magistrate and a referee in bankruptcy.

"(b)(1) The district court in each judicial district shall maintain on file in the office of the clerk of the court a list of all persons in that district who have been certified as interpreters by the Director of the Administrative Office of the United States Courts under section 604(a)(12) of this title.

"(2) In any action where the services of an interpreter are required to be utilized under this section, the court shall obtain the services of a certified interpreter from within the judicial district, except that, where there are no certified interpreters in the judicial district, the court, with the assistance of the Administrative Office of the United States Courts, shall determine the availability of and utilize the services of certified interpreters from nearby districts. Where no certified interpreter is available from a nearby district, the court shall obtain the services of an otherwise competent interpreter.".

(b) The analysis of chapter 119 of title 28, United States Code, is amended by adding at the end thereof the following new item: "1827. Bilingual proceedings.".

FACILITIES AND PERSONNEL FOR BILINGUAL PROCEEDINGS

SEC. 3. Section 604(a) of title 28, United States Code, is amended—

(1) by redesignating paragraph (12) as paragraph (13); and

(2) by inserting immediately below paragraph (11) the following new paragraph:

"(12) Under section 1827 of this title, (A) prescribe, determine, and certify the qualifications of persons who may serve as certified interpreters in bilingual proceedings, and in so doing shall consider the education, training, and experience of those persons; (B) maintain an updated master list of all interpreters certified by him, and report annually on the frequency of requests for, and the use and effectiveness of interpreters in bilingual proceedings pursuant to the provisions of this Act; (C) provide, or make readily available to each district court, appropriate equipment and facilities for the translation of non-English languages; (D) prescribe, from time to time, a schedule of reasonable fees for services rendered by such interpreters and, in those districts where the Director considers it advisable based on the need for interpreters, authorize the employment by the court of certified full-time or part-time interpreters; and (E) pay out of moneys appropriated to the judiciary for the conduct of bilingual proceedings the amount of interpreter's fees or costs of recording which may accrue in a particular proceeding, unless the court, in its discretion, directs that all or part of those fees or costs incurred in a civil proceeding in which an interpreter is utilized pursuant to section 1827(a)(2) of this title be apportioned between the parties or allowed as costs in the action;".

APPROPRIATIONS

SEC. 4. There are hereby authorized to be appropriated to the Federal judiciary such sums as may be necessary to carry out the amendments made by this Act.

EFFECTIVE DATE

SEC. 5. The amendment made by this Act shall take effect on September 1, 1976.

The amendments were agreed to.

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

MULTIYEAR LEASES BY THE GENERAL SERVICES ADMINISTRATION

The bill (S. 1260) to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representives of the United States of America in Congress assembled, That section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759) is amended by adding at the end thereof the following:

"(h) Notwithstanding any other provision of law, the Administrator is authorized to enter into multiyear contracts under this section financed through the fund and may incur or authorize obligations in excess of the amount available in the fund, except that (1) the amount of unfunded obligations incurred during any fiscal year shall not exceed the amount specified in an appropriation Act for that fiscal year, (2) the cash balances of the fund shall be maintained in such amounts as are necessary at any time for cash disbursements to be made from the fund, and (3) the term for the performance of any such contract shall not exceed ten years.

"(1) As used in this section, automatic data processing equipment also includes, but is not limited to, hardware, software, maintenance, related equipment and supplies, and related services."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I do not seek further time.

Mr. HUGH SCOTT. Mr. President, I yield back my time under the standing order.

Mr. MANSFIELD. Mr. President, in view of the fact that the Senator from Colorado is not here, I ask unanimous consent that the distinguished Senator from Utah (Mr. GARN) be recognized in his place, to be followed by the Senator from Colorado.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Under the previous order, the Senator from Utah (Mr. GARN) is recognized for not to exceed 15 minutes.

THE IMPORTANCE OF GENERAL REVENUE SHARING TO LOCAL GOVERNMENTS

Mr. GARN. Mr. President, last week in Boston the U.S. Conference of Mayors held their annual convention, and once again we heard the plight of the cities. That is my purpose in speaking this morning, as a former mayor—just 6 months ago—and as an officer of the National League of Cities: to state that the problems of the cities of this country are very real, and that I have often felt that Congress has not faced up to its responsibilities in helping the local and State levels of governments adequately.

As we all know, there are three levels of government, the local level—cities and counties—the State level, and the national level, known as the Federal intergovernmental system. Unfortunately, over the past 40 years, we have seen a trend toward centralization of government at the national level, and the taking away of the powers of cities, counties, and States, thereby diminishing the authority of Governors, mayors, city commissioners, and city councilmen, and with good intent. Certainly Congress hoped to solve some of the problems of the cities, but the trend has resulted in a vast system of categorical grant-in-aid programs almost without number, with overlapping, duplication. It has resulted in a bureaucracy that is very insensitive

to the needs of these local governments, where appointed officials are making decisions; and where local mayors, who are elected and accountable to their constituents, are told by relatively low-ranking appointed officials how to run their cities and States.

And despite this proliferation of categorical grant-in-aid programs, with all of their rules, regulations, and guidelines, the problems of the cities have become worse. There were many days when, as mayor of Salt Lake City, I did not really feel like mayor, but like a local manager for the Federal Government, a puppet at the bottom of some strings being pulled this way and that by officials who were, again, not accountable to the electorate.

If I did not do a good job as a mayor, there was a good old-fashioned way to take care of that problem: The people of Salt Lake City could get rid of the mayor at the next election. But they certainly could not get rid of appointed officials whom they did not even know, but who had great influence over the way their cities and counties were run.

Those problems were again brought to our attention at the U.S. Conference of Mayors, and we were reminded once more that indeed they do exist.

In this period of centralization over the last 4 years, there was, in my opinion, one bright spot, and that was general revenue sharing. Those of us in local government, including the former Governor of the State of Kentucky now presiding over the Senate (Mr. FORD), saw for first time some reversal of this flow of power to Washington, when money was sent back so that we could make decisions at the local level as to priorities in the solution of our own problems.

Some 3 years have passed since the enactment of the General Revenue Sharing Act. This year several bills have been introduced in the Senate of the United States to extend general revenue sharing, but little interest is being shown and little is being done to act upon them, because there is no pressure, as the act does not expire until next year.

Mr. President, I think it is highly important for the cities and States of this country that we extend general revenue sharing this year. The services we provide at the local level are not discretionary. They are necessary services that we cannot make a decision to do away with. At the Federal and State levels of government, there are a lot of services that could cease to exist tomorrow, and the only way that taxpayers would know about it would be if they read about it in the daily newspapers, because these programs do not directly affect our lives.

But at the local level, if you do not pick up the garbage, fill the chuckholes, and provide police and fire protection, basic health and education services, and all the necessities that we must have from government in order to live together in communities, if those services are not provided, we get into some very great difficulties.

That, Mr. President, is the message of the U.S. Conference of Mayors. These are the most important services. They represent the ones that should be at the top of the priority list when we look at government expenditures of tax revenues.

So the major point that I would like to make today is that the cities are having a difficult time budgeting. They need to look into the future and be able to plan their budgets. Under congressional budgetary procedures now in effect, no action can be taken on a fiscal matter of this sort until the first budget resolution is adopted. Therefore, if revenue sharing is not extended this year, nothing can happen before the 15th of May 1976.

This fact makes the timing very critical. Action must be taken this year because it is early next year that most of the cities of the country will be adopting their budgets. How can they adopt their budgets if they are not certain as to what Congress is going to do? It is important that they know early next year whether they can rely upon revenue sharing for part of their budget money.

There are critics of the present formula. They seem to ignore the fact that there is a needs factor in the formula. They seem to want the people to believe that it is only based on population and that the big cities are being treated unfairly.

But there certainly is a needs factor in the formula; it is not a straight per capita formula.

A study of the American Council on Intergovernmental Relations, published in October 1974, found that revenue sharing tends to equalize the fiscal capabilities in central city and suburban jurisdictions. Far more aid is channeled to central cities than to the rich suburban jurisdictions, and central cities receive three to seven times as much aid as their affluent suburbs.

So we feel very strongly, and when I say "we" I suppose I am still talking more as a mayor than as a Senator, that revenue sharing has proved to be a very valuable tool for local governments to meet their needs without all of the strings and guidelines attached by the categorical grant-in-aid programs. It is essential that we reenact general revenue sharing without strings, without getting into a long debate over the formula that could defeat revenue sharing, and that we do this early enough so that the cities and States of this country will be able to plan their budgets in advance rather than being subject to uncertainty, wondering what Congress will do next year.

So I hope the Senate will heed the cry of the cities of the country, that it will recognize the need for decentralization, that it will trust the local and State officials of this country to do the jobs in their States and their municipalities, subject to the approval of their own voters. I hope that this trend will continue, that the Congress and the Federal Government will get out of the business of the States and municipalities and will allow them to govern, allow them to make decisions, and allow them to tailor-make their decisions to their own individual needs in this country. I hope that we certainly will get on with the hearings on revenue sharing; and that we will make a decision this year and not put the cities in that uncertain plight that will occur if we postpone it until next year.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Colorado (Mr. HASKELL) is recognized for not to exceed 15 minutes.

S. 2098—FEDERAL CONFLICT OF INTEREST ACT

Mr. HASKELL. Mr. President, I am introducing legislation today, for myself and Mr. HATFIELD, the distinguished Senator from Oregon, also Mr. BIDEN, Mr. CHILES, Mr. CRANSTON, Mr. GARN, Mr. LEAHY, and Mr. GARY W. HART.

This legislation is entitled The Federal Conflict of Interest Act and is designed to provide a coherent, consistent and enforceable code to shield public policy from the personal financial interests of public policymakers.

The present patchwork of conflict of interest regulations has failed. A few cases I have encountered while drafting this legislation support that view:

According to a recent GAO report, some officials of the U.S. Geological Survey own stock in companies holding mineral leases on Federal lands administered by USGS.

The holdings were disclosed in financial statements filed in 1974 but the agency took no action to force divestiture. The GAO report stated that of 223 financial statements filed by USGS employees for fiscal 1974, 22 percent showed financial interests which either violated the law or raised conflict of interest possibilities.

Another GAO report discusses a Phillips Petroleum executive who took a year's leave of absence to work for the Federal Energy Office under the Presidential executive interchange program.

As part of his FEO duties, the executive evaluated and projected the effects of present and proposed regulation of various sectors of the oil and gas industry. The GAO notes that the executive retained a financial interest in Phillips through the company's thrift and retirement plans and also through his continuing employment with the company.

In both these instances, Mr. President, the possible conflicts were obvious; one by the employee's disclosure statement, the other merely by virtue of the employee's continued association with a private company directly affected by his governmental duties.

Two other examples reveal other flaws in present procedures:

A nominee for a Federal agency post put his interests in a blind trust. But the principal assets were unmarketable and a close relative was named trustee.

The assets were conveyed by the trustee in return for stock in a family-held corporation. Thus, the family retained assets which could be affected by the nominee's decisions in his new post. The agency official responsible for such matters approved the arrangement.

Recently the Council on Economic

Priorities released a study entitled, "Military Maneuvers." The study charges no illegality but found that over a quarter of the 1,400-plus former Pentagon employees who went to work for defense contractors between 1969 and 1973 were involved in potential conflicts of interest.

The study cites a number of instances in which former officers took jobs with contractors over which they previously had some form of authority. Existing law requires retired military officers to file reports for 3 years after leaving the service if they go to work, at a salary of $15,000 or more, for companies with $10 million or more in defense contracts. The system is not working; the CEP found an apparent lack of effort and no qualitative analysis.

The CEP's explanation of this Department of Defense situation sums up the problems with Federal conflict of interest regulation generally:

> Since the entire procedure was not initiated by DOD, but was thrust upon it by Congress, it is not perceived as central to the goals of the DOD. By assigning the responsibility to offices with other responsibilities, and by dispersing the responsibilities, it was assured that only a minimum of effort would be exerted for evaluating and compiling the reports.

As I began querying various departments and agencies of Government, it became clear this was the pattern throughout the Federal Government.

An Executive order covers ethical conduct in the executive branch, bolstered by a regulation of the Civil Service Commission which also handles such oversight as exists.

I discovered that, although the agencies use the civil service requirements for financial disclosure—with some modifications for individual agency needs—there are no firm criteria for the evaluation of the disclosure forms. Moreover, no one seemed to know who the ethics counselor in his agency actually was. Evaluation is done by an indefinite number of people, all of whom have other duties.

Generally, when a question arises on a particular form, it is given to the regional supervisor. If not resolved there, it is forwarded to agency headquarters.

There are no interagency guidelines for statement evaluation and usually only informal intra-agency guidelines.

There are no standard means of investigating suspected conflicts beyond asking the employee directly or checking his file.

A job description prepared by the employee's supervisor to help pinpoint possible conflicts is so vague its value is questionable.

Instead of listing specific firms and individuals the employee will deal with, only general industries are listed. It is therefore quite conceivable that an employee could be in a conflict situation without his or his supervisor's knowing it.

I was also surprised to learn that many employees had no idea of what to do in case a possible conflict arose. And several did not even understand what a conflict of interest is—in fact, one employee said that a conflict of interest was impossible in her department.

To their credit, many agencies and departments hold conferences and seminars on conflict of interest regulations. But responses to my inquiries indicate they are not communicating effectively. The Civil Service Commission has recently begun an evaluation of ethical standards in recognition of the problem. A single person has been hired in the General Counsel's office whose full-time responsibility is ethics. This response is nowhere near sufficient.

Effective oversight and enforcement do not exist today, nor can they under the burdens of the present system: Disclosed information is confidential, precluding all but internal oversight; disclosure requirements do not provide the information necessary for effective monitoring of conflicts; personnel and resources devoted to reviewing and investigating potential conflicts are limited. Finally, decentralized inhouse authority results in uneven and unequal treatment of individuals, depending upon how vigorously the agency pursues the matter.

Within the legislative branch, Members and employees of Congress are subject to the same penalties for bribery and certain other violations as are employees of the executive and judicial branches.

In addition, both the House and Senate require disclosure by Members and certain employees, though the requirements vary. The disclosure, however, is confidential.

Mr. President, that is the pattern. Regulations lack uniformity; their enforcement ranges from perfunctory to nonexistent. Within this imperfect framework thousands of real and potential conflicts of interest exist—some are unwitting, some remain long after open disclosure. Others are less innocent.

Several of my colleagues have introduced bills addressing this problem. But they rely mainly on stringent disclosure requirements. As I have pointed out, disclosure alone—even thorough disclosure—is inadequate. Witness the situations I have outlined in which employees openly disclosed holdings which could very well conflict with their duties. But under the loose assortment of regulations and procedures, administered in-house, agency by agency, the conflicts were either not discovered or not acted upon.

The longer I worked on this legislation, Mr. President, the clearer it became that oversight and enforcement of conflict of interest codes must lie outside the agencies involved.

That is the foundation of the remedy I suggest today. The Federal Conflict of Interest Act calls for detailed public financial disclosure by all elected officials, candidates for Federal office, and supervisory level employees in the executive and legislative branches. To ensure that this information effectively prevents conflict of interest—and failing that, ferrets it out and eliminates it—my legislation would establish a seven-member Commission on Conduct with oversight and enforcement authority for both branches.

As I envisage it, the Commission would supervise disclosure, investigate and conduct hearings to ascertain if conflicts exist. If conflicts do exist, the Commission would have the authority to discipline employees or recommend disciplinary action. It could require divestiture of an official's or employee's conflicting interest and could prescribe the terms and conditions of such divestiture—to make certain, for example, that a "blind trust" is truly blind, not merely a cosmetic device to conceal conflicts.

The Commission will have sufficient staff to evaluate present guidelines, adopt those it considers worthwhile and promulgate, by rules, such additional guidelines as it finds necessary.

The Commission would be full-time with no other responsibility than to monitor and enforce compliance. I would vest in this Commission authority to investigate violations of any of its rules. The full range of due process rights is adequately provided for.

Any such investigations would be kept confidential but individuals would be notified that an alleged violation is under investigation. If the Commission determines the complaint is sufficient, a hearing would follow. The resulting decision would be made public.

I believe counseling is an essential part of any anticonflict system and my legislation provides that the Commission may issue advisory opinions with respect to matters relating to conduct or financial disclosure. While such an advisory opinion would not have the force of law, it would constitute for the official or employee seeking it, a complete defense to civil or disciplinary action authorized under this act—assuming, of course, that the individual's statement of fact to the Commission contains no material misstatement, omits no facts, and that he otherwise acts in good faith.

The provisions I have outlined, Mr. President, would apply equally to elected officials of both branches, candidates in primaries, runoffs or general elections for Federal office, and employees and appointees at a supervisory level—those with salaries of $25,000 a year or more.

That includes civil penalties. The act provides civil penalties in the amount of any profit gained as a result of a violation under the act together with interest. The Commission on Conduct, with the Attorney General, would be authorized to bring any legal action in any court of the United States to enforce provisions of this section of the act.

Action may be brought regardless of whether the individual is an officer or employee at the time, so long as the action is brought within 3 years of the violation.

There is a significant difference—and, I believe, a necessary one—between divestiture requirements for appointees and employees and for elected officials.

Appointees and employees are not directly responsible to the electorate and some other mechanism is obviously necessary to enforce minimum standards of conduct. Divestiture of conflicting or potentially conflicting interests is one such tool.

But how do we, as Members of Con-

gress, divest ourselves of every interest our decisions might affect? I do not believe we can; conflicts are unavoidable. We are consumers, we own property, we pay taxes and have occupations or professions which precede—and will probably follow—our terms in office.

And given the range of issues considered in Congress today, our public decisions unavoidably affect our private lives, just as they do the private lives of every other citizen.

What constrains us as elected officials is our direct accountability to the American people. There is only one way, Mr. President, to improve that mechanism and my legislation provides it: full and public disclosure.

The bill provides that the President, Vice-President, and Members of Congress shall annually disclose their personal financial interests, the sources and amounts of their incomes, their assets and liabilities, and all transactions in real and personal property.

To insure that such disclosures are truly and readily available to the public, the bill provides that each Member of Congress shall have his annual disclosure statement printed in a publication of general circulation within his State or district and shall certify to the Commission on Compliance that this has been done.

We would thus be held to even more stringent public disclosure standards than we seek to enforce upon appointees and employees in policy-making posts.

Armed with the information on which to base a knowledgeable decision, the American voter could hold his elected officials fully accountable, just as the Commission would appointees and employees.

It is my view that restoring the confidence of the American people in their Government depends greatly upon how successfully we eliminate misconduct, the potential for it, and the appearance of it. For that reason, I have written into the legislation additional safeguards:

The Commission on Conduct may recommend to the appropriate House of Congress that disciplinary proceedings be initiated against any member or to the House of Representatives that a writ of impeachment be considered. The Commission may recommend to the President or to the Congress the removal of any civil officer of the United States and may refer cases to the Attorney General for civil or criminal action.

Mr. President, I believe the Federal Conflict of Interest Act offers the strongest possible combination of thorough, uniform public disclosure requirements and external monitoring and enforcement—all elements missing from present conflict of interest regulation.

I hope my colleagues will agree with me that the only way we in Congress can hope to rebuild Americans' faith—faith so badly shaken over the past 2 years—is by subjecting ourselves and our private financial affairs to unobstructed public scrutiny.

The people of this Nation no longer believe nor believe in us. Indeed, why should they until they know with certainty whom we really serve? That question will remain an open one until we take firm steps to remove the influence of private financial interests from public policy decisions.

Mr. President, I ask unanimous consent that the text of the Federal Conflict of Interest Act of 1975 be printed in the RECORD.

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

S. 2098

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 "Federal Conflict of Interest Act".

CONDUCT OF GOVERNMENT PERSONNEL

SEC. 2. (a) It is unlawful for any elected or appointed officer or employee of the executive and legislative branches of the Government—

(1) to engage, directly or indirectly, in any personal business transaction or private arrangement for personal profits which accrues from or is based upon such officer or employee's official position or authority or upon confidential information gained by reason of such position or authority; or

(2) to violate, knowingly, any standard of ethical conduct promulgated by the Commission on Conduct pursuant to section 5 of this Act.

(b) There is imposed, on any individual who violates subsection (a)(1) of this section, a civil penalty in the amount of any profit gained as a result of such violation together with interest thereon computed from the date of such violation at a rate equal to the annual rate established under section 6621 of the Internal Revenue Code of 1954.

(c) The Commission on Conduct, concurrently with the Attorney General, is authorized to bring any legal action in any court of the United States to enforce the provisions of this section. Any such action may be brought without regard to whether an individual is such an officer or employee at the time such action is brought. No action under this section may be brought unless it is brought within three years after the commission of a violation of the provisions of subsection (a) of this section.

FINANCIAL DISCLOSURE

SEC. 3. (a) Each individual referred to in subsection (b) of this section shall file annually, with the Commission on Conduct, a report containing a full and complete statement of—

(1) the amount of gross and taxable income, total deductions and tax exclusions, as well as tax paid and credits against taxes otherwise due as reflected on his Federal income tax return for the preceding calendar year;

(2) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from his spouse or any member of his immediate family) received by him during the preceding calendar year which exceeds $100 in amount or value, including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him in kind;

(3) the value of each asset held by him which has a value in excess of $1,000, and direction, during the preceding calendar year tions in the securities of such business entity exceeds $1,000 during such year;

(4) any transactions in securities of any business entity by him or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year if the aggregate amount involved in transactions in the securities of such business entity exceeds $1,000 during such year.

(5) all transactions in commodities by him or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year if the aggregate amount involved in such transactions exceeds $1,000; and

(6) any purchase or sale, other than the purchase or sale of his personal residence, of real property or any interest therein by him or by any person acting on his behalf or pursuant to this direction, during the preceding calendar year if the value of property involved in such purchase or sale exceeds $1,000.

(b) The provisions of subsection (a) of this section apply to the President, Vice-President, each Member of Congress, each officer and employee of the United States (including any member of a uniformed service) who is compensated at a rate in excess of $25,000 per annum, each officer or employee occupying a position in schedule C of the excepted service, and each officer or employee of the United States who performs duties of the type generally performed by an individual occupying grade GS-16 of the General Schedule or any higher position (as determined by the Commission on Conduct regardless of the rate of compensation of such individual), and any individual who is a bona fide candidate in a primary election, run-off election, or general election for the office of a Member of Congress, President or Vice-President, but who, at the time he becomes a candidate, does not occupy such office, shall file within one month after he becomes a candidate for such office.

(c) Reports required by this section shall be in such form and contain such information as the Commission on Conduct may prescribe. The Commission may provide for the grouping of items of income, sources of income, assets, liabilities, dealings in securities or commodities, and purchases and sales of real property, when separate itemization is not feasible or is not necessary for an accurate disclosure of the income, net worth, dealing in securities and commodities, or purchases and sales of real property of any individual.

(d) All reports filed under this section shall be maintained by the Commission as public records, which, under such reasonable rules as he shall prescribe, shall be available for inspection by members of the public.

(e) For the purposes of any report required by this section, an individual is considered to be President, Vice-President, a Member of Congress, an officer or employee of the United States, or a member of a uniformed service, during any calendar year if he serves in any such position for more than six months during such calendar year.

(f) Each member of Congress shall cause a copy of his financial disclosure statement to be published in a publication of general circulation within his district and shall certify to the Commission on Conduct, annually, that this has been done.

(g) As used in this section the term—

(1) "income" means gross income as defined in section 61 of the Internal Revenue Code of 1954;

(2) "security" means security as defined in section 2 of the Securities Act of 1933 (15 U.S.C. 77B);

(3) "commodity" means commodity as de-

fined in section 2 of the Commodity Exchange Act (7 U.S.C. 2);

(4) "transactions in securities or commodities" means any acquisition, holding, withholding, use, transfer, or other disposition involving any security or commodity;

(5) "Member of Congress" means a Senator, a Representative, a Resident Commissioner, or a Delegate;

(6) "officer" has the same meaning as in section 2104 of title 5, United States Code;

(7) "employee" has the same meaning as in section 2105 of such title;

(8) "uniformed service" means any of the Armed Forces, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration;

(9) "immediate family" means the child, parent, grandparent, brother, or sister of an individual, and the spouses of such persons; and

(10) "tax" means any Federal, State, or local income tax and any Federal, State, or local property tax.

ESTABLISHMENT OF COMMISSION

SEC. 4. (a) There is established as an independent agency within the executive branch of the Government a Commission on Conduct (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of 7 members as follows:

(1) Five appointed by the President, by and with the advice and consent of the Senate;

(2) One appointed by the President of the Senate; and

(3) One appointed by the Speaker of the House of Representatives.

(c) The members of the Commission appointed under subsections (b)(2) and (3) of this section shall have no vote on any matter before the Commission but are authorized to participate in all the activities of the Commission and any deliberations in connection therewith. Of the members of the Commission appointed under subsection (b)(1) of this section not more than 3 shall be affiliated with the same political party.

(d) Each member of the Commission shall serve for a term of 6 years, except that of the members appointed under subsection (b)(1), one shall be appointed for a term of one year, one shall be appointed for a term of 2 years, one shall be appointed for a term of 3 years, one shall be appointed for a term of 4 years, and one shall be appointed for a term of 5 years. The member initially appointed under subsection (b)(2) shall serve for a term of 3 years, and the member initially appointed under subsection (b)(3) shall serve for a term of 3 years.

(e) Any vacancy in the Commission shall not affect its power but shall be filled in the same manner in which the original appointment was made but the appointment to fill any vacancy shall be for the remainder of the unexpired term only.

(f) The Commission shall elect annually, a chairman and a vice-chairman from among its members. The chairman and vice-chairman shall not be affiliated with the same political party. No member of the Commission may serve as chairman of the Commission for more than one year during his term of office.

(g) A quorum of the Commission shall consist of 4 members, except that the Commission may establish a lower number as a quorum for the purpose of taking sworn testimony.

(h) Members of the Commission shall receive compensation at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(i) All decisions of the Commission with respect to the exercise of its duties and powers under the provisions of this Act shall be made by a majority vote of the voting members of the Commission.

(j) The Commission shall meet at least once each month and also at the call of any member.

(k) The Commission shall prepare written rules for the conduct of its activities, shall have an official seal which shall be judicially noticed, and shall have its principal office in or near the District of Columbia (but it may meet or exercise any of its powers anywhere in the United States).

DUTIES OF THE COMMISSION

Sec. 5. (a) It is the duty of the Commission to develop and, by rule, promulgate uniform standards of ethical conduct for elected and appointed officers and employees of the executive and legislative branches of the Government. In developing such standards, the Commission shall consider the standards of conduct in effect on the date of enactment of this Act, and shall consult with appropriate officers and employees of both such branches of the Government.

(b) The Commission shall implement the financial disclosure requirements of section 3 of this Act.

(c) The Commission shall perform such other functions as may be necessary to carry out the provisions of this Act.

INVESTIGATIONS

Sec. 6. (a) The Commission is authorized to investigate any alleged violation of any provision of this Act or regulation promulgated pursuant thereto. An investigation may be initiated upon motion of any member of the Commision or upon the complaint of any person. An investigation conducted under this section shall be confidential. When the investigation commences, the person under investigation shall be notified in writing that an investigation is being undertaken.

(b) The Commission is authorized to accept from any individual complaints with respect to matters which the Commission has the authority to investigate. Any such complaint shall be signed by the complainant. If so requested, the Commission is authorized to inform the complainant of any action taken with respect to the complaint. Notice of such action shall be by letter and shall be provided within a reasonable time. Upon dismissal of any complaint the Commission shall notify the complainant of its reasons for such action.

(c) After conducting an investigation under this section the Commission is authorized—

(1) to dismiss any complaint before it upon a finding that the complaint is frivolous, unwarranted, insufficient in law or fact, or that the complaint is unsubstantiated by credible evidence;

(2) refer the complaint to the Attorney General for appropriate action; or

(3) conduct a full hearing on the matter charged in the complaint and take appropriate action in accordance with the provisions of this section.

(d) (1) Whenever the Commission orders a hearing with respect to any matter charged in a complaint or under investigation, it shall provide not less than thirty days notice to the individual charged or under investigation of the date on which any hearing is to be conducted. Any individual who is the subject of such a charge or investigation has the right to appear at any such hearing, to be represented by counsel, to confront and cross examine witnesses, to present evidence in his own behalf, and to subpoena witnesses. The Commission shall maintain a record of any such hearing.

(2) The Commission in carrying out its duties under this section may sit and act at such times and places, hold such hearings, take such testimony, require by subpoena the attendance of such witnesses and the production of such books, records, papers, accounts, and documents, administer such oaths and issue such other orders as may be necessary. Subpoenas and other orders shall be issued under the signature of the Chairman or the member of a Commission designated by the Chairman. Any member of the Commission or panel may administer oaths or affirmations to witnesses.

(3) The individual who is the subject of an inquiry under this section has the right to refuse to attend and testify or produce anything ordered to be produced by the Commission on the ground that the testimony or material required to be produced would tend to incriminate such person or subject such person to penalty or forfeiture.

(4) In case of disobedience to a subpoena or other order issued under paragraph (2) of this subsection, the Commission may invoke the aid of any district court of the United States in requiring compliance with such subpoena or order. Any district court of the United States within the jurisdiction in which the person is found or transacts business may, in case of contumacy or refusal to obey a subpoena or order issued by the Commission, issue an order to such person to appear and testify, to produce such books, records, papers, accounts, and documents, and any failure to obey the order of the court shall be punished by the court as contempt thereof.

(e)(1) The Commission shall make findings of fact which shall be entered on the record. Upon finding that an individual has violated the standards of ethical conduct established by the Commission or has violated any other requirement of this Act, the Commission may—

(A) dismiss any such employee from the civil service or order such other disciplinary action as may be warranted;

(B) recommend to the appropriate House of Congress that disciplinary proceedings be initiated with respect to any member or employee thereof;

(C) recommend to the House of Representatives that a writ of impeachment be considered;

(D) recommend to the President or to the Congress the removal of any civil officer of the United States;

(E) refer cases to the Attorney General for appropriate civil or criminal action; and

(F) require in appropriate cases the divestment of any interest that causes a conflict of interest and prescribe the terms and conditions of any such divestiture. Paragraph (e)(1)(E) shall not apply to elected officials.

(2) For purposes of this subsection, the term "disciplinary action" includes reprimand, suspension, and disqualification from participation in particular policy determining actions.

(f) The courts of appeals of the United States have jurisdiction to hear any appeal from a final decision of the Commission. Appeals of any such decision shall be brought in the same manner and subject to the same limitations as appeals from the district courts of the United States under section 1291 of title 28, United States Code.

ADVISORY OPINIONS

Sec. 7. The Commission may issue advisory opinions with respect to matters relating to conduct or financial disclosure. The Commission may render advisory opinions upon written request of any person as to whether any specific transaction or activity would constitute a violation of any provision of this Act or any regulation promulgated pursuant thereto. Advisory opinions shall be issued within a reasonable time of their request and shall be in writing.

An advisory opinion does not have the force of law but shall constitute, for the person

requesting it, a complete defense to civil or disciplinary action authorized under this Act if—

(1) the statement of fact to the Commission contains no material misstatement or omission;

(2) the transaction as consummated does not materially vary from the facts submitted in the request for the advisory opinion; and

(3) the person requesting the advisory opinion acts in good faith in relying on the opinion.

REGULATIONS

SEC. 8. The Commission is authorized to adopt, amend, modify, and repeal such rules and regulations as may be necessary to assure compliance with the requirements of this Act and with any regulation issued pursuant thereto by officers and employees of the Government.

PERSONNEL OF THE COMMISSION

SEC. 9. (a) The Commission is authorized to appoint an Executive Director and a General Counsel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The Executive Director shall be paid at a rate equal to the rate for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The General Counsel shall be paid at a rate equal to the rate for level V of the Executive Schedule under section 5316 of such title. With the approval of the Commission, the Executive Director may appoint and fix the pay of such attorneys, investigators, and additional personnel as may be necessary.

(b) With the approval of the Commission, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for GS-18 of the General Schedule under section 5332 of such title.

EFFECT ON OTHER LAWS

SEC. 10. (a) Nothing in this Act prohibits the establishment or maintenance of standards of conduct or financial disclosure for officers and employees of the Government which are more stringent than the standards imposed by this Act or rules and regulations adopted by the Commission on Ethics pursuant to this Act.

(b) The President is authorized to terminate any function assigned to an agency, other than the Commission, which duplicates any function or requirement arising under the provisions of this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this Act.

Mr. HATFIELD. Mr. President it is a privilege to join my distinguished colleague from Colorado, Mr. HASKELL, in introducing the Federal Conflict of Interest Act. For many years Members of Congress, the media, and public interest groups such as Common Cause have focused attention on the financial holdings of officials in all branches of our Federal Government. As Mr. HASKELL has outlined all too often the standards applied to these various Government officials as to the procedures to be followed in filing financial disclosure statements are without uniformity or cohesiveness.

More importantly, the policing of financial diclosure policies is many times delegated to offices with other substantial responsibilities so that the monitoring and enforcement of conflict of interest regulations take a back seat in terms of priorities. In fact I believe we can safely make the statement that in some cases those individuals doing the policing of conflict of interest regulations may be found policing themselves.

Mr. President, if enacted, this legislation would for the first time provide the American people with comprehensive financial disclosure statements by all their Government officials. For the first time, it would provide all Government officials with uniform regulations to follow instead of different reporting periods and policies for different branches of the Government.

Mr. President, just as it is important for Government officials to have set regulations to follow, it is also necessary that the administering of these regulations be handled in a fair and equitable fashion. Such a task cannot be done by 15 different agencies, but must be handled by one agency specifically set up to perform this responsibility. Senator HASKELL has provided us with such a mechanism by the establishment of a commission on conduct.

In the past, Mr. President, Members of Congress have had to publicly report sources of income such as honorariums and royalties, while other sources of income such as legal fees, dividends from stocks and bonds, and other business interests were not publicly disclosed. The inequity of these partial disclosures is that they permit the independently wealthy members to retain privacy surrounding their wealth while those of us not with wealth are subjected to a discriminatory status in terms of financial reporting procedures.

The day has long passed for Members of Congress to declare, report, and disclose all sources of outside income above and beyond their Government salaries. Theoretically, we expect this of all cabinet members, and it is time that we expect this same standard to apply to us. The Federal Conflict of Interest Act would require a comprehensive public financial disclosure by all elected officials and supervisory level employes in the executive and legislative branches of our Government. Additionally, this act would require that all reports filed in accordance with these regulations be made available for public inspection.

For the past year, we have heard much about "sunshine legislation." In fact, as a result of such talk, the Congress has sought to open up many of its one-time closed committee sessions. Mr. President, I believe the time has come to permit the sun to shine in on our finnacial holdings and those of other Government officials. The time has come, Mr. President, to show the American people and to reassure them that their Government officials are not making decisions which will enrich themselves personally, but that such decisions are made in the best interest of the Nation. What better way to prove this than to disclose all of our financial holdings.

Mr. President, I am pleased to be able to cosponsor this important legislation. I would hope that all my colleagues in the Senate would want to prove to the American people that the actions we take here in Washington are not for personal gain, but are for the Nation's gain. We can prove this by the adoption of this legislation.

Mr. HASKELL. I will now yield the remainder of my time, and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of routine morning business not to exceed 15 minutes with statements therein limited to 5 minutes.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

At 1:50 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 6950) making appropriations for the legislative branch for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. CASEY, Mr. SHIPLEY, Mr. GIAIMO, Mr. MCFALL, Mr. YATES, Mr. EVANS of Colorado, Mr. ROYBAL, Mr. ROUSH, Mr. MAHON, Mr. COUGHLIN, Mr. CEDERBERG, Mr. ARMSTRONG, and Mr. REGULA were appointed managers of the conference on the part of the House.

The message also announced that the House insists upon its amendment to the bill (S. 555) to amend the Consolidated Farm and Rural Development Act, disagreed to by the Senate; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. BERGLAND, Mr. DE LA GARZA, Mr. BALDUS, Mr. ENGLISH, Mr. HIGHTOWER, Mr. BEDELL, Mr. NOLAN, Mr. WAMPLER, Mr. MADIGAN, and Mr. KELLY were appointed managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4222) to amend the National School Lunch Act and the Child Nutrition Act of 1966 in order to extend and revise the special

food service program for children and the school breakfast program, and for other purposes related to strengthening the school lunch and child nutrition programs; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PERKINS, Mr. FORD of Michigan, Mrs. MINK, Mr. MEEDS, Mrs. CHISHOLM, Mr. ANDREWS of North Carolina, Mr. LEHMAN, Mr. RISENHOOVER, Mr. SIMON, Mr. MOTTL, Mr. HALL, Mr. BLOUIN, Mr. O'HARA, Mr. ZEFERETTI, Mr. MILLER of California, Mr. QUIE, Mr. BELL, Mr. ESHLEMAN, Mr. BUCHANAN, Mr. PRESSLER, Mr. GOODLING, and Mr. JEFFORDS were appointed managers of the conference on the part of the House.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works, with amendments:

S. 1513. A bill to extend the Appalachian Regional Development Act of 1965 (together with additional views) (Rept. No. 94–278).

By Mr. LONG, from the Committee on Finance, with amendments:

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978 (Rept. No. 94–279).

H.R. 7731. An act to suspend the duty on open-top hopper cars exported for repairs or alterations on or before June 30, 1975 (Rept. No. 94–280).

By Mr. LONG, from the Committee on Finance, without amendment:

S. Con. Res. 35. A concurrent resolution approving a bilateral commercial agreement between the United States and the Socialist Republic of Romania (Rept. No. 94–281).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HASKELL (for himself, Mr. HATFIELD, Mr. BIDEN, Mr. CHILES, Mr. CRANSTON, Mr. GARN, Mr. LEAHY, and Mr. GARY W. HART):

S. 2098. A bill to limit potential or existent conflicts of interest on the part of elected and appointed officers and employees of the Government, to require financial disclosure, and for other purposes. Referred to the Committee on Government Operations.

By Mr. PROXMIRE:

S. 2099. A bill to require Senate confirmation of the Administrator of the Social and Economic Statistics Administration. Referred to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS:

S. 2100. A bill to amend Section 1676 of Title 38, United States Code, relating to the pursuit of a program of education outside the United States. Referred to the Committee on Veterans' Affairs.

By Mr. MATHIAS:

S. 2101. A bill to authorize the issuance of two gold commemorative coins with the likenesses of Abigail Adams and Susan B. Anthony for their role in the two centuries of American Independence. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. BUCKLEY:

S. 2102. A bill to authorize the establishment of a Water Resources Mitigation Advisory Board. Referred to the Committee on Public Works.

By Mr. MATHIAS (for himself and Mr. STEVENSON):

S. 2103. A bill to require financial disclosure. Referred to the Committee on Rules and Administration.

By Mr. CLARK (for himself, Mr. MCGEE, Mr. MCGOVERN, Mr. HATFIELD, and Mr. HUMPHREY):

S.J. Res. 105. A joint resolution to strengthen the foreign relations of the United States by requiring that not less than 70 percent of certain food assistance be provide to countries designated by the United Nations as "Most Seriously Affected". Referred to the Committee on Agriculture and Forestry.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PROXMIRE:

S. 2099. A bill to require Senate confirmation of the Administrator of the Social and Economic Statistics Administration. Referred to the Committee on Post Office and Civil Service.

A SENSITIVE POST

Mr. PROXMIRE. Mr. President, this is an important and sensitive post which requires more congressional oversight than it has been accorded in the past. Here is why.

First, at least 16 of the major monthly economic indicators are prepared by the Department of Commerce and this agency. Next to the unemployment figures and the wholesale and consumer price indices, these are among the most sensitive economic statistics that come out of Washington.

They include the Nation's Income, Expenditure and Savings Accounts; the Gross National Product; Sources of Personal Income; National Income; Distribution of Personal Income; Corporate Profits; Gross Private Domestic Investment; New Plant and Equipment Expenditures; New Construction; New Housing Starts; Business Sales and Inventories; Manufacturer's Shipments, Inventories and New Orders; Merchandise Exports and Imports; the U.S. Balances on Goods, Services and Transfers; the U.S. Overall Balances on International Transfers; and the Federal Sector of National Income Accounts.

SUBORDINATE AT CENSUS BUREAU REQUIRES CONFIRMATION

Second, the Administrator of SESA has under him the Census Bureau whose Director must be confirmed by the Senate. This absurd anomaly should be corrected.

BLS HEAD CONFIRMED

Third, the only statistical position in the Government of comparable or superior importance to the head of SESA is that of the Commissioner of the Bureau of Labor Statistics. He puts out the monthly figures on unemployment and the wholesale and consumer price indices.

That position is a 4-year term and requires Senate confirmation. This is all the more reason why SESA's head should also be confirmed.

PROFESSIONALS AND NOT POLITICAL APPOINTEES

Mr. President, if Congress is to insure the credibility of Government statistics, we must see that the men who handle these statistics are professionals and that the interpretation of these figures remain nonpolitical and nonpartisan. We do not need unqualified political partisans in these sensitive positions.

Unfortunately, the previous administration tried to make these agencies a rest home for partisan appointees. For example, the current head of SESA, Mr. Edward Failor, has no professional statistical background whatever. He came to the job directly from CREEP—the infamous Committee to Re-Elect the President. Prior to that he was Chief of the Office of Assessment and Compliance of the Bureau of the Mines, where his stewardship received a stinging rebuke in a General Accounting Office report.

OPENING THE DOOR TO ABUSE

If we allow nonprofessional and unqualified men to head our key statistical agencies, we are opening the door to potentially great abuse. The possibilities are endless as the previous administration demonstrated so well.

Let us review the events of the last few years.

THE NIXON APPROACH

During 1973, the Bureau of Labor Statistics, on orders of the White House, stopped its monthly press conferences by its professional staff. It did this immediately following an interpretation of the unemployment figures by its professional staff which contradicted the optimistic and political interpretation of the Secretary of Labor.

Instead of press conferences by professionals, the White House substituted regular political comment by the Council of Economic Advisers, the head of HUD, the Secretary of Treasury, and others.

That was step No. 1: gagging the professionals.

Next, a number of professionals at the Bureau of Labor Statistics were reorganized out of their jobs.

Then the head of the BLS, Geoffrey Moore, was fired. Dr. Moore was a highly competent professional who was both loyal to the administration and loyal to his professional ethics. Yet, he was fired.

Meanwhile, statistical series which were unpalatable to the administration were discontinued.

Let me make one point clear: At no time did they "cook" figures to my knowledge and I am not charging that. What they did was to put gross political interpretations on them and they did stop issuing figures that were embarrassing.

It is a pattern that must not be repeated.

Mr. President, for too long now, Congress has been content with passing legislation that locks the barn door after the horse has escaped. Here is a chance to change that policy.

I send the bill to the desk, ask that it be appropriately referred, and ask unanimous consent that it be printed in full in the RECORD.

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

S. 2099

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective on the day after the date of enactment of this Act, the Administrator of the Social and Economic Statistics Administration, Department of Commerce, shall be appointed by the President, by and with the advice and consent of the Senate, and no individual shall hold such position from that date unless he has been so appointed.

SEC. 2. Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(98) Administrator of the Social and Economic Statistics Administration."

By Mr. MATHIAS:

S. 2101. A bill to authorize the issuance of two gold commemorative coins with the likenesses of Abigail Adams and Susan B. Anthony for their role in the two centuries of American independence. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. MATHIAS. Mr. President, the legislation I am introducing today merely symbolizes a task accomplished—it does not tell the story. My bill would authorize the Secretary of the Treasury to issue two gold commemorative coins which would depict the role of two very brave women in the first and second centuries of American independence, Abigail Adams and Susan B. Anthony. These coins would simply recognize for the first time in this very special manner the efforts of these women: To support the American Revolutionary experience in the case of Abigail Adams and to achieve equal status through the vote, in the case of Susan B. Anthony.

One hundred and twenty-eight years ago this July, Seneca Falls, N.Y., was the scene of the first women's rights convention attended by more than one hundred persons, including male sympathizers. Today, in a year designated International Women's Year by the United Nations, many times that one hundred, meet in Mexico City to discuss the follow up of these first American women's rights efforts which along with earlier European movements transported women from political, social and economic nonentities to freedoms too long withheld from them.

Some of us may still be finding it difficult to disagree with Jean Jacques Rousseau's picture of the role of women as merely to please, to be useful to us, to make us love and esteem them, to educate us when young, and to take care of us when grown up, to advise us, to console us, to render our lives easy and agreeable—these are the duties of women at all times and what they should be taught in their infancy.

But the heightened consciousness of facts relating to the role of women in society point to the need to broaden our thinking as well as our actions. The facts are crystal clear. As I have mentioned, the first international convention on the status of women is presently under way in Mexico City. The equal rights amendments, still to be ratified by a few States, are the product of congressional efforts in addition to the thousands of organizations throughout the country who fought as perseveringly as the original seekers of equal rights through the vote. As the Bicentennial approaches, we have failed too often to give equal time to the strength, warmth, and intelligence of the revolutionary women like Abigail Adams who fought with the Founding Fathers for the same freedoms we in America enjoy today. Furthermore, in September, America will be celebrating the canonization of its first Catholic saint—a woman—Mother Elizabeth Seton of New York and Maryland. It is also the centennial era of some of the major efforts of Ms. Anthony to secure the vote for women. These are just some of the thoughts which prompt me to offer my bill.

By issuing a gold coin stamped with the likenesses of two women we can recognize in a concrete way that women not only make up half of the population of America, but that they occupy nearly one-half of the work force, that they are the principal purchasers and consumers in our society, that they are contributors in ever greater numbers to the economic livelihoods of their families and in some cases the sole supporters. All these facts, phenomena less than a century old, but grounded in centuries of experience, must sharpen our enlightenment toward and appreciation of the responsibilities held by women but just so recently recognized and rewarded. It would seem appropriate in the coming year to take some action which can symbolize that appreciation. Abigail Adams braved years of separation from Founding Father John, but surely her faith, her exhortation, her hard work supporting the revolutionary movement have earned her the title of Founding Mother. Susan B. Anthony faced prejudice, ridicule, and even violence to throw off what she believed were unnatural constraints on her fellow sisters.

Mr. President, as you know, the Federal Reserve System will start distributing the first of the Bicentennial circulating coins on July 7. The U.S. Mint sponsored a competition to select three designs to appear on the quarter, the half dollar and the dollar—drummer boy, Independence Hall and the Liberty Bell and the Moon. While I applaud these choices. I feel a certain deficiency exists in the national recognition of the role of women in our society during the Bicentennial celebration.

My distinguished colleague from Oregon (Mr. HATFIELD) proposed the issuance of a gold coin which would be legal tender on May 12 of this year. His remarks appear in the RECORD of that day. I would also ask unanimous consent that an article by David L. Ganz in Coinage magazine be inserted in the RECORD following my remarks. Mr. Ganz, a respected commentator on coinage matters, discusses the gold coin issue and the reasons why the Treasury can now go ahead with such a project with less reservations than it held just a year ago. I would very much like to see a gold Bicentennial coin issuance and I would deeply like to have such coins stamped with the likenesses of Ms. Adams, and Ms. Anthony. I look forward to working these matters out in committee when such legislation comes up for consideration and I shall work toward my goal.

While the facts have long confirmed equality of responsibility, attitudes have not always been so quick to follow. This legislation which I introduce today cannot obviously change attitudes, nor does it insure fair treatment for all women around the country. It does recognize, however, their equal contribution to our economic and political well being, and it makes available in our Bicentennial year a lasting reminder of the debts we owe the women in American history.

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

HOW YOU CAN HELP MINT A GOLD BI-CENTENNIAL COIN—IT'S STILL POSSIBLE IF WE ALL LET CONGRESS KNOW THE REASONS IMMEDIATELY

(By David L. Ganz)

America deserves a gold coin to commemorate the occasion of the 200th anniversary of its birth. Bicentennial coinage presses may already be rolling, but to produce cupro-nickel clad coins complemented with silver-clad issues is merely to go halfway. So unique is this event that Congress, and the Treasury, ought to get together and decide to honor America in the manner of our forefathers: with the medium of exchange that they used—gold and silver.

Gold coinage was considered by Congress in the course of creating the bicentennial coinage legislation. It was rejected then for international monetary considerations. Private gold ownership was not yet legal, coining of gold had not been done in 40 years, and there was the real fear that any striking of a gold piece—even as a commemorative issue—would be viewed as an attempt by this government to return to the gold standard.

Despite all these objections, the United States Senate did in fact pass a gold coin proposal. Dramatic floor debate ensued as Sen. Mark O. Hatfield, R-Ore., and Sen. Peter H. Dominick, R-Colo., led the fight with Sen. James A. McClure, R-Idaho, to get a gold coin for the bicentennial.

Twice the Senate approved the measure. The coin would have been a $25 gold piece. But the proposal—along with one that would have ended the private gold ownership ban—died in Conference with the House. As a compromise, the Senate accepted a House proposal to settle for 45 million silver bicentennial coins.

In retrospect, the reasons for the compromise seem all wrong. But this ignores the pure pragmatics of the situation. The bicentennial coinage legislation was essential, the House was not about to accept any proposal with gold in it, and was willing to allow special silver-clad coins for collectors if the Senate withdrew its gold coin and ownership proposals.

Since December 31, 1974, Americans have been able to legally own gold. To say that the gold rush of 1975 fizzled would be an understatement, but after the initial price gyrations, the price of the metal has stabilized at around $170 per ounce, give or take seven percent.

Immediately, this takes away one of the main arguments offered against the striking of a gold bicentennial coin—namely, that private gold ownership is illegal. It also removes, effectively, the second argument offered against it, namely the Americans would rush and buy thousands upon thousands of

ounces of the precious metal as a hedge against inflation.

The events of the first half of 1975 prove otherwise. Gold has proved to be stable, but not an inflation hedge. If you purchased the metal in 1970, you may have made a profit. Even if a purchase was made in early January 1975. But since then, the stability has been remarkable and Americans have not entered the gold market with any degree of fervor.

Treasury interpretation of the enabling legislation to private gold ownership has been that all contrary provisions of law—dating back to the 1934 nationalization—are no longer in force. That would allow, therefore, payments to be made in gold, assuming of course that a gold coin had legal tender status.

The same obviously applies to the silver commemorative coins for the bicentennial. The catch is, of course, that no one is about to spend the silver coins at their face value because (1) they have a bullion worth in excess of face value and (2) cost far more than either their face value or bullion worth.

Mint Director Mary T. Brooks, in office since 1969, has been a proponent of gold commemoration of the bicentennial since 1972. In an interview conducted in May of that year, she stated that she would "love to strike a gold bicentennial coin." She has repeated the statement a number of times.

Although Treasury policy seems set against introduction of gold bicentennial coinage legislation, there is nothing to prevent individual Congressmen from taking affirmative action. In the new 94th Congress, with the shift in committee chairmanships, it would seem logical that hearings on the measure might be possible.

In a November, 1972 interview, Rep. Henry S. Reuss, D–Wisc., now chairman of the House Banking and Currency Committee, confided that he would have no objection to the striking of a gold bicentennial coin. His sole caution, however, was that it could only occur after private gold ownership.

"The issues are synonymous," Reuss postulated.

How precisely could such a coin be created? Truthfully, it would not be terribly difficult with existing technology to strike gold coinage in any number of sizes. The key problem, of course, is what value to place on the coin and how to price it so that is it available to the maximum number of Americans.

The coinage of the old Latin Monetary Union may prove to be a valuable, illustrative example. The standard price of the Latin Union, the 20 franc coin, had a weight of 6.4516 grams, a fineness of .900, and a diameter of 21mm.

Contained in that 20 franc coin are .18668 fine troy ounces of gold, a figure derived based on the fineness and the divisible part of an ounce that that result yields. At gold's current price of around $170 an ounce, the bullion of base metal value of the coin is $31.73. If the price of the metal were to jump to the $250 range, the bullion worth would be $46.67, and at $300 an ounce—probably the highest range that even the greatest of speculators now predict—the coin would have a worth of $56.

Such a coin is the size of a U.S. nickel, surely an adequate surface for any design to be on (the one cent piece and the dime have smaller surfaces).

Assuming, arbitrarily, that the coin has a face value of $25—a figure used simply because the Senate passed a version with that denomination—it could be sold at a premium similar to that used for the bicentennial silver-clad coins. There, of course, the denominations are quarters, halves and dollars.

What could the projected retail price of such a coin be? Perhaps at the $50 level. Certainly, this is within the reach of many people purchasing souvenirs of a unique event. More importantly, it is not so nigh as to encourage an elitist purchase by speculators.

What could the government have to gain from all this?

Assuming, for argument, that a decision was made to authorize a gold bicentennial coin, there would be a real need to find a gold supply. The existing gold at Fort Knox, and at other government depositories, is an obvious source. Only a minimal amount would be required.

For a production run of one million coins, a grand total of 18,668 troy ounces of gold would be required. If 10 million gold pieces were produced, approximately 186,675 troy ounces would be involved. The total gold supply in the U.S. stockpile, according to the latest Treasury statistics, is 276 million ounces. In short, the amount is not even two percent of current reserves.

Assuming, for the moment, that one million coins were produced and sold at $50 each (with a $25 face value), what would the government make in dollars and cents. If all coins were sold, the government would gross $50 million. From that, it would have the cost of its gold reduced, plus labor and overhead.

Gold in government vaults now is valued at $42.22 an ounce, the official price that is still used for International Monetary Fund purposes. The gold then would have a value of less than $8 billion. Assuming that there is a $2 million overhead involved, this would give the government a clean profit of $40 million on every million gold pieces sold.

For the government, then, there is not only the historical value of striking a gold coin, but also the potential profit. Perhaps the monies made from such a venture could be diverted into other bicentennial projects.

For collectors, there is the unique opportunity to have precious metal commemoration of a once in a lifetime event, a piece of history and heritage that will live on, forever.

By Mr. BUCKLEY:

S. 2102. A bill to authorize the establishment of a Water Resources Mitigation Advisory Board. Referred to the Committee on Public Works.

Mr. BUCKLEY. Mr. President, I am today introducing legislation creating a Water Resources Mitigation Advisory Board. This is a proposal that is very similar to section 2 of S. 3653, which passed the Senate last October 11 on a unanimous vote.

Because of the Senate's support for this concept last year, I am hopeful that it can be the subject of early hearings and consideration in the 94th Congress.

The purpose of this legislation is to create a mechanism through which the public, the Army Corps of Engineers, and the Congress can obtain an independent evaluation on the merits of the many "mitigation" issues that swarm around projects of the Army Corps of Engineers as bees around honey.

By mitigation, I mean relief for what are described as the unexpected or undesired side effects developing from an authorized project the Corps of Engineers. A mitigation issue may rise from an additional load placed on the plant treating a city's drinking water, or an argument over the cost-sharing requirements for a particular project, or replacement of a bridge. The issue becomes an issue between the community and the Corps of Engineers with the Congress as moderator. This is unfair to the community and to the corps.

Frankly, these "mitigation" arguments are issues of judgment from which the Congress often makes ad hoc decisions based on the influence of the congressional sponsor. They place the Congress in the position of spending taxpayers money to the benefit of one locale outside any national policy affecting all other communities.

This is wrong. It is unfair to the other communities. It is unfair to the American taxpayers.

The creation, as envisioned in this bill, of an independent agency much like a GAO for mitigation would be valuable to the Congress and prove a sound investment for the American taxpayers.

Specifically, the bill requires that the Board review any request for mitigation referred by any State or local public agency, the Secretary of the Army, or either Public Works Committee of the Congress. It would consider controversies over damages, project scope, or Federal-local cost sharing. The Board would be expected to recommend solutions, and to do it expeditiously.

Too often, mitigation is undertaken without reference to the most cost-effective manner for solving a challenge, or the effect that such mitigation would have on the cost-benefit ratio of a project, its viability, or its environmental impact. While these effects may be minimal in most cases, there are times when the effect can prove substantial. It is for this reason that the bill requires the Board to relate any recommendation to its effect on costs and benefits.

The Board would consist of three members. One would be a Federal employee, selected by the President. Two would represent the public, selected for their expertise and understanding of the economic, public policy, and engineering issues raised by mitigation requests.

The Board would also have a small staff, since many disputes may require on-site, legal, historical, and engineering reviews as the basis for the legal and equity arguments confronting the part-time Board members.

As drafted, the language of the bill requires that the two public members be unrelated by background to the Army Corps of Engineers. Such an exclusion is necessary, I believe, for the Board to have the appearance, as well as the reality, of making an independent assessment. Any Board chock a block with ex-corpsmen could be susceptible to the charge of cronyism. That would be damaging to the corps, the public, and the Congress.

The question of mitigation was raised during hearings by the Committee on Public Works last year. In response to questions I posed, Brig. Gen. James L. Kelly, Deputy Director of Civil Works of the corps, stated:

> Our problem is that we feel charged to act in a proper manner and cannot dispense funds until we feel they are justified under the law. So we make our best evaluation, we meet with the folks and discuss this, presenting our views, but certainly we are not going to be able to resolve them in all

cases. It might well be that you could reduce, one, the direct impacts on the Congress and perhaps reduce the court actions if there were some group which would arbitrate. We certainly would have no problem.

In conclusion, I would note that this bill grants no power to the Board to direct a specific course of action. Its role would be purely advisory. But I anticipate that the Board's recommendations will be most useful to the corps and to the Congress in weighing the equities and justification for the mitigation proposed.

Such a Board would relieve neither the Corps nor the Congress of their responsibilities. The Board will merely provide the public and the Congress with expert, independent guidance on what decision appears to be fair and reasonable.

Later this year, the Senate can expect to debate an omnibus water resources bill. It is my believe that the establishment of such a Mitigation Board would assure the Congress and the public that when we do our next omnibus bill, that we will have the firmest possible basis for acting in the public interest.

By Mr. MATHIAS (for himself and Mr. STEVENSON):

S. 2103. A bill to require financial disclosure. Referred to the Committee on Rules and Administration.

COMPLETE FINANCIAL DISCLOSURE

Mr. MATHIAS. Mr. President, since my first year as a Member of the House of Representatives in 1961, I have believed that every Member of Congress, and every candidate for the Congress should make a full public disclosure of his or her personal financial situation. I have introduced bills to make such disclosure mandatory, and have been encouraged by the fact that each year more Senators and Congressmen voluntarily disclose personal financial assets and liabilities. I am especially pleased today to be joined by the distinguished Senator from Illinois, Mr. STEVENSON, in submitting legislation to require full financial disclosure by Members of Congress and candidates for the Congress.

In the past, leading public officials have often repeated the argument that financial disclosure can improve the credibility of the political process. While Thomas Jefferson was President he wrote that when a man assumes a public trust he should consider himself a public property." This concept has been restated and reaffirmed many times since, most notably by Presidents Roosevelt, Wilson, Eisenhower, and Johnson. The issue is not a new one to the Congress either. In 1951, a committee, chaired by Senator Douglas, regarded financial disclosure as the single most important legislation that the Congress could enact to lessen the appearance of conflict of interest by public officials. Twenty years later, in November of 1971, the Subcommittee on Privileges and Elections of the Senate Rules Committee, under the distinguished chairmanship of Senator CANNON, held hearings on bills which would have provided financial disclosure for Members of Congress and selected officials of the executive and legislative branches.

While testifying before the committee on his bill, S. 343, Senator CASE stated clearly the argument for full disclosure. He said:

> The judgment of the people, I think, will be a real and effective sanction . . . disclosure will help people to elect whom they wish by giving them full knowledge of the personal financial interests of those who present themselves as candidates for election.

Additional evidence of the urgency of the credibility problem can be found by examining some recent polls. In 1967 a Gallup survey showed that 6 out of 10 Americans believed that shady conduct among Congressmen was fairly common. A Harris poll conducted during the same period went further to reveal that over half these citizens felt that at least some Congressmen receive money to vote a certain way.

In November of 1971 it was revealed that by a margin of 63 to 28 percent most Americans feel politicians are out to make money. The same survey found that by a margin of 59 to 20 percent a majority of Americans feel that "most politicians take graft." In view of the persistence of this belief it is not surprising that another Harris poll has revealed that between the years 1965 and 1971 the percentage of the public which gave Congress a positive rating declined from 64 to 26 percent.

This evidence that I introduced to the record in January 1973 can easily be augmented by more recent material. A Harris poll released in April of this year showed that a heavy majority "believes that one trouble with Congress is that it look after its own benefit instead of acting in the public interest." This result is supported by the survey taken earlier this year by my colleague, Senator BEALL, which attempted to discover what his constituents thought of Congress. The response was 63 percent negative, 35 percent positive. A typical response to the questionnaire was received from a Prince Georges County constituent who said "I believe they have the ability but I fear they lack the will to withstand the power of lobbies and money from special interests."

We can no longer say that people are rapidly losing confidence in the ability of the Government to lead. They have already lost it. Moreover, it is now clear that this disillusionment is not limited to the young, but pervades our entire society. This loss of confidence in Congress, the representative body of the people, is the most dangerous and pressing problem facing this institution today.

I believe that for the most part this attitude of distrust is unfounded. The vast majority of those in Government are hard-working men and women of impeccable integrity and unfortunately these people are being stereotyped by the publicized activities of a few. The importance of rectifying the situation demands action immediately.

We are witnessing a continuing dropout, isolation, and detachment of the electorate. This isolation is a threat to the representative system because its strength is derived from the consent and participation of the people. The most difficult challenge to this Congress is to restore confidence in our Government and reverse this trend to isolation and nonparticipation.

There are many methods that can be employed to achieve this goal. We can become more candid and open in our legislative activities. We can be more responsive to our constituents.

We also have the ability to do something much more tangible to dispel the attitude of mistrust. That action would be the enactment of the bill which Senator STEVENSON and I offer today.

I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

I also ask unanimous consent that the remarks of Senator STEVENSON be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR STEVENSON

Mr. President, I am pleased today to join my colleague from Maryland, Senator Mathias, in introducing legislation to provide for financial disclosure for Members of Congress, their employees earning more than $22,000 annually and candidates for Congress.

An alarming number of people think that Members of Congress are working for their personal gain rather than for the public good. The citizen is cynical about politics and politicians, believing that they are more likely to do something to him than something for him. More and more Americans view the Congress as a giant trading block in which favors are dispensed to the wealthy and powerful, without regard to the public interest.

By denying voters the facts about the financial interests of Members of Congress we assure that they will assume the worst. Public confidence in the Congress can be restored only when we demonstrate to the public that we have nothing to hide. Financial disclosure is right because the voter deserves full access to information concerning the financial interests of Members and candidates so they can intelligently exercise their franchise.

Mr. President, this bill calls for no more than what I and many other members of the Senate have voluntarily done for many years. It provides for the disclosure of the amount of income and its sources, assets and liabilities of more than $5,000, gifts of more than $100, and income taxes paid.

I can understand the objections of those who feel such a rule invades their privacy. It does. But their privacy must yield to the public's right to know. As Thomas Jefferson wrote many years ago, "when a man assumes a public trust he should consider himself a public property." Those who enter the public service do so voluntarily, and they should do so with the understanding that the public has a right to know about their private interests. Those of us in public life ought to take such a step as this to relieve ourselves of suspicion and to require the same act of all others. Those of us who have done it can testify that the public suspicion of undisclosed interests is far more painful than the public knowledge of disclosed interests. We and the public's trust are the beneficiaries of such a rule as Senator Mathias and I propose.

Mr. President, this is not the first time I have introduced such legislation. It is one of many proposals which grew out of Ad Hoc

hearings conducted by Senator Mathias and myself in December, 1972. The twenty witnesses at those hearings—including ten men who had served in the Senate—expressed divergent opinions on many subjects, but not on this one. Every witness who addressed the issue called for early passage of full disclosure legislation. That was more than three years ago. The Senate has approved it before. The need has not declined.

S. 2103

A bill to require financial disclosure

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"SEC. 225. DISCLOSURE OF FINANCIAL INTERESTS BY MEMBERS OF CONGRESS AND CERTAIN CONGRESSIONAL EMPLOYEES

"(a) Each Member of Congress, each employee of the Congress, and each candidate, shall file annually with the Comptroller General a report containing a full and complete statement of—

"(1) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from the Member's, employee's, or candidate's spouse or any member of the Member's, employee's, or candidate's immediate family) received by the Member, employee, or candidate or by the Member, employee, or candidate and the Member's, employee's, or candidate's spouse jointly during the preceding calendar year which exceeds $100 in amount or value, including any fee or other honorarium received by the Member, employee or candidate for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him or her in kind;

"(2) the value of each asset held by the Member, employee, or candidate, or by the Member, employee, or candidate and the Member's, employee's, or candidate's spouse jointly, which has a value in excess of $5,000, and the amount of each liability owed by the Member, employee, or candidate, or by the Member, employee, or candidate and the Member's, employee's, or candidate's spouse jointly, which is in excess of $5,000 as of the close of the preceding calendar year;

"(3) any business transaction, including the sale, purchase, or transfer of securities of any business entity, commodity, real property or any other asset or any interest therein, by the Member, employee, or candidate, or by the Member, employee, or candidate and the Member's, employee's, or candidate's spouse jointly, or by any person acting on the Member's, employee's, or candidate's behalf or pursuant to the Member's employee's, or candidate's direction during the preceding calendar year if the aggregate amount involved in such transactions exceeds $5,000 during such year; and

"(4) the amount of local state, and Federal income taxes, and the amount of local and state property taxes paid by the Member, employee, or candidate and the Member's, employee's, or candidate's spouse for the most recent tax year.

"(b) Reports required by this section shall be filed not later than May 15 of each year. In the case of any person who ceases, prior to such date in any year, to occupy the office or position the occupancy of which imposes upon the member the reporting requirements contained in subsection (a) shall file such report on the last day the Member, employee, or candidate occupies such office or position, or on such later date, not more than three months after such last day, as the Comptroller General may prescribe. In the case of a candidate who is not a Member of Congress, the report shall be filed not later than one month after he or she becomes a candidate.

"(c) Reports required by this section shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, dealings in securities or commodities, or purchases and sales of real property of any individual.

"(d) Whoever willfully fails to file a report required by this section, or knowingly and willfully files a false report under this section, shall be fined $2,000, or imprisoned for not more than five years, or both.

"(e) All reports filed under this section shall be maintained by the Comptroller General as public records which, under such reasonable regulations as he shall prescribe, shall be available for inspection by members of the public.

"(f) For the purposes of any report required by this section, an individual shall be considered to have been a Member of Congress or an employee of the Congress during any calendar year if that person served in such position for more than six months during the calendar year.

"(g) As used in this section the term—

"(1) 'income' means income from whatever source derived;

"(2) 'security' means security as defined in section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b);

"(3) 'commodity' means commodity as defined in section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2);

"(4) 'Member of Congress' means a Senator, a Representative, a Resident Commissioner, or a Delegate;

"(5) 'employee of the Congress' means a congressional employee, as defined in paragraph (1), (2), (3), or (5) of section 2107 of title 5, United States Code, who is compensated at a rate in excess of $22,000 per year;

"(6) 'immediate family' means the child, parent, grandparent, brother, or sister of an individual, and the spouse of such persons; and

"(7) 'candidate' means an individual who seeks nomination or election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States. An individual shall be deemed to seek nomination for election, or election, to Federal office if he has—

"(a) taken the action necessary under the law of a State to qualify himself for nomination for election, or election; or

"(b) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office."

(b) The table of sections for such chapter 11 is amended by adding at the end thereof the following item:

"225. Disclosure of financial interests by Members of Congress and certain congressional employees.".

(c) The chapter analysis for title 18, United States Code, is amended by striking out the item relating to chapter 11 and inserting in lieu thereof the following:

"11. Bribery, graft, and conflicts of interest.".

By Mr. CLARK (for himself, Mr. McGEE, Mr. McGOVERN, Mr. HATFIELD, and Mr. HUMPHREY):

S.J. Res. 105. A joint resolution to strengthen the foreign relations of the United States by requiring that not less than 70 percent of certain food assistance be provided to countries designated by the United Nations as "Most Seriously Affected." Referred to the Committee on Agriculture and Forestry.

Mr. CLARK. Mr. President. As the agricultural surpluses of the 1960's have disappeared, significant changes have taken place in the aid which the United States has given under the food for peace program, Public Law 480. Not only have overall levels of aid declined, but U.S. food aid has been allocated more and more on the basis of political expediency rather than the needs of the hungry.

In fiscal year 1974, over 66 percent of title I shipments—almost half of the commodities shipped under Public Law 480—went to Cambodia and Vietnam, mostly as thinly disgused military aid. In fiscal year 1975, the administration had planned to send up to two-thirds of Public Law 480 shipments to Southeast Asia, the Middle East, and countries such as Chile, with which it had a "special" relationship. As we know, Congress prevented this from happening by amending the Foreign Assistance Act to require that during fiscal year 1975, 70 percent of concessional food aid would be allocated to countries designated by the United Nations as "most seriously affected" by the world economic crisis.

One might have hoped that with the end of the war in Indochina, food aid would once again be allocated on largely humanitarian grounds and that such allocation restrictions would no longer be needed. Unfortunately, the congressional presentation of the Agency for International Development for fiscal year 1976 contains some disturbing projections, which indicate a continued need for these restrictions.

For example, $150 million worth of title I concessional sales are projected for South Korea—double the value of fiscal year 1975 title I shipments to that country. This would mean that nearly 20 percent of all the resources available under title I would go to this one relatively prosperous nation. The amount programed for Chile represents 85 percent of the title I resources allocated for Latin America and over 6 percent of all title I resources.

At the same time, projected title I shipments to countries which continue to have serious hunger problems—including Bangladesh, India, Sri Lanka, and a number of African countries—are sharply reduced. It is quite possible that some of the reductions are justified by improved local conditions, but the overall trend in Public Law 480 allocations is disturbing.

Clearly, it is far from certain that the end of the war in Indochina will assure that the bulk of our food aid shall be used for primarily humanitarian purposes. Indeed, as a result of the June 30 expiry of the 70 percent restriction, the administration seems to be planning

rather heavy political use of our food aid.

Before this year is out, I hope that Congress will enact legislation which thoroughly overhauls our food for peace program and insures, on a more permanent basis, that the bulk of our food aid will be used for humanitarian purposes. Several of us have introduced legislation which attempts to do just that. It is obvious, however, that legislation of this type cannot be enacted for some months yet. And in the meantime, the administration will be free to dispose of food aid as it pleases—unless we act now.

The joint resolution I am introducing today is designed as a stopgap measure to insure humanitarian use of our food aid until more permanent legislation can be enacted. It would require that 70 percent of all U.S. government-to-government food aid in fiscal year 1976 be allocated to countries designated by the United Nations as "most seriously affected." In order to provide flexibility, however, the resolution would allow the President to deviate from this guideline with the consent of the appropriate committees in Congress. It would also direct that priority in distribution be given to countries which the FAO's Early Warning System identifies as facing food shortages.

The resolution I am introducing is not a long-term solution to the problems of our food for peace program. It will, however, keep food going to those who are most in need. I hope we can act quickly to meet that need.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 408

At the request of Mr. BROOKE, the Senator from Delaware (Mr. ROTH) was added as a cosponsor of S. 408, a bill to repeal exemptions in the antitrust laws relating to fair trade laws.

S. 1216

At the request of Mr. TALMADGE, the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER) and the Senator from Missouri (Mr. EAGLETON) were added as cosponsors of S. 1216, a bill to amend the Federal Water Pollution Control Act.

S. 1260

At the request of Mr. CHILES, the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 1260, a bill to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases.

S. 1479

At the request of Mr. WILLIAMS, the Senator from New Jersey (Mr. CASE) and the Senator from Oregon (Mr. PACKWOOD) were added as cosponsors of S. 1479, a bill to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers.

S. 1532

At the request of Mr. CLARK, the Senator from Oregon (Mr. PACKWOOD) was added as a cosponsor of S. 1532, a bill to amend the Packers and Stockyards Act, 1921, to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations, and for other purposes.

S. 1625

At the request of Mr. HATHAWAY, the Senator from Minnesota (Mr. MONDALE) and the Senator from Iowa (Mr. CLARK) were added as cosponsors of S. 1625, a bill to extend and revise the State and Local Fiscal Assistance Act of 1972.

S. 1698

At the request of Mr. KENNEDY, the Senator from Arkansas (Mr. BUMPERS), the Senator from California (Mr. CRANSTON), the Senator from Iowa (Mr. CULVER), the Senator from Michigan (Mr. PHILIP A. HART), the Senator from Vermont (Mr. LEAHY), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 1698, a bill to amend the Internal Revenue Code of 1954.

S. 1906

At the request of Mr. CHURCH, the Senator from New Jersey (Mr. CASE), the Senator from Colorado (Mr. GARY W. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from California (Mr. TUNNEY) were added as cosponsors of S. 1906, a bill to amend title XVIII of the Social Security Act to require the continued application of the nursing salary cost differential which is presently allowed in determining the reasonable cost of inpatient nursing care for purposes of reimbursement to providers under the medicare program.

S. 1928

At the request of Mr. PACKWOOD, the Senator from Nevada (Mr. LAXALT) and the Senator from Tennessee (Mr. BROCK) were added as cosponsors of S. 1928, the Alien Employment Act, a bill to prohibit the employment of those not lawfully entitled thereto.

S. 1989

At the request of Mr. STONE, the Senator from California (Mr. TUNNEY) and the Senator from Illinois (Mr. STEVENSON) were added as cosponsors of S. 1989, a bill to direct the preparation and submission to the President of information to assist in negotiations with oil-producing countries.

S. 1992

At the request of Mr. CHURCH, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1992, a bill to amend title II of the Social Security Act to revise the provisions relating to automatic cost-of-living increases in benefits, and for other purposes.

S. 2015

At the request of Mr. EAGLETON, the Senator from Kansas (Mr. PEARSON) was added as a cosponsor of S. 2015, a bill to amend title 39, United States Code, to assure that certain publications of institutions of higher education continue to qualify as second-class mail.

S. 2018

At the request of Mr. WILLIAMS, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 2018, a bill to strengthen State workers' compensation programs.

S. 2040

At the request of Mr. ABOUREZK, the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 2040, the Judicial Salary Act of 1975.

AMENDMENTS SUBMITTED FOR PRINTING

NATURAL GAS PRODUCTION AND CONSERVATION ACT—S. 692

AMENDMENTS NOS. 682, 683, AND 684

(Ordered to be printed and to lie on the table.)

Mr. GLENN submitted three amendments intended to be proposed by him to the bill (S. 692) to regulate commerce to assure increased supplies of natural gas at reasonable prices for the consumer, and for other purposes.

CONSUMER PRODUCT SAFETY COMMISSION IMPROVEMENTS ACT—S. 644

AMENDMENT NO. 685

(Ordered to be printed and to lie on the table.)

Mr. CHURCH submitted an amendment intended to be proposed by him to the bill (S. 644) to amend the Consumer Product Safety Act Commission, to authorize new appropriations, and for other purposes.

AUTOMOBILE ECONOMY AND FUEL RESEARCH AND DEVELOPMENT ACT OF 1975—S. 1883

AMENDMENTS NOS. 686 AND 687

(Ordered to be printed and to lie on the table.)

Mr. GRIFFIN submitted two amendments intended to be proposed by him to the bill (S. 1883) to conserve gasoline by directing the Secretary of Transportation to establish and enforce mandatory fuel economy performance standards for new automobiles and new light duty trucks, to establish a research and development program leading to advanced automobile prototypes, and for other purposes.

DUTY-FREE TREATMENT ON WATCHES—H.R. 7710

AMENDMENT NO. 688

(Ordered to be printed and to lie on the table.)

Mr. EAGLETON submitted an amendment intended to be proposed by him to the bill (H.R. 7710) to amend the Tariff Schedules of the United States to provide duty-free treatment to watches and watch movements manufactured in any

insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements.

SUSPENSION OF DUTY ON CATALYSTS OF PLATINUM—H.R. 7728

AMENDMENT NO. 689

(Ordered to be printed and to lie on the table.)

Mr. EAGLETON submitted an amendment intended to be proposed by him to the bill (H.R. 7728) to suspend until the close of October 31, 1975, the duty on catalysts of platinum and carbon used in producing caprolactam.

Mr. EAGLETON. Mr. President, I send to the desk identical admendments to H.R. 7710 and H.R. 7728 and ask that they be printed.

The PRESIDING OFFICER. The amendments will be received and printed and will lie on the table.

Mr. EAGLETON. On February 5, 1975, the House voted 309 to 114 to rescind for 90 days the President's authority to impose a tariff on oil imports.

On February 19, 1975, the Senate passed the identical bill by a vote of 66 to 28.

On March 3, President Ford vetoed the bill.

Since then, the Congress has done nothing about the oil tariff, which at $2 a barrel, is estimated to be costing the American consumer $6.8 billion a year in direct price increases and as much as $18 billion a year when indirect costs are added. That virtually wipes out the economic stimulation of this year's $8 billion tax rebate.

Even more distressing is the lack of any evidence the tariff is reducing our level of oil imports. To the contrary, the main effect seems to be to encourage OPEC nations to further increase their prices on the theory that demand for their product has not been reduced by the $2 tariff and that they might as well collect it as leave it to the U.S. Government.

The Senate is working diligently to pass legislation implementing the congressional energy plan adopted in principle early this year. However, in failing to address the key question of advancing oil prices and in effect allowing the administration to proceed through executive action with its own energy program, Congress has been open to justifiable criticism.

Briefly, this amendment would rescind the existing $2 oil tariff and prohibit the President from imposing any new tariff on imported oil or oil products. The bill leaves undisturbed the President's authority under the Trade Expansion Act of 1962 to limit imports in the interest of national security through quotas if that is necessary. Any reduction in imports, however, should be consistent with efforts to end the recession and with programs to deal with resulting supply cutbacks through conservation and allocation.

I believe it is essential that Congress meet this challenge. It must do more than continue the painstaking work on the component bills of its long-range comprehensive energy program. It must, at the same time, deal with the economic chaos threatened by the administration's conflicting energy policies.

FEDERAL RULES OF CRIMINAL PROCEDURE AMENDMENTS—H.R. 6799

AMENDMENT NO. 690

(Ordered to be printed and to lie on the table.)

Mr. MANSFIELD (for Mr. EASTLAND, Mr. HRUSKA, and Mr. MCCLELLAN) submitted an amendment intended to be proposed to the bill (H.R. 6799) to approve certain of the proposed amendments to the Federal Rules of Criminal Procedure, to amend certain of them, and to make certain additional amendments to those rules.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Mississippi (Mr. EASTLAND) and other Senators, I send an amendment to the desk for printing, and I ask unanimous consent that the text of the amendment be printed at this point in the RECORD.

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

AMENDMENT NO. 690

H.R. 6799, an Act to approve certain of the proposed amendments to the Federal Rules of Criminal Procedure, to amend certain of them, and to make certain additional amendments to those Rules. Viz: Strike all after the enacting clause and insert the following: That this Act may be cited as the "Federal Rules of Criminal Procedure Amendments Act of 1975".

SEC. 2. The amendments proposed by the United States Supreme Court to the Federal Rules of Criminal Procedure which are embraced in the order of that Court on April 22, 1974, are approved except as otherwise provided in this Act and shall take effect on December 1, 1975. The amendments made by section 3 of this Act shall also take effect on December 1, 1975.

SEC. 3. The Federal Rules of Criminal Procedure, as amended by the amendments that were proposed by the United States Supreme Court to the Federal Rules of Criminal Procedure which are embraced by the order of that Court on April 22, 1974, are further amended as follows:

(1) Rule 4 (a) and (b) is amended to read as follows:

"(a) ISSUANCE.—If it appears from the complaint, or from an affidavit or affidavits filed with the complaint, that there is probable cause to believe that an offense has been committed and that the defendant has committed it, a warrant for the arrest of the defendant shall issue to any officer authorized by law to execute it. Upon the request of the attorney for the government a summons instead of a warrant shall issue. More than one warrant or summons may issue in the same complaint. If a defendant fails to appear in response to the summons, a warrant shall issue.

"(b) PROBABLE CAUSE.—The finding of probable cause may be based upon hearsay evidence in whole or in part."

(3) Rule 4(d) is amended by redesignating it as Rule 4(c)

(4) Rule 4(e) is amended by redesignating it as Rule 4(d), and paragraph (3) thereof is amended to read as follows:

"(3) MANNER.—The warrant shall be executed by the arrest of the defendant. The officer need not have the warrant in his possession at the time of the arrest, but upon request he shall show the warrant to the defendant as soon as possible. If the officer does not have the warrant in his possession at the time of the arrest, he shall then inform the defendant of the offense charged and of the fact that a warrant has been issued. The summons shall be served upon a defendant by delivering a copy to him personally, or by leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by mailing a copy of the summons to the defendant's last known address.".

(5) Rule 9(a) is amended to read as follows:

"(a) ISSUANCE.—Upon the request of the attorney for the government the court shall issue a warrant for each defendant named in the information, if it is supported by oath, or in the indictment. The clerk shall issue a summons instead of a warrant upon request of the attorney for the government or by direction of the court. Upon like request or direction he shall issue more than one warrant or summons for the same defendant. He shall deliver the warrant or summons to the marshal or other person authorized by law to execute or serve it. If a defendant fails to appear in response to the summons, a warrant shall issue".

(6) Rule 11(e)(1) is amended to read as follows:

"(1) IN GENERAL.—The attorney for the government and the attorney for the defendant or the defendant when acting pro se may engage in discussions with a view toward reaching an agreement that, upon the entering of a plea of guilty or nolo contendere to a charged offense or to a lesser or related offense, the attorney for the government will do any of the following:

"(A) move for dismissal of other charges;

"(B) make a recommendation, or agree not to oppose the defendant's request, for a particular sentence, with the understanding that such recommendation or request shall not be binding upon the court;

"(C) agree that a specific sentence is the appropriate disposition of the case.

The court shall not participate in any such discussions."

(7) Rule 11(e)(2) is amended to read as follows:

"(2) NOTICE OF SUCH AGREEMENT.—If a plea agreement has been reached by the parties, the court shall, on the record, require the disclosure of the agreement in open court or, on a showing of good cause, in camera, at the time the plea is offered. Thereupon the court may accept or reject agreement, or may defer its decision as to the acceptance or rejection until there has been an opportunity to consider the presentence report.".

(8) Rule 11(e)(3) is amended to read as follows:

"(3) ACCEPTANCE OF A PLEA AGREEMENT.—If the court accepts the plea agreement, the court shall inform the defendant that it will embody in the judgment and sentence the disposition provided for in the plea agreement".

(9) Rule 11(e)(4) is amended to read as follows:

"(4) REJECTION OF A PLEA AGREEMENT.—If the court rejects the plea agreement, the court shall, on the record, inform the parties of this fact, advise the defendant personally in open court or, on a showing of good cause, in camera, that the court is not bound by the plea agreement, afford the defendant the opportunity to then withdraw his plea, and advise the defendant that if he persists in his guilty plea or plea of nolo contendere the disposition of the case may be less favorable to the defendant than that contemplated by the plea agreement.".

(10) Rule 11(e)(6) is deleted.

(11) Rule 12(e) is amended to read as follows:

"(e) RULING ON A MOTION.—A motion made before trial shall be determined before trial unless the court, for good cause, orders that it be deferred for determination at the trial of the general issue or until after verdict, but no such determination shall be deferred if a party's right to appeal is adversely affected. Where factual issues are involved in determining a motion, the court shall state its essential findings on the record.".

(12) Rule 12(h) is amended to read as follows:

"(h) EFFECT OF DETERMINATION.—If the court grants a motion based on a defect in the institution of the prosecution or in the indictment or information, it may also order that the defendant be continued in custody or that his bail be continued for a specified time pending the filing of a new indictment or information. Nothing in this rule shall be deemed to affect the provisions of any Act of Congress relating to periods of limitations.".

(13) Rule 12.1 is amended to read as follows:

"Rule 12.1. NOTICE OF ALIBI.

"(a) NOTICE BY DEFENDANT.—Upon written demand of the attorney for the government stating the time, date, and place at which the alleged offense was committed, the defendant shall serve within ten days, or at such different time as the court may direct, upon the attorney for the government a written notice of his intention to offer a defense of alibi. Such notice by the defendant shall state the specific place or places at which the defendant claims to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom he intends to rely to establish such alibi.

"(b) DISCLOSURE OF INFORMATION AND WITNESS.—Within ten days thereafter, but in no event less then ten days before trial, unless the court otherwise directs, the attorney for the government shall serve upon the defendant or his attorney a written notice stating the names and addresses of witnesses upon whom the government intends to rely to establish the defendant's presence at the scene of the alleged offense and any other witnesses to be relied on to rebut testimony of any of the defendant's alibi witnesses.

"(c) CONTINUING DUTY TO DISCLOSE.—If prior to or during trial, a party learns of an additional witness whose identity, if known, should have been included in the information furnished under subdivision (a) or (b), the party shall promptly notify the other party or his attorney of the existence and identity of such additional witness.

"(d) FAILURE TO COMPLY.—Upon the failure of either party to comply with the requirements of this rule, the court may exclude the testimony of any undisclosed witness offered by such party as to the defendant's absence from or presence at, the scene of the alleged offense. This rule shall not limit the right of the defendant to testify in his own behalf.

"(e) EXCEPTIONS.—For good cause shown, the court may grant an exception to any of the requirements of subdivisions (a) through (d) of this rule.

"(f) INADMISSIBILITY OF WITHDRAWN ALIBI.—Evidence of an intention to rely upon an alibi defense, later withdrawn, or of statements made in connection with such intention, is not admissible in any civil or criminal proceeding against the person who gave notice of the intention.".

(14) Rule 15(a) is amended to read as follows:

"(a) WHEN TAKEN.—Whenever due to exceptional circumstances of the case it is in the interest of justice that the testimony of a prospective witness of a party be taken and preserved for use at trial, the court may upon motion of such party and notice to the parties order that testimony of such witness be taken by deposition and that any designated book, paper, document, record, recording, or other material not privileged, be produced at the same time and place. If a witness is committed for failure to give bail to appear to testify at a trial or hearing, the court on written motion of the witness and upon notice to the parties may direct that his deposition be taken. After the deposition has been subscribed the court may discharge the witness.".

(15) Rule 15(b) is amended to read as follows:

"(b) NOTICE OF TAKING.—The party at whose instance a deposition is to be taken shall give to every party reasonable written notice of the time and place for taking the deposition. The notice shall state the name and address of each person to be examined. On motion of a party upon whom the notice is served, the court for cause shown may extend or shorten the time or change the place for taking the deposition. The officer having custody of a defendant shall be notified of the time and place set for the examination and shall, unless the defendant waives in writing the right to be present, produce him at the examination and keep him in the presence of the witness during the examination, unless after being warned by the court that disruptive conduct will cause him to be removed from the place of the taking of the deposition, he persists in conduct which is such as to justify his being excluded from that place. A defendant not in custody shall have the right to be present at the examination upon request subject to such terms as may be fixed by the court, but his failure, absent good cause shown, to appear after notice and tender of expenses in accordance with subdivision (c) of this rule shall constitute a waiver of that right and of any objection to the taking and use of the deposition based upon that right.".

(16) Rule 15(c) is amended to read as follows:

"(c) PAYMENT OF EXPENSES.—Whenever a deposition is taken at the instance of the government, or whenever a deposition is taken at the instance of a defendant who is unable to bear the expenses of the taking of the deposition, the court may direct that the expense of travel and subsistence of the defendant and his attorney for attendance at the examination and the cost of the transcript of the deposition shall be paid by the government.".

(17) Rule 16(a)(1)(A) is amended to read as follows:

"(a) Disclosure of evidence by the government.

"(1) Information subject to disclosure.

"(A) STATEMENT OF DEFENDANT.—Upon request of a defendant the government shall permit the defendant to inspect and copy or photograph: any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custoday or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government; the substance of any oral statement which the government intends to offer in evidence at the trial made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a government agent, and recorded testimony of the defendant before a grand jury which relates to the offense charged. Where the defendant is a corporation, partnership, association or labor union, the court may grant the defendant, upon its motion, discovery of relevant recorded testimony of any witness before a grand jury who was, at the time of his testimony, so situated as an officer or employee as to have been able legally to bind the defendant in respect to the activities involved in the charges.".

(18) Rule 16(a)(1)(B) is amended to read as follows:

"(B) DEFENDANT'S PRIOR RECORD.—Upon request of the defendant, the government shall furnish to the defendant such copy of his prior criminal record, if any, as is within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government.".

(19) Rule 16(a)(1)(D) is amended to read as follows:

"(D) REPORTS OF EXAMINATIONS AND TESTS.—Upon request of a defendant the government shall permit the defendant to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government, and which are material to the preparation of the defense or are intended for use by the government as evidence in chief at the trial.".

(20) Rule 16(a)(1)(E) is deleted.

(21) Rule 16(b)(1)(C) is deleted.

(22) Rule 16(c) is amended to read as follows:

"(c) CONTINUING DUTY TO DISCLOSE.—If, prior to or during trial, a party discovers additional evidence or material previously requested or ordered, which is subject to discovery under this rule, he shall promptly notify the other party or his attorney or the court of the existence of the additional evidence or material.".

(23) Rule 16(d)(1) is amended to read as follows:

"(1) PROTECTIVE AND MODIFYING ORDERS.—Upon a sufficient showing the court may at any time order that the discovery or inspection be denied, restricted, or deferred, or make such other order as is appropriate. Upon motion by a party, the court may permit the party to make such showing, in whole or in part, in the form of a written statement to be inspected by the judge alone. If the court enters an order granting relief following such an ex parte showing, the entire text of the party's statement shall be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal.".

(24) Rule 17(f)(2) is amended to read as follows:

"(2) PLACE.—The witness whose deposition is to be taken may be required by subpena to attend at any place designated by the trial court, taking into account the convenience of the witness and the parties.".

(25) Rule 20(d) is amended to read as follows:

"(d) JUVENILES.—A juvenile (as defined in 18 U.S.C. 5031) who is arrested, held, or present in a district other than that in which he is alleged to have committed an act in violation of a law of the United States not punishable by death or life imprisonment may, after he has been advised by counsel and with the approval of the court and the United States attorney for each district, consent to be proceeded against as a juvenile delinquent in the district in which he is arrested, held, or present. The consent shall be given in writing before the court but only after the court has apprised the juvenile of his rights, including the right to be returned to the district in which he is alleged to have committed the act, and of the consequences of such consent.".

(26) Rule 32(a)(1) is amended to read as follows:

"(1) IMPOSITION OF SENTENCE.—Sentence shall be imposed without unreasonable delay. Before imposing sentence the court shall afford counsel an opportunity to speak on behalf of the defendant and shall address the defendant personally and ask him if he wishes to make a statement in his own behalf and to present any information in mitigation of punishment. The attorney for the government shall have an equivalent opportunity to speak to the court.".

(27) Rule 32(c)(1) is amended to read as follows:

"(1) WHEN MADE.—The probation service of the court shall make a presentence investigation and report to the court before the imposition of sentence or the granting of probation unless, with the permission of the court, the defendant waives a presentence investigation and report, or the court finds that there is in the record information sufficient to enable the meaningful exercise of sentencing discretion, and the court explains this finding on the record.

"The report shall not be submitted to the court or its contents disclosed to anyone unless the defendant has pleaded guilty to nolo contendere or has been found guilty, except that a judge may, with the written consent of the defendant, inspect a presentence report at any time.".

(28) Rule 32(c)(3)(A) is amended to read as follows:

"(A) Before imposing sentence the court shall upon request permit the defendant, or his counsel if he is so represented, to read the report of the presentence investigation exclusive of any recommendation as to sentence, but not to the extent that in the opinion of the court the report contains diagnostic opinion which might seriously disrupt a program of rehabilitation, sources of information obtained upon a promise of confidentiality, or any other information which, if disclosed, might result in harm, physical or otherwise, to the defendant or other persons; and the court shall afford the defendant or his counsel an opportunity to comment thereon and, at the discretion of the court, to introduce testimony or other information relating to any alleged factual inaccuracy contained in the presentence report.".

(29) Rule 32(c)(3)(D) is amended to read as follows:

"(D) Any copies of the presentence investigation report made available to the defendant or his counsel and the attorney for the government shall be returned to the probation officer immediately following the imposition of sentence or the granting of probation, unless the court, in its discretion otherwise directs.".

(30) Rule 43(b)(2) is amended to read as follows:

"(2) after being warned by the court that disruptive conduct will cause him to be removed from the courtroom, persists in conduct which is such as to justify his being excluded from the courtroom.".

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 679

At the request of Mr. MCCLURE, the Senator from North Dakota (Mr. HELMS), the Senator from Arizona (Mr. GOLDWATER), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah, (Mr. GARN), the Senator from Nevada (Mr. LAXALT), the Senator from Alaska (Mr. STEVENS), the Senator from South Dakota (Mr. ABOUREZK), the Senator from South Carolina (Mr. THURMOND), and the Senator from Wyoming (Mr. HANSEN) were added as cosponsors of amendment No. 679 prohibiting the Consumer Product Safety Commission from any regulation over the sale or manufacture of firearms or ammunition, intended to be proposed to the bill (S. 644), the Consumer Product Safety Commission Act.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ROBERT C. BYRD. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

G. Kent Edwards, of Alaska, to be U.S. attorney for the District of Alaska for the term of 4 years (reappointment).

Donald B. Mackay, of Illinois, to be U.S. attorney for the Southern District of Illinois for the term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, June 21, 1975, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS AND BUSINESS MEETINGS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, in accordance with the rules of the Committee on Interior and Insular Affairs, I wish to advise my colleagues and the public that the following hearings and business meetings have been scheduled before the committee for the next 2 weeks:

SCHEDULES

July 16—Full committee: 9:30 a.m., room 3110, business meeting. Pending calendar business.

July 17—Full committee: 9:30 a.m., room 3110, business meeting. Pending calendar business.

July 17—House-Senate conference: 2 p.m., room S-128, Capitol, conference H.R. 3130, to amend the National Environment Policy Act.

July 18—Energy Research and Water Resources Subcommittee: 10 a.m., room 3110, hearing. Oversight hearing on water marketing on the Upper Missouri River.

July 21—Full committee: 10 a.m., room 3110, hearing. S. 740, National Energy Production Board bill.

July 22—Full committee: 10 a.m., room 3110, business meeting. Pending calendar business.

July 23—Full committee: 10 a.m., room 3110, hearing. H.R. 7688, trust territory authorization bill.

July 29—Energy Research and Water Resources Subcommittee: 10 a.m., room 3110, hearing. Oversight hearing on ERDA's R. & D. program.

July 30—Energy Research and Water Resources Subcommittee: 10 a.m., room 3110, hearing. Oversight hearing on ERDA's R. & D. program.

ANNOUNCEMENT OF HEARINGS

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Foreign Relations has scheduled hearings on July 30 and 31, 1975, to receive testimony on S. 1907, a bill to provide for participation by the United States in the financial support fund. The hearings will be held in room 4221 of the Dirksen Senate Office Building, beginning at 10 a.m. each day.

It is anticipated that administration witnesses will appear on July 30 and that public witnesses will be heard on July 31. Persons interested in testifying on S. 1907 are requested to communicate with the committee.

NOTICE OF CANCELLATION OF HEARING ON JULY 15

Mr. CHURCH. Mr. President, I wish to announce for the information of the Senate and the public, the cancellation of a hearing to be held before the Energy Research and Water Resources Subcommittee on July 15.

The subject matter of this hearing involved the utilization of coal and associated coal technologies in the development of a synthetic fuels program.

The hearing is canceled until further notice.

NOTICE OF HEARINGS

Mr. MCINTYRE. Mr. President, the Subcommittee on Government Regulation of the Senate Small Business Committee will hold hearings on July 23, 24, and 25 on the economic, social, and health problems caused by industrial noise pollution.

Witnesses will include representatives of the Environmental Protection Agency, the Occupational Safety and Health Administration, and the Small Business Administration, as well as medical experts, economists, a noise abatement engineer, and labor representatives.

The hearings will begin at 9:30 a.m. each day in a hearing room to be announced later.

NOTICE OF HEARINGS

Mr. MCINTYRE. Mr. President, I wish to announce that the Subcommittee on Financial Institutions of the Committee on Banking, Housing and Urban Affairs will hold hearings on S. 890, a bill to provide for the emergency acquisition of banks or bank holding companies, beginning at 10 a.m., July 22 and 28, 1975.

Anyone wishing information concerning these hearings should contact Mr. William R. Weber, counsel, room 5300, Dirksen Senate Office Building, 224-7391.

NOTICE RESCHEDULING HEARINGS

Mr. ABOUREZK. Mr. President, because of scheduling conflicts, I wish to announce the rescheduling of hearings by the Separation of Powers Subcommittee on the subject of Executive agree-

ments. The concluding day of hearings originally set for Tuesday, July 15, has been moved to Friday, July 25, 1975, at 10 a.m. in room 2228 of the Dirksen Senate Office Building. Mr. Monroe Leigh, legal adviser to the State Department, remains the scheduled witness.

ADDITIONAL STATEMENTS

VIOLATIONS OF HUMAN RIGHTS BY THE KHMER ROUGE

Mr. PROXMIRE. Mr. President, it appears to be a tragic fact of life that gross violations of human rights are endemic to totalitarian regimes, regardless of ideology. In the past I have spoken out against the political repression of right-wing regimes in Brazil, Chile, and the atrocities that have occurred in both North and South Korea. Today, I would like to call the Senate's attention to the barbarous cruelty of the Khmer Rouge in Cambodia.

During the days of struggle between the Khmer Rouge and the Lon Nol regime, we heard a great deal about the incumbent's insensitivity to human rights. And rightfully so.

But as the New York Times recently pointed out, we have heard little of the cavalier treatment of human rights by the victorious Khmer Rouge. The tales of escaping refugees, if even one-quarter true, demand the moral outrage of our statesmen and elected officials.

Mr. President, we in this Chamber cannot give way to a double standard. We must oppose the violations of human rights wherever they occur.

This incident is one more gruesome reminder of the need for the U.S. Senate to ratify the human rights treaties and, particularly, the Genocide Convention.

Mr. President, I ask unanimous consent that the New York Times editorial of July 9 be printed in the RECORD.

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

[From the New York Times, July 9, 1975]

CAMBODIA'S CRIME . . .

Some twelve weeks after the Communist entry into Phnom Penh and the forced exodus on foot of millions of urban Cambodians to distant countrysides, a veil of silence still cloaks the full horror of what has happened—with the worst yet to come in predicted deaths from hunger and disease.

Not only the foreign press, but diplomatic missions of any kind, including those from other Communist nations, are still barred from the country, as are international agencies, public and private. What are the Khmer Rouge rulers trying to hide?

Of the estimated 7,000 refugees who fled to Thailand, most came from border areas. Only a small number were themselves participants in the death march from the cities or traversed enough of the country—which covers an area as big as New York, New Jersey, Connecticut and Massachusetts combined—to see more than a small part of the tragedy.

But from the confused and conflicting accounts pieced together from these victims by Thai and Western interviewers, and from other intelligence sources, some inkling is now available of the toll that has been inflicted.

Between two and three million residents of Phnom Penh, Battambang and other big towns—one-third to one-half the population of the country—were forced by the Communists at gunpoint to walk into the countryside in tropical temperatures and monsoon rains without organized provision for food, water, shelter, physical security or medical care. Few, if any, were told that a trek of one to three weeks or longer lay ahead.

The agony and degradation that followed may never be fully known. Tens of thousands are believed to have fallen by the wayside, victims of hunger, thirst, exhaustion and disease, including a spreading cholera epidemic. Some of those who survived were peeled off in groups to be assigned in work gangs to help peasants plant their crops. Others were assigned to labor in previously uncultivated fields, often without proper implements or direction although many of these civil servants, shopkeepers and urban laborers had never had any contact with the land.

By now, whatever food the peasants had stockpiled in the countryside is thought to be running low. Famine is believed to lie ahead before the new crop comes in during November and December, unless large shipments from abroad are received. But there is no sign that food or medical supplies are being imported, or requested. The proclaimed aim is independence from any foreign influence.

The picture begins to emerge of a country that resembles a giant prison camp with the urban supporters of the former regime being worked to death on thin gruel and hard labor and with medical care virtually nonexistent.

The mouthing of such high-sounding objectives as peasant revolution or "purification" through labor on the land cannot conceal the barbarous cruelty of the Khmer Rouge, which can be compared with Soviet extermination of the Kulaks or with the Gulag Archipelago.

What, if anything, can the outside world do to alter the genocidal policies of Cambodia's hard men? Silence certainly will not move them. Were Cambodia a non-Communist and non-Third World country, the outraged protests from the developing and Communist countries, not to mention Europe and the United States, would be deafening.

Members of Congress and others who rightly criticized the undemocratic nature of the Lon Nol regime have a special obligation to speak up. Few if any have been heard from. The United Nations is silent. That silence must be broken.

TRUTH AND GUTS

Mr. GOLDWATER. Mr. President, it has long been my contention that some segments of the news media have done the American fighting men a grave injustice in the way they reported the war in Vietnam.

Now we have a letter, which might even be described as a "cry from the heart," written by a retired Army general which raises serious questions about a 2½-hour CBS documentary on the end of the war in Vietnam. The letter was written by Gen. F. J. Chesarek to the President of the United States. His complaint was that the CBS show, narrated by Walter Cronkite, "highlighted savagery, brutality, and failure."

The General wrote:

The truly wonderful morale, bravery, ingenuity and dedication of our fighting men . . . was conspicuous by its absence in that television program.

Mr. President, I find myself in complete agreement with General Chesarek when he says that such portrayals by newsmen who seek to write history in their own personal image of events, can undermine our national will unless challenged by officials.

The General told the President that "ego is what builds people and nations." He added:

There is nothing wrong with ours that truth and some guts will not correct.

Mr. President, I ask unanimous consent that General Chesarek's letter, as published in the June issue of the Armed Forces Journal International, be printed in the RECORD.

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

[From Armed Forces Journal International, June 1975]

TRUTH AND GUTS NEEDED

As its Bicentennial begins, the United States is sobered by the first war it has lost in 200 years.

Indochina is over. It did not end easily. Fifty-seven thousand Americans gave their lives trying to insure freedom for the people of a less privileged land. The remains of the last two Servicemen to be killed in Vietnam have yet to be brought home. Hundreds of our prisoners are missing in action and still remain to be accounted for.

A very hard decade is behind us. By instinct, history and upbringing, our Nation is not used to losing.

What the past decade means to the American people, to our military institutions, and what it could, or could not portend for the future has been eloquently summarized, in our view, by a recently retired American general, Ferdinand J. Chesarek, in this letter to our President. It's the first he has ever written to his Commander-in-Chief. We are grateful for his permission to share it with Journal readers around the world.

APRIL 30, 1975.

THE PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have just watched with anguish and anger the 2½ hour spectacular put on by Walter Cronkite of CBS on the subject of the end of the war in Vietnam. It highlighted savagery, brutality, and failure. The truly wonderful morale, bravery, ingenuity and dedication of our fighting men, which was so obvious for anyone to see that wished to see on that battlefield, was conspicuous by its absence in that television program.

This is the first letter I have ever written to a President, or any other public official. I feel strongly that these portrayals by newsmen who seek to write history in their image of events, unless challenged officially, will undermine our national will and create opportunities for our adversaries and chaos abroad amongst our friends. I cannot sit by and accept such portrayal as an unchallenged historical fact. It is all very well for you to counsel the nation to turn our backs on defeat and address the future, provided that first the factual record be set straight.

Mr. President, surely you know, as Commander in Chief of the Armed Forces of the United States, the definition of national strategy so well articulated by Lord Wavell of the British Army. National strategy, he said, is the disposition of a nation's power and assets in such a manner as to maximize the

probability of victory while at the same time minimizing the consequences of defeat. General of the Army Douglas MacArthur's statement that there is no substitute for victory should also be kept firmly in mind. Our failure in Vietnam was due to political abuse of these clear precepts, not the will or professionalism of our forces.

The war in Vietnam was fought with unrivalled valor and dedication by our forces in the field. No doubt tactical errors were made, as people are not infallible. But let us not leave the impression throughout the world, as well as at home, that those who fought so well and died, were wounded, or survived performed poorly, were drug addicts, mutinied, and contributed to the ultimate collapse of our objective. Quite the contrary. In my many visits to Vietnam, it was always a thrilling experience to see the fantastic morale, dedication, ingenuity and resolve of the men up front. Of course there were isolated instances of cowardice, of abuse of power, of lack of resolve. They occur in everyone's daily lives. They were not as one might judge from the portrayal by Cronkite and Company, the norm by a factor of 1,000 to one.

Mr. President, the security of this nation lies in the hands of its President. His tools, in the final analysis, are his Armed Forces and their morale, will, and resolve. I cannot sit back and accept a national posture of "let's forget the past." No one, least of all our enemies, will do so consciously or unconsciously. Let us admit failure or resolve of our people at home, comfortable and secure because of a lack of understanding of the political motive. The least we can do is to dramatize positively the truly outstanding effort of our men sent to a distant land to perform a tough job directed by their Commander in Chief.

We Americans are not losers, by instinct, history, or upbringing. We are adventurous, we are risk takers; we are strong. That is why we are a prosperous nation. You, Mr. President, are a tough man. I appeared before the House Appropriations Subcommittee many times. I always found you to be a sharp questioner, but very fair and objective. Yet I do not see in the media portrayal your gusty nature rising up at this anguished time. You are by nature a Churchill, as anyone who knows you can attest. This is not a time for humility, of turning our backs on failure. Let us instead do two things: put the blame where it belongs; on the people and their elected representatives. At the same time you must see to it that the world is told of the fantastic effort of our forces sent to execute a fuzzy political objective. The objective was indeed fuzzy, no victory or positive objective, but the performance was magnificent.

New crises are bound to occur. Our armed forces, on which the nation must in the final analysis rely upon, must be respected and feared by our adversaries. Our response to the defeat in Southeast Asia should be neither recrimination or turning our backs. It must be a posture of facing the facts; rebuilding the forces; creating a national morale of confidence and guts. What do we fear—ourselves?

We are, Mr. President, the greatest nation on earth. Let us act like what we are. No deprecating broadcast or report should go unchallenged. Ego is what builds people and nations. There is nothing wrong with ours that truth and some guts will not correct. Our performance in the field was magnificent. Let no one fail to understand it, most of all ourselves, so tell the world about it now, before it is too late. We did not suffer a Dunkirk or a Pearl Harbor in Vietnam. Should we walk away and let ourselves and the world believe that we did?

Sincerely yours,

F. J. CHESAREK,
General, U.S. Army, retired.

SALE OF REDEYE MISSILE TO JORDAN

Mr. SPARKMAN. Mr. President, I notified Members last week of several proposed arms sales reported by the Department of Defense as required by Section 36(b) of the Foreign Military Sales Act. Two of those proposed sales involved Jordan. The Department of Defense has offered to sell Jordan improved Hawk air defense equipment and a Vulcan air defense system. The Department has notified the Committee on Foreign Relations of a third proposed sale to Jordan. Although the amount of the sale is below the $25 million figure above which section 36(b) reports are required, I believe the Members should also be aware of this proposed sale. The Department of Defense is offering to sell a classified number of Redeye missiles to Jordan. The Redeye missile is a shoulder-fired guided missile designed to give soldiers an effective defense against low-flying airplanes and helicopters.

ADEQUATE FUNDING FOR HEALTH PROFESSIONS TRAINING

Mr. SCHWEIKER. Mr. President, recently, Mr. Nat Stark, vice chancellor of the Schools of the Health Professions at the University of Pittsburgh, presented testimony to the Subcommittee on Labor and Health, Education, and Welfare of the Committee on Appropriations relating to funding for health manpower training for fiscal year 1976.

Mr. Stark has had a varied and distinguished career and I believe his thoughts on this important issue will be of interest to all concerned with the training of health professionals and with medical research.

Mr. President, I ask unanimous consent that Mr. Stark's statement be printed in the RECORD.

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

STATEMENT OF MR. NAT STARK

On behalf of the organizations which I am representing, I would like to thank you for the ongoing support which this committee has shown for the cause of funding of health services, health manpower development and health research. My name is Nathan Stark. I am Vice Chancellor of the Schools of the Health Professions at the University of Pittsburgh and President of the University Health Center of Pittsburgh. In addition to my administrative posts I am currently a member of the governing council of the National Academy of Science's Institute of Medicine. Recently I was asked by Representative Rostenkowski to be available for testimony as a member of the Advisory Panel on National Health Insurance of the House Ways and Means Subcommittee on Health. But today I am here as a representative of the academic community concerned with health funding.

Both as a layman and as a relative newcomer to the world of academic health institutions my approach to health care problems may be somewhat different from others in the field. I spent the first 25 years of my career as a business man, directing manufacturing and as president and chairman of the board of an urban development corporation. But during that time I had a deep interest in health-related institutions.

For ten years I served as chairman of the Kansas City Metropolitan Hospital Planning Council, one of the first-generation community health planning agencies and one of the first such agencies in the country. I also served as Chairman of the Board of a nonprofit corporation which began with a decaying inner-city hospital, and over the course of 15 years, developed a modern health complex which now includes an adult medical-surgical hospital, schools of medicine and dentistry, specialty facilities for pediatrics, mental health, long-term care, ambulatory care facilities, and satellite hospitals and clinics. It was this experience that caused me to make the shift, in mid-career, from business to an academic health center. I enumerate these experiences only to point out that I bring to these hearings a double perspective on the problems of health funding: that of the concerned layman and consumer, as well as that of a representative of academic health institutions.

I am here today to express concern over the administration's proposed health funding. The original budget proposed by the administration could cause major difficulties for academic health centers, and these difficulties would be further compounded by the proposed rescissions of health funds. I know I do not need to make a case before this committee for the national goal of competent, accessible health care for all Americans. What I do want to emphasize is the fact that certain proposed realignments and cutbacks of federal health funds would adversely affect that goal by cutting back on the training of health professionals to provide that care, and cutting back on research which could improve care, reduce costs, and bring us closer to controlling our worst diseases.

As we see it, there are four main issues in the proposed budget which would adversely affect academic health centers, and, in their long-range implications, affect the health of all Americans. The proposed budget would: (1) reduce funding for federal grant programs, on the assumption that this support could or would be made up by state or local governments; (2) reduce support for health research and the training of researchers; (3) reduce funding for professional schools in order to concentrate funds on improved geographic distribution of primary care practitioners; and (4) continue modest increases in support of programs aimed at monitoring utilization and quality of health care, without providing support for the training of the professionals necessary to carry out these programs.

This funding philosophy seems to concentrate on direct services, while slighting manpower development and research. We simply cannot separate quality health care from its supporting components: training of health professionals and research. Funding cuts that undermine the excellence of our institutions of health education and research also threaten the quality and availability of direct health services to our citizens. The principle that health care is a right of all the people and not the privilege of the few continues to be translated into fact. As this national policy unfolds our need for health manpower training and health research will not diminish, but will grow dramatically.

Both as a businessman and as a citizen I have long recognized the need to control spending, and to contain rapidly escalating costs in all areas of the economy. I think I speak for the entire academic health community when I say we are committed to the goal of cost-control in the health field. This means we must explore new modes of health care delivery and new concepts of care; reevaluate our schools' curricula to find the most efficient ways of educating new health professionals; stress public health education and preventive health maintenance; and regionalize the planning and delivery of

health services to eliminate costly duplications. We are prepared to undertake these tasks, but it will be much more difficult to accomplish our goals if existing programs are undermined by the proposed funding cutbacks we are discussing today.

The first of these funding proposals which I enumerated above would reduce federal support of grant programs on the premise that these costs should or would be picked up by local governments. We contend that this is a false premise. State and local governments are already hard pressed to finance basic services, and are unlikely to apply revenue sharing funds to this area. There is no mechanism which directs local governments to apply these resources to health needs—indeed such a mechanism would be contrary to the principle of revenue sharing. In the absence of such a mechanism it is incorrect to assume that local governments will allocate these funds to health projects when services such as law enforcement and housing are viewed as first priorities. A sad example of this is the recent cut in funds for the Community Mental Health/Mental Retardation Centers. With the federal funds cut back, these centers are not being supported by local governments—they are being closed. The citizens in need of these services are being turned away and the professionals who staffed the programs are joining the ranks of the unemployed. Let us hope that we do not return to the high human and financial costs of long-term institutionalization of mental patients.

The second major effect of the proposed administration budget would be to hold down health research and the training of researchers, except in a few selected areas. The excellence of our health system in America rests on a three-pronged approach: services, education, and research. To weaken any one of the three upsets the balance and hence weakens the whole. Although organizational reform of our institutions of higher education may be necessary, we must retain strong funding support for our programs of research, both basic and applied, in all areas of biomedical and health inquiry, and for the training of future research manpower. To do otherwise would be to condemn ourselves to using costly, cumbersome methods to treat diseases we do not understand, rather than freeing ourselves of them.

Infantile paralysis is a case in point. Just compare the cost of a dose of polio vaccine—which incidentally was developed at the University of Pittsburgh—to the cost of maintaining a polio victim in an iron lung. Or consider the cost-effectiveness of our ability to prevent once costly and deadly diseases such as typhoid, diphtheria, german measles and yellow fever through inexpensive immunization. In light of evidence such as this, we know that cutting funding for research and the training of research personnel is not an economy. In the long run we will spend thousands-fold more treating diseases we have not learned to prevent or control, and using outmoded methods of training and administration because we did not devote research dollars to discovering better methodologies.

The third effect of the administration's proposed budget would be to reduce support to the health professions schools in order to concentrate on better geographic distribution of primary care practitioners. We all recognize the serious problem of the shortage and maldistribution of primary care practitioners. And we are all committed to resolving the problem. But it will not be resolved by cutting funding to health professions schools—it will, in fact, be compounded.

My personal commitment to the cause of primary care is evidenced by the fact that I am Chairman of the Advisory Board to the Robert Wood Johnson Foundation's multimillion dollar Community Hospital Medical Staff Sponsored Primary Care Group Practice Program. Furthermore the program which the University of Pittsburgh has undertaken in primary care is one which I think might well serve as a national model. We are initiating a primary care training program which will begin accepting its first residents next month. We have established supportive relationships with two inner city health centers where we help deliver primary care to needy and underserved populations, and where our students, interns and residents receive clinical experience in primary care practice.

We have for many years conducted a summer preceptorship program which sends our medical students into outlying communities to work with physicians there and learn the day-to-day life of the primary care practitioner. We have taken steps to establish links with rural health care centers, and have already been successful in several instances. We have expanded the outreach activities of our continuing education programs so that practitioners in all parts of our region can be kept abreast of the latest in medical knowledge.

And we recently submitted to the legislature of the Commonwealth of Pennsylvania a proposal for a program which would (1) revise our undergraduate curriculum to expand required and elective educational opportunities in primary care; (2) develop and expand internship and residency training programs in primary care; (3) expand and improve our continuing education program so that primary care practitioners in the most remote areas of our state would always have access to the mainstream of contemporary medicine; and (4) develop model primary care practices in rural areas. The model rural practices would use combinations of the latest modes of health care delivery such as group practices, expanded health care teams including nurse practitioners and physicians' assistants, and guarantees of yearly physician replacements so that rural practitioners can return to the university health center for periods of up to six weeks to update their knowledge and skills. These and related elements are designed to overcome the most unattractive aspects of rural practice, such as being on call 24 hours a day, 365 days a year, and being out of touch with the latest technologies being tested, developed and applied at the academic health centers.

I cite the details of this program to underscore the point that we cannot solve the problem of lack of primary care services by cutting funding to the health professions schools, but must, instead, increase that support, because it is in these schools that the needed practitioners are being trained and the new models for primary care practice are being developed.

We must also be careful not to focus on primary care to the detriment of the training of all other kinds of health professionals such as dentists, health administrators, nurses, nurse practitioners, pharmacists, technicians, etc. I think I have demonstrated my concern over our primary care problems, so I know you will understand that I include this in my broader concern for the development of health manpower as a whole. The need for health manpower in many specialty areas is growing and will continue to grow. The public's level of expectation will continue to rise, and as it does, all kinds of health professionals will be needed to meet the demand. The emphasis on primary care must, therefore, be an "add-on" feature of our national health priorities.

We cannot allow it to substitute for or detract from the full spectrum of health manpower development. If we do so we will find ourselves in as awkward a position as we did in the last swing of the pendulum when we had mostly specialists and few generalists to give consumers entry points into the health care system. This time we will find ourselves with inadequate numbers of specialists to handle the heavy load of referrals which the health delivery system itself will naturally generate.

Furthermore we must train the health service administrators, planners and evaluators who will design the new systems for regionalization and geographic distribution, and for evaluation of existing and new programs. Agencies such as HSAs, PSROs, etc, will continue to develop ways to measure the quality and accessibility of health care. But we cannot continue their proliferation without also providing support for the professional schools where the needed administrators are trained. Otherwise we would only be creating "straw men," instead of creating working mechanisms for the containment of costs and assurance of quality and availability of care.

The fourth major concern we would like to address is that while we endorse the administration's proposal to continue modest increases for programs aimed at monitoring utilization and quality of health care, we fail to see the necessary concomitant support for training professionals to carry on these quality control programs. In our health care system the academic health centers are expected to set the standards for excellence in health care and the evaluation and quality control of health programs. So it is appropriate that within this setting health professionals sharpen their skills to conduct the community programs of review and evaluation, and learn the highest standards against which to evaluate these programs.

These then are the four major areas in which we think the administration's proposed budget would adversely affect the academic health education and service centers. I repeat that we cannot separate quality health care service from its supporting components: training of health professionals and research. If we cut back the funding for our institutions of health education and research we undermine the foundation on which quality health care is based.

SOLAR POWER WITHIN REACH

Mr. FANNIN. Mr. President, the Yuma Highway Emergency Notification System has distributed a fact sheet which describes yet another project that has incorporated solar energy. The project is a roadside telephone and radio callbox emergency notification system, designed to reduce the elapsed time between occurrence of an emergency and proper response. The callbox batteries will be continuously recharged by solar panels mounted high on the callbox post.

To continue my series on the readiness of solar energy for immediate application, I wish to share this information with my colleagues. These facts again illustrate Arizona's readiness and ability to accept and utilize one of our most clean and abundant fuel sources.

I ask unanimous consent that this fact sheet from the Yuma Highway Emergency Notification System be printed in the RECORD.

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

FACT SHEET—YUMA HIGHWAY EMERGENCY NOTIFICATION SYSTEM

Contact: Leslie H. Harter, Project Director, 726-0032, Yuma or Don Luke, Arizona Regional Medical Program, 249-4040, Phoenix.

Project description: The project is a roadside telephone and radio callbox emergency notification system installed along 135 miles of two major highways in southern Yuma County and is designed to reduce the elapsed time between occurrence of an emergency and proper response. An emergency notification center located in the Yuma County Sheriff's Office receives all calls and dispatches assistance with the aid of a central console.

Funding: The project is funded by a $94,000 grant from the Arizona Regional Medical Program, a division of the University of Arizona College of Medicine, which administers federal funds allocated to Arizona for various health programs. The Yuma project is part of ARMP efforts to help communities improve public access to emergency medical services.

Participating agencies: The project is supervised by the Emergency Medical Services Committee of the Yuma County Comprehensive Health Planning Council. Fiscal agent for the project is the Yuma Regional Medical Center. Active in planning and implementing the project are the Yuma County Sheriff's Office, Arizona Department of Public Safety, Arizona Department of Transportation (Highway Division), Arizona Regional Medical Program and numerous local, county and state groups.

Project Director: Leslie H. Harter, who also serves as chairman of the EMS Committee on Communications and chairman of the EMS Committee for Health Facilities Services.

Area served: The phones, either radio callboxes or regular pay telephones, will be available approximately every 10 miles along 60 miles of Interstate 8, east from Yuma to the county line, and 75 miles of State Hiway 95 from San Luis to Stone Cabin, south and north of Yuma.

People served: More than 60,000 area residents, 20,000 winter visitors, 20,000 farm migrant laborers and travelers in three million cars per year will be served by the system.

The problem: Like many areas of the Southwest, Yuma County has remote stretches of highway where motorists frequently wait an hour or more for the report of an emergency to reach the appropriate agency and another hour for help to arrive. Many emergencies other than car accidents, such as heart attack, stroke or respiratory problems, require prompt medical attention, particularly in desert areas where summer ground temperatures range from 137 to 160 degees F. Even mechanical failure or other problems can rapidly become serious.

The equipment: The project is the first of its kind in the nation to combine radio callboxes and standard telephones in an emergency highway communications system. The first 48 miles of I-8 east of Yuma will be served by radio callboxes; the next 12 miles by regular telephones. The 75 miles of State 95 will combine radio callboxes and telephones along the entire route. Radio callboxes will be installed in pairs on opposite sides of I-8 so that motorists do not have to cross the interstate. Callboxes will be attached to specially-constructed "breakaway" posts which will collapse if struck by a car. If a callbox is vandalized or tampered with, the system provides its own immediate notification. Anytime the handset is picked up, the inner "electronics" door is opened, or the handset cord is cut, the Sheriff's Office dispatcher instantly knows its location and can dispatch a patrol car to check the callbox. The callbox batteries will be continuously recharged by solar panels mounted high on the callbox post.

The radio callboxes, 15 altogether, are manufactured by Motorola Communications and Electronics Inc. under the trade name "Motorcall." The 450 MHz terminal stations (or callboxes) are connected to a microwave "backbone" or relay located atop Telegraph Pass Mountain, 20 miles east of Yuma. The microwave relay provides signal and voice communication between the callboxes and central control console in the Sheriff's Office in Yuma. The console is a mini-computer, also manufactured by Motorola, capable of monitoring all callboxes and also handling additional callboxes in the future. Upon receipt of a call, the console instantly and automatically provides: a visual display of the callbox identity number on the console control panel; a visual display of the status of all vital functions of the callbox; a tape-printer record of the above information, together with the date and time of the call. Each callbox operates independently of all other callboxes. Eavesdropping from another callbox is not possible and other callers can neither monitor nor interfere with a call in progress. At each change of shift, the new dispatcher can press a button on the console that automatically prints out the condition of all callboxes. Each call also is automatically recorded on a Sony tape recorder for reference.

In addition to the callboxes, the Yuma system will use standard telephones. The telephone operator will connect the caller with the dispatcher upon request.

How to use the system: If an emergency is reported by radio callbox, the caller pulls a handle opening the box, removes the receiver from the hook and talks directly to the dispatcher at the Sheriff's Office. There are no buttons or dials to confuse an excited or distraught caller. Before the caller even begins talking, the Sheriff's Office already has received the location of the caller and the callbox on the console display. In addition to the display information, the data is also printed on a read-out sheet and serves as a permanent record. The dispatcher determines the nature of the situation and type of help needed. All calls, including nonmedical emergencies such as fire and rescue, are routed by the dispatcher to the correct response agency which sends a patrol car, tow truck, ambulance or such other vehicles as are required.

If the caller is using a normal pay telephone along the system, he inserts a dime, dials "O," reports the call as an emergency and is connected directly to the Sheriff's Office dispatcher, from which point the procedure is similar to radio calls.

Completion date: Equipment will be installed during the first part of April with the system scheduled to be operational by mid-April.

Public information program: An important part of the project is a bilingual (English-Spanish) public information program to make residents and travelers aware of the system and how to use it. Materials include brochures, posters and news media information. Highway markers will direct travelers' attention to the nearest telephone or callbox.

Evaluation: Evaluation of the project is planned. Before-and-after data will be compiled to determine how effective the system proves to be in reducing response time. A three-month baseline study has been measuring the number of motorists in need of help as reported along the two highways. This information will be used in the evaluation. Such factors as mechanical efficiency and utilization will be analyzed to assist state highway planning for motorist aid systems in Arizona.

Continuation: The Arizona Regional Medical Program grant is for one year. The Yuma County Board of Supervisors already has made a commitment for second-year continuation of the system's maintenance. Similarly, the Sheriff's Office will maintain the notification center, and the Yuma EMS Committee will continue program coordination.

Participating firms: All radio equipment by Motorola Communications and Electronics Inc., a subsidiary of Motorola, Inc.; solar panels by Spectrolab, Division of Textron, Sylmar, Calif.; installation and maintenance of radio system by Yuma Two-Way Radio Systems, Inc., authorized Motorola service center; fabrication of special breakaway callbox posts by Gilpin's Machine Works, Yuma; fabrication of highway signs by Hall Sign Co., Phoenix with installation and maintenance by Weaco Sign Co., Yuma; steel posts and sign installation material by Yuma Pipe and Steel Co. and Unistrut of Arizona, Inc., Phoenix.

MINERALS COMPLACENCY

Mr. METCALF. Mr. President, a recent press release from the U.S. Geological Survey indicates that at least one office in the executive branch of our Government is looking ahead, for a change.

The release reminds us that the United States is dependent on foreign sources for nearly all of some minerals basic to our economy.

At the same time, many of these minerals are available to us on the seabed. We can discover and recover them under existing international law. Our industrial spokesmen tell us they can do so with due regard to other uses of the ocean.

I sincerely hope that we heed the warning from the USGS about minerals complacency before we get into the bind that we are with oil, and those who would get together to increase their economic and political clout at our expense.

Mr. President, I will note this press release in hearings of the Subcommittee on Minerals, Materials and Fuels on S. 713, the Deep Seabed Hard Minerals Act.

Mr. President, I ask unanimous consent that the release be printed in the RECORD.

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

[News release from the Department of the Interior]

REPORT WARNS OF MINERALS COMPLACENCY

A sense of national urgency and public attention similar to that given to the energy situation should be directed to the mineral situation, the U.S. Geological Survey, Department of the Interior, warns.

A new USGS report, summarizing the status of mineral resources and mineral exploration in the United States, emphasizes that the entire U.S. economy is based on minerals as well as energy, and that the Nation does not have an adequate known domestic supply of all the minerals needed to maintain our society for the foreseeable future.

Underlining the economic importance of minerals, the report says that in 1972, the last full year prior to the pinch of the oil embargo, domestic raw materials valued at $32 billion were converted into energy and processed materials, the value of which ex-

ceeded $150 billion and formed the basis of the Gross National Product of $1.1 trillion.

The report notes that although the Nation has never had all of the minerals it needed, materials could easily be obtained from abroad in the past. Today, however, a decreasing percentage of our needs is met from domestic supplies. Minerals from overseas are increasingly costly, and in some cases, of uncertain availability. Nationalization of mines in some countries discourages participation by American mining companies; cartel agreements among major producing Nations can suddenly and dramatically raise prices or even halt supply, as has happened recently with petroleum; and many Nations are now competing in the world market for the purchase of mineral raw materials.

Stressing the increasing dependence on foreign sources of supply for essential mineral raw materials, the report notes that in 1974, the Nation was more than 90 percent dependent on imports of primary materials for seven commodities (manganese, cobalt, chromium, titanium, niobium, strontium, and sheet mica); 75 to 90 percent dependent for eight additional commodities (aluminum, platinum, tin, tantalum, bismuth, fluorine, asbestos, and mercury); 50 to 75 percent dependent for eight commodities (zinc, gold, silver, tungsten, nickel, cadmium, selenium, and potassium); and less than 50 percent dependent for 17 commodities (copper, iron, titanium, lead, silicon, magnesium, molybdenum, vanadium, antimony, tellurium, stone, cement, salt, gypsum, barite, rare earths, and pumice).

Forecasts for the year 2000, according to the report, indicate that the U.S. shall then be completely dependent on imports for 12 commodities; more than 75 percent dependent for 19 commodities; and more than 50 percent dependent for 26 commodities.

The many facets of the problem become apparent, the report says, when the ways we might try to alleviate it are considered:

By reducing the demand for scarce minerals through substitution of others, reduction of waste, or elimination of some uses.

By supplementing the raw mineral supply through recovery and recycling of scrap and used materials.

By increasing our domestic supply through discovery of new mineral deposits and through development of technology for the feasible recovery of low-grade deposits.

"From the perspective of the 1970's," the report says, increasing our domestic supply of minerals seems imperative. A widespread misconception, however, allows that this is simply a matter of economics and technology—that the Earth's crust is an infinite storehouse that can readily be tapped for new supplies of all kinds of mineral raw materials by either raising the price or developing new technology."

"The popular misconception that a steady supply of minerals from the crust of the Earth is simply a matter of favorable economics and technology has induced widespread public complacency," the report says, adding that "this notion ignores that fundamental factor governing mineral supply: geologic availability. Neither technologic magic nor astronomical dollar value can make it possible to extract iron, aluminum, gold, sulfur, or phosphorus from rocks in which they are not present."

Nor is "raising the price" as simple as it sounds, the report says. This may allow a company to mine lower grade ore, but the use of increasingly lower grades of ore to supply our mineral needs creates problems in that more energy is required to mine and process the ore, and the environmental impact of the mining is greater than with higher grade ores.

The report emphasizes the importance of making realistic appraisals of the quantities of mineral resources remaining to be developed and yet to be discovered. "Mineral resources cannot be inventoried like cans on a shelf," the report says. "Reserves," the report explains, "or mineral resources that have been found, sampled, and measured, and that can be legally and profitably mined under present conditions, can be inventoried. But in addition to these reserves, there are: known, low-grade deposits not profitable to mine now; new deposits of reserve quality that can be logically inferred to exist but are as yet undiscovered; and even new types of deposits not yet recognized. These are all mineral resources, and appraising them accurately is perhaps as difficult as appraising the 1985 wheat crop."

The report shows that U.S. reserves of many nonmetallic commodities (such as potash, gypsum, and phosphorus), are adequate to fulfill domestic needs well beyond the next 25 years. For many metals the report also shows that identified but as yet subeconomic resources are adequate for projected needs beyond 25 years. The Nation's resources, however, for tin, asbestos, chromium, antimony, mercury, and tantalum, are not adequate to fulfill projected needs past the turn of the century.

"Known U.S. reserves of many minerals represent only a few years' supply," the report says, "and the outlook for resources is somewhat better. To bring them into the category of available reserves will require enormous and costly efforts of exploration and research."

"Our total resources in 1975 are vast," the report concludes, "but they cannot be mined, much less used, until they have been identified, appraised, and finally moved into the category of reserves. We must begin now, in both industry and government, to inform the public about the real nature of our minerals problem, and to stimulate the research that will make our mineral resources available."

Copies of the report, "Mineral Resource Perspective 1975," and published as USGS Professional Paper 940, may be purchased for 95 cents per copy (prepaid) from the U.S. Geological Survey's Branch of Distribution, 1200 South Eads Street, Arlington, Va. 22202.

A REAPPRAISAL OF U.S. FOREIGN POLICY

Mr. GOLDWATER. Mr. President, for many years now I have been deeply concerned over the decline of our military strength in a divided and uncertain world.

That this declining strength has had an enormous impact upon our ability to conduct foreign affairs and to sustain our strategic objectives in Southeast Asia is abundantly evident.

Recently, Mr. President, I received an address by the Honorable Clare Booth Luce, a former Member of Congress and U.S. Ambassador to Italy, on the question of U.S. foreign policy as it stands today. Mrs. Luce, one of the most knowledgeable foreign policy experts this country has ever produced, spoke to the Association of the U.S. Army in Honolulu, Hawaii, on June 18. The main thrust of her address was that a declining military power had deprived the United States of an opportunity to bring a century of peace to the suffering world. As she pointed out, America, through the accident of war, had generated an overwhelming preponderance of power in 4 short years.

Mrs. Luce declared:

In that extraordinary and unexpected hour of our elevation to the pinnacle of world power, all nations of the world, with one exception—the U.S.S.R.—looked to America for political guidance and economic aid. The Pax Americana was within our grasp. Our country had everything it took to bring a century of peace to the suffering world. That is, everything but the one thing necessary—a firm grasp on the basic principles of a solvent foreign policy, which is that a balance between power and commitments must be not only attained, but maintained.

Mrs. Luce says that America's declining military power is reflected in almost all of our foreign affairs, ranging from the dismal defeat of U.S. arms and aims in Vietnam to the disarray in the NATO alliance and approaching Communist political victories in Portugal and Italy.

Despite the stark picture painted by the former Ambassador to Italy she urged her audience not to be downhearted.

She added:

Democracy, is, as Churchill once said the worst form of government in the world—excepting all other forms of government. Its singular weakness—its inability to formulate, support and conduct a coherent foreign policy—is offset by a singular strength—its enormous flexibility. This gives a Democracy the stunning capacity to get back on the right track almost overnight, the minute people understand that the country is on the wrong track.

Mr. President, I ask unanimous consent that the full text of Mrs. Luce's remarks, entitled "A Reappraisal of U.S. Foreign Policy," be printed in the RECORD.

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

A REAPPRAISAL OF U.S. FOREIGN POLICY

(By the Honorable Clare Boothe Luce)

The late Walter Lippmann, the most respected writer on Foreign Affairs that journalism has produced in this century, called U.S. Foreign Policy the "Shield of the Republic". A sound, or as he preferred to call it, a solvent Foreign Policy is the shield that protects the fortunes, the liberties and the lives of all the people. Today we might call it the essential, the No. 1, Welfare Program of the country.

The paramount goal of Foreign Policy is the security of the nation.

A nation has a solvent Foreign Policy when it has an adequate defense. Its defense is adequate when it possesses the power necessary to protect its vital interests, and to fulfill its foreign commitments.

Power is the Shield of the Republic.

By power, I mean the military force that is needed to prevent war, or to win it if it cannot be prevented. Necessary power is the force that can be mobilized within the domestic territory, and the reinforcements that can be obtained from reliable allies.

Reliable allies are those whose political values and economic interests are, if not identical, similar, or at least congruent. Vital interests and foreign obligations are those which may, in the final analysis, have to be protected and fulfilled by waging war.

A nation which, together with reliable allies, has secured a preponderance of power in relation to the power of its adversaries is free to travel up the broad highway of peace

and increasing prosperity. And if such a nation is also a wise and a moral nation, it is in the happy position to help weaker and poorer nations to travel that road with it.

No nation, however "great", however affluent, which has forgotten or ignored the relationship of power to peace and prosperity has ever enjoyed these blessings for more than a few decades. A nation with an insolvent Foreign Policy is on the low road to war or submission, to surrender or servitude.

No nation has ever been born great. All nations have had small and obscure beginnings. But some, thanks to the wisdom of their statesmen, the valor of their soldiers, and the loyalty of their people, have achieved greatness. But only one nation in all history has ever had greatness thrust upon it.

Greatness was thrust upon the United States by the Japanese attack on Pearl Harbor. We were literally bombed into greatness.

To our own intense surprise, we emerged from World War II as the most powerful nation that had ever appeared on earth. In four short years we became not only a super-power, but the only super-power on the world's stage. Our air and naval forces dominated all the skies and oceans. We possessed a monopoly of the most decisive weapon that had ever been invented—the atom bomb.

All our axis enemies had unconditionally surrendered. All our allies were economically prostrated. Except for Pearl Harbor, our homeland had not been touched by the ravages of war. When the war ended, our industry, prodigiously reved up by the battle, was producing 50% of the goods that the world was using. And despite the tremendous burden of taxation that the war had imposed, our people were prosperous.

In four short years, America had attained, through the accident of war, what had eluded all the nations since the fall of the Roman Empire—an overwhelming preponderance of power.

In that extraordinary and unexpected hour of our elevation to the pinnacle of world power, all the nations of the world, with one exception—the USSR—looked to America for political guidance and economic aid. The Pax Americana was within our grasp. Our country had everything it took to bring a century of peace to the suffering world. That is, everything but the one thing necessary—a firm grasp on the basic principle of a solvent Foreign Policy, which is that a balance between power and commitments must be not only attained, but maintained.

U.S. Foreign Policy is today insolvent because our foreign policy books no longer balance. We have, in the space of two decades, lost that preponderance of power necessary to maintain ourselves and our principal allies at peace, and to protect our vital interests without risking a war we cannot be certain of winning. Quite simply, the U.S. has become a declining military power.

Ambassador Maulio Brosio, of Italy, former Secretary General of NATO, recently summed up the situation which faces us this way: "The threat of the expanding Soviet military power is increasing slowly but steadily . . . The Atlantic Community remains the source and the bulwark of Western civilization. For Europe, the Western alliance is a question of life or death, freedom or servitude. For the U.S., it is a question of remaining a great world power, or of declining to a second-rate power."

I might, at this point, ply you with statistics to show the decline of U.S. military power in all four dimensions: nuclear, air, naval and ground forces.

But we do not need statistics to demonstrate the insolvency of U.S. Foreign Policy. It is reflected in ways that are apparent to everyone. It is reflected in the dismal defeat of U.S. arms and aims in Vietnam, and in our consequent loss of credibility as an ally with staying power; in the falling of the dominoes in Indochina; in the scramble of once-friendly Asian nations to build diplomatic bridges to Moscow and Peking; in the disarray in the NATO alliance; in the approaching political victory of the Communists in Portugal and Italy; in our inability to prevent the ruinous Arab oil embargo of 1973; in the economic strains and inflation that all of the Western countries are suffering because of rising oil prices; in the weakness of the dollar on the world's markets; in the impotence of U.S. diplomacy to prevent the outbreak of hostilities between two of our NATO allies, Greece and Turkey, in the consequent threatened loss of our Turkish bases; in our failure to bring a viable peace in the Middle East; in our daily humiliation in the United Nations, where the U.S. can muster no more than a handful of votes on any question which the USSR and the PRC oppose; in the steady stream of vituperative anti-American statements that pour from the lips of Third World spokesmen; and in the almost daily pronouncement of Communist leaders that the triumph of World Socialism is inevitable. But as if all this were not enough to signify the insolvency of U.S. foreign policy, the perilous decline in U.S. power has even been officially announced by Dr. Kissinger himself in an address he recently gave to the American Society of Newspaper Editors in Washington. Not since Churchill warned the British people after Munich of the dangers that faced them, has any Western statesman spoken more sombre words to his people than the American Secretary of State spoke on this occasion:

"We shall have to pay the price for our setbacks in Indochina by increasing our exertions. We no longer have a margin of safety . . . The challenges of the coming decades will dwarf today's disputes. A new World Order is taking shape around us . . . It will engulf or isolate us if we do not act bodily . . . In an era of American predominance, America's preferences held great sway . . . The weight of our influence now depends on our purposefulness, our power, and our perceived reliability . . ."

A new World Order is rising around us that could "engulf or isolate us". This, then, is the melancholy pass to which an insolvent Foreign Policy has brought us.

I know the questions that are in your minds. What went wrong? Who is to blame? And what can the American people do about it?

What has "gone wrong" is something that has "gone wrong" time and time again in history, in countries with a Democratic form of government. In a Democracy, foreign policy, like domestic policy, is, in the final analysis, made by all the people. But free and prosperous people, absorbed by their daily concerns and their domestic affairs, find it very difficult to focus on foreign affairs, to identify their true interests abroad, and to determine what foreign nations are "up to". Eager for peace themselves, a Democratic people are prone to believe that others must desire it as much as they do. Used to solving their domestic problems by persuasion, negotiation, compromise and conciliation, they believe that all foreign conflicts can be resolved by the same methods. As Henry Kissinger has noted, "persuasion is the method of democracy". Unable to see the relation of military power to peace, a Democratic people are prone to believe that military power leads to war. They consequently cannot agree on a settled course of action in respect of their world neighbors.

More than a hundred years ago, Alexis de Tocqueville, the author of *Democracy in America*, noted this weakness in our political system:

"In the conduct of their foreign relations, Democracies appear to me to be decidedly inferior to other governments. Foreign policies demand scarcely any of those qualities peculiar to a Democracy; they require, on the contrary, the perfect use of almost all of those in which it is deficient."

Permit me to read to you one paragraph from Walter Lippman's book, *Foreign Policy: Shield of the Republic*. It was written in 1943, before World War II had reached its climax, and on the eve of the 1944 Presidential elections:

"As the climax of the war finds the people of the United States approaching a national election, we must face the fact that for nearly fifty years the nation has not had a settled and generally accepted foreign policy. This is a danger to the Republic. For when a people is divided within itself about the conduct of its foreign relations, it is unable to agree on the determination of its true interest. It is unable to prepare adequately for war or to safeguard successfully its peace . . . Thus its course in foreign affairs depends, in Hamilton's words, not on reflection and choice, but on accident and force . . .

"The spectacle of this great nation which does not know its own mind is as humiliating as it is dangerous. It casts doubt upon the capacity of the people to govern themselves. For nowhere else on earth, and never before in all history, has any people had conditions so favorable as they are in the United States to proving their capacity for self-government . . .

"This is the time of the reckoning. We are liquidating in sweat and blood and tears, and at our mortal peril, the fact that we made commitments, asserted rights, and proclaimed ideals while we left our frontiers unguarded, our armaments unprepared, and our alliances unformed and unsustained . . .

"Our failure now to form a national policy will, though we defeat our enemies, leave us (in the post-war period) dangerously exposed to deadly conflict at home and to unmanageable perils from abroad . . ."

So it was, before Pearl Harbor. So it is, after Vietnam.

But let us not be downhearted. Democracy, as Churchill once said, is the worst form of government in the world—excepting all other forms of government. Its singular weakness—its inability to formulate, support and conduct a coherent foreign policy—is offset by a singular strength—its enormous flexibility. This gives a Democracy the stunning capacity to get back on the right track almost overnight, the minute the people understand that the country is on the wrong track.

Moreover, the U.S., together with its allies, still has a tremendous military potential that can be quickly realized the moment the will to do so is present. In relation to the USSR, the Western alliance possesses overwhelming superiority in manpower, technological and scientific skills, productive capacity, and taxable wealth.

The Soviets are only 220 million. The Western alliance has close to a billion. Its productive capacity is six times greater. The GNP of the U.S. alone is twice that of the Soviets. Disposable wealth is not our problem. Last year Americans spent more on liquor, cigarettes, cosmetics, candy and entertainment than they spent on their entire Defense Establishment.

When we get it through our heads that what is now on the line is our own survival—which, God willing, we will do short of another Pearl Harbor—we have all that it takes to regain our lost preponderance of power. Time is growing short—very short—but it is not too late.

With the awakened resolve of the American people, and the courage and steadfastness of our Armed Forces, our country will celebrate its tri-centennial in peace and prosperity.

PROPOSED ARMS SALE

Mr. SPARKMAN. Mr. President, section 36(b) of the Foreign Military Sales Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $25 million. Upon such notification, the Congress has 20 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sale shall be sent to the chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is immediately available to the full Senate, I ask unanimous consent to have printed in the RECORD the notification I have just received. A portion of the notification, which is classified information, has been deleted for this publication, but is available to Senators in the Foreign Relations Committee, room S-116 in the Capitol.

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

July 11, 1975.

HON. JOHN J. SPARKMAN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Foreign Military Sales Act, as amended, we are forwarding under separate cover Transmittal No. 75-32, concerning the Department of the Army's proposed Letter of Offer to Iran for services and technical assistance to Improved Hawk air defense batteries estimated to be in excess of $25 million.

Sincerely,

H. M. FISH,
Lieutenant General, USAF.
Director, Defense Security Assistance Agency, Deputy Assistance Secretary (USA), Security Assistance.

TRANSMITTAL NO. 75-32

(Notice of proposed issuance of letter of offer pursuant to section 36(b) of the Foreign Military Sales Act, as amended.)

a. Prospective Purchaser: Iran

b. Total Estimated Value: (Deleted)

c. Description of Articles or Services Offered: Services of contractor (Raythron Co.) personnel to provide technical assistance in the operation and maintenance of deployed Improved Hawk air defense batteries.

d. Military Department: Army

e. Date Report Delivered to Congress:

THE CIA INQUIRY

Mr. FANNIN. Mr. President, when the investigation of the Central Intelligence Agency began it was with the very legitimate objective of determining whether the CIA had exceeded its charter in its activities within the United States. The commission headed by Vice President Rockefeller carried out an investigation and issued a report citing some excesses and misdeeds by the CIA.

It appears now that concern over CIA activity has become an obsession, and the situation could be very detrimental for the future of America.

On July 3, 1975, the Douglas Daily Dispatch ran an editorial which I believe puts the current mania into perspective.

Mr. President, I ask unanimous consent to have this editorial printed in the RECORD.

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

CIA INQUIRY

Whatever the Central Intelligence Agency may or may not have done from five to ten years ago or earlier, many Americans have the feeling that an inordinate amount of time is being devoted to the past and not enough to the very urgent questions of the present. Most people have been fully aware all along that some CIA espionage methods in the Fifties and Sixties would not pass all the standards of rigorous political morality, but that was a period when the Cold War was in full progress and it appeared that the old saying about fighting fire with fire was justified.

Actually, the CIA, whatever its methods, achieved some highly worthwhile goals in battling the devious procedures by which Communism has traditionally, and often very successfully, managed to impose its theories upon various populations. We have only to look at the present situation in Portugal, where the Communists are nibbling away at the structure of government despite the clearly expressed wishes of the majority of the people. The difference is that, in the past, the CIA was able to operate quietly to combat takeovers of this kind, while now its skills have been virtually ruled out of action.

While it is obvious that all investigative agencies must be subject to a certain degree of control, and particularly should not be allowed to practice the kind of domestic information collecting that can end with blackmail and ruined lives, the real achievements of the CIA on the world scene should not be condemned. Too much restriction could leave us as a nation in a bad future situation and could further advances by a Communism that does not regard the niceties of international law.

MURPHY COMMISSION REPORT UNDERSCRES NEED FOR CONGRESSIONAL FOREIGN POLICY OFFICE

Mr. GARY W. HART. Mr. President, several weeks ago I introduced S. 1984, a bill to establish a Congressional Office of Foreign Policy and National Security Analysis. The Congress should stop bemoaning its fate as a junior partner in the formulation of U.S. foreign policy and start doing something to correct the structural deficiencies and weaknesses that relegate it to this role. Although the congressional capability that S. 1984 would create will not solve all our problems, it would be at least a step on the road to restoring congressional participation in the formulation and implementation of foreign policy.

Concern that Congress should reassert itself and more effectively meet its constitutional responsibilities for foreign policy and national security affairs, led high hopes for the work of the Commission on the Organization of the Government for the Conduct of Foreign Policy—the Murphy Commission. Such high hopes regrettably were dashed by the report of the Commission released last week. Reading the Murphy Commission report is not a very satisfying experience for it is, as so aptly characterized by Senator MANSFIELD, thin gruel served in a very thick bowl.

What most disappoints me about the report is the short shrift it gives to the Congress. Devoting 10 of 200 pages to "congressional organization and procedures" the Commission identifies major problems but proposes weak, ineffectual and unpractical solutions.

For example, the Commission report concludes that the Congress needs:

A forum for weighing interrelations among the political, economic and military aspects of foreign policy and between foreign and domestic policy issues.

Assistance in making available to party leaders and the relevant standing committees of both Houses "the full range of information and analysis needed to enable them to legislate in a prompt and comprehensive manner."

A supplement to the existing committee and leadership system which provides "a more systematic and comprehensive exchange of information, analysis and opinion" on foreign policy.

To meet these needs, the Commission proposes establishment of a new, Joint Committee on National Security. In his comments accompanying the report, Senator MANSFIELD gives seven strong objections to creating such a committee, which I, and I suspect most of my colleagues, share. I will not belabor the point here; but creation of a Joint Committee on National Security is simply not an acceptable solution to the problem.

Although the Commission proposes unrealistic solutions, it identifies very real problems: Congress does need to interrelate the political, economic, and military aspects of foreign policy, and it does need more systematic and comprehensive analyses of foreign and national security policies.

The Commission also surveys the analytic resources available to support the Congress, noting that in recent years the Congress has substantially expanded the Congressional Research Service—CRS—strengthened the General Accounting Office, and created the Office of Technology Assessment and the Congressional Budget Office. Nevertheless, the Commission concludes that "this rapid growth in research capability has still not provided Congress with adequate research and informational capacity on foreign policy issues." To remedy this, the report recommends that Congress designate the Joint Committee on Congressional Operations as responsible for improving the performance of the CRS.

I agree with the Commission's diagnosis: Congress analytic capability in the fields of foreign policy and national security is inadequate. The Commission's prescribed remedy, however, is a half-measure that may alleviate, but will certainly not solve, the problem. Better administrative oversight by the Joint Committee on Congressional Operations might improve CRS operations, but it will not remove the structural limitations that prevent CRS from providing the type of long-term, in-depth, and

wide-ranging analyses, studies and evalutions of foreign and national security affairs the Congress needs. However, Congress can overcome these limitations and meet its needs for foreign policy analysis by establishing the congressional office provided in S. 1984.

Another deficiency in congressional organization to deal with foreign policy highlighted by the Murphy Commission is the "relatively low levels of congressional use of independent, non-governmental sources of analysis." I agree, this is a major shortcoming of the Congress. But what would the Murphy Commission have us to do to correct it? Why simply have the Foreign and International Relations Committees periodically publish a summary of their research interests and priorities.

I submit that such a measure would be as ineffectual as it is cheap. We do not live in a something-for-nothing society. Universities and nonprofit research centers have their own payrolls to meet as well as their own interests to serve. While many no doubt sympathize with the Congress, we cannot rely on their goodwill to support it. No, if we Members want to have the type of foreign policy analyses the Congress needs we will have to shop around in the research market and pay for what we get. Being a clearinghouse for research and analyses would be one of the more important functions of the Congressional Office of Foreign Policy and National Security Analysis to be established by S. 1984.

In sum, although the Murphy Commission's sketchy treatment of the organization of the Congress for dealing with foreign policy offers us few good solutions, it does highlight some of our more pressing problems in this area. Fortunately, there is a bill now before the Senate Foreign Relations and Armed Services Committees which does provide solutions to some of these problems, S. 1984. I, therefore, urge the Senate, in view of the findings of the Murphy Commission regarding Congress serious organizational deficiencies, promptly to act on S. 1984.

"SEWARD'S FOLLY" NOW ENERGY AND MATERIAL RESOURCE STOREHOUSE FOR AMERICA'S FUTURE

Mr. STEVENS. Mr. President, this spring the National Enquirer published an article by Mr. Bernard D. A. Scott concerning the decision by then Secretary of State William H. Seward to purchase the Alaska territory from Czar Alexander II of Russia for $7.2 million.

Secretary Seward's decision was one of the most important and far-reaching in our Nation's history.

Mr. Scott's article points out that based on the present price of oil the United States stands to benefit from Secretary Seward's decision at the tune of $13.2 million a day when the trans-Alaska pipeline is completed. This is $13.2 million that will stay in the United States and not find its way to the coffers of the Arab oil-producing countries.

Mr. Scott points out that the United States will save almost twice as much money in 1 day through the delivery of Alaska oil as the whole Alaska territory cost 108 years ago.

Mr. President, Alaska was and continues to be one of the best investments this Nation has ever made. Alaska, which was once termed "Seward's folly" is now the energy and material resource storehouse for America's future.

Mr. President, I ask unanimous consent that Mr. Scott's article be printed in the RECORD.

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

OIL FROM ALASKA WILL SAVE MORE MONEY IN 1 DAY THAN UNITED STATES PAID FOR WHOLE STATE

(By Bernard D. A. Scott)

"By mid-1977, when Alaskan oil is available, the U.S. will reap almost twice as much money in one day as the Alaska territory cost 108 years ago."

That statement by an Exxon Corp. official adds up to strong words of praise for Secretary of State William H. Seward, who in 1867 engineered the $7.2 million real estate deal with Czarist Russia.

At that time, harsh critics dubbed the land buy "Seward's Folly" and Alaska itself "Seward's Ice Box."

Yet, only two years from now—based on today's oil prices—the U.S. stands to benefit from Seward's financial astuteness to the tune of $13.2 million a day!

That's when the petroleum-rich fields along Alaska's frozen North Slope at Prudhoe Bay start gushing 1.2 million barrels of black gold a day into the storage tanks at the ice-free port of Valdez, where it will be transferred to American oil tankers.

"At the present price of $11 a barrel for foreign oil, that'll be $13.2 million a day that won't be leaving the country for foreign oil purchases," beamed Hugh Jencks of Exxon's public affairs department.

The Alaskan North Slope alone is a reservoir for 9.6 billion barrels of precious fluid.

Ultimately, those fields every 24 hours will produce 2 million barrels of the vital fuel—12 percent of this country's current needs.

But that's a mere drop in the bucket when you consider the total amount of oil under the frozen tundra and icy offshore waters of America's 49th state—a whopping 85 billion barrels.

And that's not all.

The U.S. Bureau of Mines is quick to point out that in addition to oil Alaska holds approximately 40 million tons of coal and more than 465 trillion cubic feet of natural gas.

So "Seward's Ice Box" continues to pay off for this country.

First it was with gold, lumber and fish. Now it's with energy.

But Seward's bargain-basement deal with Czar Alexander II was dimly viewed as a bamboozle of the American taxpayer by many of his contemporaries.

After all, how could anyone believe that 586,000 square miles of nothing but ice and snow were really worth two cents an acre?

THE PARADOX AND THE TRAGEDY

Mr. CHURCH. Mr. President, it is the paradox and the tragedy of developments in India that Prime Minister Gandhi, once so boastful about her nation's dedication to democracy, can boast today only to other Caesars about how closely she has emulated them.

The test of a leader's devotion to democratic principles is never to be found on the pious platform of political rhetoric. The test of such devotion comes in the crunch, when that leader is asked to place the long-term well-being of the state above personal ambition. And that is the test Mrs. Gandhi has failed. Nothing is secondary to her continuation in office. She apparently regards herself as indispensable. Democracy, it turns out, is the dispensable system.

Mary McGrory, that adroit wordsmith, has written a column in the July 6 edition of the Washington Star which makes the point of how much better this Nation fared in a similar crisis. Forced to decide between the short-term ambition of one leader and the long-term survival of our system, we discarded the leader rather than the system. How tragic that the iron ego of Indira Gandhi has not permitted the Indian people the same right.

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

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

THOSE MARVELOUS IRONIES FROM THE CAESAR IN A SARI

(By Mary McGrory)

That most beguiling and impeccable diplomat, Egidio Ortona, the retiring ambassador of Italy, was making the first of many graceful farewell remarks the other day.

He was speaking of his love for America—which is, by the way, wholly requited—and of his admiration for her institutions.

"One does not like to make comparisons, of course," he said, "but when one sees the responses of other leaders to situations they don't like, one appreciates even more what has happened here."

Ortona's delicate reference was to the extraordinary conduct of India's prime minister, Indira Gandhi, who, faced with the loss of her great power, set about rounding up her critics and clapping them into jail.

She has sent Washington's mind racing back to a comparable crisis of a year ago. Ortona was particularly gripped by impeachment because two Italo-Americans, John Sirica and Peter Rodino, had been in the forefront of the drama, and the ambassador's speeches rang with the proud claim that two sons of Italy held America's constitutional rights in their hands.

Mrs. Gandhi, who represents what she has often told us is the world's purest democracy, has not been willing to take her chances with the system. The loss of her seat in parliament, the gloating of her enemies, have sent her back to the British Raj or India's early emperors for her methods. Nehru's daughter has forgotten the precepts of Gandhi.

For irony, nothing can match the fact that she has occasioned the first favorable, if grudging, comment that has come Richard Nixon's way since he left office on August 9 of last year.

Say what you will about him, people are saying, he never did what she is doing. He may have dreamed of it, but he didn't jail his enemies, didn't declare a state of emergency, didn't censor the press. She was tougher than he was. He knew that, and it was one of the many reasons he disliked her so thoroughly.

As luck would have it, Richard Nixon was in no situation to savor the reversal. While his old nemesis was coming before the world as Caesar in a sari, and testing the uses of dictatorial power, he was at last ful-

filling the obligations of common, ordinary citizenship he had resisted so long. For the first time, he was giving testimony on Watergate.

Mrs. Gandhi's precipitating troubles were on no scale comparable to his. She was brought to justice on matters so trifling—the use of several government employes in her campaign—that they would have been laughed out of court in this country. It is her reaction that is shocking. She is like someone who is stopped for speeding and slugs a policeman.

Mrs. Gandhi, the haughty Brahmin, and Richard Nixon, the bourgeois politician, have caused each other no end of grief. It must gall her, if she thinks about it, that she has occasioned the first stirrings of rehabilitation for him. The revelations about his "tilt" toward Pakistan during the 1971 Bangladesh war provided him with the most embarrassing foreign policy episode of his first term.

A subsequent visit aimed at patching things up only reinforced the mutual antipathy. Nixon was so put off at her presence that he could hardly flounder through the greeting. He made a witless reference to "Indian summer" and offered sympathy for India's floods. She in her turn, her black eyes gleaming with contempt, pointedly reminded him that her country's troubles were "man-made."

The entire tenure of Daniel P. Moynihan as ambassador to India was clouded by Mrs. Gandhi's dark suspicions that Richard Nixon did not regard her government as "legitimate" and plotted its overthrow. She taxed Moynihan about CIA involvement in the downfall of the Marxist government of Chile. Moynihan gave her his word of honor that there was none. Weeks later, he was undone by contrary disclosures.

The thing is that if the CIA were involved in her present catastrophe—and for once had got it all together—it could not have done half the job of discrediting Mrs. Gandhi that she has done on herself.

She who gave moral precepts to the world about freedom and independence has imposed a harsh censorship on the press. It is not only all inclusive, it is retroactive. Lewis Simons of the *Washington Post* was expelled for a dispatch written before censorship was invoked.

Here is Mrs. Gandhi on the subject of freedom of the press, in New Delhi in 1973:

"We have no intention whatever of abridging the freedom to gather and to publish news and express views. This freedom is an essential part of our entire way of functioning. In a free India, a fettered press is unthinkable."

She has now brought the "unthinkable" into being. And she has given us a small birthday present. As we celebrate the 199th anniversary of our founding, we can take comfort that we weathered a constitutional storm and unseated an unscrupulous president. We have not, at least, become a dictatorship.

PATRIOTIC SERMON BY THE REVEREND FELTHAM S. JAMES, CHAPLAIN, THE AMERICAN LEGION DEPARTMENT OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, as our bicentennial year gets underway, I would like to call attention to some of the substantive bases of our Nation's greatness. On June 29, 1975, the Reverend Feltham S. James, chaplain of the American Legion of South Carolina, delivered an inspired sermon entitled "Our Heritage." Its message is one of faith in our past and our future as a nation, and the moral standards that buttress such faith. The Reverend James' message is one which benefits all who hear it or read it. Accordingly, I ask unanimous consent that the sermon be printed in the RECORD.

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

OUR HERITAGE

(By the Reverend Feltham S. James)

Dr. John Mackay, in his book "Heritage and Destiny," has a chapter heading which says: "The Road to Tomorrow Leads Through Yesterday." It is good, then, that we are in the process of celebrating the bicentennial of our Nation. For, in so celebrating, we shall travel through yesterday and discover once again the heritage of freedom left to us by our forefathers. Perhaps the reawakened interest in yesterday and its heritage will open a new pathway to tomorrow.

Traveling back through yesterday, then, we find ourselves in the year 1760. A despot king attempted to establish absolute tyranny over the colonies. In 1761, James Otis, in a spirit of independence, came out openly for liberty and freedom. But the first concrete action for this freedom came at a meeting of the First Continental Congress on October 24, 1774 when the delegates drew up and adopted the first important document of freedom, the Articles of Association, a declaration of colonial rights.

On June 7, 1776, Richard Henry Lee of Virginia rose in the Continental Congress and offered his resolution of independence: "Resolved, That these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." The thought was high treason and some of the delegates hesitated to take such drastic action. John Adams, Benjamin Franklin, Robert Livingston, Roger Sherman and Thomas Jefferson were appointed a committee to study the resolution and report to the Congress. It was on July 4, 1776, that the Committee reported and presented "The Declaration of Independence." It was adopted and the signing began. This is what we are celebrating in this bicentennial. This is our heritage.

For a century and a half the Colonists had lived under the suppressive laws of England. The state of affairs had progressed from protest to armed rebellion to a call for independence. Now, they had cast their yoke of tyranny from them and were determined to be free and independent. Oh, yes, they risked their lives, their fortunes and their sacred honor but they left us a heritage.

Out of the next fourteen years of struggle, frustration and suffering came the Constitution, the greatest document on government ever struck off at a given time by the hands of man. As someone has put it, "It was not a set of laws. It was a moral overhauling and gave political effect to the moral laws which best govern the relationship of people. The belief that man should be free arises from the moral and spiritual idea that each individual human being possesses his own soul and is entitled to his own dignity, under the laws of nature and nature's God." This is our heritage—a republic dedicated to life, liberty and the pursuit of happiness.

There are times in the history of persons and people when a rediscovery of yesterday opens a new pathway to tomorrow; when the awakening of a sense of heritage becomes a powerful factor in determining destiny. There has never been a time in the history of our Republic when we need to awaken a sense of heritage than the day in which we live. We are fast selling our birthright of freedom and liberty for a mess of pottage. Either the leadership of our country is unaware of our heritage or (pardon the expression) they don't give a damn.

Behind us are the wisdom and experience of the ages. And, yet, there are people who think they owe nothing to the past. They think that what they have and are is theirs because of their own cleverness and ability. Nothing could be further from the truth. Everything we have—every conception of nobleness, every ideal of living, every progress of mankind has been given to us as an inheritance out of the past.

Ours is a sacred heritage because it was won with the blood, and the sweat and the tears of those who have lived before us. Our fathers were men fired by a world-wide purpose which came from the very heart of God. Guided and sustained by this purpose they took possession of this land for us, and left us as a heritage the embodiment of their principles in the nation. No President, Congress or Court has a right to take from us these principles or this reliance upon God.

These ancestors of ours were for the most part men who saw the opportunity and seized the chance to build for themselves the kind of a world in which they believed every man, by right, should live. It might be said that they were seeking security—the only kind of security they could imagine—the kind that must be won by work, courage, daring and faith in God. It never occurred to them to think of security in terms of a Chinese wall that would shut out every hazard of life from the cradle to the grave. To them that would have been a prison and an insufferable restriction upon their rights as individuals. They were not the type to surrender their individual rights in exchange for the pottage of a welfare state. They were adventurers who came from many different walks of life. They came to build a nation in which men of all religions, creeds and nationalities could live in peace and harmony and work together for the common good. Faith in fundamental human rights and in the dignity and value of the human person is a heritage they passed on to us.

Their's was a passionate belief in human freedom. They believed in political freedom—the right of every American to think his own thoughts and to speak them; to formulate his own opinions and to publish them; to explore every avenue of human knowledge wherever it might lead. They made it crystal clear that the enjoyment of liberty is the greatest of all human rights—and like all other rights and privileges of man, it carries with it grave responsibilities and obligations. Foremost among these is the obligation to use our freedom for the good of our fellow man. No freedom we have gives us the right to destroy the freedom of others. The only peoples in the world today giving trouble are those who seek to destroy the freedom of others.

Let me say right here that the greatest contribution the celebration of this bicentennial can make is to make the people of America conscious of their heritage and to make them recognize their responsibilities as citizens.

America is in danger today, not so much from conflicting ideologies without as it is from within. We have just lost our first war—not because of the superiority of the enemy but because of the vacilating indecisiveness and political bickerings of those who make up the government.

Even though Communism may be a threat to the American way of life, it is becoming more and more evident that our greatest danger does not lie in the political machinery of Moscow. It lies in the failure of our leadership and of our citizens to recognize our heritage and our responsibilities. One

danger confronting our country today is that of a government by a manipulated minority. The same danger to democracy and human rights prevails when the minority deprives the majority of its rights, as when the majority deprives the minority of those same rights. The Declaration of Independence is not just a cherished document that we will lift out of its gold encased shrine during this bicentennial. In it are the principles of democracy that have made and make America unique among the nations of the world.

Another danger confronting our country is our failure to make our youth of recent generations aware of our heritage. Believing in Aristotle's theory that "all who have mediated on the art of governing mankind have been convinced that the fate of empires depends on the education of youth," the early settlers set forth to establish public schools. With the Holy Bible as their chief text book, the generations that followed brought forth a new and noble individual, the American. This because the children in those schools were taught the value of self-discipline; they were taught where they came from, when they came and why they were here; they were taught their family lore and the accomplishments of the people. This brought a love of country. Now things are different. Social subjects are emphasized. Love of country, or patriotism, is now classed as nationalism, around which we have tried to build a stigma of hatred. No longer is the child being adjusted to the spiritual heritage of our people, our Nation.

It is no question but that we have a heritage of education that realized people must be educated if they are to successfully govern themselves. To preserve this heritage we must increase our efforts to restore the teaching of patriotism, the teaching of moral and spiritual values which brought our Nation to the peak of its greatness.

During the celebration of this bicentennial we must be brought to realize that the most significant part of our heritage as Americans is our spiritual heritage, our religious heritage. We have little appreciated the glorious legacy of spiritual attainment, which under God, bequeathed us freedom. Can that be the reason that we have, in recent times, by means of our own devising, all but precluded the supernal glories of Him whose creative Majesty made the universe and all things therein? Absorbed by our own egocentric achievements and ignoring God, we have shorn the wings of our spirit and dimmed the eyes of our soul to the point of worshipping our own creations. Perhaps by looking back on ourselves in this bicentennial, the stars that guided us in the beginning will again break through and we shall find a new communion with God.

God in the most concrete sense is the heritage of those who first tilled the soil and planted the fields of this Nation. In the very beginning America covenanted with God in a very unique sense. God was recognized as the source of all human rights. Through the years God and His purposes have been recognized as standing above the Nation and the Nation's interests. Apart from faith in God American history has no meaning. In this faith our institutions were created, our laws enacted, and our liberties secured. That rich faith in God that is ours is still with us. To that end, let us pray in this bicentennial celebration that our faith will be revived, that God will be honored, and that freedom shall live. Only as we attain all three of these will America survive, inasmuch as America's safety lies in her relation to God. She must experience and perpetuate the faith that gave her life.

Towering in sculptured grandeur above the black hills of South Dakota stands the greatest of American monuments. Chiseled in the granite mountain side four august faces look out above the pines, symbolizing our heritage. In the countenances of George Washington and Thomas Jefferson, of Abraham Lincoln and Theodore Roosevelt is engraven the political heritage of our Nation: the sacredness of human rights, the recognition of responsibility by its citizens, the democratic way of life, and reliance upon God. This is our heritage. What will we do with it?

LET FREEDOM RING

Let freedom ring throughout the land
But let it ring with pride,
In mem'ry of our founders who
Made "Trust in God" their guide,
They fought and died with one concern
To build a peaceful land,
That we today might carry on
This nation truly grand.
In all our tumult of today
Across the land and sea,
Our nation is far better off
Than any others be.
With all our faults in government
(Like men with greedy hands)
Let's count our blessings and be proud
"In God we Trust" still stands.

—Erv Straub, Edgerton, Wis.

AMENDING THE SMALL BUSINESS ACT TO ENCOURAGE SOLAR ENERGY DEVELOPMENT

Mr. McINTYRE. Mr. President, the amendments to the Small Business Act to encourage solar energy development, S. 2087, should provide a needed impetus to develop the solar equipment that is commercially available today.

Under the provisions of the bill, homeowners in my State of New Hampshire, where heating costs are now running over $1,000 per year for the average home of 2,000 square feet, will be able to install solar home heating equipment that could cut their costs by half.

This is possible: In one specially designed home that was recently constructed in Bedford, N.H., just outside Manchester, the cost of heat was cut to virtually nothing by the installation of solar home heating equipment.

In other areas of my State, I am told that solar home heating equipment, with backup heat provided by oil when the sun does not shine, would mean major savings, not only for consumers, but in oil imports as well.

Since this legislation would provide $900 million in loan granting authority to the Small Business Administration that could be made available to homeowners and builders to install heating equipment, it could move the U.S. solar heating industry from its current position of wait and see, to rapid commercialization. Additionally, the $900 million could mean loans for thousands and thousands of new solar heated homes.

Even if the money were used for water heating equipment, the United States would be able to save massive amounts of fossil fuel that we now use to heat water.

Because we want to help consumers cut their heating bills, we are designing this legislation to loan them money for up to 8 years, the proposed payback period for solar home heating equipment, for single family homes at low interest rates.

However, to encourage small businesses to develop solar heating equipment, the loans can only be made if small business provides the equipment or makes the installation if possible.

In hearings that I chaired through the Senate Small Business Committee, we found that there are over 60 solar heating equipment manufacturers in this country. This bill will provide a quick way for them to develop their manufacturing capability.

OIL AND CONFRONTATION

Mr. GARY W. HART. Mr. President, in the Sunday, July 13, issue of the Washington Post, my very able colleague, the Senator from Idaho (Mr. CHURCH), set out a persuasive and reasonable approach to Middle East oil politics.

In an article entitled "Oil and Confrontation," Senator CHURCH argues for a firm U.S. stand which would effectively eliminate the nagging threat of oil embargo blackmail.

It is not, my respected colleague rightly states, the failure of Congress which has lead to high gasoline prices, but the failure of the administration to use the bargaining levers on oil producing nations available to it and its failure to exercise proper public interest control over domestically chartered, giant international oil companies.

Mr. President. I urge my Senate colleagues and the American people to carefully consider the wise suggestions contained in this excellent article.

I ask unanimous consent that the article be printed in the RECORD.

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

OIL AND CONFRONTATION

(By Frank Church)

The national energy debate has missed the point. It has focused almost exclusively on the alleged deficiencies of Congress in failing to enact higher gasoline taxes as a means of encouraging long-term conservation. But the price of international oil has nothing to do with traditional free market concepts of supply and demand. Rather, it has to do with a price politically imposed by OPEC, the producers' cartel.

At present, there is estimated to be a surplus of worldwide oil productive capacity in excess of 13 million barrels a day. So there is no shortage of oil. This surplus is shut-in by the cartel members to maintain the price at its present exorbitant level, which is 500 per cent higher than it was on October 1, 1973, hardly 18 months ago. We are on notice from the Shah of Iran that a substantial further price rise in the range of $2 to $4 per barrel can be expected in late September of this year. What is at issue is thus a political power play by the OPEC cartel led by Iran and Saudi Arabia. An increase in the gasoline tax will not have the slightest effect on the projected September OPEC price increase.

What, then, can the United States do? First, it can introduce the principle of reciprocity into our relationships with Iran and Saudi Arabia. These countries should not expect that they can impose continuously escalating oil prices upon the United States

and other oil consuming nations and still have unrestricted access to American military sales and industrial technology. Last year we sold $3.8 billion in arms to Iran, the leader within OPEC in jacking up the price of oil.

But the Shah could not achieve this price objectives without the aid of Saudi Arabia, the cartel's largest producer at 6.8 million barrels a day and with a productive capacity of 10.6 million barrels a day. In Saudi Arabia, the U.S. Army Corps of Engineers is managing construction projects in excess of $1.8 billion for the Saudis. The Pentagon is selling billions of dollars of arms and technical assistance to Saudi Arabia and the administration is actively promoting corporate investment in Saudi Arabia. Not surprisingly, then, Iran and Saudi Arabia feel that the United States needs them more than they need us.

The administration's policy is based upon three basic considerations: that these two countries are essential to keep Russian influence out of the Persian Gulf area; that Saudi Arabia is a moderating influence in the Arab world, both with respect to the Arab-Israeli dispute and in damping down indigenous radical forces; and that it is essential to conciliate Iran in order to ensure that, in the event of a renewed Arab oil embargo, Iran will continue to supply oil to Western Europe, Japan and the United States.

It is time to question these premises. Iran and Saudi Arabia do not need to be induced to do what they can to limit Russian influence in the area. In their own interest, the present rulers of these countries must oppose a dominant Soviet presence in the Persian Gulf. Similarly, Saudi Arabia must oppose revolutionary forces in the Arab world, for the Saudi dynasty would be the first victim of such forces. It is in the Saudi's own interests to support a "moderate" regime in Egypt and to oppose a new Arab-Israeli war, since such a war could lead to radicalization in the Arab world.

Finally, the likelihood is small that Iran would join in an Arab oil embargo of the U.S. or the Western nations. Iran has a voracious need for revenues because of its large population and ambitious development needs. Rather than cut off oil and, therefore, revenue, Iran is more likely to take advantage of an embargo by continuing to ship oil at even higher prices.

In short, it is time we stopped viewing Saudi Arabia and Iran as pawns in the cold war with the Soviet Union. They have demonstrated that they have the will and the capacity to impose great economic harm on the oil consuming world. Indeed, they have achieved a greater degree of destabilization in the West than the Communists have ever been able to achieve.

We should assess our relations with them in terms of the benefit or loss to the national interests of the United States. We should link arms sales, technical assistance and industrial cooperation to their oil price policies. There is reason to believe that France, the major Western arms competitor, would cooperate in such a policy.

The U.S. should also seek to maximize internal stress within the cartel. The one decision the OPEC cartel has historically sought to avoid is pro-rationing production among its member states. These states are diverse in population, oil reserves and political system. Agreeing on criteria for pro-rationing production is a difficult, if not impossible, task. They are saved from having to do it by the seven major oil companies—Exxon, Mobil, Texaco, Socal, BP, Shell and Gulf. These companies have investments in most of the OPEC countries. As Business Week and Fortune Magazine, hardly radical publications, have noted, the companies, in order to protect their investments, pro-ration production within the cartel countries. That way they save the cartel from confronting this task. Not surprisingly, in recent months the OPEC countries, recognizing the utility of the function performed by the companies, are no longer demanding 100 per cent ownership of the oil production facilities.

But it is in the American national interest to have the companies removed from an equity position in the oil producing states so that they will no longer have an incentive to pro-ration production among these countries. The companies should be purchasers of crude oil buying from the cheapest available source. The State Department should be pressing both producing states and companies to consummate the buying out of the major oil companies' ownership interests. If this is not done, then, the U.S. government should intervene to become the exclusive purchaser of imported crude oil.

Finally, I am convinced that the Congress will compromise with the President on offshore U.S. drilling, strip mining and accelerated exploration and development of Petroleum Reserve Number 4 in Alaska, if the President is genuinely interested in cooperation and not confrontation for political purposes.

Undoubtedly, critics of my approach will charge that I am advocating a policy of confrontation with OPEC, particularly Iran and Saudi Arabia. If there is confrontation, that confrontation was forced upon us by these countries through their extortionate oil price increases, the greatest destabilizing force in the Western world.

If anyone has any doubts on this score, I refer them to the illuminating paper recently circulated by Walter Levy, the respected oil economist. Persuasively destroying the Pollyanna assurances of our Treasury Secretary, Mr. Levy concludes that far from disappearing in the next five years, OPEC *surpluses* will accumulate to nearly $450 billion. We delude ourselves if we think that this massive transfer of wealth will not have catastrophic consequences, both political and economic, for Western society, Japan, and the poorer countries. This issue should not be hidden behind the phony smokescreen of pillorying the Congress on the gasoline tax increase.

TRIBUTE TO A. J. FLETCHER AND NATIONAL OPERA COMPANY

Mr. HELMS. Mr. President, this year marks the 25th anniversary of a remarkable project launched in September 1950 by a remarkable citizen of my State.

The project is the National Opera Company, which has taken opera-in-English to far more than a million schoolchildren, who, for the most part, would never have been able to attend a first-class opera performance. The citizen is Mr. A. J. Fletcher, who has funded the National Opera Company out of his own pocket from the very beginning, simply because he wanted to encourage the talents of young singers, and thereby promote an interest in good music.

Mr. Fletcher is a man of many careers. He has been a sucessful attorney and businessman. His business interest is now largely devoted to the operation of WRAL–TV in Raleigh, which is recognized as one of the leading television stations in the country. Mr. Fletcher is chief executive officer of Capitol Broadcasting Co., which operates WRAL–TV, WRAL Radio, the North Carolina News Network, and the Woody Hayes Background Music Co.

It was Mr. A. J. Fletcher's dedication to excellence that was largely responsible for WRAL–TV's success in public service. The same is true in the instance of the National Opera Company.

Mr. President, a few weeks ago, the distinguished author, commentator, and columnist, Jeffrey St. John, devoted one of his syndicated newspaper columns to Mr. Fletcher and the National Opera Company. Mr. St. John is associated with Copley News Service.

I ask unanimous consent, Mr. President, that the column by Mr. St. John, entitled "Is the South a Cultural Sahara?" be printed in the RECORD.

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

IS THE SOUTH A CULTURAL SAHARA?

(By Jeffrey St. John)

RALEIGH, N.C.—"For all of its size and all of its wealth," wrote the late H. L. Mencken in the 1920's of the American South, "it is almost as sterile artistically, intellectually, culturally as the Sahara Desert."

A fire storm of protest from the South was unleashed when the above, contained in an essay titled, "The Sahara of the Bozart," was published.

Most Americans under forty don't remember Mencken; although among today's college students and young adults with a bent for the irreverent, Mencken is enjoying a revival of the popularity he had in the Twenties when his biting essays appeared in "The Smart Set," "The Baltimore Sun" and "The American Mercury." The hold Mencken had on the generation of that time was over powering. His influence is felt even today, since may of those who grew up loving Mencken are leaders in all walks of life today.

It is our view that essays like Mencken's declaring the South to be a "drying up civilization" helped form a deep seated bigotry against the South, reinforced in later years by the race issue. As an admirer of Mencken's style and generally good sense (his greatest work was not his essays but his classic "The American Language"), his attacks on the South made no sense. For example, when Mencken wrote "The Sahara of the Bozart" southern writers like William Faulkner and Thomas Wolfe (a native of Ashville, N.C.) were establishing themselves as first-rate men of English letters. But still the idea that the South is a vast cultural and intellectual wasteland persists as a myth. The South, to the non-southerner, is either a baffling mystery or a world populated by "Rednecks" who, for recreation, drink home-made whiskey, chew tobacco and lynch blacks.

A. J. Fletcher is erect, clear-eyed and as cultured a southern gentleman as you will ever want to meet at 88. Born in 1887, he knows first hand the hardships the South faced in its long and painful economic recovery from the Civil War. Most non-southern Americans do not realize that the southern states did not really begin such a recovery until well into World War II. This point Mencken overlooked in his essay on the South: to have a viable artistic endeavor you must have a strong economic base. A. J. Fletcher even at his age still is the chief executive officer here of WRAL radio and television. He smiles at you across a large polished desk stacked with the day's work, tolerantly bemused by your mention of the still widely held belief that South of Washington, D.C., the states of the old confeder-

acy are a cultural Sahara that Mencken decried. Then in clear and lucid language, with a soft velvet southern voice, the story of the National Opera Company he founded and finances privately here in Raleigh unfolds!

Mr. Fletcher, who grew up in this state's mountainous Ashe County, was bitten by the opera bug early. It was his belief that Americans in general and Southerners in particular found opera a big bore. Who could understand the words since it's usually sung in Italian, French, and other foreign tongues? So A.J., at 61 years old, decided to remedy the problem. "The truth is," he tells you, "there was little or no opera in English in the United States when we started the movement back in 1948. Up to that time singers were pronouncing words which they but dimly understood, and bored audiences were going through the motion of applauding a performance, the story or message which was only dimly perceived."

This September the National Opera Company will celebrate the 25th anniversary of its debut performance of Mozart's Cosi Fan Tutte (School for Lovers) in Washington, D.C., as part of the sesquicentennial of the nation's capitol. The performance was the start of A. J. Fletcher's campaign of what has since become a "grass roots opera movement," performances in English produced and performed by local talent. His efforts have born unprecedented results. In states as far West as California and as far North as New York and Michigan similar groups have sprung up, largely because of A.J.'s compilation of a "Opera Primer"—a guide to those interested in developing a local opera company. (For more information write: A.J. Fletcher, WRAL-TV, 2619 Western Blvd., Raleigh, N.C. 27605.

Even more remarkable is the program A.J. launched to bring opera to school children. Years before CBS Television launched the Sunday series, "Young People's Concert," with conductor Leonard Bernstein and the New York Philharmonic, The National Opera Company of Raleigh was bringing opera in English to North Carolina school children beginning in the 1950's. In 1969, with the performance of "The Italian Girl in Algiers," the National Opera Company played before its one-millionth student! Furthermore, in the last quarter of a century, the company has trained 193 opera singers; many going on to careers at the Metropolitan Opera in New York, Vienna State Opera, Austria; Hamburg State Opera, Germany; Dusseldorf, Germany; and Zurich opera companies. Others who started with A.J.'s brainchild have gone on to sing at the New York Opera, Chicago Lyric, Kennedy Center in Washington, and others across the country.

With this record of achievement it is little wonder that A.J. Fletcher looks at you with his soft, clear brown eyes bemused at the mention of H. L. Mencken's "The Sahara of the Bozart" and the widely held belief even today that the South is a cultural Sahara. But in fairness to Mencken and as a way of describing Fletcher's remarkable character and achievement a line from Mencken is appropriate: "In the South," he wrote of an era gone with the winds of the Civil War, "there were men of delicate fancy, urbane instinct and aristocratic manner—in brief, superior men. . . . [with] the vague thing what we call culture."

WELCOME MARIANAS

Mr. GARY W. HART. Mr. President, on Tuesday, June 24, 1975, the Rocky Mountain News in Denver printed an editorial commenting on the fact that a handful of Marianas islanders are about to become American citizens and their homeland absorbed by the United States. The Rocky Mountain News points out that the administration has made grand promises to the people of the Marianas, in effect buying the votes in favor of the White House's territorial acquisition plan. The newspaper properly cautions the islanders, now that the plebiscite results are in, that they should not put too much faith in the administration's promises of a good life for all at the expense of the American taxpayer.

This seems to me to be good advice; but, if the White House and its selected supporters in Congress have their way, the islanders will not be disappointed. In fact, they will get more than they can imagine and probably more than is required—unless Congress accepts its responsibility to carefully review the diplomatic, economic and military aspects of the colonialization plan. Since all the arrangements have been made without the participation of Congress, there is little doubt that the administration is going to tell us we have to approve, without alteration, a sacred commitment made in the name of the people of the United States and accepted by the citizens of the Marianas.

I ask unanimous consent that the editorial be printed in the RECORD.

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

WELCOME, MARIANAS

It's now official that an overwhelming majority of the islands' 5,300 registered voters want the Mariana Islands to become a U.S. commonwealth. And so they shall, after a few more necessary steps have been taken.

Probably by 1981 all this will have happened, and the the islands, 5,000 miles west of California, will be our most far-out possession—geographically speaking, this is.

First off, the U.S. Congress must approve establishment of the Marianas as a territory, the first to be acquired by this country since we bought the Virgin Islands from Denmark in 1917.

Then comes a constitutional convention, followed by the islanders' ratification and U.S. approval of the constitution. Next, election and installation of a local government. The final step will be formal termination of the U.N. trusteeship, under which the United States had administered the Marianas since the end of World War II.

The population will have full rights and privileges as American citizens, including self-government except for foreign policy and military affairs.

The names of two of the Mariana Islands loom large in American history—Saipan and Tinian, scenes of bitter fighting against the Japanese in World War II. And it was from Tinian that the atom bomb strikes against Hiroshima and Nagasaki were launched in 1945. The Pentagon plans to build a $300 million air and naval base there.

It's unfortunate that during the heated campaign that preceded Tuesday's vote, proponents of the proposition to join the United States made some extremely loose promises about the benefits to be gained, such as cars, concrete houses for all families, welfare money, food stamps and high-paying jobs.

While welcoming our prospective fellow citizens, we sincerely hope they won't be disappointed when much of that hoped-for pie in the wide Pacific sky doesn't materialize.

STEVE PREFONTAINE

Mr. HATFIELD. Mr. President, one of Oregon's outstanding athletes was killed in an automobile accident on Friday, May 30. While I had a brief statement at the time, I have delayed saying anything more until I could collect some editorial tributes and comments from Oregon newspapers and national publications. Steve Prefontaine, or "Pre" as he was known to his legions of fans, was a person of strong character, and I knew his untimely death would provoke commentary that sheds light on his life and his career.

It is tragic when any young person dies, and the potential for a full productive life is snuffed out. Pre was an Oregon tiger in the finest tradition—fiercely competitive, confident and outgoing. Where others might say "I'll try," Pre would say "I will." His life as a track athlete should demonstrate to any observer that desire can overcome whatever hurdles that might be in the way.

Pre was probably the alltime Oregon track favorite in crowd appeal. Oregon track fans have been called the most knowledgeable in the country by athletes from across the Nation who have competed there. These fans cheer not merely a local winner, or even all winners, but I know many times they have cheered on a third- or fourth-place runner who they realized was making an extraordinary effort toward a personal best effort. The individual competition against the clock, or the tape, counted as much as any interest in local favorites.

As a track fan, I have helped officiate at various meets in Eugene, and I know the unique spirit that fills the University of Oregon track stadium, Hayward Field. The last time that I helped officiate in Eugene was during the 1972 Olympic trials, and the atmosphere was alive with emotions, not only from the athletes themselves, as one might expect, but from the supercharged track audience.

Pre was the favorite of this knowledgeable track crowd in a way few athletes ever can be. We often read of a confident or cocky athlete alienating a crowd, who are put off by braggadocio attitudes. With Pre, confident and cocky as he was, however, the Oregon track crowds loved him. Perhaps it was for a couple of reasons.

Pre never was the type of athlete that the Amateur Athletic Union, or the Olympic fathers, or even the NCAA brass, wanted to parade around as an all-American athlete. Pre had little use for pretensions of any kind, and pretensions that affected his support he tolerated not at all. Because Orgon fans are so knowledgeable, they had known long before Pre that track athletes were not always treated as well as they should be. Oregon track fans knew that the brass of the various squabbling factions over track rights cared more for their own bureaucracies and petty concerns than they did about the rights and benefits of the athletes.

As a result, Pre's willingness to stand up for what he believed in and to ignore

the pettiness of the track hierarchy did not cause any loss of his popularity in Oregon. It increased it. Pre represented everyone who wanted to stand up against pettiness, but perhaps did not. Pre was each of us fighting against a bureaucracy caring only about its own preservation. Pre called his shots, without being hyprocritical. His deeds mirrored his words. What more could anyone ask.

A second reason Pre was so loved in Oregon is that everyone knew he had turned down one of the largest, if not the largest, offers to compete in professional track. His answer, as pointed out in one article following his death, was that he wanted to run in Oregon, for "his people." And they were his people.

Pre was an iconoclast, an individual, one of a kind. His willingness to go against the grain, to swim against the current, to stand up for what he believed in, set him apart from the crowd. Perhaps people saw in him a spirit they felt they had within themselves. In a State such as Oregon, with our strong traditions of individualism, he stood as a true native son.

The shock everyone felt when Pre was killed reflects more than just the loss of an outstanding athlete. It also respects the loss of someone who fought for, and retained, his individuality. We will not see another Steve Prefontaine. Someone eventually will break his records, but they will be hard pressed to match his spirit.

A poem comments perhaps better than anyone could about the untimely death of Steve Prefontaine. I ask unanimous consent that the text of A. E. Housman's "To an Athlete Dying Young" might appear at this point in the RECORD.

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

TO AN ATHLETE DYING YOUNG

(By A. E. Housman)

The time you won your town the race
We chaired you through the market-place;
Man and boy stood cheering by,
And home we brought you shoulder-high.

To-day, the road all runners come,
Shoulder-high we bring you home,
And set you at your threshold down,
Townsman of a stiller town.

Smart lad, to slip betimes away
From fields where glory does not stay
And early though the laurel grows
It withers quicker than the rose.

Eyes the shady night has shut
Cannot see the record cut,
And silence sounds no worse than cheers
After earth has stopped the ears:

Now you will not swell the rout
Of lads that wore their honours out,
Runners whom renown outran
And the name died before the man.

So set, before its echoes fade,
The fleet foot on the sill of shade,
And hold to the low lintel up
The still-defended challenge cup.

And round that early-laurelled head
Will flock to gaze the strengthless dead,
And find unwithered on its curls
The garland briefer than a girl's.

Mr. HATFIELD. Mr. President, one of the best articles to capture the Pre Fontaine spirit was written by someone who was in a position to understand both him as a person and to know all runners. Kenny Moore, from Eugene himself originally and a standout high school and college runner there, now writes eloquently about track for Sports Illustrated. In a moving article in June 9, 1975, issue, Moore describes Pre, both the athlete and the spirit. I ask unanimous consent that this fine article appear at this point in the RECORD.

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

A FINAL DRIVE TO THE FINISH

(By Kenny Moore)

(Hours after winning yet another race with a surging kick, distance runner Steve Prefontaine was killed in a car crash. The author, a fellow Olympian, looks back at track's angry man.)

Steve Prefontaine tried to sleep on the plane from San Francisco to Eugene, Ore. a couple of weeks ago, squirming in his seat, closing the window shade with a snap, cracking his head against the fuselage in an apparent try at denting a hollow there. He closed his eyes for perhaps 30 seconds and then he was squirming again. He had not run as well as he had hoped in the two-mile in Modesto the night before, although he had won in 8:36.

"I went through the mile in 4:13," he said, "and then I just didn't seem to want to run very hard any more. I was lethargic. I still am. I feel like quitting training. Maybe I want to devote my energies to something positive, something I can see bearing fruit."

Prefontaine seldom spoke of his motives, and when he did he always included that "maybe"—as if he, like the rest of us, could only observe himself and wonder at this strangely engaging, obstreperous, fidgety creature.

"I talked with a lot of other athletes at Modesto about the AAU's damn moratorium rule," he said. A few days before, the AAU had announced a policy for forcing the country's best trackmen to compete in international meets against the Soviet Union, against Poland and Czechoslovakia, against West Germany and Africa. An athlete who declined a spot on the national team or who did not run in the national AAU meet would be suspended for one year if he or she completed abroad during certain moratorium periods before the AAU championships and the international meets.

"In July there are only about 10 days when the moratorium is not in effect," said Prefontaine. "That screws up my whole competitive schedule."

More to touch off his celebrated fulminations on the subject than for any enlightenment, I asked him blandly what was wrong with competing on the national team against the Russians and others. He looked at me as if I were a traitor to my class.

"Where are the best runners?" he said, coldly. "Emiel Puttemans is Belgian. Brendan Foster is English. Rod Dixon is a Kiwi. Knut and Arne Kvalheim are Norwegians. Lasse Viren is from Finland. Does the AAU have any of them on their wonderful televised schedule? Hell, no. For me, running against the Poles and Czechs would be like running against high school kids. And I hate all this gung-ho, run-for-the-red-white-and-blue attitude that the AAU spouts. If that's important to some people, fine, more power to 'em. But, damn it, I wish they'd leave me alone to do what I want to do—run against the best."

As he spoke, frustration rose in him. He seemed caged, vulnerable. He had organized a month-long visit to the Northwest by eight Finns, and then had experienced a series of withdrawals by athletes and promoters. The crowning blow had been a telegram from Finland saying Viren, the Olympic 5,000- and 10,000-meter champion, who was to race Prefontaine in Eugene, was injured and would not come. "I'm not so competitive as before," Prefontaine said. "It's wearing me down holding this tour together. Maybe the negativism stems from not being able to count on big races. One disappeared with that telegram. With the AAU rule others aren't likely."

In the week leading up to the meet last Thursday night in Eugene, where Prefontaine would go against Frank Shorter at 5,000 meters, I happened to talk with several men who knew Prefontaine well. Jon Anderson, an Olympian and the 1973 Boston Marathon champion, said, "He's not like other distance runners. He's not quiet, not introspective. He can't relax. A 15-mile run in the woods makes me kind of mellow and satisfied. All it does for Pre is make him mad. Most distance runners find expression in easy running; we take comfort in that kind of personal experience. Pre's kind of running is always hard and straining and fierce."

Anderson felt Prefontaine could not be understood without reference to the demanding, elemental life of Coos Bay, Ore., the logging and shipping town where he grew up. There are codes there governing social acceptance among the stevedores and lumbermen, and chief among these is success at sport. It took Prefontaine a while to gain that acceptance. When he first went to grade school he knew more German than English because his mother spoke German at home. He was taunted for his backwardness. He once said, "Kids made fun of me because I was a slow learner, because I was hyperactive, because of a lot of things." Then, in junior high school, he discovered that he could run well; all it took was being able to stand the discomfort of effort. The need to measure up, as demanded by Coos Bay, turned into a need to surpass. "Running gave me confidence," he said.

A long-abused ego burst out in a cockiness that was usually forgiven because boasts of what he could do were followed by proof. He set a national high school record of 8:41.5 for two miles, and at the University of Oregon he won four NCAA three-mile championships and three cross-country titles. He ran the mile in 3:54.6. He held U.S. records at 2,000 meters (5:01.4), 3,000 meters (7:52.6), two miles (8:18.4), three miles (12:51.4), 5,000 meters (13:22.2), six miles (26:51.4), 10,000 meters (27:43.6).

Yet he had not won when it meant most to him. In the 1972 Olympic 5,000, he ran his last mile in about 4:04, but Viren, the winner, did 4:01.2, and Mohamed Gammoudi, who was second, did 4:03. Prefontaine, staggering at the finish, was passed a few yards before the line by Ian Stewart to lose the third-place medal, too. Last year he set three American records in Europe, all in losing races to Knut Kvalheim and Rod Dixon. "When he's in a race with someone who is capable of beating him," said Anderson, "I think his thoughts, or the kind of man he is, make him press too hard."

Given the kind of man, the defeats were met by increased resolve. Early this year he was offered the largest contract in the short history of the professional track circuit, $200,000. He turned it down. Until the Europeans were well and honestly thrashed, he said, "What would I do with all that money?" Yet he displayed little of the traditional distance runner's feeling for austerity. "I like to be able to go out to dinner once in a while. I like to be able to drive my MG

up the McKenzie River on a weekday afternoon. I like to be able to pay my bills on time." With a sense of humor more lascivious than droll, he relished low tavern life ("Envision a satyr," said Shorter). He delighted in describing the ruinous modes of recreation practiced in Coos Bay establishments. "I know places you better speak low if you've been to college," he would say. "Men will come across the room and cold-deck you if you hold your glass wrong."

Two days before his race with Shorter, Prefontaine ran a brief workout under the eye of Oregon Track Coach Bill Dellinger, himself a three-time Olympian and bronze medalist in the Tokyo 5,000 meters. While he held a watch during Prefontaine's 330-yard interval runs Dellinger said, "That man has something no runner in my time had. We used to warm up out of sight behind the stands, and we would never have considered taking a victory lap. But Pre . . . he's almost like a movie star in his relationship with the crowd. He thrives on it."

Asked if he considered himself a major influence in Prefontaine's life, Dellinger said, "Well, I render advice. I don't know how often it is taken in areas away from running." Prefontaine finished his last 330 and approached us, sweaty, his barrel chest heaving, displeased with his times.

"Do you have a guru?" I asked. "Is there someone you would go to if you found yourself in a situation you couldn't handle?"

His reply was thrown back, almost defiantly. "I don't have anybody like that," he snapped, and he was jogging off, shaking out his arms.

"I told him that sounding off about how strong he was was a mistake," said Bill Bowerman had no illusions that Prefontaine Oregon and later his Olympic coach. "He runs an American-record 2,000 meters in Coos Bay and Viren cables that he's hurt. If he wants to get those runners over here to his lair, he's got to be more sly." Yet Bowerman had no illusions that Prefontaine could do that, could lie low and wait. "No that's hard for him," Bowerman said. "He's too outspoken and honest." In the act that meant the most to him, that he defined himself by—driving for the finish in a hard race—it was hopeless to expect him to hold off, to slow down. "He doesn't look beyond races," said Bowerman. "He doesn't look beyond laps."

Frank Shorter had come to Eugene as a favor to Prefontaine. His wisdom teeth had been extracted eight weeks before, and he had overtrained and had been ill. But with Viren out and the financial success of the meet in doubt, he was needed. Prefontaine had barely clawed past him in the stretch to win a three-mile in Eugene a year earlier—his American record—so Shorter's return attracted a twilight crowd of 8,000.

Before the race Shorter and Prefontaine lay on the grass on the infield. They spoke almost shyly with Erin Forbes, a beautiful, angular 14-year-old from Portland who had recently run an age-record 4:48.6 mile. "I hope she's blessed with nonpushing parents," said Shorter after she had gone, and Prefontaine slapped the ground in agreement. They watched as Gary Barger won the mile in 3:58.8, to become the 16th Oregon trackman to go under four minutes. Prefontaine went over to half-miler Steve Bence, who had fallen in a relay in the Pacific Eight championships and had broken his paw. Now, with 14 stitches in his chin and his mouth wired shut, Bence faced his last chance to meet the NCAA qualifying standard of 1:49.8. Prefontaine bent close and spoke intensely. "I don't think I could do what you're doing," he said. "So why don't you make it worthwhile?" Bence nodded, silent, and Prefontaine withdrew to watch. With 220 yards to go, Bence had a chance but could not kick. Prefontaine turned away.

For three laps of the 5,000, Shorter and Prefontaine ran behind Paul Geis, who earlier had won the two-mile; Shorter led at the mile in 4:17. Prefontaine took over the lead at six laps. Shorter floating at his shoulder, the rest of the field far back. Shorter looked tight, apprehensive. At 2¼ miles, Prefontaine shot ahead and churned successive laps of 63, 64 and 63 seconds, running away with the race, running through the rising shouts of his people, his head cocked to the right, his brow tightly knitted. This was where he lived, and those long searing drives never failed to be compelling. Into the last straightaway he closed his eyes and swung out from the curb slightly; he ran 50 yards with his eyes shut, squeezing away the suffering. He finished in 13:23.8, only 1.6 seconds slower than his best, and as he touched the tape he glanced back at his distant rivals. Soon the crowd was flowing out around him, small boys waving programs, beaming matrons, girls in halter tops.

That evening there was a party at the home of Geoff Hollister, Prefontaine's associate in an athletic shoe company. All the Finnish athletes were there, along with many of the families who had housed them. Prefontaine's parents and his high school coach were there. As the beer flowed and sandwiches circulated, there was much talk of Pre going to Helsinki, of his hospitality being returned, and much discussion of the AAU rule. Jon Anderson tried calmly to analyze the difficulty of explaining to the layman why athletes become so enraged at the AAU. "There is such a gulf between us and all those thousands of people who would give their right arms to wear "USA" on their chest. . . ."

Prefontaine broke in. "Where is the talent that I competed with when I started in 1969?" he cried, seizing on the first injustice that came to mind. "The shortage is of guys who are out of school and can still figure ways to train and find competition. I'm 24 years old and Frank is 27, and we're *veterans*. That's the shame. That's what's wrong with the American system."

I found myself with Raymond Prefontaine, who seemed daunted by his son's ferocity. We talked instead about the Dungeness crabbing in Coos Bay, he carefully explaining where good catches were being made. Steve leaned near and confided to me that he had never been crabbing. "I've never been fishing, either," he added, "but for God's sake don't tell anybody that."

Poor revelers, my wife and I left the party at 11. Frank Shorter, who was staying with us, said Prefontaine would drive him home later, and he did at about 12:30. They sat in Prefontaine's MG on the road above our house and confirmed a date for the three of us to run an easy 10 miles in the morning. Shorter, an attorney now, promised to brief Prefontaine on the legal challenges that might be brought against the AAU's restrictions on free international racing. "Yea, well, let's go over that tomorrow, when our heads are clear," said Prefontaine and he drove off down the hill.

In the morning the phone rang, waking me, and I learned he was dead. I told Frank. At eight o'clock, the day was still, full of sun and birdsong. From the radio we learned that the accident had happened only a few hundred yards from our house, and we knew Frank had been the last to see him. After a few minutes we walked down a path through a neighbor's yard to the road below. The ashes of flares were scattered in the road. On one side, beneath an outcropping of black basalt, there was broken glass and twisted metal strewn among the poison oak. There was blood on the street, a street he had run at least three times a week for six years.

We saw the accident report, which said he was dead at the scene, his chest and stomach cruished under the weight of the overturned car. His blood alcohol content had been found to be .16 percent, a level presumed to significantly impair driving. We always knew that the important thing about his life, that which let him perform as he did, was his prodigious honesty. Because he had never been hypocritical about his use of alcohol, the manner of his death could not diminish that honesty.

Later, after we had spoken to the news people, Frank and I ran. I believe it was a sort of observation of ritual, something that had to be done. We could not have run a step anywhere that Prefontaine had not run. As it happened, we ran softly through the woods skirting Eugene, looking up at the rugged ground under the Bonneville power lines where he did winter training. After we finished a five-mile loop, we kept on, crossing the river over a footbridge where I had once seen Prefontaine crouched behind a tripod and movie camera, waving at a tired runner to sprint toward him out of the cottenwoods, yelling, "Do I have to do everything myself?"

We avoided the road of the accident, coming up the hill to my house another way, a hard climb, feeling the effort, accepting it as the only link left with what Prefontaine had felt and accepted better than any of us.

Mr. HATFIELD. In conclusion, Mr. President, I want to express the deep sorrow that everyone in Oregon felt when they heard Pre had been killed. Track fans across the Nation may mourn the athlete; we mourn the man. I also know that Pre would have disliked the attention his death has caused.

As I mentioned at the beginning of these remarks, several publications did comment about Pre, and I ask unanimous consent that they appear at the conclusion of my comments. I call them to the attention of my colleagues.

Mr. President, I ask unanimous consent that a fine tribute by my colleague from Washington (Mr. JACKSON) be printed in the RECORD, followed by articles describing the life, the records, and the spirit of one of America's great track athletes.

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

[From the Congressional Record, June 10, 1975]

THE DEATH OF STEVE PREFONTAINE ON MAY 30, 1975

Mr. JACKSON. Mr. President on May 30, only a few hours after winning a 5,000-meter race in the second fastest time ever run by an American, Steve Prefontaine was killed in an automobile accident.

All of us in the Pacific Northwest, across the United States, and around the world were shocked and saddened to learn that this outstanding athlete—one of the best distance runners in the world—was dead. He was 24 years old.

In this most demanding of sports—for a runner does not begin to reach his peak until he has run literally thousands of miles and competed for years—Steve Prefontaine was a fierce and engaging anomaly. Most distance runners are quiet and introspective, and they confirm our belief in their "loneliness" by the monastic, austere life they lead. But Prefontaine was different; brash, confident, precocious. But he backed up his out-

spokenness with victories. He grew up in the logging and fishing town of Coos Bay, Oreg., where as in similar towns along the coast and waterways of the Pacific Northwest, hard work and a tenacious spirit are the norm. One had to prove himself, and Steve Prefontaine proved himself in sport.

His exploits are legendary: a national high school record of 8:41.5 for 2 miles four NCAA 3-mile championships and three cross-country titles while at the University of Oregon. He ran nine sub-4-minute miles, his fastest in 3:54.6. He set an American record on 14 different occasions and holds U.S. records at 2,000 meters (5:01.4), 3,000 meters (7:42.6), 2 miles (8:18.4), 5,000 meters (13.22.2), 6 miles (26:51.4), 10,000 meters (27:43.6); and every one agreed his best races were still to come.

Yet, his athletic accomplishments, as awesome as they are, do not give us a total picture of the man. Prefontaine, while preparing to win a gold medal in the 5,000 meters in the 1976 Olympic games in Montreal, and to defeat—soundly thrash as he would have put it—every other great distance runner in the world along the way, had another goal in mind. In the words of his first track coach at the University of Oregon, also the 1972 U.S. Olympic track and field coach, Bill Bowerman, "Steve wanted emancipation—freedom for U.S. athletics—freedom of competition for all athletes of the world."

Today, the United States is blessed with thousands of gifted, dedicated amateur athletes who compete and live within a most narrow, selfish athletic system. While other athletes in other nations are able to compete, to reach their fullest potential, the American amateur athlete is relegated to a world of poverty. Once out of college there is no source of assistance, or encouragement, and the athlete is never able to realize his or her aspirations. As a result, the American athlete is rapidly losing the chance to be the best.

Steve Prefontaine died before he was able to realize that goal, but we can help. In the last session of Congress the Senate passed legislation designed to modernize the archaic amateur system and to end the feuding that was hurting those—the American athletes—for whom the system was conceived.

One result of this legislation, was the creation of a Presidential Commission to study the state of amateur sport in America and that recommended changes; unfortunately, it has not begun to function. I urge the President to act so it can begin this task.

Americans have witnessed the tremendous good that can be won through sport. Track and field is a sport that knows no national boundary and it has broken down barriers when other forms of diplomacy have failed Soviet and American athletes have competed all over Russia and the United States, and a contingent of American athletes has just returned from a 3-week stay in the People's Republic of China.

Athletic competition has enabled men to come together, regardless of ideology. It is one of the most potent weapons for good, and for understanding.

Steve Prefontaine was an example of the type of individual who broke through those barriers. Steve Prefontaine was an example not only to athletes in the United States, but to aspiring and accomplished sportsmen all over the world. Bill Bowerman said he left us a legacy so that "the good things of track and field and other sports may be freely enjoyed by athlete and spectator, won by truth, honesty, and hard work."

Bowerman pledged to Prefontaine and invited all true sportsmen to join him, to fulfill his great dream—to preserve and further the freedom to meet in international sport and friendship. It is a goal worth achieving.

[From the Eugene (Oreg.) Register Guard, May 30, 1975]

NATION'S TOP DISTANCE RUNNER KILLED IN ONE-CAR ACCIDENT

(By Blaine Newnham and Don Mack)

Steve Prefontaine, America's greatest distance runner, is dead.

His body was found crushed under the weight of his small sports car at 12:40 this morning on a wooded street below Hendricks Park in Eugene.

"To me," said Eugene Mayor Les Anderson, "it's the end of an era. There's been a Bill Bowerman era, and there was certainly a Steve Prefontaine era."

There is little doubt that the 24-year-old athlete, the holder of every American record for distances over 2,000 meters, was Eugene's most well-known citizen.

The readers of Track and Field News, the most respected periodical of the sport, recently acclaimed Prefontaine as the most popular track and field athlete in the world.

He was recently offered the largest contract in International Track Assn. history to turn pro. He felt, and said so recently, that his greatest races were ahead of him.

Less than five hours before his gold-colored 1973 MGB slammed into a rock embankment and flipped over, crushing him, he had run the second fastest 5,000-meter race in American history at the NCAA preparation meet at Hayward Field.

He attended a banquet at the Black Angus restaurant for the University of Oregon team early in the evening, and then attended a party for the touring Finnish team at the home of former U of O runner Geoff Hollister, at 3980 Dillard Rd.

Prefontaine and Frank Shorter, the Olympic champion whom Pre had beaten at Hayward Field, left Hollister's party together.

Pre drove Shorter to the home of another runner, Kenny Moore. Moore lives at 1570 Prospect Dr., just a few blocks from the accident scene.

Winding down the hill from Moore's home, Prefontaine apparently was unable to make a turn on Skyline Boulevard approximately 150 feet from the intersection of Skyline and Birch Lane.

The car, according to police, went over the curb, striking a solid natural rock embankment. The car flipped over and came to rest upside down in the westbound lane, pinning Prefontaine's chest between the driver's door and the pavement.

Eugene Police Sgt. Richard Loveall said the car was rounding "a simple curve" and there was no indication of excessive speed. The car went over the center line and Prefontaine apparently hit the brakes. There were about 40 feet of skid marks from the center line to the curb.

Prefontaine's convertible had its top down, but the car is equipped with a roll bar. Police said, however, that Prefontaine apparently wasn't wearing a seat belt.

"It's hard to believe," said Bill Alvarado, of 2415 Skyline Blvd., who was first to reach the accident.

"We've seen Pre jog or drive by here a thousand times. I'm sure he knew the road. I want to believe that he tried to dodge one of the many raccoons that cross the road."

Police said there was no indication of mechanical failure in the car, although the car's front end was so badly damaged that it may be impossible to determine that.

A tape cassette was lying on the road next to his body, John Denver's "Back Home Again." Police theorized that Prefontaine may have taken his eyes off the road to insert the cassette.

Shorter indicated that Prefontaine had been drinking throughout the evening. "But I wasn't afraid to ride with him," said Shorter.

Alvarado, whose home is a short distance from the scene of the accident, said he heard the screech of tires and a "thunk."

Alvarado left his home in search of the accident, and saw a second light-colored MGB speeding up Skyline Boulevard away from Pre's overturned car.

Alvarado said he tried to stop the other car, but was unable to. Alvarado said he attempted to chase the other auto in his car but it was already out of sight. Alvarado circled back through Hendricks Park and came upon Pre's overturned car.

Police said the driver of the second MGB told officers that he came across the overturned car, apparently moments after the crash. He saw a man pinned under the sports car and decided to drive to his nearby home to get help from his father, who is a doctor.

The driver, identified only as a 20-year-old man whose last name is Bylund, told police he saw Alvarado but didn't stop. Police said he was "shook up" and to him, help was his father.

When he arrived home he called the police department, officers said.

The first policeman on the scene, Sergeant Loveall, said he found no pulse and that Prefontaine was already dead. A neighbor, Dr. Leonard Jacobson, confirmed that decision.

In the race Thursday night, and in the first big race Pre ever had—a District 5AAA race as a high school junior, was Jon Anderson, son of the mayor and a teammate of Pre's on the 1972 Olympic team.

"Pre had the potential to be the best runner in the world—on top, number one—in a year or two," said Anderson.

He had never gotten the world record he wanted so badly, and there were those, including his coach, Bill Dellinger, who thought that was only a matter of time.

Pre has no more time.

He talked one day about Emiel Puttemans, the great distance runner from Belgium.

"I like him," said Pre. "He's not afraid to take the lead and set a hard pace."

That was Pre. He set a hard pace in his 24 years. He is the only athlete ever to win four consecutive NCAA championships. He was a three-time winner of the Bill Hayward award to Oregon's outstanding amateur athlete.

He was controversial. He was known as the most outspoken of America's amateur athletes. And he was revered. He talked about "My People," a reference to the wildly enthusiastic track and field fans at Hayward Field.

Pre ran and won his final race at Hayward Field, which can be no solace whatsoever to those who loved and admired him.

Steve Prefontaine, of 4501 Franklin Blvd., lived alone. He is survived by his parents, Mr. and Mrs. Raymond. Prefontaine of Coos Bay, and his sister, Linda, 21, of Eugene. And a world of grieving track and field fans.

Mills-Bryan-Sherwood Funeral Home of Coos Bay is handling the funeral arrangements. A service will be held sometime Monday at the Marshfield High School Stadium.

As Pre's father said, "That's where it all began and that's where it ends."

PRE'S LAST HOURS

(By Jerry Uhrhammer)

Steve Prefontaine had just taken a couple of victory laps around the Hayward Field track.

It was about 8:15 p.m. Thursday, and he started trotting next to fellow runner and close friend Frank Shorter, whom he'd just beaten in a 5,000-meter race.

Shorter, Olympic marathon champion at Munich in 1972, recalled this morning the words that were exchanged.

"He said, 'God, it was slow . . . I felt terrible, you should have beaten me.' And I said that wasn't particularly slow . . . I would have run faster but I'd just come down from altitude.

"That's a little game we played," Shorter said. "He'd always say how out of shape he was and I'd tell him how fast he was."

Slightly more than four hours later, Shorter and Pre talked more about track—about how they intended to cope with problems surrounding the forthcoming national AAU meet.

They were sitting in Pre's MG, parked outside Ken and Bobbie Moore's house on Prospect Drive, located atop the Judkins Point hill in east Eugene, Shorter was staying with the Moore's, and Pre had driven him home from a going-away party for the Finnish athletes Pre had brought to Oregon.

Some athletes have been talking about "sandbagging" the AAU meet because of complaints over the handling of overseas competition. But Pre and Shorter decided there, sitting in the open-topped sports car, they wouldn't follow that tactic.

"We kind of decided we would run as hard as we could in the race," Shorter recalled. "We have to get the AAU to be more flexible, but we want to do it legally rather than demonstratively."

They didn't believe that "sandbagging" the AAU meet—running poorly or competing in events other than their best event—was the right approach to use in getting changes made.

"If you go in as a supplicant somewhere, you want to go in looking as good as you can rather than shlocky," said Shorter, who has just opened a law practice in Denver.

"We talked for two or three minutes and then he took off and drove down the road. . . ."

Shorter was the last person known to have seen Steve Prefontaine alive.

Minutes later, there was a "thud" a short way down the hill on Skyline Boulevard, and the life of America's most brilliant distant runner was ended.

Shorter didn't hear the sound.

The first thing he knew of the accident was this morning when Ken Moore came bursting into the bedroom to see if he was there.

"I was terrified," said Moore, like Shorter, an Olympic marathoner and now a writer for Sports Illustrated—currently working on a profile of Prefontaine. Moore had been awakened by a call from a Sports Illustrated photographer who was in Eugene to cover Thursday evening's race and who had heard the news.

"I said, 'Where's Frank?' and raced over to the door," Moore recounted. He had known that Pre planned to drive Shorter back from the farewell party.

What happened in the last four hours of Pre's life, between the final victory lap at Hayward Field and the "thud" on Skyline Boulevard?

Based on interviews with Shorter, the Moores and other close friends of Pre, they were hours of track talk and fellowship.

Mark Fieg, a University of Oregon miler, recalled that Pre played cards for three hours Thursday afternoon with other runners—unusual for him, Fieg recalled, because he was usually "hyper" before a race and didn't like to talk. Fieg said he suspects Pre was willing to play cards because he wanted as much rest as possible so he would have a good race.

After the 5,000-meter race and the victory laps, Pre showered at Feig's apartment near the campus.

A short time later Pre and his girl friend, Nancy Allman, appeared at the Black Angus Restaurant where the Oregon track team was having its awards dinner. He stayed only about 10 minutes, said Coach Bill Dellinger, and they talked about training and what race he would run in next week's Bowerman Classic (the mile).

Dellinger remembers Pre saying he was going on to the farewell party for the Finnish athletes, being held at Geoff Hollister's house in South Eugene. On the way, he apparently stopped off at The Paddock Tavern for a couple of beers. Prefontaine previously worked as a bartender there.

Attending the party, among others, were Pre's parents from Coos Bay and his high school coach, Walt McClure.

There was lots of track talk. Other kinds of talk, too.

Mrs. Moore remembers Pre going up to his Finnish friends and saying a certain Finnish word right to their faces—a joke they hugely enjoyed. Bobbie Moore doesn't know what the word meant, but she asked Nancy Allman and was told: "If it means what he told me it means you don't want to hear it."

There was talk of going for a run this morning, followed by a sauna at Pre's house when Moore would interview him some more.

"He built the sauna himself last fall and he was proud of it," Mrs. Moore said. "Jaakko Tuominen (Finnish team leader) said he had it up to 225 degrees, and from a Finn that's a compliment."

There was drinking at the party. "Anytime you party with New Zealanders or Finns there is drinking," Shorter said. He declined to say how much Pre had to drink but said he thought it was "enough to affect his driving."

Yet, Shorter added, he wasn't afraid to ride with Pre last night. "He was a good driver . . . I drove from Boulder, Colo., to New Mexico with him and was at ease all the time."

The Moores left the party early. Pre, Shorter and Nancy Allman left about 12:15 a.m., Shorter recalls.

"We all three got into the MG and drove down to the UO ticket office where Nancy had left her car and let her off," he continued. "Then he drove me home. . . ."

As Shorter and the Moores sat in their living room this morning, they talked about the kind of person Pre was and his impact on track. He was the most widely known American trackman of all.

Shorter recounted an incident that occurred when he was working out in a Denver park. An onlooker asked Shorter's companion, who had stopped to rest, "Hey, is that Steve Prefontaine?"

"Even at home, where I'm not known, he is," Shorter said.

What of Ken Moore's profile on Pre for Sports Illustrated?

He had already called the magazine and he intends to keep on writing. "Not an obituary, but a valedictory," he said.

MOST POPULAR TRACK ATHLETE

(By John Conrad)

Bill Dellinger and Norv Ritchey seemed to sum up the feeling of most people early today as they learned of Steve Prefontaine's death in an auto accident only hours after running a 5,000-meter race at Hayward Field.

"I think the fact people thought of him as superhuman makes it a lot tougher to accept," said Dellinger the UO track coach who had also supervised Pre's workouts. "I don't think most people looked at him in an ordinary sense."

Added Ritchey; the UO athletic director: "The impact is unbelievable and the shroud is over the whole nation, just not Eugene or Coos Bay."

That seemed to be the case as most of those associated with Prefontaine learned of his death sometime after a party Thursday night in honor of the Finnish athletes Pre had brought to Oregon.

Only a couple of hours before, he had come within a second of his American record in the 5,000-meters at Mayward Field.

Two of the people most instrumental in Prefontaine's development were unavailable for comment. Walt McClure, the former Marshfield High track coach who was Pre's first coach, was not home. He reportedly was en route to Eugene early this morning with Prefontaine's parents only hours after the group had returned to Coos Bay following the meet Thursday night. Bill Bowerman, the former University of Oregon coach, could not be reached.

People who were available and had gotten the news had received it in every manner imaginable, some from people on the East Coast, or other points, who had heard the news and wanted to confirm it.

"I've had calls from New York, Los Angeles and Seattle," Dellinger said. "But I'm still in shock, it's a shame to see his promising career snuffed out just when he was reaching his peak."

Mark Fieg, the Oregon miler, considers himself the Oregon runner probably closest to Prefontaine.

"It was hard to get to know him," Fieg said. "He was an idol of mine even though I was running with him. A lot of times it was his encouragement that picked me up and kept me going when things were really discouraging.

"I was at his place with some guys playing cards yesterday before the meet."

The ironic thing about Prefontaine's death was that it came after the completion of the Finnish tour that he had worked so hard to put together, and after a party attended by practically all those close to Pre at the home of Geoff Hollister.

"We were involved in a lot of things together," said Hollister, for whom Prefontaine worked at the Athletic Department sporting goods store. "In business and well as in running, it was amazing the things he could do."

Juakko Tuominen, the leader of the Finnish athletes, said that it was uncertain this morning when his group would leave. They had been scheduled to fly out of town today.

Throughout the morning, expressions of sympathy came from various sources, including Gov. Bob Straub and Sen. Mark Hatfield.

Bud Gauthier of Madras, who staged one of the Finnish meets for Pre, was at the Hollisters' Thursday night and had barely arrived home before being informed of the news by a call from Pendleton.

"Last night my little boy was playing around with Pre," Gauthier said, "How do I wake him up and tell him this? Pre was going to come to my house Monday. He was interested in building an A-frame house in this area so he could work out for the Olympics at altitude. I remember before we left, he begged me at least three times not to drive all the way home because he was afraid I was too tired. How do you explain it?"

Bill Huggins, a Coos Bay insurance man whose son ran with Pre in high school, was another who visited with Pre at the Hollisters Thursday night before returning home.

"I just chatted with him briefly and told him to stop by the house next time he was home," Huggins said. "I'm just sick . . . and you can imagine the feeling of the community here. He's a part of a lot of people's lives in this community and people are numb.

"It's a personal loss to a lot of people."

Kenny Moore, the marathon runner who was doing a piece on Prefontaine for Sports Illustrated, was almost in tears as he spoke.

"My emotional reaction is so strong because I know how impatient he would be with us over our inability to handle this situation,"

Moore said. "Something a lot of people didn't know was that he had all kinds of lucrative offers in and out of track from places all over the country. But he stayed here and sort of scrambled out his existence because these are his people and where his roots are."

Said Frank Shorter, who came to Eugene to run against Pre Thursday night:

"He's probably drawn more recognition to track and field than anyone in the last 10–15 years except maybe Jim Ryun," Shorter said. "He's easily the most popular track athlete in this country.

"I got to know him personally and I don't think he was as political as people say. He just couldn't understand why people (AAU) would block his way when he wasn't trying to hurt anybody. He had the same frustrations as a lot of us, but most of us weren't as quick to speak out."

Added Ritchey:

"He was trying very hard to live down his image of being unpatriotic."

PRE'S LAST ONE A GOOD ONE

(By John Conrad of the Register-Guard)

Steve Prefontaine's final race was in a way indicative of how he dominated distance running in America. He had just run the second-fastest 5,000 meters ever by an American—second only to his own U.S. record, of course—yet he was anything but satisfied.

Four hours later, just two years out of college and 24 years old, Prefontaine was killed in a one-car accident in Eugene. But, as a crowd of some 7,000 filed out of Hayward Field Thursday night, Pre said he was just one race from being ready to go for a world record that he coveted so much—something to add to his seven American records at every distance from 2,000 to 10,000 meters.

"I just need one fast race and then I'll be ready," he said following a 13:23.8 tour for 5,000 meters. "I'll run the mile in the Bowerman Classic (June 7) and I know I'm ready to run under four minutes. Then we'll see what happens in the 5,000."

Pre had no trouble disposing of Frank Shorter. He took off with 2½ laps to go and Shorter didn't give chase. Pre passed the three-mile mark in 12:58.8 to Shorter's 13:06.4, and although Shorter finished with a lifetime best of 13:32.2 in the 5,000, Pre was well ahead and actually not that far off his American record of 13:22.7.

Although there were no records, it was an outstanding meet in several areas.

The highlights:

Mac Wilkins set a new Hayward Field discuss record with a throw of 212–3 to upset Finland's Pentti Kahma, the top-ranked discus thrower in the world. Kahma, who had a lifetime best of 219–3 last weekend, was over 200 feet on every throw but settled for second at 211–4.

Jorma Jaakola of Finland unloaded a 269–0 javelin throw on his final effort to defeat the Army's Bob Wallis, who had looked to be the easy winner with a throw of 262–7.

Gary Barger, who will compete for Oregon in the steeplechase at the NCAA meet next weekend, became the 15th Duck runner to go under four minutes in the mile as he set a blistering opening pace and kept it up to win in 3:58.8.

And, Tom Woods of Oregon State went 7–2 in the high jump.

Meanwhile, at least four Ducks earned a trip to the NCAA meet next week. Mark Feig showed signs of coming out of his slump by posting a 4:00.4 mile, Dave Hagmeier recorded a lifetime best of 51.8 in the intermediate hurdles, Dave Taylor was clocked in 13:30.6 for three miles and Dave Voorhees had a lifetime best of 191-8 in the discus.

Oregon Coach Bill Dellinger said all will join Paul Geis, Scott Daggatt, Craig Brigham, Barger and Terry Williams at the NCAA meet. Dellinger said he may also take hammer thrower Rich Perkins, who had a lifetime best of 189–3 to finish fourth in an event won by Steve DeAutremont with a heave of 216-6.

Prefontaine and Shorter seemed to be on record pace after the first mile, as they were paced by Geis and Williams for three laps and clocked the mile in 4:17 after an opening 63-second lap.

But the pair slowed to 66-second pace in the second mile and when Shorter began the third mile with a 68-second lap, Pre took off on his own. He finished up the three mile with laps of 63, 64 and 63 but said he wasn't thinking in terms of a record at any point.

"I felt sluggish," he said. "I felt Frank throw that 68 and decided to throw in something fast. If he had come with me it would have been a race. But after the first mile I wasn't thinking about any records."

Shorter felt the change in altitude after flying in Wednesday from Colorado affected him, and Prefontaine said he wasn't surprised.

"It took me a week to recover after I came home from there this winter," he said. "Coming down from altitude takes some getting used to."

Pre felt that his strength was better than ever, but his overall fitness still had a way to go. But not far.

"I need a couple of weeks before I'm ready to really turn one on," he said. "I'll get a good mile in the Bowerman Classic, then if I run in the AAU that could be good. But, if the AAU doesn't give me permission to run where I want in Europe this summer, I won't run in their meet."

Wilkins and Kahma had a very impressive battle in the discus. While Kahma was over 200 feet on all six of his throws, Wilkins hit his winning toss on his first try. Then he had two fouls, a 209-5, another foul and a final 207-7.

In the mile, Barger attained a goal he established in high school days by breaking the four-minute barrier.

"I wanted to run under four minutes and I knew this would be a good chance," he said. "Lars (Kaupang) said he was going out fast, but I felt good and just decided to take off.

"I think this will help me in the steeplechase. I ran the steeple and three mile in the Pac-8 and a race like this will get the sharpness back in my legs."

Feig, who didn't even place in the Pac-8 meet, was more pleased to run a good race than disappointed to just miss a sub-four minute tour.

"I just needed a little confidence," he said. "I had a real good workout last Saturday and today I just went out and ran as hard as I could all the way."

[From the Eugene (Oreg.) Register-Guard, May 31, 1975]

HE WAS BILL BOWERMAN'S "KIND OF GUY"

(By Dave Frei)

Up front and talented.

That was Steve Prefontaine.

It was hard to tell which meant the most to him as he made it a point never to separate his attitude from his abilities.

Consequently, many accused him of running with his mouth. For those of weak faith, he produced seven American records.

The higher-ups in the governing bodies of amateur sport didn't appreciate his ongoing campaign on behalf of athletes and their rights.

But those who knew him best appreciated Steve Prefontaine.

A coach's athlete . . . an athlete's athlete.

His own man.

All of these, he was.

"As soon as he came in here he was my kind of guy," said former Oregon track Coach Bill Bowerman, "because he was outgoing and honest. He may have opened the door to emancipate the athlete in bring the Finns over here.

"To my knowledge no one has ever accomplished something like this without accepting dictatorship. Because of who he was and his integrity, it opened new avenues for the athletes.

"This is a big loss to our university, state and nation."

Prefontaine, 24, was killed early Friday in a one-car accident in Eugene. The official autopsy report released Friday by Dr. Edward Wilson, assistant medical examiner for Lane County, listed the official cause of death as "traumatic asphyxiation, a form of suffocation.

Prefontaine's chest and stomach were compressed under the weight of his overturned MGB sports car, making it impossible for him to breathe, Wilson said. He couldn't have lived more than a minute under those circumstances, according to the doctor.

Wilson said that Prefontaine suffered no other injuries which, in themselves, would have caused death.

Laboratory analysis of a sample of Prefontaine's blood showed a blood alcohol content level of .16 of 1 per cent. Under Oregon law, a driver is considered to be under the influence of alcohol at a blood alcohol content level of .10 of 1 per cent. A more serious driving incapacity is presumed if blood alcohol content exceeds .15 of 1 per cent.

Prefontaine, who lived alone at 1424 McKinley St. in Eugene, is survived by his parents, Mr. and Mrs. Raymond Prefontaine of Coos Bay, and two sisters, Mrs. Don Fleming of Coquille and Linda Prefontaine of Eugene.

Funeral services will be held at 3 p.m. Monday in the stadium at Marshfield High School in Coos Bay. Rev. Thomas Murdock of Coos Bay will say a prayer and two of Pre's former coaches, Walt McClure of Marshfield High and Bowerman, will deliver eulogies.

Burial will follow at Sunset Memorial Park in Coos Bay and will be closed to all but family and pallbearers.

Frank Shorter, Jon Anderson, Jim Seymour, Brett Williams, Bob Williams, and Geoff Hollister, all runners or former runners, were named as pallbearers.

Donations to the Steve Prefontaine Memorial Fund may be made in care of Walt McClure, 1606 Cottonwood, Coos Bay, Oregon 97420.

KEZI-TV (9) will telecast a special tribute to Prefontaine Sunday at 10:30 p.m.

Bill Dellinger, who coached Pre off and on since 1969, called his death "a great personal loss, a great loss for all the fans of track and field. We can all reflect back to the great moments in this state and all over, wherever he competed.

"I guess you'd have to say he was the ideal type of a guy a coach likes to have. He was a very talented runner, a very dedicated runner, very coachable. He asked for and followed advice very, very well."

"He told me last night (Thursday) that he felt he was just starting to run well, that the season had just begun," continued Dellinger.

"He thought he was the best in the world and was aiming for 1976 (Montreal Olympics)."

"Anybody that appreciates track and field had to appreciate his competitiveness," said South Eugene track coach Harry Johnson.

"Pre was the epitome of the track athlete because he had the ability to rise to the occasion of the competitive experience and there aren't many guys who can do that.

"He had the tools and he could do it whenever he wanted to.

ODE TO S. ROLAND

You came out hot and flashing
Like a Spanish fighting bull,
Your chest went stretching forward
Straight hair flying from your skull.
Your knees came high, the arms they swung,
You sneered around the bend.
Leaping, diving, baring all
Exhausted in the end.
You called the fouls and formed the words
That told it as it was.
A warrior running rampant, wild.
In pain you never paused.
For six short years we followed you;
You always grabbed the lead.
And now it's over, just like that.
The hearts begin to bleed.
No more will dirt in London, Oslo,
Crush beneath your feet.
It's up to other artists now
To make the tempo sweet.
No more to pound the dusty roads
Or touch the emerald green;
No man again to taste
Your thrilling madness in Eugene.

—DICK BUERKLE,
distance runner
Rochester, New York.

Dick Buerkle, the world's fourth ranking 5,000 meter runner in 1974 and Steve Prefontaine's chief competition among Americans at that distance, called the Register-Guard from his home in Rochester, N.Y. On the trip home from the China track tour, Dick Buerkle composed a poem about Steve Roland Prefontaine, a poem he wanted "Pre's people" to read.

FOR PRE

The time you won your town the race
We chaired you through the market place;
Man and boy stood cheering by,
And home we brought you shoulder-high.

Today, the road all runners come,
Shoulder-high we bring you home,
And set you at your threshold down,
Townsman of a stiller town.

Smart lad, to slip betimes away
From fields where glory does not stay
And early though the laurel grows
It withers quicker than the rose.

Eyes the shady night has shut
Cannot see the record cut,
And silence sounds no worse than cheers
After earth has stopped the ears.

Now you will not swell the rout
Of lads that wore their honors out,
Runners whom renown outran
And the name died before the man.

So set, before the echoes fade,
The fleet foot on the sill of shade,
And hold to the low lintel up
The still-defended challenge cup.

And round the early-laureled head
Will flock to gaze the strengthless dead,
And find unwithered on its curls
The garland briefer than a girl's.

To an Athlete Dying Young

—A. E. HOUSMAN.

[From the Eugene (Oreg.) Register-Guard, June 1, 1975]

ONLY FIRST

(By Blaine Newnham)

Pre didn't have much use for sports writers.

Most sports writers didn't have much use for Pre.

He was arrogant, he was impatient, he could be rude and he eschewed small talk.

I remember the first time I met Steve Prefontaine. He was standing on a balcony overlooking a swimming pool at the University of California following the 1971 U.S.-Russian meet at Berkeley.

I introduced myself.

"I'm not talking to reporters any more," he said. "I've decided that I'd better keep my mouth shut around newspaper people."

I had mentioned his race against the Russians. I asked about his strategy, and about pace.

His eyes twinkled. He leaned back against the edge of the balcony and started talking about Harold Norpoth and Michel Jazy, two of the great European runners.

"I thought you weren't going to talk to sports writers any more?" I said.

"You haven't asked me any stupid question yet," he said.

Two months later I was in Eugene and became privileged to see most of Pre's great races. I saw his last one.

In my mind, his greatest race was his worst defeat: the Olympic 5,000-meter final in Munich.

The pace was agonizingly slow, slower than the 10,000 meters the week before. Pre knew he couldn't lead the entire race and hope to win. He also knew he couldn't kick the last lap off a slow pace.

With one mile left in the race, Pre took off. He pulled the rest of the world through one of the most exciting races ever held.

Pre battled the great Lasse Viren over the last 600 meters. Twice in the last 300 meters he tried to make a move, but got jostled, his momentum tied up in tangled feet.

At the finish, he was spent. He couldn't hang on for third and an Olympic medal. But that, to me, was Pre.

"He never ran for second or third," said Bill Bowerman, "he never even considered it."

I remembered the 1968 Olympics at Mexico City. And Jim Ryun's failure to chase Kip Keino in the 1,500 meters after Keino stole the race with a lightning pace.

"If I'd have gone with Keino," said Ryun, I might not have gotten second."

Just as Ryun and other American runners stood still from the dictatorial policies of the U.S. Olympic Committee and the Amateur Athletic Union, Pre forced the pace.

He was impatient with life. He was so awesomely competitive that he was rude to those who would stand in the way of people trying to help themselves.

He fought for a national sports program, he fought against AAU's policy to limit the travel of American athletes in Europe, and he fought to keep track and field on a high level in Eugene.

He was intensely loyal to Eugene and the university.

"He knew we were in trouble raising money for the new grandstand," said Bowerman. "That's why he went out and got Dave Wottle to run against him in a mile. He knew it wasn't his distance, but he knew it was the race we needed to draw fans.

"That same year, Pre got every member of the Oregon track team to make a donation to the Restoration fund."

Bowerman thinks Pre's success in bringing the Finnish team to America is a milestone.

"Let's hope that the AAU doesn't remember Pre as a troublemaker and be relieved that they won't have any more problems.

"Pre opened the gate to international communications. Let's keep it open."

Pre started track in the eight grade at a Coos Bay junior high.

"I found I was doing something I wasn't dead last at," he said once. "I was at the point of giving up athletics and going down a different trail. I know one thing, if I'd done that, I wouldn't be in college right now. I'd probably be in a shack somewhere in the mountains, doping it up."

Pre told that to a class at Roosevelt Junior High School. He never once mentioned his work with kids to the press, which quoted him liberally on about every other subject.

"Pre wanted the image of a swashbuckling pirate," said Bowerman. "He never wanted people to think of him as a do-gooder. And, yet, he had a deep feeling for the kids."

Pre lived hard, and he died hard. But what is his legacy?

"The goals he set for himself drove others to strive to beat him, giving the United States what is now the best fleet of distance runners it has ever had," said Dick Buerkle, one of Pre's strongest competitors.

But is there a man to step forward and challenge the AAU?

What will become of national track and field meets in Eugene? Pre never ran a bad race at Hayward Field. To arrange a good meet, all you needed to do was find some competition for Pre. Pre is gone.

A jogger moved slowly down Hilyard as I drove to work Friday morning, the news of Pre's death ringing in my ears.

I had often seen Pre jog the very same route on cold, rainy winter mornings. I always smiled, juxtaposing Pre on Hilyard Street with Pre in Munich, a neighbor and an Olympian.

Pre loved Eugene. He would hope that the full spectrum of track and field in this community would continue as he left it. From jogging to all-comers meets, to four-mile relay records at South, to an NCAA championship for the U of O, to a return of the Finnish national team to Hayward Field.

Run for first. Don't even think about second or third.

STEVE PREFONTAINE

(By Blaine Newnham)

Bill Bowerman looked out from the new west grandstand at Hayward Field. Across Stevenson Track, out into the verdant hills of east Eugene. To where Steve Prefontaine was killed.

The American flag at the south end of Hayward Field stood at halfmast Saturday during the state AAA track and field championships.

"I think Pre would have wanted it right up at the top," Bowerman said softly. "That's where Pre always wanted to be."

It is impressive to summarize the career of Steve Roland Prefontaine by saying that he set American records 14 different times, that he broke the four-minute mile nine times, had 25 races faster than 8:40 for two miles, and 10 races faster than 13:30 for 5,000 meters.

But there was more to the man than races won and records set, and nobody knew it better than Bill Bowerman, Eugene's living legend.

"Pre never had burning speed," said Bowerman, "but he had burning desire and more determination than anyone I've ever been associated with in track and field, or any other sport.

"Pre wasn't necessarily born to run, but he was born to compete."

Bill Bowerman first saw Pre run at a cross country meet at North Eugene High School. Pre was a freshman at Mashfield High.

"Walt McClure (the Marshfield coach) had already told me about this little guy who was a good one. Pre was a 14-year-old freshman, and ran about as well as any freshman could."

It was destiny that Pre would enroll at Oregon and run for Bowerman.

"Walt McClure had run for Bill Hayward," said Bowerman. "He was one of a half-dozen carry overs from the Hayward period. Walt's father ran for Bill Hayward."

Bowerman reflected quietly on the great moments of Prefontaine's 10-year running career.

"A multitude of great races," he said. "When Pre ran 8:41 in high school you knew

he had as much talent as anyone in the world."

It was in his first year at the university, as a freshman on the last Oregon team to win the NCAA championship, that Pre ran what Bowerman considers his most memorable race.

It was in Des Moines, Iowa. Six days before the NCAA three-mile final, Pre gashed his foot on an exposed metal bolt at the swimming pool of the hotel. It took six stitches to close the wound.

"A doctor took one look at it," said Bowerman, "and told us Pre couldn't walk for two weeks. Pre said he needed to work out so he'd be ready for the race."

Bowerman called Dr. Donald Slocum in Eugene. Slocum recommended another doctor in Des Moines. Meanwhile, Pre soaked his foot every hour for the remaining five days. He couldn't do anything else because Bowerman told him not to run.

The coaches met to decide whether a prelim was needed in the three-mile.

"I told them to go ahead and have a prelim," said Bowerman, "I didn't give a damn. My guy is used in running two races."

Apparently, the bluff worked. The coaches voted not to have preliminaries and Pre had a reprieve.

"Pre was very easy to coach," said Bowerman. "We told him to stay in the pack, to protect his foot. The pace was slow, the race made to order for him. He won easily, but I'm sure it had to hurt."

It did.

"When I took the tape off after the race," Pre recalled, "two stitches came with it."

Bowerman moved quickly to Pre's American record in the final of the 1972 Olympic Trails at Hayward Field when the University of Oregon junior convincingly put away America's veteran star, George Young.

"That was a great race," said Bowerman, "but perhaps the greatest race I've ever seen was in the Restoration meet a year ago when Pre and Frank Shorter broke the American record.

"That was a record-breaking, two-man race and I thought when Shorter was in front of Pre by 10 yards in the last lap that Pre had had it.

"I don't know where he got it from."

Bowerman always referred to Pre as a "tough rube." He admired toughness above all else. His best competitors were called "tigers."

"Pre," said Bowerman, "was a double tiger."

Prefontaine's seven American records—every record from 2,000 meters to 10,000 meters—four consecutive NCAA championships, three consecutive NCAA cross country championships, Pan American Games championship, two AAU championships, and his victory in the Olympic Trials left ample evidence that Pre was the best distance runner in American history.

Some would argue for Shorter, an Olympic marathon champion, or for Young, a devastating force at everything from two miles to the marathon, or for Gerry Lindren, the Washington State runner who doubled in the NCAA championship three times.

"Let them run 12½ miles over steeplechase barriers," said one track expert.

Is there any doubt who would have won such a race of determination and guts? Pre would have found a way.

But what about Olympic championships, world records, and his failure to beat the Europeans in Europe?

During his career at Oregon, and even after he left the university, Pre and Bowerman talked once a week.

"It's better off if you can demonstrate when you coach," said Bowerman, "and it was obvious when Pre got here that I wasn't about to be running with him. I charged (Bill) Dellinger with the responsibility of being on the course with him."

Bowerman remained close to Pre, and they talked this last year about Pre's future, and the 1976 Olympic Games. Bowerman was certain that Pre wanted to run well in the Olympics more than anything else. And he wanted a world record.

"He and I were talking about the easy way to run a world record," Bowerman began. "The easy way is to run an even pace.

"But," continued Bowerman, "we both knew that you might well pull somebody with almost as much talent and more sprint speed along so that he gets the pot."

Both were aware of Pre's lack of a finishing kick. And, yet, both felt there was another way to win the Olympic 5,000 meters.

"First of all," said Bowerman, "Pre felt he had to run each mile in 4:12 or three miles in 12:36 (the world record is 12:47.8), and yet he knew that probably wasn't going to be good enough to win.

"Nobody has ever run that fast, but that doesn't mean somebody wouldn't do it in the Olympics."

There was an additional factor, or a weapon as Bowerman described it, that Pre felt could kill off even the strongest of the quick finishers.

"Pre had the guts and the manhood to run a varied pace," said Bowerman, "and that was his great weapon for the next Olympics.

"Vladimir Kuts of Russia is the only man who has really ever used the weapon, and he did so in destroying every man in the field in the 1956 Olympics.

"I think that Pre was capable of doing that because of his physical strength and incredible determination to win."

Bowerman stopped. He was talking about a man who would never run again.

"Those were the plans, those were the goals. If he had achieved that, and still didn't win, Pre could have accepted that.

"There was nobody else like him."

[From the Eugene (Oreg.) Register-Guard, June 2, 1975]

PREFONTAINE TRIBUTES CONTINUE

Tributes continue to mount for Steve Roland Prefontaine, who will be buried this afternoon in Coos Bay.

The House Rules Committee of the Oregon Legislature introduced a memorial to Prefontaine, who was killed early Friday morning in a one-car automobile accident in Eugene.

The Oregon Track Club, meanwhile, announced a memorial service for Pre at 8 p.m. Tuesday at Hayward Field.

Friends and fellow athletes of the great runner will stage a brief ceremony in Eugene at the site of many of his greatest achievements.

"This service is for those who could not be in Coos Bay Monday," said Jim Putney, president of the Oregon Track Club. Those involved in Tuesday's service include Kenny Moore, the writer and marathon runner from Eugene.

Bill Bowerman and Walt McClure, Pre's coaches at the University of Oregon and Marshfield High in Coos Bay respectively, will deliver eulogies at today's 3 o'clock service in the Marshfield High Stadium in Coos Bay.

Private burial will follow at Sunset Memorial Park in Coos Bay. Pallbearers for the service are Frank Shorter, Jon Anderson, Jim Seymour, Brett Williams, Bob Williams and Geoff Hollister, all runners or former runners.

American distance, star Dick Buerkle of Rochester, N.Y., authored a poem about Pre, and called it "Ode to S. Roland." Other poems by fans in Eugene have come to light.

Contributions to the memorial fund honoring Pre should be sent in care of the Western Bank of Coos Bay, 285 S. Fourth St., Coos Bay, 97420.

IN MEMORY

I am saddened by our loss.

Only knowing him slightly, rarely having the opportunity to talk with him, I admired him.

One need only see him run to admire his talent, his determination, his strength, his spirit.

The countless hours of preparation, the thousands of miles he ran alone in the early mornings and in the evenings.

Alone, in the Oregon rain, Alone, in the Oregon hills, Alone, in the streets of Eugene, Alone, at his home on Stevenson Track.

His dedication to himself, his country and his sport were one.

To see him run, his fluid stride, his legs kicking high behind, his chest expanded, his arms in gentle motion by his side.

To see the pain expressed in his face, the sweat on his forehead, the conviction within to run even faster.

To see his beauty, the beauty of what it represented; every part of it.

His beauty, his pleasure; the beauty he expressed so well, the pleasure he gave so unselfishly to us all.

Pre's running now; he'll always be running, running to win and winning.

His fans are watching, they'll always be watching

Watching him run out front, carrying the load, that determined look in his eyes, that glance at the scoreboard clock, always looking ahead, never looking over his shoulder.

To those who say he has died, I ask what has died?

His Memory? His Spirit? His Cause?

Pre will run again, he will run every time there is a meet at Hayward, He will run every time the gun sounds. He will run every race from 2,000 meters to 10,000.

Pre will run to win, and he will win!

GREGORY M. AHLIJIAN,
Eugene.

PRE

Keep on running.
And never turn back.
'cause that's the urge
all the others lacked.

Keep on running.
Don't stop to look behind.
'cause Montreal is near,
and that's what's on your mind.

Keep on running.
Never let them slow ya down.
'cause just around the corner,
you're going to get the crown.

Keep on running.
Your era will never end.
'cause you're on top,
and there's fans around every bend.

MELANY MOSER, 16,
Junction City.

PRE

Exultantly riding the night
I dare my car to keep my pace
High on wind and stars and victory and into the stone wall full tilt
Flung with godlike force whirling lights flashing
Earth smashed the crush of pressure beyond pain warmth of blood filling my hands helpless to stop the overflow
spilling into the earth around me
With inestimable sorrow and regret
goodby

JANE HARRISON,
Eugene

[From the Oregonian, May 31, 1975]

TRACK WORLD MOURNS DEATH

(By Leo Davis)

When there is time Kenny Moore will write about Steve Prefontaine—the man and the athlete.

Moore writes as well as Pre ran, with litte pretense, with insight, with telling effect. And best of all with compassion, the bond between distance runners.

But Friday, as he struggled to accept the news of Prefontaine's death in an early morning auto accident, words avoided him. Kenny struggled as he never struggled with an Olympic marathon.

"My emotional feelings on this are very strong. Pre could have accepted this sort of thing better than I."

Moore was at Hayward Field Thursday night to do a Sports Illustrated profile on Pre and Lasse Viren, Finland's double gold medal winner in the 1972 Olympics in Munich. "When Viren cancelled, the story turned out to be a profile on Pre."

In the callous crush of a news conference, Moore reached for words. "I would say that Pre's legacy is that he doubled the efforts of the rest of us toward restructuring American sports where it is lacking. His contributions to track and field were enormous."

His impact on Eugene was even greater. "Pre didn't want to turn on crowds as much as pay them back. He had great sense of his own roots—he had chances to go into business but wouldn't consider them just because he didn't want to leave his people."

At that moment Moore couldn't accurately measure the loss, nor could countless other Prefontaine friends, enemies and admirers.

Dick Buerkle, a long-time rival, heard the news as he was checking his baggage through customs in Seattle after a tour of China. "I could cry," he said softly. "It leaves me numb."

Dr. Leroy Walker, who will coach the U.S. men's track and field team at Montreal in 1976, spoke in the hush that followed the news. "It was a great tragedy and a great loss to our team. He was one of the finest distance runners in the world and there is no doubt he would have been on the American team."

The news stunned Bowerman. "He was the greatest athlete I ever coached and a fine person. He really loved life."

Yale coach Bob Giegengack, who had taken the American team to China, and Don Kardong, a member of that delegation, spoke as one.

"He was too young to die."

Reaction, generally, was in that tone. Senator Mark Hatfield said, "it is tragic when any young person dies and the potential for a full, productive life is snuffed out. Steve Prefontaine was an Oregon tiger of the finest tradition."

University president Robert Clark echoed the sentiment. "The stunning news has crushed those of us who knew and admired this outstanding young athlete. We mourn for him and his family and for the days of his glory that shall come no more."

The Oregon Track Club found a spokesman in president Jim Putney. "Steve's life burned bright on and off the field and today we all experience a little darkness because of the loss."

Finally it was left for Frank Shorter, the 1972 Olympic marathon champion and runner-up to Steve in that 5,000 meter race to give his death track and field perspective.

"He always made me run my best (Shorter had a PR Thursday night as testimony). He was one of the fiercest competitors I have ever known. He never ran less than all out."

Pre's contribution to the sport did not end there, however. "He has drawn more recognition to track and field in the past 15 years than anyone, with the possible exception of Jim Ryun," Shorter added.

Prefontaine is the second Oregonian-Olympian to die in an automobile accident.

Former Portland State University standout Rick Sanders, a silver medalist in the 1972 Munich Olympics, was killed Oct. 18, 1972, in a bus-auto collision in Skopje, Yugoslavia.

Both the 27-year-old Sanders and Prefontaine were former Hayward Award winners, the latter winning the award for Oregon's most outstanding amateur athlete three consecutive times. The award is presented annually by the Oregon Sportswriters and Sportscasters Association.

Bill Dellinger, who was his coach and confidant at Oregon, said his death "was a great personal loss and a loss for all fans of track and field.

"He thought he was the best in the world and he was aiming for 1976," Dellinger said when asked if Prefontaine planned to try for a medal at the 1976 Olympic Games in Montreal. Prefontaine turned down an offer which Dellinger believes was the highest ever made by the professional International Track Association. "He set pretty high goals for himself or he would have accepted (the pro offer)," Dellinger said.

Dellinger described Prefontaine as the "ideal athlete. He was talented, dedicated and very, very coachable. He asked for and followed advice. He was a year-round runner and just last night he felt he was beginning to run well again."

In July 1971 at Berkeley, Calif., Prefontaine set an American record for 5,000 meters with a time of 13:30.4. He would better that by more than eight seconds. He tied the collegiate two-mile mark at 8:33.1 in Eugene in March of 1971. Later he would trim 15 seconds off that time.

Prefontaine was a critic of the Amateur Athletic Union, which he charged exploited American athletes. As late as Thursday night he still hadn't decided whether he could live with AAU regulations and was still hedging on his plans for a summer tour of Europe.

Despite that and the bitter taste of the 1972 Olympics in Munich, the gold medal was never out of his mind, according to Dellinger.

Although he talked of business and once said, "being a success and making some money is the most important aspect of my life now," Prefontaine turned down pro track's generous offer. "I don't think they are the kind of challenge I need to get ahead," he explained.

Of Pre's continuing battle against AAU aggravation, Shorter said, "he spoke out when others were quiet. He didn't try to influence us with his cause but he didn't understand why people put blocks in his road."

The preparation meet was a final appearance for touring Finnish athletes, recruited by Pre for a mini-series in Oregon, and his co-promoter, Jaako Tuominen said Friday, "it's hard to understand, to realize that he's not here anymore.

"He was a good friend, outgoing, friendly. Over here he was a little different than in Europe, he was very busy, had a lot of pressure and wanted to do well as a promoter."

Tuominen, the Finnish tour leader, said his group would probably delay its departure until Monday to attend funeral services.

The service will be held at the Marshfield High School athletic stadium in Coos Bay at 3 p.m. Monday under the direction of the Mills-Bryan-Sherwood Funeral Home.

"That's where it all began and that's where it will end," said Prefontaine's father.

[From the Capital Journal (Oreg.), May 30, 1975]

GREAT COMPETITOR IS LOST

Oregonians reacted with shock today at the death in Eugene Thursday night in an automobile accident of distance runner Steve Prefontaine, described as a "fierce competitor" by an ex-coach and a U.S. senator.

"He was extremely talented and he was as fierce a competitor as we ever had," said Bill Bowerman, former track coach at the University of Oregon where Prefontaine blossomed into stardom.

Sen. Mark Hatfield, R–Ore., said, "Steve Prefontaine was an Oregon tiger in the finest tradition: fiercely competitive, confident and outgoing."

Bowerman said, "While he was a fierce competitor he still had the ability to recognize that any time he took the mark he wasn't the only man in the race. In the big ones he had to put it on the line and if he didn't win it, of course he would have to try to find out why and go back and try a little harder next time."

Bowerman was Prefontaine's first coach at Oregon.

Bill Dellinger, who succeeded Bowerman as Oregon coach and was a distance runner at UO himself, was responsible for much of Prefontaine's training while he was an assistant coach at UO.

"He was probably the most dedicated runner I ever knew and in four years at Oregon he never missed a workout."

Norv Ritchey, UO athletic director, said, "We're still in a complete state of shock . . . the news is just unbelievable."

Ritchey said, "He was a young man who was just obviously reaching his potential and the prime of life and certainly now to have it snuffed out this way and so sudden is a complete shock and a tragic, tragic thing for all of us."

Ritchey said, "He was absolutely effervescent, outgoing . . . a tremendous competitor. He was the most open, unabashed youngster you ever saw in your life when he came here from Coos Bay. On the other hand he was a young man who had some very definite ideas."

Philip O. Krumm, president of the U.S. Olympic Committee, said this country "has lost a truly dedicated runner" in Steve Prefontaine.

"He established himself over the last six years as the nation's most outstanding distance runner," Krumm said. "We all remember his splendid effort in going all out to win the 5,000 meters at Munich in 1972.

"Those of us who had been watching his steady improvement the last three years were counting on Steve as one of our top prospects for a place on the 1975 Pan-American team and the Olympic team next year. Track and Field has lost a truly dedicated runner."

[From the Oregon Statesman, May 31, 1975]

PREFONTAINE DIES IN AUTO CRASH; TRACK WORLD STUNNED

(By Reid English)

EUGENE.—It sure was quiet at Hayward Field during the opening session of the boys' AAA State track meet Friday morning.

Most track coaches and followers of the sport here for the two day prep meet, were as shocked and disappointed as anyone upon hearing the sad news of Steve Prefontaine's tragic auto crash early Friday morning.

Willamette University coach Chuch Bowles was informed of the news by the school custodian who came into his office and said, "Isn't that bad about Pre?" to which Chuck replied, "Yeh, he just missed the record." The custodian responded, "No, he's dead." Bowles, one of the many officials at the high school meet, said, "He meant as much as anyone to date in track and field."

South Salem Coach Greg Marks heard the news on the radio going to school. His first response was, "It's devastating. It's a great loss to track and field."

Oregon College of Education Coach Don Spinas, also here assisting with the meet, and a good friend of Oregon coach Bill Del-

linger, got an early morning phone call from his team manager who said, "Did you hear who died?" Spinas said, "No." and was told, "Pre." There was silence on the phone for nearly five minutes and the manager said, "You still there, Coach?" Spinas said, "I was in shock, I just couldn't believe it, I had just seen him run last night."

"His contribution to track and field was probably more than we realized, he was a real honest person," stated Spinas. "Bill and I have been good friends for a long time and I felt he needed someone to talk to this morning," added the OCE coach.

The former Willamette University athlete and present Salem Track Club coordinator Ron Jenson heard the news from WU basketball coach Jim Boutin at school Friday morning. Jim said, "Did you hear what happened to Pre?" and Ron said, "He ran yesterday."

Former North Salem sprinter James Holloway and presently a member of the Oregon varsity was also helping run events Friday. "It was a little weird to think he was here last night and now that same man isn't around anymore."

Steve Prefontaine, for almost a decade one of this country's best and most controversial athletes and the owner of every American running record over 2,000 meters, is dead at 24, the victim of a pre-dawn automobile accident here Friday.

The 5-foot-9, 155-pound distance runner, whose dedication to running and training was matched by his bitterness over the treatment of amateur athletes in America, had come within 1½ seconds of his 5,000-meter record at a meet in Eugene Thursday night.

Barely four hours later, after leaving a party in honor of six Finnish athletes he had brought to America to compete, Prefontaine had taken his girl friend home and was driving along a Eugene residential street. Police said his small foreign car crossed the center line, skidded about 40 feet, struck a rock embankment and flipped over, pinning him beneath it.

Eugene police reported that a laboratory analysis indicated a blood alcohol content of .16 per cent. Drunkenness is presumed under Oregon law if blood alcohol content is .10 per cent. A more serious driving incapacity is presumed if blood alcohol content is .15 per cent.

Prefontaine died of a form of suffocation called traumatic asphyxiation.

Dr. Edward Wilson, assistant medical examiner for Lane County, said, "His chest and stomach were compressed by the weight of his overturned sports car, making it impossible for him to breathe. He couldn't have lived for more than a minute under those circumstances."

The time of death was placed at about 12:30 a.m. PDT. It sent shock waves through the track world and cost America its strongest hope for a gold medal in the distance events at the 1976 Summer Olympics.

The 64-member American track and field team which just toured China was checking through customs in Seattle Friday morning when the news hit. "When I heard it, I began shaking all over," said Francie Larrieu, American's premier woman distance runner.

Prefontaine, who owned six American records and who recently lambasted the Olympic effort by saying, "To hell with love of country, I compete for myself," had just been rounding into shape for another assault on his marks.

"He told me last night he felt he was just starting to run well, that the season had just begun," said Bill Dellinger, Prefontaine's coach. "He thought he was the best in the world and was aiming for 1976."

A high school sensation in Coos Bay, Oreg., Prefontaine had a brilliant career at the University of Oregon, turning in some classic performances soon after he burst into the spotlight as a teenager in 1966.

He did not own any world records, but his American marks were close and they were improving as he neared the age at which distance runners hit their peak.

Perhaps one of his proudest accomplishments was the American tour he arranged for the six Finns, whom he had met and lived with last summer during a European tour.

They and about 25 other persons, including Prefontaine's parents and his high school coach, were at Thursday night's post-meet reception. A friend at the party said the young distance runner was "really tired and he was really excited" about a meet next Saturday as he left the reception to take his girl friend home.

Prefontaine's father, Raymond, a carpenter, said funeral services will be at the high school athletic stadium in Coos Bay on Monday because "that's where it all began and that's where it ends."

He became the first runner in history to capture the NCAA three-mile title each of his four collegiate seasons, between 1970 and 1973. In the final years his time of 13:05.3, despite hot, humid weather at Baton Rouge La., is considered one of the finest performances on record and stands as an NCAA meet record.

Prefontaine also set an American 3,000 meter record of 7:42.6. His other records: two miles, 8:18.4; three miles, 12:51.4; 5,000 meters, 13:22.2; six miles, 26:51.4; 10,000 meters, 27:43.6. All were set between late April and mid July 1974, the year he boycotted the Amateur Athletic Union championships.

After enrolling at the University of Oregon in 1970, Prefontaine quickly emerged as the finest distance runner in America under the tutelage of Bill Bowerman.

It was at about that time that he began to express bitterness about what he believed to be shabby treatment of amateur athletes in this country. But that did not affect his performances.

In the 1972 Olympics, he ran the 5,000 meters. With four laps to go, Prefontaine held a slim lead, and at that point observers believed if he had started his kick, he would have captured the gold medal.

But he still was new to international competition and apparently feared that he would burn out in the mile before the finish. He kept his pace and three runners passed him, the last overtaking him about 10 meters before the tape.

The winner was Lasse Viren of Finland, who was one of the six Finns at the Eugene party Thursday night.

The Olympic loss was an albatross around his neck, and may have been the reason he turned down what was described as the largest offer ever made by pro track so he could take another Olympic shot in 1976.

Dellinger, who had coached Prefontaine off and on since 1969, said the death was "a great personal loss, a great loss for all the fans of track and field. We can all reflect back to the great moments in this state and all over, wherever he competed.

"I guess you'd have to say he was the ideal type of guy a coach likes to have. He was a talented runner, a very dedicated runner, very coachable. He asked for and followed advice very, very well."

"It is tragic when any young person and the potential for a full productive life is snuffed out. Steve Prefontaine was an Oregon tiger in the finest tradition—fiercely competitive, confident and outgoing," said Oregon Sen. Mark Hatfield, whose reaction was among the first following the death of Prefontaine.

Gov. Bob Straub said he joined "in expressing my deep sympathy to his family, friends and fellow athletes.

"The tragedy of Steve Prefontaine's untimely death, at the height of his spectacular career, is a deep personal loss to me and to all Oregonians," Straub said. "It is saddening that his dream of competing in the Montreal Olympics next year cannot be achieved."

Robert Clark, president of the University of Oregon: "The stunning news of Steve Prefontaine's death has crushed those of us who knew and admired this outstanding young athlete. I was personally acquainted with him and had talked with him often in recent years. We mourn for him, for his family and for the days of his glory that shall come no more.

Jim Putney, president of the Oregon Track Club: "On behalf of the Oregon Track Club, I can only say that we share with the world of track the tragic loss of Steve Prefontaine.

"Steve's life burned bright on and off the field and today we all experience a little darkness of the loss."

Frank Shorter, Florida Track Club: "I can't say anything. Not only was he a great runner, he was a very good friend. He was the reason I came to Eugene for last night's meet."

[From the New York Times, May 31, 1975]

PREFONTAINE, 24, KILLED IN CRASH

(By Neil Amdur)

Steve Prefontaine, America's finest distance runner and an outspoken critic of the track and field establishment, died early yesterday morning in an automobile accident in Eugene, Ore.

The 24-year-old Prefontaine had won a 5,000-meter race about four hours before at Hayward Field in Eugene, his favorite track. He then attended a party for six Finnish athletes he had brought to America to compete. After taking a woman friend home, he was driving on a residential street at about 12:30 a.m. His convertible jumped a curb, hit a rock embankment and flipped. Prefontaine was pinned under the car.

It was the third death of an American track athlete in less than a week. Last Friday, Paul Gibson, 26, professional hurdler, was killed in an auto accident in El Paso, Tex. Ron Copeland, 28, a former hurdler, died the same day in Walnut, Calif., apparently of a heart attack, after having run a 60-yard challenge race.

The 5-foot-9-inch, 145-pound Prefontaine, one of the most popular trackmen, was born in Coos Bay, Ore., and confined most of his competitive career to the West Coast. He held every American outdoor distance record above 2,000 meters, finished fourth in the 5,000 at the 1972 Olympics in Munich and evoked loyalty and admiration from followers.

In a recent poll by Track & Field News magazine, the sport's leading publication, readers overwhelmingly voted him America's most popular track and field athlete. His nickname, Pre, became as familiar to track followers as such other sports handles as Wilt, O. J. and Dr. J.

One California fan ordered a license plate with the words, "Go Pre." Oregon rooters frequently attended meets wearing "Go Pre" T-shirts.

Fans seemed to identify with Prefontaine's boyish image of a Huck Finn in spades. And Prefontaine, who finally grew a moustache "to give me another look," enjoyed communicating with crowds, often taking two or three victory laps after a race while waving or shaking his fists to acknowledge cheers.

The "Pre mania," as one observer called it, created jealous critics who felt that "pre" really stood for precocious. At the 1972 Olympics trial in Eugene, a group of track buffs unveiled a "Stop Pre" red T-shirt, Prefontaine won the 5,000, then delighted the partisan crowd by taking a victory lap while wearing one of the red shirts.

Much of Prefontaine's energetic, blunt personality was a result of his background. He was born on Jan. 25, 1951, in a coastal fish-

ing town that produced aggressive loggers, longshoremen and fishermen.

"You don't have many ways to jump," he once said of his boyhood. "You can be an athlete. Athletes are very, very big in Coos Bay. You can study and try to be an intellectual, but there aren't many of those. Or you can go drag the guy in your Chevy with a switchblade in your pocket."

Prefontaine weighed only 90 pounds in the eighth grade, too light for football and too small for basketball. "It looked like I was headed for the streets," he recalled. "Track was a last resort."

Once Prefontaine began running, he never stopped. And the more he won, the more determined he became, particularly after he had reached the University of Oregon and rattled off successive National Collegiate outdoor titles in the three-mile.

An example of his courage and determination was in the 1970 N.C.A.A. championships in Des Moines, Iowa. Six days before the meet, he gashed his foot on an exposed metal bolt near the swimming pool of his hotel, requiring six stitches. He soaked the foot every hour, applied an ointment that numbed it the day of the race, wrapped it tightly and then won.

"When I took the tape off after the race," he recalled. "Two stitches came with it."

While many American distance runners viewed training or pace-setting as torture, Prefontaine seemed consumed by the challenge.

"He was the ideal type of guy a coach likes to have," said Bill Dellinger, a former Olympian and the coach at Oregon. "He was a talented runner, very dedicated, very coachable. He asked for and followed advice very, very well. He was a year-round runner. In fact, there were times when I counseled him to take a couple days, maybe a couple of weeks, to rest."

Prefontaine's only major competitive disappointment was his failure to win the gold medal in the 5,000 at the 1972 Olympics. He had run exceedingly well in races leading to Munich and was with the leaders tho throughout the final. But because of inexperience or a reluctance to gamble, he did not uncork the sustained kick he knew he needed—and had confidently predicted he would utilize—in the final mile. He lost the third-place bronze medal in the last 10 yards.

Disillusionment followed. As an amateur runner out of college trying to maintain international credentials, he became increasingly critical of America's program for amateur athletes.

In recent months, after having turned down another professional offer and debated whether to try for the 1976 Olympics, he leveled his strongest shots at the system.

"People say I should be running for a gold medal for the old red, white and blue and all that bull, but it's not going to be that way," he said, while preparing to open a pub in Eugene, in addition to his other duties as a representative for a foreign shoe manufacturer. "I'm the one who has made all the sacrifices. Those are my American records, not the country's."

Prefontaine was known for saying what he felt. He admitted to being "a feisty-type person," adding that when "somebody steps on my toes, I'm going to step on his toes."

Several times he declined to compete in national championships in his continuing dispute with the Amateur Athletic Union over summer travel restrictions and the inability of athletes to dictate their competitive terms.

He also rejected the image of the campus "jock" and lived in a trailer during much of his college career.

In contrast to many of the sport's followers, who saw track and field as a maze of statistics, Prefontaine viewed running as an art form.

"I'm not afraid of losing," he once said. "But if I do, I want it to be a good race. I'm an artist, a performer. I want people to appreciate the way I run."

In his final race he had sought to break his American record in the 5,000.

"I felt really sluggish," he said afterward. "After a mile, I quit running for a record."

He still won, however, in 13 minutes 23.8 seconds, the second fastest time by any American and less than two seconds above his record.

Tributes came yesterday not only from fans but also from other competitors.

"It is tragic when any young person dies and the potential for a full productive life is snuffed out," Senator Mark Hatfield, Oregon Republican, said "Steve Prefontaine was an Oregon tiger in the finest tradition. Fiercely competitive, confident and outgoing."

Dick Buerkle of Chester, a racing rival, heard the news at an airport in SV Ro! United States team from a two-week tour of China.

"I could just cry," said Buerkle, who had won three races on the tour. "It left me really numb."

"When I heard it, I began shaking all over," added Francie Larrieu, America's best women's distance runner.

Raymond Prefontaine, the runner's father, is a carpenter, his mother was a seamstress. He also leaves a sister, Linda, 21.

U.S. TRACK CHAMPION PREFONTAINE DIES IN OREGON CAR CRASH

EUGENE.—America's premier distance runner, Steve Prefontaine, was killed Friday in an automobile accident.

Police said Prefontaine's convertible crossed the center line, jumped a curb, hit a solid rock embankment and flipped over. He was pinned partially under the vehicle.

Prefontaine, 24, was alone when the accident occurred at 12:40 a.m.

Earlier in the evening, the 1972 Olympian ran his last race and came within 1½ seconds of his own American record in the 5,000 meters in an informal meet at the University of Oregon's Hayward Field.

Prefontaine was timed 13:23.8, just missing his American standard of 13:22.2, set in Helsinki, Finland, last year. Frank Shorter of the Florida Track Club fininshed second.

"I felt really sluggish in the race," said Prefontaine, who was concluding his Western tour with a group of athletes from Finland. "I'm still not ready to race. It will still be a couple of week and that might be good if I run in the national AAU competition."

His next race had been scheduded for June 7 here in the Bill Bowerman Classic, named after the retired University of Oregon and Olympic track coach.

Prefontaine was fourth in the 5,000 meters at the Munich Olympics, and held six American distance records—3,000 meters, two miles, three miles, 5,000 meters, six miles and 10,000 meters.

The 1974 graduate of the University of Oregon was America's all-time best distance runner, but had to be reminded of that fact. He was controversial and often argued, in public, about what he thought were demerits in the American amateur system.

He avoided turning pro, although the International Track Association was after him to join its tour.

He complained in his second year out of college that to be the best in the world, "It's almost a full-time job.

"That's impossible," he said. "I've got bills to pay. I'm just like any other American. If I don't pay my electric bill, they turn off my lights.

"I'm not demoralized, but I'm just facing facts. After college, our athletes are turned out to pasture. We have no Olympic program in this country. It's as simple as that. No sports medicine, no camps, no nothing.

"I'm not talking about subsidizing us, I'm just talking about a national plan. I want to see some interest from somebody. In the past, we've sat back and let our natural talent do it. Well, the rest of the world has caught up."

Prefontaine had planned to open a tavern and louge bar and was going to name it the "Sub Four."

Those who knew him said that despite his disputes with the AAU, he probably would have run for America in the 1976 Olympics in Montreal.

Survivors include his parents, Mr. and Mrs. Raymond Prefontaine, and a sister, Linda, 21, of Coos Bay.

SPORTS WORLD MOURNS "PRE"

[From the Oregon Journal, May 30, 1975]

(By Bill Mulflur)

The death of Oregon's greatest track and field product, Steve Prefontaine, has stunned the state.

Prefontaine was killed in a single-car accident in Eugene Friday morning just hours after he raced for the last time before his adoring fans in Hayward Field.

The 24-year-old Prefontaine missed in a bid for his American record in the three mile and 5,000 meters but he was close enough to both clockings to thrill the 8,000 fans present.

The Marshfield High School product was the most honored track and field performer in the state's history.

He was a three-time winner of the Hayward Award, the state's most prestigious athletic award. No one else has won it more than once.

Calls flooded the McKenzie River home of Pre's Duck coach, Bill Bowerman.

"I am stunned," said the retired coach in a subdued voice. "He was the greatest athlete I ever coached. And he was a fine person. He really loved life."

Prefontaine's death brings back memory of another tragic auto accident. Rich Sanders, the state's Olympic medalist, was killed at the age of 26 in Yugosalvia.

Senator Mark Hatfield said from Washington, "It is tragic when any young person dies and the potential for a full productive life is snuffed out.

"He was an Oregon tiger in the finest tradition. He was fiercely competitive, confident and outgoing."

"I am shocked beyond words," said Bill Dellinger, the coach of the University of Oregon track team. "This takes the edge off the everything that happened last night."

Dellinger added, "Track fans everywhere who have been involved with Steve have reflected back on many great moments with Steve here at Hayward Field. It's a great loss and we will all miss him."

Orgon State Coach Berny Wagner recalled that Pre once told him that if he hadn't gone to Oregon, he would have gone to Oregon State. His love of his home state was very great.

"Steve's loss is a great one to the U.S. Olympic team," said Wagner. "I was very pleased when he chose to work for the Olympics rather than go pro. He had charisma and charm. You won't be able to find anyone to fill the gap he leaves. He was the best at 5,000 and 10,000 meters."

Frank Shorter, Pre's friend and close competitor, was reached at the home of Ken Moore.

"I can't say anything," said Shorter. "Not only was he a great runner, he was a very good friend. He was the reason I came to Eugene for last night's meet."

Moore, a former Oregon distance runner and marathon performer, said, "When something like this happens, it's difficult to make any sense of it. We've lost a great runner and a fine person."

Philip O. Krumm, president of the U.S.

Olympic Committee, said, "This country has lost a truly dedicated runner."

Krumm continued, "We all remember his splendid effort in going all out to win the 5,000 meters at Munich in 1972.

"Those of us who had been watching his steady improvement the last three years were counting on Steve as one of our top prospects for a place on the 1975 Pan-American team and the Olympic team next year."

Prefontaine was 21 years old when he finished fourth in the 5,000-meter race at Munich.

"I just found out and this whole town is going to be in shock for a long time," said Walt McClure, Prefontaine's high school coach at Coos Bay.

Pre was a three-time Oregon state two-mile champion and still holds the national two-mile high school record.

He is survived by his parents, Mr. and Mrs. Raymond Prefontaine, and a sister, Linda, 21, of Coos Bay.

Tentative funeral plans are set for Monday in the Marshfield High football stadium.

"It all started there," said Mrs. Prefontaine of the Marshfield track. "That seems like the only place to go."

Bruce Hoffine, Marshfield athletic director, said, "We have already cleared that with school authorities. It's the only place in Coos Bay large enough."

Jim Putney, president of the Oregon Track Club which Pre ran for, said, "On behalf of the Oregon Track Club I can only say that we share with the world of track the tragic loss of Steve Prefontaine. Steve's life burned bright on and off the field, and today we all experience a little darkness because of the loss."

Oregon President Robert Clark said, "The stunning news of Steve Prefontaine's death has crushed those of us who knew and admired this outstanding young athlete. I was personally acquainted with him and had talked with him often in recent years. We mourn for him, for his family and for the days of his glory which shall come no more."

[From the Oregon Journal, May 31, 1975]

THE WORLD LOSES A GREAT ATHLETE

In the death of Steve Prefontaine, not only Oregon but the world lost one of its great athletes who, at the same time, was a fine individual.

Rarely in the history of sport in Oregon has an athlete won the hearts of the fans to the degree that Prefontaine did, while also winning friendship and respect as a man.

Prefontaine was killed in an automobile accident as he was nearing the peak of his already amazing career.

He was at his best in the longer distances and in the various categories between two miles and six miles he had set no less than 10 major records.

Among his best friends were those against whom he raced. It was he who promoted the visit of the Finnish runners who were in Eugene on his last night of racing.

One of the things upon which he insisted was that the visitors stay in the homes of local people. Getting to know the people, that was his idea of what international sport is all about.

Sportswriters who covered his career say he never ran a "bad" race, that he was always in condition and that he always gave everything he had.

That was why the fans stood up and applauded even when Prefontaine was just warming up.

Lovers of true amateur sport the world over have lost a great man.

PASERO SAYS:

(By George Pasero)

Oregon's world of track and field has never known anyone like Steve Prefontaine.

And that's why the loss is so great.

He was, of course, America's premier distance runner—talented, tough, fierce competitor.

His accomplishments earned him hearing and gave him platform for crusading . . . for improvement of the American amateur sports programs.

His tongue often got him as much space as his feet. He continually feuded with the American athletic establishment.

And sometimes the quotes didn't come out the way he intended. I was glad back on April 24 to give him voice in rebuttal of a wire service story that said he was fed up with the manner America treated its athletes and he "would change citizenship tomorrow if he could." There was the headline: "To Hell With Love of Country."

It shocked Pre. He cringed. "I'm embarrassed," he said. "And people have a right to be upset about what I said. I don't want to have to justify something that was taken out of context."

The "context" was that Pre wasn't un-American, just pro Pre. And the article by a Denver writer had prefaced: "Steve Prefontaine isn't a Communist. Hasn't burned his draft card. Probably loves apple pie."

That wasn't "picked up" by the wire service.

So Pre felt constrained to say flat out:

"I do love my country. I would have gone into the Army had I been drafted. I do like apple pie. I wasn't an anti-war demonstrator when I was a student. I wasn't a hell-raiser. I've got a diploma."

I hope Pre didn't see some of the reaction in the "Mailbox" of the NY Times. He was in the mailbag along with Bill Walton, Jack Scott and others.

He did see one attack on him by a woman libber named Francie Kraker Goodridge, writing in The Times, with her article headed: "Women Athletes and the Comparison Game: What Are the Rules?"

The story began with a recitation of the accomplishments of gal miler Francie Larieu.

The teeth were bared regarding Pre, however, in the second paragraph.

"Steven Prefontaine of Oregon, one of the world's great distance runners, is quoted as saying: 'I admire her tremendously . . . and I wish I could match her dedication. But the fact is, her 4.29 was a world record for women, and I can run six 4:29 miles in a row.'

"This points up in a microcosmic sense what is happening in the women's sports movement on every level . . . the United States still lags far behind in action, and, more sadly, in attitudes.

"A schizophrenic reaction too often occurs when a woman's world-record performance is accepted by the crowd . . . while an athlete like Prefontaine, who should know better and whose ego should never be so threatened, feels it necessary to try to put a woman's performance down . . ."

"Huh?" Pre fairly snarled. "Me? Gee, I've helped coach four or five girl runners.

"I guess I just will quit talking to anyone."

He didn't, though. Later, he thanked me for the coverage The Journal was giving the meets featuring the Finns. "You're helping track and field," he said.

The Northwest tour of the Finns was his special project, his idea and his creation.

It took him home to Coos Bay . . . and that gave his hometown people a memory they can always treasure, as told to me by A. B. Carroll and recorded in the Coos Bay World.

"Hundreds of Bay Area youngsters reacted to his presence by yelling 'Pre, Pre' each time he passed them in the grandstands prior to the race, and they really went crazy after his record-setting performance.

"They tagged along behind him as he jogged a 'victory lap' and then they surrounded him for 30 minutes as he patiently signed one program after another."

In Eugene, of course, the shouts of "Pre, Pre" had roared above Hayward Field meet after meet.

It seems much longer than six years that Pre came out of Coos Bay to begin rewriting the national record book for distances from two miles to 10,000 meters.

Sports Illustrated termed him "precocious."

It fit—a little, I like Norv Ritchey's description of him better: "He was absolutely effervescent, outgoing, and when he came here from Coos Bay, he was the most open, unabashed youngster you ever saw in your life."

Steve was a fun-loving young man; ingenuous, too. He had a good sense of humor, which I enjoyed.

He became intense, however, in his crusade . . . which, he believed, was for the greater good of all track people and for his country. He saw no way America could compete internationally when the AAU had archaic codes of amateurism.

Even Thursday night, he took issue with the latest AAU dictum against an athlete running a race so many days before an AAU event.

"If they don't let me go and run where I want to this summer," he said, "then I just may not compete in the National AAU event here."

He had said that being the best distance runner in America was one thing, but to be the best in the world was "a fulltime job."

"That's impossible," he said. "I've got bills to pay. I'm just like any other American. If I don't pay my electric bill, they turn off my lights.

"I'm just facing facts. After college, our athletes are turned out to pasture. We have no Olympic program in this country. It's as simple as that. No sports medicine, no camps, no nothing. I'm not talking about subsidizing us. I'm just talking about a national plan. I want to see some interest from somebody. In the past, we've sat back and let our natural talent do it. Well, the rest of the world has caught up."

Steve also said recently that the Olympics were not the big dream they were before he went to Munich.

He saw a lot there he didn't like.

Still, I can be counted as one who believed it was still a mighty important dream. He turned down the biggest pro contract yet offered . . . one he said was very fair. Now, Pre was keeping the lights on—but working to do it.

And I believe, because of Montreal.

In retrospect, it seems there was always the restless wind blowing in Steve's breast, calming, rising fitfully and then gusting with awesome power.

Perhaps that was the heritage of his coastal home.

There was an unpredictability about him, too. He could make you wait long after a race for an interview and then sidle up next to you at a pub and engage you in conversation about any old subject . . . from running to newspapering.

His old coach said it best: "He hoped the things he said and did would help those who followed him."

You can say a lot more, and then you get back to three words:

He was special.

BOWERMAN, SHORTER HAIL PRE'S HONESTY, CHARISMA

(By Carl Cluff)

Bill Bowerman, the retired coach of the University of Oregon track team and head mentor of the U.S. team at the Munich Olympics, is a keen judge of track talent.

He knew he had a rare one when he recruited Steve Prefontaine out of Marshfield High.

"Steve was an artist," said Bowerman sadly, following the untimely death of the

first four-time winner of an NCAA gold medal. "He enjoyed performing before people."

And it was a mutual thing, especially in Eugene where "Pre's People" responded loud and long for the little distance star's world class performances.

Once a reported asked Bowerman what Prefontaine thought about a controversy in which he was embroiled.

"Give him a call," snorted Bowerman. "He'll tell you what's on his mind."

That's the way it was with Pre. He never sidestepped an issue. He met it head-on, just as he met rivals on the tracks of the world.

"He hoped the things he said and did would help those who followed him," explained Bowerman. "He would not let people dictate to him.

"You might say he was very American."

A fourth place finish in the Munich Olympics was a big disappointment to Steve but Bowerman felt he was not too upset finishing behind three veteran runners.

"He recognized he was a kid running among men and the longer distance races are men's races. I don't know of any distance performer who is not better at 25 than he was when aged between 18 and 22. He recognized his time was ahead of him."

Pre's close friend, Frank Shorter, the U.S. marathon second medalist at Munich, ran second in Steve's final race hours before the fatal accident.

"He had to be ranked among the top three distance runners in the world during the last three years," Shorter said. "With the right timing, he would have been the best on any particular day. He lived from week to week. He was not a long term planner like most of us."

Prefontaine will be remembered best by Shorter for "his total honesty. If he liked you, he liked you. I liked him. He was my friend. He had a lot of charisma.

"I try to be a diplomat," continued Shorter, "but not Steve. He did not think this was necessary. He said what was on his mind."

"What impressed me most about Steve was that he gave of his best every time he ran. He always ran like crazy. Not many top class runners do that."

PRE'S RECORDS

AMERICAN OUTDOOR

2 Miles—8:18.4 (Stockholm, Sweden, July 18, 1974.)

3 Miles—12:51.4 (Eugene, Ore., June 8, 1974.)

6 Miles—26:51.8 (Eugene, Ore., April 27, 1974.)

2,000 Meters—5:01.4 (Coos Bay, May 8, 1975.)

3,000 Meters—7:44.2 (Oslo, Norway, Aug. 3, 1972.)

5,000 Meters—13:22.4 (Helsinki, Finland, June 27, 1974.)

10,000 Meters—27:43.6 (Eugene, Ore., April 27, 1974.)

AMERICAN INDOOR

2 Miles—8:20.4 (San Diego, Calif., Feb. 17, 1974.)

3,000 Meters—7:50.0 (San Diego, Calif. Feb. 17, 1974.)

U.S. SENIOR OUTDOOR

3 Miles—12:53.4 (Bakersfield, Calif., June 16, 1973.)

"SHATTERED," SAYS STEWART

LONDON.—Ian Stewart, the Briton who outsprinted Steve Prefontaine to rob him of an Olympic medal three years ago in Munich, said he was "absolutely shattered" by the American star's death.

"This is a terrible blow. He was a tremendous athlete," said Stewart.

PRE TO BE BURIED MONDAY IN HIS HOME TOWN OF COOS BAY

Steve Prefontaine, America's greatest distance runner who was killed in an automobile accident early Friday morning in Eugene, will be buried in his home town of Coos Bay Monday.

The funeral service will be conducted at the Marshfield High stadium where he performed as a prep star. The service is scheduled for 3 p.m.

Prefontaine's death was caused by a form of suffocation, according to Dr. Edward Wilson, assistant Lane County medical examiner, who conducted the autospy.

Dr. Wilson said the runner's chest was compressed by the weight of the car making it impossible for him to breathe.

"He couldn't have lived for more than a minute under those circumstances, and he suffered no other injuries that would have caused his death themselves," the examiner revealed.

Dr. Wilson further revealed that Prefontaine, a colorful and controversial figure who was alone in his foreign convertible when he died, had a blood alcohol level of .16 of one per cent. Under Oregon law, a person with a level of .10 of one percent is regarded as intoxicated.

The meet at Eugene's Hayward Field several hours preceding Prefontaine's death also featured a group of track stars from Finland, whom Prefontaine had persuaded to visit the Pacific Northwest for a series of meets designed to provide cultural exchange values.

It was the final meet of the Finns' tour and a group, including Prefontaine, gathered afterwards to celebrate the departure of the Finnish group for home.

It was not inconsistent with "Pre," as the Oregon star was known, to meet in good fellowship after a meet and drink a few beers with his fellow competitors.

Prefontaine's death created shock reverberations throughout the sports world. He was, beyond any doubt, the most widely known celebrity from the state of Oregon. He had competed on the tracks of the world and annually made a tour of Europe's top summer meets.

Many of the Olympians who competed against him at Munich in 1972 expressed disbelief over his death and hailed him as America's best ever distance runner. He held seven American records at distances of 2,000, 3,000, 5,000 and 10,000 meters and two, three and six miles.

At the age of 21, the youngest competitor in the field of world class runners, he finished fourth over 5,000 meters at Munich.

An appropriate Steve Prefontaine memorial is being established and those wishing to donate may do so by sending contributions to the Great Western Bank in Coos Bay or any branch of the United States National Bank or First National Bank of Oregon.

The family will announce at a more appropriate time the disposition of the fund which likely wil be in the form of a scholarship.

[From the Coos Bay (Oreg.) World, May 31, 1975]

SPECIAL TRIBUTE DUE 'PRE'

Some 2,000 to 3,000 persons are expected to attend the funeral service for Olympic runner Steve Prefontaine Monday, at 3 p.m., at Pirate Stadium where special tribute will be paid to the Coos Bay athlete who died earlier this week in an auto crash in Eugene.

The funeral ceremony will be held at the west end of the football and track stadium.

Tentative plans call for the Marshfield ROTC color guard to march onto the field, after which the Marshfield High School band will play the Star Spangled Banner.

EULOGIES SCHEDULED

Following a prayer by Rev. Thomas Murdock, eulogies in tribute of the great American distance runner will be given by retired University of Oregon coach Bill Bowerman and retired Marshfield track coach Walt McClure.

Another prayer will be offered by Rev. Murdock, after which time a private procession to the grave site will begin.

Bowerman told The World this morning that "the service cannot help but be an occasion for mourning. But hopefully, it will also be a memorial to Pre's great accomplishments." Added the former UO and Olympic track coach. "He is the greatest long-distance runner America has ever had."

Many persons in official quarters paid tribute to Prefontaine Friday.

"It is tragic when any one person dies and the potential for a full productive life is snuffed out. Steve Prefontaine was an Oregon tiger in the finest tradition—fiercely competitive, confident and outgoing," stated U.S. Sen. Mark Hatfield today.

A memorial resolution honoring the achievements of the American record holder was introduced today in Salem to the Oregon House Rules Committee by Rep. Bill Grannel, D-North Bend. Legislators from the South Coast and Lane County proposed the memorial Friday.

Both the House and Senate are expected to consider the joint resolution Monday to express the state's sympathy over the death of Oregon's brilliant track star and pay tribute to his accomplishments.

EXPRESSES SHOCK

Grannell expressed stunned shock over the death of the distance runner and said government officials at all levels in the state's capitol joined him in a deep feeling of loss.

Senator Jack Ripper, D-North Bend, said the tragedy leaves a vacuum in the sports field. He expressed sympathy to the Prefontaine family and said the athlete's untimely death is a great loss to the entire nation.

Rep. Ed Stevenson, D-Coquille, paid tribute to the runner's dedication and initiative both as an outstanding individual and an athlete. "All of the people in the state join in expressing sympathy to his parents," Stevenson said. "He was a fine young man, who could have been successful in any field of endeavor."

Steve was not only an outstanding athlete, but an exemplatory individual, who represented the qualities which we in Oregon have always admired," stated Sen. Jason Boe, D-Reedsport.

[From the Eugene (Oreg.) Register General, June 3, 1975]

PRE'S LAST LAP BACK WHERE IT BEGAN

(By Blaine Newnham)

COOS BAY.—The six athletes sagged under the weight of the bronze casket as the body of Steve Perfontaine was carried onto the field at Marshfield High School here Monday.

The sun had broken through the morning overcast. The wind off the bay whipped the tall infield grass. Rather than dwelling on the agonizingly slow procession of the casket, it was easier to watch the sun glisten off the rippling grass.

In it, you could see Pre's full head of hair. That moment he fired down the backstretch the hair blowing briskly away from his skull.

The roar of the crowd.

As the light blue hearse drove onto the track at Pirate Stadium, the crowd was still. More than 2,500 friends, relatives, townspeople and track fans had gathered here to pay their final respects.

There was no attempt in the memorial service to wring any more emotion out of those who knew Pre. You were left, basically, to reflect on your own remembrances of the great young runner.

"Let us all be grateful that we have been a part of what Steve Prefontaine, the champ, stood for . . . what he enjoyed and what he achieved," began Bill Bowerman, Pre's coach at the University of Oregon.

Pre was eulogized by his two former coaches, Bowerman and Walt McClure, his coach at Marshfield High School. Six friends, and fellow runners, wearing track warmups—Jon Anderson, Frank Shorter, Geoff Hollister, Jim Seyler, Bob Williams, and Brett Williams—carried the casket.

Shorter, and Anderson wore the uniform of the U.S. Olympic team. A short distance away, runners for the Marshfield High team were dressed in their track suits, thus the begining and the end of Pre's 10-year running career.

It was difficult, I think, for anyone who saw the 5,000 meter race last Thursday night at Hayward Field to come to grips with Pre's body leaving Pirate Stadium in a casket, the hearse sweeping slowly around the final turn.

"He was always in a hurry, his destiny could not allow for a wasted effort," spoke McClure. "Greatness is for only a few. The accomplishments of such an individual are often recognized years after the deed, the act."

"Steve Prefontaine achieved this level during his brief lifetime. I would not say that Pre was the last to leave the gym after a workout as many might believe, but rather he was generally the first, so intense was his concentration in a workout, so great his effort, and so valuable his time."

McClure stood at the podium a few feet away from the casket which was covered with yellow chrysanthemums and forest green ferns. He talked of what made Pre more than just a good runner.

"To me, the characteristic that separated Pre from the rest of the field was his pride. It was so keen and intense with him, that it was frightening.

"Man imposes his own limitations. Limitation was not in Steve's frame of reference."

The Prefontaine family asked that a letter from Neal Steinhauer, the former University of Oregon shot putter, be read.

In it, Steinhauer told the family of the day in a U of O fraternity house that Pre "gave his life to God.

"I firmly believe God will take care of Steve," wrote Steinhauer.

Jan Prefontaine, a cousin from Washington, D.C., who had written a song about Pre during his visit to the East Coast in early 1974, arrived midway through the service, the airline baggage tag dangling from her guitar.

She sang the song, and urged the crowd to join in the singing. The crowd couldn't respond.

The final verse of the song said:

"To be a strong but gentle man not afraid to speak the truth,

To stand against a raging storm and try to right the tide of wrongs.

You're a free man full of wonder here to stay,

You've touched our hearts in a peaceful loving way, Our Pre."

Miss Prefontaine said news reports in the East constantly referred to the love people in Oregon had for Pre.

"Well," she said slowly, "he loved you too." And she told of suggestions by other runners that he leave Oregon.

"I could never leave my people," was his answer, she said.

A floral arrangement of the flag of Finland, a blue cross on a white field, was presented to Prefontaine's family on behalf of the Finnish athletes who came to the United States after vigorous efforts by Pre to cut through the red tape of amateur athletics.

As the hearse left the stadium for a private burial at Sunset Memorial Park in Coos Bay, a couple in their twenties got up from seats under the scoreborad. The woman was crying.

The man put his arm around her as they walked slowly down the track and off across a grass field. A few moments later, as the stands emptied, four young Coos Bay kids sprinted around the track in a race.

Running, like life, will go on in Coos Bay, but they'll never forget Pre.

PRE SERVICE TONIGHT

Three close friends of Prefontaine will conduct at brief memorial service at 8 p.m. today at Hayward Field. Former UO track coach Bill Bowerman, marathon Olympian Kenny Moore and distance runner Frank Shorter will deliver eulogies.

THANK YOU

We followed you through high school,
Your training in the dunes.
Victories came in handfuls,
Headlines followed soon.

We followed you to Hayward Field.
The college days were grand.
Your fans became an army,
Cheers echoed through the stands.

We followed you to Europe
And Munich made us proud.
You always ran your heart out
And electrified the crowd.

Your candor was refreshing.
The establishment would frown.
We understood and pulled for you
To knock the barriers down.

And now it's time to say farewell.
Who knew what lay in store?
We'll dream about what might have been
But, victory laps no more.

Still, you keep on winning, Pre,
Our debt is overdue.
For past and future victories
We owe a lot to you.

Thank you for the boys and girls who jog the whole year 'round.
Thank you for your loyalty to a dedicated town.
Thanks for the example; discipline and sacrifice, high prices paid.
Thanks for all the memories that time will never fade.

THE TRACK FANS OF OREGON.

GOODBY, PRE

Young man not yet reached his prime,
fastest in the land,
ran across the finish line
waving to the stands.
His people were all there to see him.
Little did they know
he would take his final bow.
This was his last show.

Later on that evening
the one who'd come so far
lost his young life on the road
alone beneath the stars.
But wherever he may be
in spite of loss and pain
in hearts of those whom he inspired
the runner will remain.

If there's a time and season
for each of us to die
what's the rhyme or reason
when young dreams are sailing high?
Unless it's true, as they say,
'the best of us die young.'
So let us simply hope and pray
his victories are won.

Goodby, Pre.
Your best was always ours to see.
Now the race is over
may you rest in peace.

PAUL HALPERN,
Eugene.

COOS BAY PAYS LAST RESPECTS TO 'PRE'

COOS BAY, Oreg.—Flags hung limp at half staff today as this shipping and fishing community prepared to bury Steve Prefontaine, it's most famous citizen and America's best distance runner.

Prefontane, 24, died in an auto accident early Friday in Eugene after running the second fastest 5,000 meters by an American only about four hours earlier.

He set the American record in the two-mile here recently at Marshfield High School's Pirate Stadium, where he became a prep distance running sensation and where 3,000 people were expected to gather later today to pay their last respects.

A private burial service was to follow.

Schools let out at noon today in Coos Bay and in the adjacent community of North Bend.

The shock that accompanied the news of Prefontaine's death has eased by today, but a few residents who had considered him their own showed signs of bitterness.

"If it were my boy, it would be private and not out at that stadium," a hotel waitress said, referring to the stadium services. "They've had their headlines—so why don't they leave us alone?

Raymond Prefontaine said the decision to have his son's funeral at the stadium was because "that's where it all began and that's were it ends."

At another coffee shop today, a dock worker who would not give his name stared at his cup and said slowly: "When you consider him your own, and people who never talked to you before start nosing around after he's gone, you get kinda resentful. The whole town does."

It was like that today in Coos Bay.

[From the Oregonian, June 3, 1975]

FRIENDS BID PRE FAREWELL

(By Kenn Hess)

COOS BAY.—Time stood still here Monday.

It waited for an hour while a sorrowing community and a host of disbelieving friends, admirers and rivals paid final respects to Steve Roland Prefontaine.

Prefontaine, 24, America's premier distance runner and considered by most in the track and field world as three or four years away from the peak of an ultra-brilliant career, died in an automobile accident last Friday.

More than 2,500 persons assembled at Marshfield High School's athletic stadium where Prefontaine, a little more than a decade ago, began hi srunning career. He was eulogized by Bill Bowerman, former University of Oregon track and field coach, and Walt McClure, his coach at Marshfield High.

"Let us all be grateful that we have been a part of what Steve Prefontaine, the champ, stood for—what he enjoyed and what he achieved," Bowerman said. Bowerman went on:

"I first knew Pre through Walt McClure. Pre was 14 years old. Said Walt: 'Watch this freshman—he's tough and will be a good one.'

"Four years later, when he was a frosh, there was the early fall rain. Pre, dressed in sweats, was walking the halls of McArthur Court. He had just finished his orientation lecture. Another was going on in the Court's vast hall. The unrest of the 1970s could be

heard—rude questions, foot shuffling, even catcalls. Pre turned to me and said, 'I don't believe it.' He looked in. He walked up to the stage. He asked: 'May I speak?' He was handed the mike: 'I am a freshman . . . I chose Oregon . . . I have listened to the orientation. I came here to get an education and to run. Listen, all of you, you will learn something—thanks. I'm glad I came to Oregon.'

"His great races are all told by the press and other media. His desire burned to be the best—and he was. Step by step, as he matured, he reached his goals. In high school he was the state champion and national record-holder. At the university, he held every American record from 2,000 meters through six miles and 10,000 meters. His 1976 goal was to be an Olympic champion and to claim related world records.

"He had another great goal—emancipation—freedom for U.S. athletes—freedom of competition for all athletes of the world. Tens of thousands of dollars were his with the signing of a professional track contract. No. Help the athlete . . . Help the sport.

"In the history of track and field, no individual had every been permitted to arrange and bring foreign athletes or a team to the United States. The doorway was locked by national red-tape and dictatorship. With his characteristic courage and persistence, through difficult communication, Pre opened that door.

"He was able to get that final step in athletic emancipation through our national organizations. You saw the Finnish athletes. Theirs was the first such delegation to our country brought to our country by an individual. You know what this breakthrough will do to improve our sport and spectator enjoyment.

"Pre's legacy to us: That the good things of track and other sports may be freely enjoyed by athlete and spectator, won by truth, honesty and hard work? Pre, the champ, opened the international door which was closed for more than a half century.

"I pledge to Pre, I know close friends will join me, and we invite all true sportsmen to join us, to fulfill his great dream—to keep that door open—to preserve and further that freedom to meet in international sports and friendship."

In the sun-basked stadium where it all began, McClure said:

"I am not here to mourn Steve Prefontaine, but rather to pay final tribute to an outstanding young American. This is the most difficult task that I ever have been charged to perform, one that I'm neither prepared for, nor one I ever thought would be required of me.

"Greatness is only for a few. The accomplishments of such an individual are often recognized years after the deeds, the act. Steve Prefontaine achieved this level during his brief lifetime. He was always in a hurry, his destiny could not allow for a wasted effort. I would not say that Pre was the last to leave the gym after a workout as many might believe. But, rather, he was generally the first, so intense was his concentration in a workout, so great his effort, and so valuable his time."

McClure went on to say, "To me the characteristic that separated Pre from the rest of the field was his pride. It was so keen and intense within him that it was frightening. To be the best was his only goal. His drive to push harder in group workouts or on his individual long runs was his strength. Man imposes his own limitations. Limitation was not in Steve's frame of reference. He was continually extending the boundaries of his frontier," as Bowerman noted in his eulogy.

"Steve was an unselfish individual. He shared his triumphs with me long after he left Coos Bay. And, possibly more important, his few failures. He kept in contact with me with letters from all parts of Europe, from South America and, most recently in September, a letter from England stating his plan to bring a group of Finnish friends to Oregon and the Northwest for a series of meets."

"He never forgot the people, we will never forget him."

Representing the Finnish athletes whom Pre brought to the Northwest was Rainer Stennius who said during the 35-minute memorial that "Steve Prefontaine symbolizes the friendship accumulated with Finnish and British athletes. He allowed us to see America and will forever shine in our hearts.'

The pallbearers, dressed in track warmup uniforms, were Frank Shorter, Jon Anderson, Jim Seymour, Brett Williams, Bob Williams and Geoff Hollister.

BECAME LEGEND

Prefontaine, the state of Oregon's most famous and honored athlete, was a prodigy, who at least in this coastal community became a legend in his own time. Here, as a pixieish youth, the seed of determination germinated to run himself into immortality—not for himself, but for what, ultimately, he could do for others and for the sport which had become an integral part of his life.

The tragedy is that Pre, always the frontrunner, never reached the finish line.

Pre, as he matured, became a colorful and sometimes controversial figure. He became colorful because he was talented, tough and fiercely competitive. He believed in himself; he believed he could win every race, every battle. He adored the crowds that adored him: particularly in Eugene, the nation's collegiate track capital.

SAW CHANGES NEEDED

Pre said he became a crusader because he saw the necessity for a change in the amateur sports establishment. His innumerable accomplishments and list of American distance running records provided a firm foundation for his beliefs, goals and call to action.

"He gave to all of us a continuing regeneration of civic pride," said one Coos Bay city father. "Most of us never understood why or what motivated his running, running, running . . . Where was he going? What was he after?"

"Oddly," the grieving, longtime resident said, "We all could identify with him. He was down to earth. He was interested and concerned about what was going on in this town and what the people were doing."

Maybe that is why, before he reached his majority, a main thoroughfare, Prefontaine Way, was named after him.

PRE'S PEOPLE PAY TEARFUL TRIBUTE TO FAVORITE SON

(By Carl Cluff)

COOS BAY.—"Pre's People" bid a solemn, tearful farewell to their charismatic leader here Monday afternoon.

Steve Roland Prefontaine, America's greatest runner of distance races, had, of course, released them from their fanatic adulation when death interceded early Friday morning on a familiar street of Eugene, his adopted city.

But even in death, they still flocked to the scene of his schoolboy triumphs here at Marshfield High's Pirate Stadium, and there were few, if any, among the 2,500 who attended the service, who were able to withhold their emotions.

They openly mourned the feisty, little competitor at the site of his last great achievement. For it was at this same stadium, just over three weeks ago, that he set his seventh and last American record.

Many who were here Monday for the mid-afternoon service were also here that May 9th evening when he added the 2,000-meter standard to his list of American marks.

They stood and cheered then. They stood once again Monday as a warm sun pierced the cloud-flecked sky. But they stood mute in prayer and reverence as the 13-car funeral procession slowly passed the grieving throng on Pre's final lap around the MHS track.

The cortege then swung out of the stadium, moved through downtown Coos Bay, out Highway 101 some 2½ miles south to Sunset Memorial Park where interment was conducted in private for members of the family.

Pre's tragic death in an automobile accident, less than four hours after winning his final race at 5,000 meters in near record time, stunned this south coast community as nothing has before.

It stunned the athletic world, too. Telegrams, phone calls and letters poured into the little one-story home on Elrod Avenue, a short jog from downtown Coos Bay.

Pre was, you may recall, named Track and Field News' most popular athlete in the world earlier this spring. His followers were legion, not only because of his running achievements, but also because he never hesitated to "take on" the establishment that governed his sport.

"Pre's legacy to us," eulogized Bill Bowerman, the retired University of Oregon coach who also was Pre's U.S. Olympic coach for the '72 Olympics at Munich, "is that the good things of track and other sports may be freely enjoyed by athletes and spectators, won by truth, honesty and hard work.

"With his characteristic courage and persistence, through difficult communication, Pre opened that door. He was able to get that final step in athlete emancipation through our national organization."

Pre, as Bowerman pointed out, was the first person in the history of track and field who was permitted to arrange and bring foreign athletes, or a team, to the U.S., a doorway that had been locked by national red tape and dictatorship.

"I pledge to Pre," Bowerman told the audience, "to fulfill his great dream—to keep that door open."

"I am here not to mourn Steve Prefontaine," said his former Marshfield High Coach Walt McClure, "but rather to pay final tribute to an outstanding young American."

McClure detailed Pre's prep career.

"The characteristic that separated Pre from the rest of the field was his pride," continued McClure. "To be the best was his only goal. Limitation was not in Steve's frame of reference. He was continually extending the boundaries of his frontier."

McClure unlocked the secret of Pre's relationship to "his people."

"The love that exists between two people who have an ability to share in ideas and communicate with each other," explained McClure, "is the love that I have for this man.

"I think that many of you share this feeling."

Pre's casket was borne to the center of the field near the west goal post by six of his friends and running companions, all dressed in the uniform of their teams or clubs. They were Olympians Frank Shorter and Jon Anderson, Brett and Bob Williams, Jim Seymour and Geoff Hollister.

The Marshfield High band opened the ceremonies with the National Anthem while the school's ROTC color bearers raised the flag. The flag was stopped at half-mast for several seconds, then raised slowly to the top where it remained.

This was in contrast to flags at City Hall and at every school in the Coos Bay-North Bend districts which flew at half-mast Monday.

The Rev. Thomas L. Murdock, rector of Emmanuel Episcopal Church in Coos Bay, intoned the prayers, including the 23rd Psalm and the Lord's Prayer.

Rhiner Stennius, a former assistant coach at Oregon, representing his homeland, offered

a wreath of Finland's national emblem as a token of friendship for Prefontaine who worked tirelessly for many months to bring a Finnish delegation of track athletes to this country for a series of meets.

The casket was closed throughout the ceremony but many townspeople viewed Prefontaine's body in repose at Mills-Bryan-Sherwood Chapel. He wore the blue blazer designating his status as a U.S. Olympian with the five intertwined rings embroidered on the breast pocket.

The final tribute of the short, 33-minute service was that of Pre's talented cousin, Jan Prefontaine, of Washington, D.C. Jan sang a tribute to Pre, with guitar accompaniment.

Jan first told of Pre's dedication to "his people"—how she had asked why he didn't leave Oregon for bigger and better things.

" 'I can't leave my people,' " he answered.

And thus the Prefontaine mystique with "his people" came to an end on the grassy slope of Sunset Memorial Park overlooking Isthmus Slough near the Millington area south of Coos Bay.

Three American flags fly from various vantage points—the nearest is just 47 paces from where a flat headstone will mark the final resting place of America's greatest distance runner of all time.

"PRE—JANUARY 1974"

To spend a day or two in the warmth of your smiling eyes,
To give your heart away but for a moment's time,
I've known you for so long in my mind,
Like the world spinning smiles upon a rhyme

He's got a rhythm in his walk an artist as he runs,
A smiling face he gives each separately,
Win or lose, he reaches out lovingly and stays a humble man, my Pre

You offer words of tenderness—I dreamed of you last night,
Your running free enhances all the charms of aging wine
You mirror a strong reflection of what can be,
A man who shares the sun of eternity

To be a strong but gentle man not afraid to speak the truth,
To stand against a raging storm and try to right the tide of wrongs,
You're a free man full of wonder here to stay
You've touched my mind in a peaceful loving way . . .

JAN PREFONTAINE,
Washington, D.C.

[From the News-Review, June 3, 1975]

'PRE' DUE FINAL TRIBUTE TODAY

EUGENE.—A final tribute was scheduled in Hayward Field on the University of Oregon campus to Steve Prefontaine, who rose to stardom and was virtually unbeatable as a collegian.

A memorial service is scheduled in the track facility, where "Pre" ran his last race and won in 5,000 meters over friend, rival and fellow Olympian, Frank Shorter last Thursday evening, only a few hours before Prefontaine died in the smashup of his sports car on a Eugene street.

Prefontaine, who held seven American records in distances ranging from 2,000 meters to 10,000 meters, and who often ran sub-four minutes miles, was buried just outside his home town of Coos Bay on the Oregon coast Monday afternoon following memorial tribute to him by his town and his thousands of friends and mourners.

The memorial service was conducted in mid-afternoon at Marshfield High School's Pirates Stadium, where "Pre" began his fabulous career as a prep star.

Schools were dismissed at noon and most of the community's businesses closed to gather for the solemn occasion.

In the stadium ceremony, the Rev. Thomas Murdock of the Coos Bay Emmanuel Episcopal Church intoned the prayers and eulogies were delivered by the two coaches who most influenced Prefontaine's career—Marshfield High School Coach Walt McClure and retired University of Oregon Coach Bill Bowerman, who choached the 1972 U.S. Olympic team of which Prefontaine was a member.

Prefontaines body lay in repose at the Mills-Bryan-Sherwood Chapel several blocks from the family home. A steady procession of friends visited the mortuary until noon Monday.

Prefontaine was dressed in his Olympic tunic, with the five Olympic rings embroidered on the breast pocket, that he wore during the opening ceremonies in Munich three years ago.

A picture of Steve with his mother and father and two sisters, and one of his favorite dogs, adorned the open casket.

The pall bearers were Frank Shorter, Jon Anderson, Jim Seymour, Brett Williams, Bob Williams and Geoff Holister, competitors and friends in Pre's career.

Shorter and Anderson were fellow Olympians. The Williamses and Holister were Prefontaine's close Eugene friends and former Oregon teammates.

Following the memorial service, Prefontaine's body was accompanied to Sunset Memorial Park just south of Coos Bay overlooking coastal Highway 101 where he was interred with private rites.

A move has begun to name the Marshfield High School oval stadium Prefontaine Track.

[From the New York Times, June 8, 1975]

PREFONTAINE: WHAT HE WAS REALLY LIKE

Nine days ago, only a few hours after he had won a 5,000-meter race, Steve Prefontaine was killed in an automobile accident at the age of 24. He was America's leading distance runner, the American record-holder at all seven distances from 2,000 to 10,000 meters and an outspoken critic of inefficient amateur sports officials. He was popular with fellow runners, and four of them have written tributes for this page. Marty Liquori has been one of the world's ranking milers for years, Frank Shorter was the 1972 Olympic marathon champion, Kenny Moore ran forth in that race and Jere Van Dyk, like Prefontaine, was an outstanding runner at the University of Oregon.

(By Marty Liquori)

There are two things that set Steve Prefontaine apart from other runners—his dedication to track and field and his spirit toward life.

During an indoor meet one year in Los Angeles, Pre and I roomed together. He came in about 6:30 A.M. the morning after he had been named the outstanding performer in the meet and had won the two-mile in 8 minutes and 28 seconds.

I saw him get in bed around 6:30 because I checked my watch. Whenever I room with somebody, I usually can't sleep until they get home, even if they're only a casual friend.

Pre slept for an hour. I had to get up at 7:30 to catch my plane, but he turned over and said, "C'mon, I'll help you with your bags."

With only an hour's sleep, he helped me take my bags down to the lobby. Then he went out and ran 10 miles.

(By Kenny Moore)

Pre never had much confidence until he found running. He called himself a "slow learner," couldn't speak English well when he started school and got teased a lot. The lessons he learned running flowed out into the rest of his life.

He and I went to the State Legislature to testify in the Oregon field-burning controversy. The farmers burn the fields of stubble after the harvest in late summer. The way air patterns are, all the smoke comes down and hangs over Eugene and makes it miserable for everybody, especially the runners.

Last summer, before he was to leave for an important race against Brendan Foster in Europe, Pre ran a time-trial mile in 3:58.3. Before he ran the mile, though, the smoke rolled in from the north, and it was just awful. After the race, Pre was coughing blood and tore a muscle in his diaphragm. It killed his races in Europe.

A group of us had done a lot of research on the field-burning question, but we were nothing compared to Pre. He just sat there calmly telling the legislators the graphic, gruesome details of what had happened to him the September before. He had all those Senators eating out of his hand. Afterward, driving back, he was absolutely disgusted with them because they were even-handed and saying, "Yes, consider the plight of the farmers." Pre wasn't considering anybody's plight but the breathers.

He had a sense of his people—the working class, plain-spoken people who really appreciated somebody being tough and coming down on one side or the other. He had these ferocious loyalties; on the other side of the coin was ferocious defiance if you crossed what he thought was right.

Pre was always out talking to kids in the junior high schools around the area. One summer he went out and talked about venereal disease—with absolute unselfconsciousness. He grossed out all the teachers; the kids loved him.

(By Frank Shorter)

While Pre was staying at our house one time he received several letters from an inmate at one of the Oregon state prisons. Pre started telling us how he had been corresponding with this inmate for several years. Obviously, no one knew anything about this.

"I've been trying to help this guy get his parole," Pre said. "He's always getting turned down."

Pre wrote voluminous letters to the right kind of people trying to get the guy up again for appeal. He had it in his mind that he was going to get this guy out.

"Do you know him?" I asked.

"No, I never met him," Pre said. "He just wrote me once."

I don't remember the inmate's name, where he was or even whether Pre managed to get him paroled. I was just amazed that Pre was doing something like this.

One day Pre told a bunch of runners at Oregon, "Hey, I want you guys to go up to Salem to do some stuff with me." I guess the guys thought they were going to speak to some high school kids, but they pulled up to the prison there.

Pre walked into the prison and everybody was saying, "Hi Steve, hi Steve." It turned out that he had been up there many times before, talking to inmates and helping to organize some of their sports programs.

He was always surprising you. It wasn't a calculated surprise, the way it is with some people who want to impress you. He did it, it was private, and he kept it to himself. He didn't really want anybody else to know.

(By Jere Van Dyk)

I first heard about Steve Prefontaine during my junior year at the University of Oregon. Arne Kvalheim had just set a National Collegiate record for the two-mile, and he and Roscoe Divine, another runner, went over to Coos Bay to recruit Steve, who was in high school.

Steve took them out for a run along the beach. Arne was about 25 years old and had just set this national record. But there was

Pre out there setting the pace. Finally, he looked back and said, "Am I going too fast for you? I'll slow the pace down. Can you keep up with me?"

"That was the height of precociousness," Arne later told me.

Whenever I think of Pre, I think of Hank Stamper, the protagonist in Ken Kesey's novel, "Sometimes a Great Notion." The novel is set in Coos Bay and Pre is the same independent, obstinate, tough lumberjack depicted in the novel. He was naive, unsophisticated and unafraid of anything—records or bureaucrats.

[From the Astoria (Oreg.) Daily Astorian, June 2, 1975]

STEVE PREFONTAINE

Followers of track and field cheered Steve Prefontaine for two reasons. He was a truly great distance runner and he was a brash assailant of the establishment.

Prefontaine held every American outdoor distance record above 2000 meters. At the age of 24 he had not yet reached maturity as a distance runner. His goal of winning an Olympics gold medal in the 5000 meters certainly was achievable and so was a world's record at that distance.

His off-track performances were delightful. Especially the barrages he fired at the stuffed shirts of the Amateur Athletic Union. He took out after anyone he thought was abusing athletes and that included coaches he considered inept.

His lack of respect for the status quo was part of what made him the best runner of distances over 2000 meters that the United States has had. He thought he could beat anybody. He'd been that way since he began running in Coos Bay. Although he was here for only a short time, he has a permanent place in Oregon history.

[From the Albany (Oreg.) Democrat-Herald, May 31, 1975]

AN ATHLETE DYING YOUNG

It is particularly tragic when a young person dies before his dreams and hopes may be fulfilled. It is so in the case of 24-year-old distance runner Steve Prefontaine, who was killed in an auto accident Friday morning in Eugene. And it is so in any case where death comes suddenly and during youth.

Prefontaine, a dedicated athlete, touched the lives of most Oregonians who, while not necessarily followers of his demanding sport, admire talent and, more than that, admire dedication.

Prefontaine was more than simply another inner-directed athlete. He had become an activist in seeking to better amateur sports in this country. He was a particularly strong spokesman for the athlete because he was, without doubt, the best American distance runner.

The poet A. E. Housman finds some solace in the death of a young athlete in this, from *To an Athlete Dying Young:*

"Smart lad, to slip betimes away
"From fields where glory does not stay
"And early though the laurel grows
"It withers quicker than the rose . . ."

We find little solace. Death to anyone so young takes away the better things that might have been.

[From the Albany (Oreg.) Democrat-Herald, May 31, 1975]

TO ALL OF US—PREFONTAINE WILL LEAVE A LEGACY

(By Bob Rodman)

Each of us will remember Steve Prefontaine in our own way.

An autograph on a very-used program. A conversation you once had with him. An acquaintance you made with him through the media. The "Go Pre" T-shirts. The track fan-track athlete relationship perhaps.

But more than anything because Steve Prefontaine was Oregon. He was us. And he did his track thing all over the world and did it well.

But he did more. The 24-year-old said what he thought when he thought he ought to say it.

And that, among other things, will be the legacy the former University of Oregon distance runner will leave us.

The tragic automobile accident that claimed his life Friday will not claim what he was . . . and what he meant to track and to us. And if he had been allowed the chance, to the world.

"He was much too young to die," said a former opponent of Prefontaine's after learning of the death of America's premier distance runner.

All the words in the world will not bring him back, nor will they do justice to the young man who did indeed live his life.

"He wasn't missing anything from life," observed Dyrol Burleson, one of Oregon's 15 sub-four-minute milers, including Prefontaine. "He enjoyed life. You could see that just by watching him."

And life, it must be added, enjoyed him.

He was not loved by everyone, however. Not all the time. Prefontaine had a way about him that irritated more than a few persons during his brief career as a national figure.

"He was brash," remembered South Albany High School track coach Neil Webber, who had coached at Oregon State when Prefontaine was running for Oregon. "And some people didn't like that."

But the difference between Prefontaine and many of us was simply that he supported what he said with performance.

"When he ran," Webber said, "he'd say, 'Let's run the race, and then with a mile to go we'll see who's the toughest.'"

And but for a few occasions in his life, Prefontaine was the toughest.

"He figured he was tougher," recalled Dave Wilborn, another former Oregon distance runner who ran with and against Prefontaine. "He had great talent . . . and he never seemed to get injured. Another great asset he had was his desire to accomplish something."

And he did do that. American distance running records were his by the bucketful.

But the one accomplishment he truly wanted, worse than the almighty dollar even, was an Olympic medal, preferrably gold in color.

He finished fourth in the 5,000 meters in the 1972 Olympic Games at Munich. Prefontaine was visibly disappointed. He had predicted victory.

A friend told it best.

"He wanted that (gold medal). He may not have said that much about it, but he wanted to win that medal.

"Now he won't get a chance."

Frank Shorter, the man he beat in Thursday's 5,000-meter run at the National Collegiate Athletic Association (NCAA) Preparation Meet in Eugene, figured Prefontaine's "chance" would have been very productive.

"If he had trained the right way," the Florida Track Club athlete and Olympic marathon winner at Munich said, "he could've won at Montreal (in 1976).

No one will ever know now.

What will be known, though, is the Prefontaine approach. To running and to life.

"He never ran less than all out." Shorter said of the one-time Marshfield High School (Coos Bay) athlete who set a national prep record in the two-mile (8:41.5) that has stood since 1969.

"He would rather run and drop dead than lose a race," Shorter added.

Said Bill Dellinger, Oregon's track coach, "He had a burning desire to succeed in track and field and he had an inner strength that most runners don't have."

That inner strength had much more to do with him than his famed cardiovascular system.

"A lot of people have great running bodies," Webber explained, "but he had the greatest mental discipline ever."

And now he is gone.

"It makes a person realize that you never know what's going to happen next," said Wilborn quietly.

"And it makes you want to make the most of the relationships you have with people because you just never know. . ."

[From the Washington Post, May 31, 1975]

"PRE" NEVER A MAN TO RUN WITH CROWD

(By Robert Fachet)

Steve Prefontaine was his own man. He ran hard and he played hard and he gave short shrift to critics of either pursuit.

A discussion with Pre was not an exchange of pleasantries. He told it like it was, or at least how he thought it was; and if you didn't like it, well, talk to somebody else.

He hated selfish people and phonies. He worked hard in pursuit of excellence and he had no patience with bureaucrats who heaped obstacles in his path and those of other athletes.

When he debated running in the 1976 Olympics and was beseiged by patriots, he said, "People say I should be running for a gold medal for the red, white and blue and all the bull, but I'm the one who has made the sacrfices. These are my American records, not the country's."

When the NCAA scheduled its 1973 outdoor championships in steamy Baton Rouge, La., he said, "It appears to me the members of the selecting committee pick these sites because they are thinking about a vacation rather than track. It's too hot there."

When the AAU tried to block him from competing in Europe, because he refused to run in the AAU meet, he shot back, "The AAU just uses athletes. I've had enough of that. I want to have some fun as well as good competition."

He had fun, too. He liked his beer and had plans to open a bar in Eugene, Ore., to be called "The Sub 4."

On Dec. 31, 1973, he was the bartender at a wild party in Los Angeles. The next morning he awoke at 4 a.m. to join other athletes on the Sunkist float in the Tournament of Roses Parade.

"The Burbank float was in front of us," he reported later, "and I was directing our float by walkie-talkie and I guess I didn't do too well because we rammed them and put a big dent in their float."

At the 1972 Olympic Trials in Eugene, the "Go Pre" buttons and sweatshirts of his rabid supporters were mocked slightly by some detractors who showed up wearing "Stop Pre" shirts. Prefontaine had the last word. After he won the 5,000 meters, setting one of his many American records, he obtained one of the "Stop Pre" shirts and wore it on a victory lap.

He never lost in Eugene, where he observed that "the crowd gives you a reserve of power. It's a strange sensation. If you're down to a ragged nothing, the crowd can carry you."

Less successful in Europe, he nevertheless was admired by opponents, and ran many of his fastest races in a losing cause there. He enjoyed the sharing of pace-setting duties and criticized fellow Americans who "suck along on the back of me."

Despite being outwardly self-confident he was nervous before races. Prior to the NCAA cross-country meet his freshman year, he

"was on the toilet for three days." It was the only collegiate race he lost.

After his Olympic Trials success, he said he "felt like there is a big, big gunny sack of boulders off my shoulders." At Munich, he set the 5,000 pace, was overhauled and finished fourth. He offered neither alibi nor regret.

Prefontaine came out of Coos Bay, Ore., a fishing town where a youngster fought almost as a matter of survival. It is noteworthy that when he made his first European trip he purchased not cashmeres or cameras, but switchblades for his Coos Bay buddies.

Prefontaine made few appearances in the East, but Washington-area fans were fortunate enough to see him twice at Cole Field House. He lost both times, a two-mile to Dick Buerkle in 1974 while troubled by a back problem that made it difficult for him to lift his left leg, and a mile to Marty Liquori last Jan. 10.

Prefontaine set the pace in that Cole mile, carrying Liquori to a 3:57.7 time. He did it because "I knew if I didn't get the pace there wouldn't be a race. I don't pussyfoot around. I want to be in a race."

He didn't pussyfoot around about anything.

He would not believe some of the nice things people are saying about him today. I think he would prefer to be remembered the way his Oregon coach, Bill Bowerman, described him three years ago.

"He's a rube," Bowerman said. "By that I mean he has that kind of wide-eyed, nothing-is-impossible straightforwardness that is rare these days. You ask a rube a question, you get a straight answer. This guy doesn't play games."

[From the Washington Post, May 31, 1975]

RUNNER PREFONTAINE KILLED IN AUTO CRASH: 24-YEAR-OLD HELD MARKS IN DISTANCES

EUGENE, ORE., May 30.—Steve Prefontaine, for almost a decade one of this country's best and most controversial athletes and the owner of every American running record over 2,000 meters, is dead at 24, the victim of an automobile accident here early today.

The 5-foot-9, 155-pound distance runner, whose dedication to running was matched by his bitterness over the treatment of amateur athletes in America, had come within 1½ seconds of his 5,000-meter record at a meet in Eugene Thursday night.

Barely four hours later, after leaving a party in honor of six Finnish athletes he had brought to America to compete, Prefontaine had taken his girl friend home and was driving along a Eugene residential street. Police said his small foreign car crossed the center line, skidded about 40 feet, struck a rock embankment and flipped over, pinning him beneath it.

Assistant Lane County medical examiner Edward Wilson said an autopsy showed the alcohol level measure in Prefontaine's blood stream was .16 of 1 per cent.

Oregon law says a person with a level of .10 per cent is regarded as intoxicated, and a level of .15 per cent or higher is considered a criminal offense.

The time of death was placed at about 12:30 a.m. (PDT). It sent shock waves through the track world.

"He told me last night he felt he was just starting to run well, that the season had just begun," said Bill Dellinger, Prefontaine's coach. "He thought he was the best in the world and was aiming for 1976."

A high school sensation in Coos Bay, Ore., Prefontaine had a brilliant career at the University of Oregon, turning in some remarkable performances soon after he burst into the spotlight as a teen-ager in 1966.

He did not own any world records, but his American marks were close and they were improving as he neared the age at which distance runners hit their peak.

Perhaps one of his proudest accomplishments was the American tour he arranged for the six Finns, whom he had met and lived with last summer during a European tour.

They and about 25 other persons, including Prefontaine's parents and his high school coach, were at Thursday night's post-meet reception.

After enrolling at the University of Oregon in 1970, Prefontaine quickly emerged as the finest distance runner in America under the tutelage of Bill Bowerman.

It was at about this time that he began to express bitterness about what he believed to be the shabby treatment of amateur athletes in this country. But that did not affect his performances.

In the 1972 Olympics, he ran the 5,000 meters. With four laps to go, Prefontaine held a slim lead, and at that point observers believed if he had started his kick, he would have captured the gold medal.

But he still was new to international competition and apparently feared that he would burn out in the mile before the finish. He kept his pace and three runners passed him, the last overtaking him about 10 meters before the tape.

The Olympic loss may have been the reason he turned down what was described as the largest offer ever made by pro track so he could take another Olympic shot in 1976.

[From the New Times, June 27, 1975]

MAN ON THE RUN: FINAL TRIBUTE

(By Mark Goodman)

Now you will not swell the rout
Of lads that wore their honors out,
Runners whom renown outran
And the name died before the man.

"To an Athlete Dying Young"—
A. E. Housman.

It used to be said, up in Coos Bay, that Steve Prefontaine could outrun an Oregon timber fire. Given the chance, I rather imagine Prefontaine would have tried to prove it; that is the kind of competitor he was. Running was all he know, and he pursued it with a vengeance—quite literally, as he always seemed to be outraged about something. Said fellow runner Jon Anderson: "He's not like other distance runners. He's not quiet, not introspective. He can't relax. A 15-mile run in the woods makes me kind of mellow and satisfied. All it does for Pre is make him mad. Most distance runners find expression in easy running: we take comfort in that kind of personal experience. Pre's kind of running is always hard and straining and fierce."

That rather accurately describes Steve Prefontaine's brief 24 years. He was the James Dean of the track circuit, and not just for the fact that he wrapped himself up in a car a good 50 years before his time. Brooding, bristling, a fanatically loyal friend and an equally fanatical antagonist, Prefontaine would attack the U.S. Olympic Committee and the Amateur Athletic Union with the same swift savagery that won him every American record from 2,000 to 10,000 meters. I doubt seriously if he cried crocodile tears over the death last month of Avery Brundage, the obstructionist head of the Olympic Committee who was almost singlehandedly responsible for the American neologism "shamateurism." It was Prefontaine who announced—loudly, boldly and repeatedly—to a smug, self-righteous land that the Emperor had no clothes, that America's ludicrous rules regarding amateur athletics put her athletes at a disadvantage to the well-subsidized athletes of virtually every other nation.

The woods of Oregon breed what used to be called Rugged Individualism, and Prefontaine had nothing if not that. He could run like nobody's business and he most vehemently believed that it *was* no one's business but his own where he ran and against whom. "To hell with love of country," was the famous line that shocked generations of Americans weaned on John R. Tunis. "I compete for myself." Boy, did he ever mean it. At his death he faced suspension by the A.A.U. for his refusal to run on the national team against Soviet-bloc countries.

Politics had nothing to do with it—he simply didn't think they were good enough ("like running against a bunch of high school kids" was the delicate way he phrased it to his pal Kenny Moore). His blatant calls for subsidies did not stem from greed—he turned down a $200,000 offer from the pro-track circuit because he wanted to beat the flying Finns and Belgians and Norwegians first. "What would I do with all that money?" he asked.

He might have spent a fair amount of it in bars. Excruciating honest, Prefontaine never hid his love of grain and hops from the public. Blessed with the constitution of a yak, he was known to carouse all night, sleep for an hour and then get up and run ten miles. When you're brought up with lumberjacks you drink with lumberjacks, and Prefontaine loved low-rent saloons, loved to fill a smoky room with his brimming personality and bursting confidence.

He did not always have such a surfeit of both. The only child of a Coos Bay carpenter and his German war bride, young Steve was by his own later admission a bit runty and a slow learner. He got on the high school football and basketball teams by scrap and spit, but he rarely roamed very far from the bench. However, he discovered he could run and run and run—and almost never got tired. By the time he graduated he was one of the most sought-after schoolboy athletes in the land. But there was only one college for him: the University of Oregon, a perennial track powerhouse. This thundering finishing kick and his penchant for playing to the gallery (he actually took victory laps, something your well-bred amateur just doesn't do) made him a celebrity by the end of his freshman year. So did the tirades with which he began to lash the A.A.U. and Olympic Committee. So did his curious off-campus activities—such as lecturing junior high kids on venereal disease or helping inmates at the state prison organize their sports program. As another runner, Frank Shorter, wrote: "He was always surprising you. It wasn't a calculated surprise, the way it is with some people who want to impress you. He did it, it was private and he kept it to himself. He didn't really want anybody else to know."

Let us be plain: there is nothing noble about the way Steve Prefontaine died. He got drunk and racked himself up. It is, however, a tragedy that he never got an Olympic medal or a world record. Nor will the American record books remember him for very long, since track marks are about as durable as Zsa Zsa's love. But no one who ever saw him driving down the back stretch, ripping every ounce of speed from his throbbing muscles, will ever forget this fabulous, ferocious young man who could run like an Oregon timber fire.

KOIN TV FILM SCRIPT

I

America's premier distance runner is dead.

Former University of Oregon star Steve Prefontaine was killed early this morning in an automobile accident in Eugene.

Details from Denny Shleifer:

The 24-year-old record holder was riding alone in his M-G-B convertible near the campus of the University of Oregon when the accident occurred.

Police report Prefontaine's vehicle crossed the center line on Skyline Drive—jumped a curb—hit a rock embankment and flipped over.

Prefontaine was pinned under the wreckage—and shortly thereafter was pronounced dead on arrival at a local hospital:

Earlier last night—the 1972 Olympian from Coos Bay ran his last race and came within one and a half seconds of his own American Record in the five thousand meters at an informal track meet in Eugene.

After the race—Prefontaine had complained of feeling sluggish.

He claimed he was still at top form and it would be a couple of more weeks before he might be ready for A-A-U competition.

Prefontaine was fourth in the five-thousand meter run at the Olympic Games in Munich in 1972.

He held six American distance records—at 3,000 meters, two miles, three miles, 5,000 meters, six miles and 10-thousand meters.

He was called by many the United States' most dedicated and outstanding runner.

The President of the U-S Olympic Committee—Philip Crum claimed today—America has lost the most outstanding distance runner in the past six years.

He added the Committee was counting on Prefontaine as one of the top prospects for a victory in the 1975 Pan American games and the 1976 Olympics.

Prefontaine was colorful and controversial—and he didn't hesitate to needle the amateur athletic union and the amateur track system in the country.

He said recently in Eugene—using his words now—here I am in my second year out of college—If I want to be the best in the world—it is almost a full time job.

That's impossible—I've got bills to pay—I'm just like any other American—If I don't pay my electric bill—they turn off my light.

Prefontaine added that after college—American athletes are turned out to pasture—He had said several times—that the United States has no real Olympic program.

But Prefontaine was an amateur and serious offers of turning pro by the I-T-A never really entered his mind.

Prefontaine was thinking about 1976:

Film.

Steve Prefontaine—dead at aged 24 today when his car hit a retaining wall in Eugene.

Here are a few comments from some of the people who knew Pre the best.

Oregon Track Coach Bill Dellinger—using his words "It's a great personal loss—a great loss for all the fans of track and field.

Dellinger added—We can all reflect back to the great moments he created for the state of Oregon.

Prefontaine's personal advisor at times—close friend—and former Oregon track coach Bill Bowerman said—Pre was an extremely talented individual—and probably was as fierce a competitor as we ever had.

And Oregon athletic director Norv Richey may have put it best when he said—Pre was a young man who was obviously just reaching his potential.

The accident is a complete shock and tragic thing for everyone associated with Oregon sports.

II

Repeating today's top story—Oregon distance runner Steve Prefontaine died this morning when the car which he was driving hit a retaining wall in Eugene.

Earlier last night—the talented Oregon runner participated in an informal meet in Eugene where he missed setting an American record in the 5,000 meters by only a second and a half.

Prefontaine holds six American records at distances between two and five miles.

He was called by many, America's top distance runner in the past six years.

His coaches at the University of Oregon—Bill Bowerman and Bill Dellinger—called Prefontaine "as fierce a competitor as Oregon ever had.

III

Steve Prefontaine, above anything else, loved to run . . . but, he also approached it, as hard work . . . work that he didn't feel he and other athletes were very well paid.

Film.

It was this outspoken candidness, that often got "Pre" in trouble. . . . He was perfectly willing to take on athletic officials, if he thought they were wrong . . . and, he often thought they were wrong . . . and, he got away with it, because he was good . . . good enough to win 117 consecutive races as a collegian . . . good enough to set six American records . . . and good enough to win the admiration of one of the country's great track coaches, Bill Bowerman.

Film.

A tremendous loss . . . to the University of Oregon . . . to the State . . . to American track, and to current Oregon track coach, Bill Dellinger, who recruited Pre from Coos Bay, and who coached him til his last race.

Film.

It's going to be very difficult to remember that "Pre" at the age of 24 is dead. . . . He was so counting on the Olympics that when they come next summer, you'll expect to see him there . . . had he been, you have to believe he would have won.

TED DAWSON KOIN-TV SPORT—IV

Steve Prefontaine, America's premier long distance runner, was killed early this morning. . . . Last night, I reported that Pre had won the 5,000 meter race that he promoted at Eugene's Hayward field. . . . But, despite the fact that the internationally famous University of Oregon graduate had won the race, beating Olympic gold medalist. Frank Shorter, he had failed to set a new record . . . breaking one of the six he holds. . . . He was unhappy after the race, and voiced his disapproval to friends, at an after meet party. . . . Pre was never happy when he didn't live up to what he'd hoped for. . . . He knew his own abilities, and he always sought to improve them. . . . Most experts figured that he was just approaching the peak of his athletic ability. . . . Pointing towards the 1976 Olympic games. . . . Pointing so hard in fact that he turned down a lucrative professional offer to be given another Olympic chance. . . . But, it wasn't to be. . . . Driving his foreign sports car in Hendrich's Park. . . . Where he spent many hours training, Pre was coming over a hill, he lost control, crossing the road, went over the curb, and hit full speed into a rock wall. . . . The car flipped, and crushed the track star beneath it. . . . A Eugene police report this afternoon, after a blood analysis showed that Steve Prefontaine, dead at age 24, was seriously intoxicated.

It's very difficult to do a story on a great person who has just died. . . . Even more so, when that person was an internationally renown athlete, and only 24 years old.

They called him "Pre" . . . Steve Prefontaine, the American track prodigy, who learned to run on the Coos Bay Coast . . . and lived to challenge the highest athletic officials in the country . . . because top European athletes often refused to come to this country, Pre was forced to compete on their territory . . . but, this season, it was different . . . on his own, he invited top Finnish performers for a series of Oregon meets, ending with this 5,000 meter race last night in Eugene. He was out to break one of his six American long distance records . . . he missed by a second and a half, finishing in 13:28.8 . . . . But, he won, beating Olympic gold medalist, Frank Shorter . . . winning was the thing for Steve Prefontaine. He missed a medal in the 1972 Olympics when be burned himself up trying to win, and had to settle for fourth. Settling was never one of "Pre's long suits . . . he loved to win . . . he also loved his sports car, and last night, after the race, he took it for a drive up into Hendrick's park. Where he spent many hours training back in his University of Oregon days . . . coming over a hill, he lost control, crossed the road, went over the curb, and hit full speed into a rock wall. The car flipped. "Pre" had his shoulder harness on, but not his seat belt. He was thrown forward, his protective roll bar couldn't save him.

During Pre's collegiate career he entered 117 races. He won 117. . . . Last night, some five hours after competing in front of what Pre liked to call "his people" Steve Prefontaine died at age 24 after winning for his people.

V

A memorial service was held today in Coos Bay, Oregon, for American track star Steve Prefontaine.

Denny Shleifer and cameraman Bob McIrvin were in attendance:

The program handed to every person when they arrived at the high school field stated simply—"In Memory of Pre."

The former University of Oregon track star who holds six American records died early Friday morning in a single car accident in Eugene.

Pre's death in this town has yet to be comprehended fully.

One of his closest friends—Olympic marathon champion Frank Shorter led a field of track athletes as Pre's pallbearers.

It was Shorter—you may recall—who placed second in Prefontaine's final race last Thursday in the 5,000 meter event—when the Coos Bay star missed his own American record by only a second and a half.

There were several speakers who eulogized Prefontaine this day.

They included a representative of Finland's track team—Reimer Stinius.

He called Pre a winner.

Former Oregon Track coach Bill Bowerman said he was a true amateur who never really gave professional track a thought.

He called Pre—the most fierce competitor he ever coached.

His High School coach—Walt McClure looked back at Pre's days from grades nine through 12.

McClure stated that he always knew Pre was going to be a star.

Prefontaine was a true champion—a person who wasn't afraid to speak out—a person who always will be remembered in amateur track circles.

Denny Shleifer—channel six news—Coos Bay, Oregon.

VI

After a service at Marshfield High School this afternoon, Steve Prefontaine, has been buried in Coos Bay. The service, which was held at the Marshfield football field was attended by about a thousand friends and relatives of the great runner, who was killed last Friday, in a high-speed automobile accident. Prefontaine was remembered fondly by two former coaches, Walt McClure, who guided his career through high school, and Bill Bowerman, the man responsible for making Pre a household word during his days at the University of Oregon. The runner, whose greatest aim was an Olympic Gold Medal, was buried in his Olympic sport coat, with the five rings on the breast pocket.

Pre missed an Olympic medal, in 1972, when he placed fourth in the 5,000 meters. But, he turned down a professional offer to try for the elusive Olympic gold one more time. Following today's memorial service, his body was taken to Sunset Memorial Park, just south of Coos Bay, overlooking Highway 101. The man who Track and Field once labeled the sport's most popular athlete, was buried, with his family and fellow Olym-

pians, Frank Shorter, and Jon Anderson, as well as several Oregon teammates, on hand.

[From Sports Illustrated, Feb. 21, 1972]

IT JUST WAS NOT IN THE STARS

Steve Prefontaine arrived in Los Angeles from Eugene, Ore. last week with a worry. And a disdain for people who look to the planets for prophecy. The worry was over the early pace of his two-mile race in the L.A. Times Indoor Games, which he was afraid would be so slow that he would have to set it himself. The disdain came after he learned that an astrologer, one Burton Morse, had said that Prefontaine's planetary influence were less than favorable and predicted he would finish behind Emiel Puttemans of Belgium and Kerry O'Brien of Australia. "Phooey on the stars," said Prefontaine, or words to that effect, and glared heavenward.

And so, with the planets out of the way, Prefontaine got down to the pace. "I just hope some of those foreign guys help out," he said. "I don't want to set the stupid thing all by myself. In America you don't get the comradeship you do in Europe. Over there everybody helps with the pace, and then the guy with the most guts wins. Over here they let you go out all by yourself, just hitching an easy ride and hoping somewhere near the end you'll drop dead. To hell with them. Maybe I'll let the first mile go by in 4:51." He grinned. "Of course, the crowd will start throwing stones at us."

"That's not too funny," said a friend.

"Did you ever run behind a slow pack?" said Prefontaine. "You get a trailing wind and a lot of body odor."

"You shouldn't say things like that. Somebody will print them."

"Aw, nobody would print that."

"Yeah, I guess you're right."

Unbeaten in a distance race since 1970, the 5'9" University of Oregon junior found himself almost totally wiped out after the Pan-American Games. He came home to Coos Bay, Ore. with a gold medal and a Salmonella infection, a sort of super diarrhea. When the doctors had pumped enough medicine into him to kill the Salmonella, they also killed all the good bacteria and he came down with a yeast infection, another sort of super diarrhea.

Finally healthy again, Prefontaine won his second straight NCAA cross-country championship last November, and a few weeks ago in Portland he won a two-mile in 8:26.6, just .4 off the American indoor record. George Young, the 34-year-old American *outdoor* record holder, had been invited to run in the *Times* meet but had declined. "Too much youth in that race," he told Will Kern, the meet director.

"Goldarn!" said Prefontaine. "I wanted to run against Young more than anybody in the field. I wanted to test the veteran out." He laughed. "I almost said the old man, but I don't want to make him mad and give him something to use against me when we race. Besides, he's not really old. And I like him a lot. He's super intelligent. And very good-looking. And has a great family. And I hope he remembers all these nice things I'm saying when we do race."

For Kerry O'Brien, Los Angeles was worrisome too. Southern California hasn't been all that kind to the 25-year-old Coca-Cola P.R. man. He did set the indoor world record for the two-mile (8:19.2) last year in San Diego, but during the same trip was scared witless by the L.A. earthquake and had $60 stolen from his wallet. "Besides the record," he said, "the only good thing that happened to me was that I decided to see a movie instead of going to Tijuana with two friends. I saw *Love Story* and they got mugged."

And like Prefontaine, O'Brien wasn't all that happy with Morse's view of the position of the planets. "I should like to warn him against some minor muscle damage if he's careless at all about preparing for this race," Morse wrote for the *Times*. "Some difficulties appear in the health house."

"That's just bloody great," O'Brien said. "I haven't had a healthy day since I left America last year, and this chap has to predict more trouble. Where was he before the earthquake when I could have used him?"

After setting his record at San Diego, O'Brien went home and intensified his training schedule. He holds the world record of 8:22 for the steeplechase, too, and when he ran two steeples in 8:26.8 and 8:24, European promoters came up with an attractive package of eight summer meets. O'Brien worked even harder. But apparently his planets were in the wrong position. One day while he was jogging along, another runner fell in front of him. "I had to scissor-kick my legs apart to leap over him," O'Brien said, "and then I felt this terrible pain in my stomach." He had suffered a great rip in his lower abdominal muscles. Eight weeks later he ran again, but it wasn't until November that the rip completely healed. O'Brien never got to Europe. Instead he managed to injure his right knee and left Achilles' tendon, both of which were still bothering him in Los Angeles.

When O'Brien announced in January that he was going to run in Toronto and Los Angeles, both his friends and the press in Australia said he was crazy. "But sometimes you have to have the courage to gamble against the advice of other people," he said. "You can't be a champion or set world records unless you are ready to back your own convictions. I felt I needed some intense international competition."

At Toronto a couple of weeks ago he got it, winning a grueling three-mile in 13:23.8. "It took a real gutsy finish to win," he said, "and now I'm pleased that I took the gamble. That race really knocked my legs around a lot, and it's not the sort of thing I'd recommend. But for me, it was the only thing."

The third party of last Friday's race, Puttemans, the 24-year-old waterworks gardener who set the pending outdoor two-mile world record of 8:17.8 in Edinburgh last year, was, like his two rivals, worrying. He has raced indoors very seldomly and he had been warned that negotiating the tight Forum turns would be an edifying experience.

"Is it really that bad?" Puttemans asked. "I've heard it can get pretty crowded."

"Let me see your elbows," someone said.

"My *elbows*?"

"If your elbows aren't as fast as your feet, about the third lap they might be charging you for a seat in the bleachers."

O'Brien didn't figure the Belgian would have too much trouble indoors. "He's a shorty, and they usually can adjust right away. Of course, you never know with Prefontaine. He's an aggressive little bug, isn't he?"

"Is he kidding?" Prefontaine said. "If Puttemans wants to go by me and share the pace I won't lay an elbow on him. Unless he wants to share it on the last lap."

Prefontaine's worries about the early pace ended late Friday afternoon. A few hours before the race, Will Kern got a call from a coach at Cal State Fullerton. "Well, we got a rabbit," said Kern, hanging up. "A kid named Tom Baird, and they say he can give us a 3:10 three-quarters of a mile and that's better than nothing."

A half hour before the race, O'Brien stretched out on a rubbing table while a trainer worked on his knee and Achilles' tendon. Prefontaine trotted past, stopped and said gaily, "Hey, Kerry, what are you, a goldang cripple?"

O'Brien sat straight up as Prefontaine trotted off. "Did you hear that?" he said. "A goldang cripple? I know he was only kidding, but that makes me even more determined to run his cocky bottom into the bleeding boards."

Meanwhile, Puttemans was inside watching Tom Von Ruden burst past Juris Luzins to win the 1,000 in 2:07.1. And Byron Dyce win the mile in 4:02.9, with Jim Ryan a dismal sixth in 4:013.2. And Martin McGrady outduel Lee Evans to win the 600 in 1:09.6. Puttemans had seen plenty of flying elbows, and he was stunned when he saw Von Ruden have one shoe ripped away during the first lap of the 1,000. "And he not only didn't stop," said Puttemans, wide-eyed, "but he won."

"It wasn't much," said Von Ruden, at the moment America's most consistent middle-distance runner and a good bet to be in the 1,500 at Munich. "Just a little blister, that's all."

"That little blister covers his whole foot," said Luzins. "If I had known he was running on that instead of a shoe I might have stepped it up at the end."

As they called the two-mile field, Prefontaine called for Baird, the rabbit. "Can you throw a couple of 62s or 63s together?" Prefontaine asked. Baird nodded. "Great," said Prefontaine. "Let's see what everybody's got."

Baird gave him a 64.7 first quarter, a 2:07.7 half, and dropped out. By then, Prefontaine's throat was burning from the smoke that hung inside The Forum. "Why don't they give up smoking?" he thought.

With that, he turned his attention to the race. When Baird dropped out, Puttemans took the lead. For one lap. "Too slow," Prefontaine thought in disgust. He burst past the Belgian and quickened the pace. Puttemans and O'Brien hung on for four laps and then began to fall back. Prefontaine turned the mile in 4:14.9.

"Right on the nose," said Bill Dellinger, the assistant track coach at Oregon. "We wanted between 4:13 and 4:15. We didn't figure those other two were in real great shape, and we decided to smoke them quick. If you don't, if you permit a slow pace, then it turns into a half-mile race and anybody can win."

Out on the track, Prefontaine was smoking, adding 10 yards to his lead with each lap. Spurred on by the cheering crowd of 13,000, which was on its feet, Prefontaine went even faster. "Golly," he was thinking, "aren't they beautiful people?" He finished in 8:26.6, half a lap ahead of Puttemans, with O'Brien a stride back in third.

"He sure is a speedy little bug," said O'Brien, sighing, "but I'm not upset at finishing third. I got my hard race, and I didn't get injured. And there were no earthquakes. And nobody stole any money out of my wallet. I just wish I could have met that little bug last year."

"And I wish he'd stop calling me a little bug," said Prefontaine. "But wasn't that a super race? Those fans really turned me on. I just wish they wouldn't smoke. But I'm not castigating them for that. Hey, has anybody got a newspaper? I want to read my horoscope for tomorrow."

[From the New York Times, June 1, 1975]

PREFONTAINE: "PRE" FOR PREEMINENT OR PRECOCIOUS?

(By Neil Amdur)

EUGENE, ORE., May 31.—To West Coast sports fans who have enjoyed the first-name intimacy of such easily identifiable heroes as Wilt and O. J., Steve Prefontaine is "Pre," as in "Hey, wasn't Pre something out there today?"

Conservative cynics less than enthusiastic over Prefontaine's confident demeanor contend that "Pre" really stands for precocious. But hardly anyone now is willing to argue the artistic merits of the 21-year-old University of Oregon junior who has not lost a

race in so long that most of his performances seem predetermined.

He enters tomorrow's National Collegiate outdoor championships on his home track with victories in his last 19 races. His dominance of American distance-running this year is unparalleled: He leads in six statistical categories from the mile (3 minutes 56.7 seconds) to the six-mile (27:22.4).

Prefontaine's last loss can be considered hardly disappointing. He ran a 3:57.6 mile only to have Arne Kvalheim finish in 3:56.5.

STATISTICS ARE WEIGHTY

At his specialty—the three-mile or 5,000 meters, which he already has won in this meet the last two years—Pre has not lost since August, 1970.

Such statistics seem almost too weighty for a 5-foot-9-inch 145-pounder from the tiny Oregon seacoast town of Coos Bay. Yet in terms of personal candor and competitive fortitude, Prefontaine is the Marty Liquori of the West Coast, one of the few Americans almost assured of a berth on the Olympic team if he remains fit, and a definite gold-medal threat for Munich.

As far as this three-day competition is concerned, the guessing game is not whether Pre can be beaten (Greg Fredericks of Penn State appears the strongest challenger), but how fast he will run and whether he will post another set of impressive statistics for foreign rivals to ponder between now and September.

SOME ARE SKEPTICAL

Most top distance runners in Europe and Africa have never seen him run and remain skeptical.

"He beats the clock," Tony Benson, the seasoned Australian, said recently of Prefontaine, "but can he beat men?"

Until the early nineteen-sixties, distance running in the United States offered little quality. Surprising gold-medal performances by Billy Mills (10,000 meters) and Bob Schul (5,000) at the Tokyo Olympics in 1964 were the first victories by Americans in these events. Prefontaine is one of numerous hopefuls to emerge from active programs in recent years.

Trials will take up tomorrow's program, with finals on Friday and Saturday.

[From Life magazine, Aug. 18, 1972]

PREFONTAINE GOES FOR THE PRIZED 5,000 METERS—OREGON GOLD RUSH

(By Bill Bruns)

"We may be running a world record pace for the first two miles," predicts Steve Prefontaine, looking ahead to the Munich 5,000 meters, "but then I want to start picking it up. I want to start burying people."

Prefontaine is a 21-year-old Oregon runner whose extraordinary talent and bristling self-confidence have already brought him the American 5,000-meter record and a ranking second only to Jim Ryun among U.S. runners. Now, though still little known to many Americans outside Oregon, he's challenging the world's best in a race which could be the most competitive, intriguing event at Munich.

The 5,000 meters (three miles or 12 laps, plus 189 yards) calls for sophisticated running strategies that make it a tense, unpredictable race as the runners shift the rhythm of the pace. But Prefontaine plans no subtle waiting game. Typically, he intends to drive the pace from the very start. The key strategic question is: Can the front-runners, led by Prefontaine and England's Dave Bedford, force a crushing, grinding pace that wilts the renowned last-lap sprints of men like Finland's Juha Vaatainen and the West German hope Harald Norpoth?

"I don't think anybody can run away from this field," argues Australian contender Tony Benson. "But I do have nightmares of eight guys together running the last 100 meters." Prefontaine, however, knowing he will lose if the race is slow and it all comes down to such a sprint, hopes to launch a long, sustained kick with three or four laps to go. "I want a race," he says, "where it comes down to who has the most guts. I'm always thinking what I can do to psychologically or physically destroy the other runners."

Prefontaine's racing style has always reflected the tough, elemental life of Coos Bay, Oreg., the logging town where he grew up. As a junior he was visited by Oregon runner Arne Kvalheim, who had just broken the collegiate two-mile record. "We took a ten-mile run on the beach," Kvalheim recalls, "and all the way this kid kept asking me, 'Getting tired? Am I going too fast for you?' "

The past three years, training under three-time Olympian Bill Dellinger, Prefontaine has won so many races for the University of Oregon that his victory laps have become a ritual (in one race he rolled the other runners by waving and grinning well before reaching the tape), and "Go Pre" T-shirts are sold in stores across the state. Fueling his mystique with bravura—"I feel my potential is unlimited"—and with needling jibes at his opponents, he is already a popular figure in Europe, where fans respect a runner who's willing to force the pace.

"I'm not afraid of losing," says Prefontaine. "But if I do, I want it to be a good race. I'm an artist, a performer. I want people to appreciate the way I run."

[From the New York Times, July 30, 1972]

PREFONTAINE IS HEADING FOR LAST LAP—MUNICH

(By Neil Amdur)

After an eight-mile morning workout in Maine and a six-mile jog the same afternoon around St. John's University in Hillcrest, Queens, Steve Prefontaine left for Europe bubbling with confidence and eager for the challenge of the Olympics.

"If anything, I may be putting in too much mileage," the precocious 21-year-old distance runner from Coos Bay, Ore., said before departing Friday night for Oslo, Norway, with other members of the United States men's track and field team to begin final preparations for the Munich Games.

Prefontaine set an American record in the 5,000-meter run at the United States trials in Eugene, a race he said "that gave me the confidence I needed" for the Olympics.

Prefontaine's trip to Germany will carry almost as much irony as that of another American distance runner, Frank Shorter, who was born in Munich. Prefontaine has relatives in what is now East Germany, where his mother lived before moving to the United States after World War II.

Under the watchful eye of Bill Bowerman, his coach at the University of Oregon, who also is the head coach of the men's track and field team, Prefontaine tackled a strenuous schedule during the American training camp in Brunswick, Me., to prepare for what may become the most competitive event of the entire Olympic program.

Most of Prefontaine's workouts were geared toward building the sustained kick he will need over the final mile of the 5,000 to strip the last-lap sprints from such top European runners as Juha Vaatainen of Finland, Jean Wadoux of France and Emiel Puttemans of Belgium.

One typical workout contained a series of three impressive three-quarter miles (3:11, 3:07, 3:01), followed by a brief jog, then nine 330-yard dashes (three in 48 seconds, three in 45 seconds and the last three at 44, 43 and 40 seconds), winding up with four 110-yard sprints.

"I feel great," Prefontaine said. "I had a cold for about a week before I got to Maine, but I put in about 100 miles. It was great."

Bowerman, who continues to marvel at Prefontaine's accomplishments, was more distressed about the failure of his squad to receive all of its equipment from the United States Olympic Committee than any training shortcomings.

"Can you believe we didn't get toothbrushes or undergarments?" Bowerman said. "If it hadn't been for Sears [outfitter of the American team], we would have gone over to Europe looking like nomads."

With the exception of 11 members who decided to remain in the United States and train, the men's track and field team left three weeks ahead of other Olympic squads to train in Norway. The special dispensation granted to the track team was approved by the Olympic Committee, although Bowerman acknowledged that some officials were upset over the pre-Olympic plans, contending that track and field was being pampered.

One of those runners who elected to bypass the optional European program was Jim Ryun, the three-time Olympian and world recordholder in the 1,500.

"A lot of people are expecting big things from Ryun and our other distance runners," Bowerman said, assessing the American distance contingent. "True, it's probably the best group of distance runners we've ever sent to the Olympics. But we could win a few golds over there, or we could come back without anything.

"In Ryun's case, one swallow does not make a spring. He had one hell of a race in Eugene at the trials [Ryun won the 1,500 ahead of Dave Wottle and Bob Wheeler], but nobody put the steam to him. I think it would be a mistake to make him the favorite. He's a dark horse."

Bowerman attributes experience, maturity and dedication for the improvement of American distance runners, who have won only two gold medals at distances between the 1,500 and marathon since 1908. Both gold medals were won in 1964 at Tokyo, by Bob Schul in the 5,000 and Billy Mills in the 10,000, and were considered upsets.

"Prefontaine is an exception, any way you look at it," Bowerman added. "He's young, he's an exceptionally physical person, he's an exceptionally emotional person, and he's the ideal kid to coach."

Bowerman said he could not predict how Prefontaine, who is unbeaten at his specialty outdoors in the last two years, would respond to the pressures of the Olympics. "I've stopped trying to figure out what Pre will do," Bowerman said.

"But one thing you can be sure of, he's not putting in all this work for nothing."

[From Sports Illustrated Jan. 29, 1973]

SEARCH YOUR SOUL, THEN RUN LIKE BLAZES

(By Ron Reid)

(Which is what Steve Prefontaine, tender of knee and sore of spirit, did last Saturday in the Sunkist Meet's two-mile race. He hadn't looked so good—or sounded so cocky—since the happy days before Munich.)

Los Angeles never has been considered the most therapeutic of towns, what with its nonfreeways, carcinogenic grease clouds—somethimes they are called air—and Hollywood. Better, cynics have said, one should try the waters of East St. Louis or an Encounter session in Newark. But last Saturday, when some vexed, doubting athletes converged on the Los Angeles Sports Arena for the 14th Annual Sunkist Indoor Track Meet, the city suddenly became a veritable health spa.

What had given everybody the downs in the first place was the horror of Munich, that and the two-pronged incompetence of the AAU and NCAA, institutions with a mutual dedication to the ideal that people who run, jump and throw should acquire their daily bread only through food stamps. Until recently, and yet to be proved, track never rewarded its practitioners with lucrative professional careers. For the diligent there was only that shinning bauble called

the Olympic Games to overcome the blisters, burning lungs, fatigue and fatuous 17th-century rule enforces. Then that dream turned nightmare, and track's existential question of the moment was a unanimous, "What am I doing this for?"

For sustained soul-searching it is possible that no one came close to young Steve Prefontaine, the superb distance runner from the University of Oregon whose performances leading to the Games gave promise of something better than his fourth-place finish there in the 5,000-meter run. Prefontaine ran twice after Munich, once in London and once in Rome, losing both times in races where the Killer instinct that had cut down countless rivals in the stretch was totally lacking. "I just gave up," he said Friday night in Beverly Hills. "In Rome, with 200 meters to go, I waved the guy behind me to go ahead, and if you know me you know I don't do that. I just didn't care. I didn't have the spirit."

Returning to Eugene, where he shares a house trailer with his dog Lobo, he did not do much running for two months and took a bartending job at a place called The Paddock during Christmas vacation, but the Olympics," he said, "I was really full of athletic respite was an uneasy one. "After the doubts about everything. The Olympics was what I had been working for as long as I had been running, and then the way they turned out over there it all seemed to have been worthless."

When he resumed training, Prefontaine adopted his tireless regiment of interval and road work too zealously. The strain and freaklish sub-zero snow weather in Eugene brought on tendinitis in his left knee (at exactly the same spot where it afflicts Dave Wottle, the 800-meter gold medalist).

Prefontaine's aches and doubts were not the only intriguing facets of the Sunkist two-mile run. The very good field also included Lasse Viren, the 23-year-old Finn who won both the 5,000- and 10,000-meter gold medals at Munich; Frank Shorter, the Olympic marathon champion; Marty Liquori, fresh from his first mile victory of the season on the East Coast the night before; and Tracy Smith, track's answer to Judge Grater, whom none of the other principals could remember seeing in a race during the last three years.

"If I just get out and feel I'm competitive," Prefontaine said to Shorter on Friday night, "and have a good race and give it all I have, it will be a worthwhile experience. It could be a motivating factor for me to keep on running. If my knee starts hurting and I place last, I might wonder, 'Should I continue this year or not?' "

Shorter, the United States' first Olympic marathon champion since 1908 and recipient of the Sullivan Award for outstanding amateur athlete three days before the L.A. meet, uses indoor competition as little more than a training diversion, two miles being a trifle short for this taste. He wasted little of the evening in deep concern over his chance for victory, particularly in view of the absence of speed work in his training. "If I don't win, it's no major calamity," he said while extolling the virtues of Taos, N. Mex., where he hopes to lure Prefontaine for high-altitude training this summer "so we can bring the world two-mile record back to America."

That outdoor record, 8:14.0, was set by Viren, a rookie cop in his hometown of Myrskyla before he went to Munich, but at the Sunkist he talked like an unlikely adversary for Prefontaine. "It would be nice to run well against him," he said through an interpreter from the Finnish Consulate who explained. "Viren is not in very good condition. He hasn't worked out the last three days because of stomach trouble and he feels weak. When he has air in his stomach before he runs, it makes his stomach bulge out like a football."

While Prefontaine and Shorter were knocking off their entrees on Friday, Liquori was running to a 4:03.8 triumph in the Philadelphia Classic mile and with a coast-to-coast plane trip the next morning he did not figure as formidable competion.

The way Prefontaine ran the race, his competition was the last thing that he was worrying about. Jumping into an immediate lead, he sped through the first quarter in 63.4. A quarter of a mile later he had the race to himself. He toured his first mile in 4:13.8, then threw in a 62.2 quarter and led by 100 yards during the last six circuits of the track. He lapped Greg Brock and Don Timm before finishing to a reverberating ovation that, for decibel level, outdid the Super Bowl played next door in the Coliseum six days earlier. He was timed in 8:27.4, little more than a second off Shorter's American indoor record. Liquori, who forgot he was supposed to be tired, outkicked Smith down the stretch to take second place while Shorter finished fifth. Viren, who briefly ran in third place, never challenged and ended a distant sixth.

"I felt weak from the beginning," Viren said. "Already at the start I felt that I couldn't go too fast in this condition. It was my first competition this year indoors and I couldn't find the right rhythm. I only ran 30 miles all week in training. I usually run 20 miles a day." Viren, however, was consoled by Leo Sjogren, a former Finnish Olympian now in his 50s who said, "Wednesday we had him over to the house and my wife gave him good Finnish blueberry soup. That will fix up his stomach. It was the first day he didn't have to run to the toilet."

Running for other reasons, Prefontaine said, "This is a start. I feel self-satisfied because it's the motivational factor I've needed since the Olympics. It's headed me in the right direction. I wish Viren had been healthy and ready. I would have run here even if he wasn't coming, but I did want to meet him again. I can't count this as a big victory because he wasn't running as well as he can, but if I had run 8:50 and finished third I would have walked out of this place and never run another track meet in my life, mostly because of the things that have happened in the last five months."

The spectators, of course, had more than the two mile to cheer. Young Steve Smith of the Pacific Coast Club set a world indoor record when he pole-vaulted 17′ 11″—an act born of appreciation—and blocky Al Feuerbach got a world mark for keepers when he put the shot 69′ 4½″. Smith, the hottest vaulter in the world right now, won Friday at Philadelphia with 17′ 4″ but quit after making that height because he wanted to save something for the Sunkist. Reaching L.A. with Liquori about 30 minutes before his competition began, he offered powerful evidence that sleep is not an essential requirement for athletic excellence—if you remember your buddies.

"I was particularly glad to get the record in this meet," he said, "because the promoter, Al Franken, has been very good to me in the past and let me compete when I wasn't as good as I am now. I'm really appreciative of what he's done for me."

Smith also has some bad memories of Munich and the controversy there that in the end succeeded in robbing him and Bob Seagren of the poles they had used to reach the Games. "The Olympic pole-vault medal wasn't worth the gold in it," he said, "and Wolfgang Nordwig's mark wasn't as good as last place in this meet. I think that when I get a stronger pole and set my grip higher, I'll be able to go 18′ 6″ or 19′ consistently.

Feuerbach, who could moonlight as a trucking-company safe, shoved the shot 69′ 4¾″ last year at Pocatello, Idaho, but the mark was denied recognition as a world record. Sunkist officials assured everyone, however, that the 69′ 4½″ would find its way to proper accreditation.

"They took the world record away from me last year because I had taped my hand," Feuerbach said. "That's all right. It gave me a chance to set the record all over again."

Wottle, who because of his own pains was on the verge of pulling out of the mile, turned in his Silky Sullivan act. Going wide and wild down the homestretch, he beat Kip Keino at the wire and said it was the best he had felt in weeks. Keino, either showing his age—he is 33—or the effects of running in torrid temperatures at the African Games in Lagos, Nigeria the week before, did not have his usual lift.

But for all their infirmities and travail, a lot of track people started feeling better about things in Los Angeles on Saturday.

[From Sports Illustrated, May 28, 1973]

PRE'S LAST DUCK-WADDLE

(By Ron Reid)

(UCLA won the Pac-8 meet and Steve Prefontaine ended his college career at Eugene, Ore. with home folks cheering and a love affair intact.)

There have been more sentimental moments in sport and farewell performances worth louder raves, but what the fans in Eugene, Ore. got last Saturday was just about right: a suitably happy ending to a long love affair. The occasion was the Pacific-8 Conference track and field championship in which Steve Prefontaine ran his last major collegiate race in front of his hometown fans.

On the scoreboard UCLA continued its dominance, winning the meet with a conference-record total of 156 points. Prefontaine, laboring with a pinched sciatic nerve that made him feel as if his *gluteus maximus* had been worked over by a sadistic field-goal kicker, won the three-mile run for the fourth year in succession, and the 11,000 faithful responded with lusty affection.

The mutual admiration between Pre and his Eugene fans is a longtime thing at Oregon's Hayward Field, where he has never lost to anyone but a teammate. "You have to recognize that track is a way of life here in Eugene," says Mayor Les Anderson, whose son Jon won the Boston Marathon last month. "Pre penetrates beyond the track and into the crowd. Some athletes win a race and afterward they're poker-faced. Pre's expression is 'You helped me win it.' "

Such a demonstration followed his victory over John Ngeno, a Washington State import from Kenya who had won the six-mile run the day before. Heading down the stretch, ahead by 50 yards, Prefontaine acknowledged the stands with a triumphant arm salute as a "Go Pre!" chorus greeted his sprint to the tape. Moments later track announcer Wendy Ray said, "Thanks for the good times, Pre."

By Prefontaine's standards, however, his 13:10.4 victory did not qualify as such, even though the mark shattered the old meet record of 13:12.8 set by Gerry Lindgren in 1966. Healthier, Prefontaine might have ended his days as an Oregon Duck with a U.S. record or something better. If that seems mere speculation, consider what wonders he has worked already in his senior season.

At Bakersfield in March, almost on a whim, Prefontaine ran the six miles for the second time in his career. Unfamiliarity may explain why he comfortably set a pace that probably left a contrail. When the race ended, he had a new American and collegiate record of 27:09.4—the fourth best on the alltime list. Back home for a four-team meet on April 14, he ran the finest distance double in history, touring the mile in 3:56.8 and the three mile in 13:06.4. Two weeks later he recorded his best mile, 3:55, again on his home track. This season has also produced an

8:31.8 two mile which, like the others, is best in the nation.

Unfortunately for showmanship and for Oregon's slim title hopes, Prefontaine suffered his painful back problem three weeks before the conference meet. "I have thought about it being my last race in Eugene as part of the Oregon team," he said earlier in the week. "I'd sure like to do something great for the fans. But right now I'm not as fit as I was a couple weeks ago. I also wanted to double, but it's going to be hard enough just to run the three mile now. I can't relax, and relaxation is the key to running."

"I feel good that I won," Prefontaine said afterward. "It was a fun race. I did a lot of things I normally don't do, like saying things and making noises to make Ngeno think I was hurting more than I really was."

As for the fans, he said, "I kind of looked up at the crowd and a lot of races went through my mind. There have been some great ones here. They've given me a lot and I hope I've given them a lot in the last four years. But time goes and you've got to go with it."

Time, as even devouts from Eugene agree, has mellowed Prefontaine. During his tenure at Oregon he has changed appreciably from the brash, often-inconsiderate freshman who arrived there in 1969. Indeed, Prefontaine grew up as a fighter, a trait that has served him well in track, but that, in social situations or press conferences, has often rubbed people the wrong way.

"I feel very confident now talking in front of people," he says, "and I think I've learned to talk with the press. I used to say 'Hey, man, what kind of a stupid question is that?' to a newspaperman asking me heavy things right after a race when I'm still in an emotional state. Now I at least try to answer. I think I've learned a lot of things. If I had gotten this injury as a freshman, I would have panicked and thought my career was over. I proved to myself after the Olympics (where he finished fourth in the 5,000 meters) that I could come back stronger than ever. Even with an injury, I'm running better than I ever have. Before, when I did something good in a race, I'd be satisfied that I was working toward becoming better. Now I realize afterward that I'm capable of better things. Like after the 3:55 mile. I thought to myself, 'I know I can run 3:50.'"

What does fire Prefontaine's oldtime wrath, however, is the casual attitude of big-time sport that makes the athlete's problems a last consideration. Next month's NCAA track championship is a case in point. Because of television, the finals in several distance races will be held on Saturday afternoon, just when Baton Rouge's weather can be expected to be at its sultry, muggy worst.

"The site isn't what's so bad," Prefontaine says, "but if things aren't done right, the meet is Mickey Mouse. I don't care about being on television. It's going to be uncomfortable for the distance runners. Why can't they run those races in the evening? I don't like it."

How much farther Prefontaine goes in track beyond the NCAAs and a summer tour of Europe would now seem to rest with those fine, applauding folk in Eugene, especially if they want to keep the Prefontaine act at Hayward Field. "The big step in my future is graduation," he says, "and then finding a job that will let me continue my athletic career. I need a job that will allow me the flexibility to train, take time off for competition and still support myself. If I can't find that, it's going to be hard. My best years as a distance runner are ahead of me. I'm only 22, but things have to go right if I'm going to continue."

As for the UCLA Bruins, almost everything went right for them at Eugene except, ironically, the best field event of the meet. Ironic because UCLA's "track" title, the Bruins' fourth in the last five years, was ensured by an 86-point performance in the field events. USC, scoring 73 points in the track events, was runner-up with 111, while Oregon scored 100 for third.

In the long jump, however, USC's Randy Williams, with the aid of a goodluck teddy bear named Snorky and a capricious wind, avenged his loss earlier in the season to UCLA's James McAlister. McAlister opened the competition with a wind-aided leap of 26′ 9¼″. Then Williams, the Olympic champion, did the same without a breeze for a new meet record. But that was nothing. On his second jump Williams went with the wind to soar 27′ 9″.

"The teddy bear is something else," McAlister groaned. "It must carry three extra feet in it. I was really hoping he would make it competitive. I wanted him to get out there around 27′ 2″ and was saying, 'Come on, Randy, come on, 27 feet.' Then I saw that 27′ 9″ and said, 'Oh man, that finishes that!' All in all, the Williams-McAlister rivalry is among the most pleasant in sport, since it accurately reflects the admirable personalities of the two L.A. leapers.

The Bruins should win the NCAA, too, perhaps with even less trouble than they got from their Pac-8 peers, who competed well but could not match UCLA's depth. Both USC and Oregon State beat UCLA in first places 5–4, but there was scoring for six places and the Bruins were just too much.

One of the best track performances was turned in by California's Rick Brown, a defending champ who took the 880 with a 1:46.7—his lifetime best and second best in the U.S. this year. Another outstanding effort came from Oregon's Mac Wilkins, who won a weight double for the first time in conference history. On Friday he improved his life best outdoors in the shotput by almost four feet when he got off a toss of 63′ 7″. In the discus the next afternoon, he won with a meet-record throw of 199′ 9″. In the mile, Oregon State's Hailu Ebba, an Ethiopian, shattered the meet record with a 3:57.9 that beat Oregon's Knut Kvalheim by an eyelash. In the same race Oregon's Mark Feig became the 12th Duck in history to break the four-minute mark; his time was 3:59.5. Washington State registered something of a surprise by outscoring Oregon 59–35 in distance events, but parochial feelings were salved when Craig Brigham, a 19-year-old freshman, won the decathlon with 7,673 points, the nation's second-best collegiate mark this year.

No one, however, was cheered louder than Prefontaine, and it remains to be seen if his farewell is going to be something more than merely changing uniforms.

One Pac-8 official did not think so.

"That scene will be repeated many times," he said. "He may be running for Oregon Track Club or somebody, but he hasn't finished satisfying all the ids and egos in those stands."

THE FEDERAL ENERGY ADMINISTRATION'S ENTITLEMENTS PROGRAM

Mr. BROCK. Mr. President, one of the reasons I oppose the continuation of price controls on domestic oil is the distortions the controls produce in the domestic economy. The controls create a two-tiered price system for oil. This, in turn, creates an impossible competitive situation for some integrated and independent oil companies.

Because of this problem, the Government must devise some type of program to offset this effect. As so often happens, one control begets two, two beget four.

FEA's solution to the two-tiered system has been the old oil entitlements program. This program has had a number of interesting effects. It has subsidized imports at the cost of domestic production; it has forced certain regions of the country to subsidize others; and it has tilted recent price increases toward gasoline.

Mr. President, I have had considerable contact with FEA about this program and its effects. I ask unanimous consent that a staff memorandum summarizing my correspondence and FEA's replies be printed in the RECORD.

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

MEMORANDUM

To Senator BROCK.
From Rick Messick.
Re Entitlements Program.
Date: July 14, 1975.

As you will remember, you wrote Frank Zarb on May 9 asking for his comments on a paper prepared by the George Washington University Energy Policy Research Project called "The Regional Impact of the Entitlements Program." The paper argued that FEA's Old Oil Entitlements Program had a regional bias and that it contained a tilt toward gasoline. You specifically asked Administrator Zarb:

1. If the entitlements program was raising gas prices in Tennessee while lowering them elsewhere.

2. If the cost of the program to Tennessee, on a quarterly basis, was $3½ million.

3. If those areas of the country with the lowest per capita income were subsidizing those areas with the highest per capita incomes.

All these allegations were made in the GWU paper.

The George Washington researchers used two different methods or approximations in reaching their final conclusions. The first method divided the country into three regions and made several simplifying assumptions concerning interregional oil flows. The conclusions were limited to generalizations about income transfers among the three regions. The second method attempted a state by state analysis of income transfers. Because the authors found that Tennessee was paying $14½ million a year as a result of the program, you asked Mr. Zarb to evaluate the methodology of the second approximation as well as confirm the figure for Tennessee.

And finally, Mr. Tom Cone of Cone Oil Company in Nashville wrote on June 9 complaining that his supplier, Ashland Oil, was not passing along the benefits of the entitlements program to him, thus putting him at a competitive disadvantage. You asked Mr. Zarb if the program required that benefits be passed through and you asked FEA to do a study to determine whether the major beneficiaries of the program have benefited by it, whether their customers have benefited and if so, by how much.

A reply from Mr. Gorman Smith, Assistant Administrator of FEA for Regulatory Programs, arrived late Friday. Mr. Smith's letter is quite detailed and points out several flaws in the GWU study. However, he does say:

"The fact still remains that the basic thrust of their paper is valid. There is a regional bias in the program that favors the northeast and there is a tilt toward gasoline."

Unfortunately, Mr. Smith still left a few questions unanswered.

The most important one was whether the entitlements program was forcing domestic production to subsidize imports. As you know, we've discussed this and it is true. Milton Friedman also pointed this out in his most recent Newsweek column. Although Mr.

Smith discussed this issue, he did not admit that it was true.

Mr. Smith did say that FEA would do its own study of the regional impact of the program and he did enclose a copy of the earlier FEA study. *The Oil and Gas Journal* article was correct; the figures are very close to the ones developed by the authors' of the GWU study.

The letter also enclosed a detailed analysis of the technique the George Washington researchers used in their second approximation. The major problem with the technique used was that it assumed that the costs and benefits of the program to small refiners could be apportioned on a state-by-state basis in a manner identical to the costs and benefits of the 29 largest refiners. The effect of this error was to greatly overstate the costs of the program to the Northern Tier states. If one corrects for this bias, it turns out that the entitlements program subsidizes not just New England but the Northern Tier as well.

Mr. Smith makes an interesting argument about whether the benefits of the program are being passed on to consumers or not. He says that since the refiners now benefiting from the program were unable earlier last year to pass along their increased costs (since they were using new oil and competing against refiners using old oil), they should be allowed to use the program to make up for their earlier losses. And he says, "The important consideration is not whether all refiners are passing through entitlement benefits immediately, but whether the marketplace has become competitive." As FEA is now promulgating regulations designed to limit competition, this argument is difficult to accept.

One final comment. Tennessee is not paying $14.59 million a year as the GWU study claimed. According to Mr. Smith's letter, the figure is "only" $11.4 million.

In all fairness to Mr. Smith and the FEA, they admit that they have no other option, given the two-tiered price system for crude oil. However, in arguing why the entitlements program is fair, they do overlook two points.

In admitting that the program subsidizes New England, they point out that New England would have to bear the brunt of the price increases, since it is largely dependent on foreign oil. This ignores the fact that throughout the 1960's, and especially since 1966, New England deliberately became dependent on foreign oil because it was substantially cheaper than domestic oil. The New England Congressional Caucus successfully lobbied the Oil Import Appeals Board for exemptions from the old quota system. Having made their bed, it would seem only fair to ask them to lie in it.

Second, and even more disturbing, is the effect the program is having on the oil industry. FEA stresses again and again that without the program, independent refiners would be at a competitive disadvantage. They ignore the fact that those who have access to old oil are, by and large, those who invested in domestic exploration in the 1960's. And those who don't are those who decided to take a risk and rely on foreign oil.

Thus, while the Administration and the Congress say that their goal is more domestic exploration and production, their actions belie this. The message of the entitlements program, and indeed of the Emergency Petroleum Allocation Act itself, is that in a pinch, one's domestic product may be allocated to a competitor or, as under the entitlements program, one may be forced to pay a competitor for the "right" to one's own property.

Of course, the solution to all these problems can be had in one word: decontrol.

JUNE 20, 1975.

Hon. FRANK ZARB,
Administrator, Federal Energy Administration, Washington, D.C.

DEAR FRANK: Thank you for your letter of June 9, 1975, commenting on The George Washington University Energy Policy Research Project study of the regional impact of FEA's entitlements program. Frank, your letter really does not respond to my concern, expressed in my covering letter, that the entitlements program hurts states, like Tennessee, that have relatively low per capita incomes and is forcing other regions of the country to subsidize the Northeast. Nor does it address other important issues, such as whether or not the entitlements program is forcing domestic production to subsidize imports at a time when the Administration's objective is to achieve energy self-sufficiency as soon as possible. Let me try again to enlist your help.

First of all, I should note that many of the problems with the GWU study mentioned in your letter are also mentioned in the GWU study itself. (A more recent version of the study is attached.) The authors recognize that a number of simplifying assumptions are necessary. They also state (on page 14) that they have been limited by the data that are available to the public and that much better information is collected by the Federal Energy Administration, which is not available to the public.

Because of the importance of this issue to my State, and to other states which, it would appear, must help defray the energy costs of the Northeast, I am asking that FEA undertake its own analysis of the regional impact of the entitlements program, avoiding if possible the simplifying assumptions made by the GWU study. I am also asking that FEA's study be completed as soon as possible, prior to the August recess of Congress, so that it can be made part of the public record and be considered in the current debate on deregulation of crude oil prices and extension of the Emergency Petroleum Allocation Act. I think you would agree that Congress should be given all the facts so that it can consider properly these issues, as well as the Administration's position on these issues.

According to the *Oil and Gas Journal*, a study of the regional impact of the entitlements program was made by FEA prior to the program's being adopted. (*Oil and Gas Journal*, December 9, 1974, pp. 40–41; copy attached.) Moreover, the estimates of this impact, cited in the *Journal*, are nearly identical to estimates made in the GWU study. Did FEA make such a study? If so, would you please provide me with a copy so that I may include it in the Record prior to receipt of FEA's other study of how the entitlements program has actually impacted on various regions of the country?

Your critique of the GWU study focuses on the "first approximation." Most of my questions actually centered around the "second approximation," which estimates the state-by-state impact of the entitlements program on gasoline costs. The "second approximation" is far less restrictive in its assumptions. For example, it does not assume, as you state, that all oil refined in the region is sold within that region. Rather, it assumes that the costs (and benefits) of the entitlements program will be distributed among the states according to the companies' actual gasoline sales in each state. I would appreciate your appraisal of the "second approximation" and, should you disagree with its methodology and conclusions, your providing a corrected version of it.

Finally, I have received a complaint from a jobber in my State for one of the largest beneficiaries of the entitlement program. According to this jobber, his supplier is not passing on receipts from the sale of entitlements in the form of lower prices, but is pocketing these receipts as higher profits. I understand that FEA's regulations do not require the pass-through of the benefits of the entitlements program to consumers. Is this correct? May I ask that, in addition to the other studies which I have requested, you undertake an audit of the largest seller of entitlements to determine whether they or their customers have benefitted and by how much.

This is a large order, and I wish to thank you in advance for your cooperation. You continue to do a remarkable job under the most difficult of circumstances. Perhaps the information I seek will enable me to ease your path. I hope so.

Very truly yours,

BILL BROCK.

FEDERAL ENERGY ADMINISTRATION,
Washington, D.C., July 11, 1975.

Hon. BILL BROCK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROCK: This is in reply to your letter of June 20, 1975, to Mr. Frank Zarb, concerning the effects of the entitlement program upon the various states, such as Tennessee, that have low per capita incomes. To be completely responsive to your letter of May 20 on this subject will require a more lengthy reply. As you mention, your requests are a "large order."

FEA STUDY

FEA prepared a study of the regional impact of the entitlements program prior to initiating the program. A copy of that study is enclosed, as you requested. We will also update that study, using actual entitlement data, and send you the results when it is completed. This should be completed prior to August, as you requested. This study, like the George Washington University study, is based on a number of simplifying assumptions, so the results should be viewed only as approximations. We caution against attempting to assign too much meaning to the detailed results.

PASS-THROUGH OF ENTITLEMENTS

You are correct that FEA regulations do not require that the benefits of the entitlements program be passed through immediately to consumers as received, under certain circumstances. If a refiner has accumulated "banked costs" (i.e., cost increases he was allowed to recover under our regulations but could not because of competitive market conditions) he may use the entitlements benefits to reduce "banked costs," for as long as he has such unrecovered "banked costs."

We recognized this when we initiated the program. Since the law (Emergency Petroleum Allocation Act) requires full cost pass through, this result could not be avoided. There is additional justification for allowing recovery of past cost increases. For instance, consider the case of a refiner having only a high cost crude oil supply. Prior to the entitlements program its costs were much higher than competitors, but to be competitive it was forced to sell at the ceiling prices of competitors with much lower feedstock costs. Consequently, it suffered losses while some competitors with low cost crude made large profits. These losses were accumulated as banked costs. The entitlements program now allows this refiner to recover some of its previously banked costs, although it must still be competitive in the marketplace. To the extent the refiner can now recover "banked costs," it is only recouping previous losses, or be recovering profits foregone that, under truly competitive conditions, it would have realized earlier.

The important consideration is not whether all refiners are passing through entitlement benefits immediately, but whether the marketplace has become more competitive. Our data indicate that refinery feedstock cost differences have been significantly reduced and that the market has become more significantly competitive since the entitlements program was initiated. Consequently, we believe it has served its main purpose.

You requested that I undertake an audit of the largest sellers of entitlements to determine whether they or their customers have benefited, and by how much. An audit will not tell who has benefited. The customer benefits from increased competition. It is immaterial to the consumer whether some companies are now banking costs at an increased rate and others at a reduced rate or are reducing banked costs. The consumer is only interested in the price in the marketplace.

GWU STUDY—SECOND APPROXIMATION

I have attached, as you requested, a special appendix presenting a brief critique of the second approximation. To illustrate the major errors inherent in this study we have recalculated data for two states and for the entire U.S., using techniques appreciably more accurate than those used by the authors of the GWU study. Results show:

Increased cost of gasoline first 5 months

GWU, our analysis, and difference

[In millions]

Tennessee, 14.59; 4.76; and 9.83.
Minnesota, 8.89; —3.17; and 12.06.
Total U.S., 250.85; 37.17; and 213.68.

When errors of the above magnitude are apparent we question whether the study has validity. It is far more apt to be misleading than meaningful.

We have not provided a corrected version of the second approximation since we think such a study is meaningless. The gasoline "tilt" is only part of the cost or benefit of the entitlements program to a state, as I will discuss in more detail in the next section. It has no meaning when viewed in isolation.

CONCERNS EXPRESSED IN YOUR MAY 9 COMMUNICATION

Your letter was prompted by a George Washington University Energy Policy Research Project paper, concerning a regional transfer of income resulting from the entitlements program. Essentially, the GWU paper found that the northeast region of the U.S. has benefited from the entitlements program at the expense of other regions. The paper also found that the entitlements program causes a tilt towards gasoline, increasing gasoline prices in Tennessee, for instance, by $3.48 million over a three-month period. (A revised version dated May 26 stated the tilt was $14.59 million for five months.)

Your concern is whether our program does create a regional bias, as alleged, whether, in fact, "those areas of the country with the lowest per capita incomes are being forced to subsidize those areas with the highest per capita incomes," and whether this was the intent of the program. This is a valid concern which we share.

I hope that I can satisfy you that our entitlements program does not work to the detriment, but rather to the benefit of Tennessee; that it does closely follow the intent of the Emergency Petroleum Allocation Act; and that the intent of the entitlements program was not to shift income from one region of the country to another.

Our analysis indicates that the paper's findings are essentially correct in direction, but are grossly in error in magnitude. The authors' techniques introduce large errors, most of which appear biased against the northeast region. For instance, we estimate that magnitude of the so-called "gasoline tilt" is around $40 million, not $250 million as stated. Large errors may also be introduced in calculating the regional value of entitlements to refiners, shown on the authors' Table 1. I have previously identified some of the major flaws in the authors' methodology that could lead to large errors.

Overlooking the obvious flaws in the authors' techniques, and that the numbers they show are greatly inflated, the fact still remains that the basic thrust of their paper is valid. There is a regional bias in the program that favors the northeast and there is a tilt toward gasoline. Consequently, your basic questions are still valid. How do we justify any so-called "bias" and how does such "bias" meet the intent of the EPAA of 1973?

In our opinion, the major flaw in the GWU paper was not the authors' errors of commission, but their errors of omission. Their report never mentions the reasons for the entitlements program, or the alternatives to not adopting such a program. They never mention, for instance, that the entitlements program was designed to correct a gross inequity that clearly was not the intent of the EPAA. It never mentions that the only viable alternative to an entitlements program that would still meet the intent of the EPAA of 1973 to protect the independent refiners and marketers was crude oil price decontrol. As you are probably aware, there are many people within the administration who favored such an option. However, the general feeling was that Congress would not agree to such an alternative and the administration opted for an entitlements program as an interim solution.

At the time the entitlements program was adopted the two-tier price system had created an impossible competitive situation for many independent refiners who could purchase only high-cost domestic or foreign crude oil. There was more than 10 cents per gallon difference in feedstock costs among some refiners. Many independent refiners and the nonbranded independent markets dependent upon them were facing financial ruin and being forced out of business. We did not feel that it was the intent of the EPAA that this should happen. What would have been Congress' reaction if a number of dealers independently marketing petroleum products had been forced out of business because FEA regulations created price differences that made it impossible for them to purchase products on a competitive basis?

As a consequence of these conditions the FEA felt it was imperative to take some action to reduce the disparities among refinery feedstock costs. Rolling back new oil prices would not help since there would still be a two-tier system between foreign prices and domestic prices. We concluded that we had only two options. We could either introduce some type of entitlements program to equalize feedstock costs, or we could decontrol crude oil prices. Since decontrol did not appear to be politically feasible, the FEA reluctantly opted for an entitlements program.

The authors fail to mention FEA's options. They fail to point out that the alternative to Tennessee having a "0.6 cent/gallon increase in gasoline prices" was crude oil decontrol which at the time would have increased gasoline prices many times as much.

The authors were also silent on the fact that the much more rapid rise in petroleum prices relative to coal prices and natural gas prices has significantly disadvantaged those sections of the country having the highest dependency upon oil products, such as the northeast area. Thus, even if the entitlements program does result in a marginal benefit to the northeast consumers, their energy costs have still risen considerably more and are still significantly higher than for any other region.

The purpose of the entitlements program was not to create a benefit for the northeast. The purpose was to put all refiners on a more equal competitive basis, protect the independent segment of the industry, and to comply with the legislative mandate of the EPAA to make scarce products (price controlled crude oil) available equitably at equitable prices to all regions of the country. We felt that more intense competition could decrease prices as much as a cent or two per gallon, far more than the minimal bias introduced by the entitlements program. Experience indicates that competition did increase and margins decreased, although it is difficult to say how much of this was due to the entitlements program. We recognized at that time that the program did create some unavoidable bias. However, since it was minimal compared to the expected benefits, and the bias helped that section of the country most severely disadvantaged by the rapid increase in energy prices, we were not unduly concerned by such bias.

In retrospect, we see nothing that causes us to make major adjustments in our analysis, or which we deem sufficient to change our programs. Our entitlements program seems to be achieving its purpose. We think the numbers presented by the authors of the paper you forwarded are inflated. However, even if we accept them, they are still small ("substantially less than a cent per gallon") compared to the benefits from increased competition and delayed price decontrol.

As far as Tennessee is concerned, it is very difficult to determine the "cost" of the entitlements program. The estimated cost of the "gasoline tilt" to Tennessee was $4.76 million for five months. However, this does not represent a true cost. If there were a "tilt," or an increased cost, to "gasoline," then there was an overall net benefit to other products, although not necessarily to each individual state. The total "cost" of the entitlements program is thus the cost of the gasoline component, plus or minus the cost or benefit of other products, minus the benefit of increased competition. Overall, it is not possible to say whether Tennessee has benefited, or paid more due to the entitlements program, since it is difficult to determine the "cost" or "benefit" of products other than gasoline, and to determine the benefit of increased competition. However, I suspect that the benefits from increased competition have likely exceeded any "costs" or regional shifts of income.

In viewing the so-called "costs" of the entitlements program, I hope you will consider them in relation to such benefits as increased competition in the marketplace, and lower overall prices, rather than viewing them separately. I also hope you will consider what our options truly were.

If you still feel that the entitlements program is inequitable and creates a gross regional bias, then let me enlist your support for a phaseout of crude oil price controls, since this will eliminate the need for an entitlements program.

DOES THE ENTITLEMENTS PROGRAM FORCE DOMESTIC PRODUCTION TO SUBSIDIZE IMPORTS?

The argument here is that with the entitlements program a barrel of imports costs less than the world price, and a barrel of "old" domestic oil costs more than our fixed ceiling price, hence our program effectively subsidizes imports. The objectives of the entitlements program is to equalize refinery feedstock costs, to allow a free, competitive products market. We feel the only alternative is price decontrol. The FEA never intended that its entitlements program be permanent. It was intended as a temporary solution pending alternate decontrol. We think the entitlements program has been effective. We feel it is necessary as long as we have a two-tier price system. However, we welcome any assistance you

can provide in moving back to a free market and eventual decontrol.

I hope this letter is more responsive to your concerns. If there are still unanswered questions, I will be happy to try once again. We recognize that occasionally our programs will have unintended results. We rely on concerned individuals, such as yourself, to question our programs. We feel that such dialogue is helpful. We are forced to look at our programs from a different viewpoint, and in responding perhaps we can improve understanding of our programs.

In any regulatory program it is difficult to treat everyone equally as distinct from fairly. Of necessity, we must as times be somewhat arbitrary and promulgate simplified rules that may have unequal benefits. We cannot change our programs frequently and unnecessarily, nor can we grant exceptions to every individual. However, it is my desire that we do not become overly defensive in protecting our programs. Where a change is necessary or desirable, we will make such changes. I feel FEA's record has been good in this respect. I welcome any other comments you may have with regard to this program.

Sincerely,

GORMAN C. SMITH,
Assistant Administrator, Regulatory Programs.

WIND POWER AS AN ALTERNATIVE TO NUCLEAR

Mr. ABOUREZK. Mr. President, Dr. David Rittenhouse Inglis, professor emeritus of the Department of Physics and Astronomy at the University of Massachusetts, Amherst, Mass., has provided me a copy of his paper, "Wind Power as an Alternative to Nuclear."

I ask unanimous consent that Professor Inglis' paper be printed in the RECORD.

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

WIND POWER AS AN ALTERNATIVE TO NUCLEAR

(By Dr. David Rittenhouse Inglis)

Wind power generating electricity on a large scale could, with appropriate initiative and effort, be harnessed to contribute substantially to our national energy needs soon. While other solar-related processes need further R&D before initial large-scale deployment, wind power does not. Both in this country and Europe there has been experience with wind-electric machines, including quite modern ones, large enough to justify now going directly to the size that could be built in great numbers soon to supply a considerable fraction of our national electric power needs. Modern engineering stands ready to design and build full-scale units now that would provide the newly demonstrated operating experience and the data for dependable cost analysis on the basis of which the deployment of large numbers of similar machines could proceed promptly.

THE BASE OF PAST EXPERIENCE

The picturesque windmills of past centuries were examples of a primitive technology contributing a large part of the power used by a primitive industry. The value of that experience now lies mainly in the demonstration that machines can be made, even primitively, to produce useful power from the wind and still stand up against storms. There has since been more modern and more valuable experience. Aside from small wind-electric power supplies such as were common on U.S. farms in the nineteen thirties and are being revived, there have been quite a few moderate-size wind machines generating electricity on the basis of twentieth-century engineering. The largest of these,[1] though not the most modern, was rated at 1.25 megawatts in a 30-mph wind and from its hilltop "Grandpa's Knob" near Rutland, Vermont, fed power into the Central Vermont power grid in the period 1941–1945.

Known as the Smith-Putnam machine, it was built and largely financed by a turbine firm, the S. Morgan Smith Company of Pennsylvania, with the participation of various firms and experts at a cost including development of about 1.25 million dollars. Its two stainless steel blades spanned 175 feet. Built in a race with the closing in of war-time priorities on materials, one inadequate spar that should have been replaced could not be and its failure in 1945 ended the operation of the machine when it was scheduled to be shut down because of that weakness after running for just a few more weeks to complete the collection of data. As an experimental prototype it was a success. The data from it provided the estimate that a battery of slightly larger machines generating a total of 9 megawatts would cost about $200 (which means about four hundred 1974 dollars) per installed kilowatt. This would not be economic then in Vermont with its abundance of water power and the availability of cheap supplemental electric power from outstate. Thus, in the same year when the dream of abundant nuclear power was born and in an era of cheap fuel, the first fairly large wind power development in the U.S. died. The data it yielded are still available.

Putnam estimated that with some technical innovations in quantity production of machines twice as large as the Grandpa's Knob one, $100 (1945 dollars or two hundred 1975 dollars) per installed kilowatt might be achieved. It was considered impressive that a first prototype, including the cost of development, came within a factor two of being economic. The U.S. Federal Power Commission then became interested in the further development of wind power and under the leadership of one of its engineers, Percy Thomas, carried out an extensive study[2] culminating in the design of a 6.5 megawatt land-based wind-electric machine the construction of which was proposed in a 1951 bill in Congress but this died in committee probably because of distractions at the beginning of the Korean War.

Data are also available, for what they may be worth, from somewhat smaller machines in various countries of Europe. Notable among these is a 200 kilowatt machine in Denmark. Its three 45-foot blades are mounted on a 75-foot tower. Its development and construction in 1957 cost $57,000 and the estimate for quantity production of similar machines was $190 per installed kilowatt, or about three hundred 1975 dollars, significantly higher than the Putnam estimate for larger machines. Some machines have used plastic blades for economy and an experimental 100 kilowatt machine was built in West Germany in the mid-1960's specifically to collect technical data.

The general experience with all these wind machines is that, while practicable, they did not quite compete economically with cheap fossil fuels. Now that there are other constraints on the use of fossil fuels besides their having more than doubled in price, the fact that wind machines came within a factor of two of beign economic in the past indicates that if vigorously developed they would be a vital resource and probably economic now.

The time scale for the construction of the Smith-Putnam machine provides an important indication of how fast we should now, in the present energy crisis, be moving towards large-scale wind-generated electric power. On the basis of conceptual design and preliminary, first-approximation stress calculations of Putnam, the S. Morgan Smith Company first became interested in the possibility of large-scale wind power in September, 1939. After six months of assessment with more refined calculations and parameter studies they decided to go ahead with the construction of the 1.25 megawatt machine and nineteen months later the large wind turbine was completed and feeding power into the electric grid. Thus only two years and one month elapsed between their first interest and the initial operation of the machine.

Studies were made of prospective costs as influenced by various parameters, such as power rating and blade diameter, so as to know how to optimize these, and they are interestingly recorded in Putnam's book[1] The economical range of power ratings was found to between 1.25 megawatts and twice that and the curve is so flat that there is only about a 2% variation of power cost over this range. For economy, it is thus important that the machine be large, in this range, but it doesn't matter much how large. The optimum blade span is given as about 200 hundred feet, although English studies,[3] indicate that cost per kilowatt continues to go down with longer blades.

It is significant for our present purposes that this hard-headed industrial company, with its very real interest in developing a good new product soon, decided not to fool around with small-scale pilot stages but to go directly to a practical size machine in the large economic range. As Putnam relates it:[3]

"The question of a small test unit, 25 feet or so in diameter, was explored. It was felt that the secret of smooth regulation lay in high inertia, which might not be provided by a small-scale unit, the design, fabrication, and testing of which would in any case cost nearly as much as would the full-scale unit. To eliminate the risk of poor regulation and other scale effects, the full-scale test unit was decided upon, in the smallest size and on the shortest tower thought to be characteristic of the range of economical sizes. Accordingly, the S. Morgan Smith Company selected a rating of 1250 kilowatts, a diameter of 175 feet, a generator speed or 600 r.p.m. and a hub height of 125 feet."

That is the way private enterprise went to work decisively to get a job done promptly before the commercial energy picture was distorted by government promotion and heavy subsidy of just one source of energy—nuclear.

The slow pace for the redevelopment of wind energy proposed until recently by NSF and now by the successor government agency ERDA stands in sharp contrast with this. In spite of the fact that the practicability of a large wind machine had already been demonstrated the decision was made this time to start with a small model and gradually progress in the course of about five years through pilot stages to machines almost as large as the Grandpa's Knob machine. Stated so baldly, this can be made to seem to involve a deliberate attempt to delay the large-scale deployment of wind power until the commitment to all-out nuclear energy is firmly established, while a show is made of developing wind power. However, the motivation is doubtless not that simple, and is to be viewed mainly as an example of bureaucratic decision in a matter having no external promotion with sufficient clout. When NSF started funding windpower development about three years ago, it was planned to take longer for the comparatively simple matter of getting about to where we were thirty years ago, with wind power tested on full-scale and

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Footnotes at end of article.

ready for commercial deployment, than it took after the discovery of fission to invent and develop and use the atomic bomb!

One reason for the different pace in wind power now than then is that it is easier in Congress to drift into a decision, starting with a small appropriation and increasing it each year, than to make a forthright decision to fund a development promptly. This was especially true in the funding of alternate solar-related energy sources because the small start was made before the energy crunch was dramatized by the Arabs. Once the schedule for slow growth was set, it seems hard to depart from it.

The slow growth of the funding is not the whole story. For fiscal 1975, with recognition of the energy crisis, the NSF budget for wind power was greatly increased to $7 million but in the process of shifting the funding office and the funds from NSF to ERDA, that is proponderantly interested in nuclear power, apparently only about one million of the seven was spent. Contracts were let, not to go ahead and to design and construct full-scale demonstration wind machines within about two years following the 1940 precedent, but rather to make a year-long parameter study to determine the most economical size, a study that was made early in 1940 with the result that it does not much matter within wide limits, as already mentioned. Contracting for the start of a large wind turbine near the other end of the range, say 2 or 2½ megawatts, in fiscal 1975 when the funds become available would have taken us more directly towards the early utilization of wind power.

One wonders why such a forthright decision could not have been made, and whether this means that it cannot in the near future. An administer within the funding agency at the operating level, knowledgeable about wind power, might like to see this source exploited soon but be restrained by reluctance higher up. It seems difficult to obtain from Congress pressure more specific than a general appropiration for wind power. The slow approach of the NSF–ERDA program is being hailed by the leaders of energy funding in Congress as the fine beginning of a great wind-energy effort that may provide as much as one percent of our electric power by 1990. Aside from inertia, there is no reason why it should not be ten percent by 1985.

It may be significant in this connection that there has been overt depreciation of wind power by strong proponents of nuclear power, sometimes to the point of ridicule. One of the signers of the pretentious manifesto "No Alternative to Nuclear Power,"[5] Professor Hans Bethe, in a front-page article in the New York Times for December 16, after some trivial and irrelevant numerical remarks put his great prestige behind the jest "Wind power is for the birds." An oft-repeated TV spot of Atlantic Richfield, showing an eighteenth-century windmill stopping, after discussing wind power almost favorably, ended with the punch line, "But what do you do when the wind stops?".

ENERGY STORAGE

The variability of the wind is, indeed, one of the features that must be addressed in designing a wind power system, either by providing adequate storage or by selecting end uses of the power that do not require continuity of supply. Some of the heavy industrial uses of electric power, such as production of metals and fertilizer, could with some additional investment be run on the intermittent power supply of an isolated wind power system.

If wind power is used in conjunction with hydroelectric generators having an adequate reservoir and limited by river flow, the reservoir provides an ideal storage system for the wind power without extra pumping of water, the flow being stored while the wind is blowing. This is more efficient than the pumped storage now used in connection with some nuclear plants for peaking power. Such storage is of course available only to the extent that hydroelectric power is.

Wind power can thus make a very substantial contribution to our needed commercial electric power without special storage facilities and the urgent development of wind power systems to alleviate the present energy crisis should not await development of storage options. However, if wind power is to supply the major part of electric power needs in the future, it will be necessary to combine it with adequate storage facilities. Of these the electrolytic generation of hydrogen for use in a hydrogen economy appears to be the most hopeful, going beyond electric power needs to supply mobile fuels as well.

Simultaneously with the production of giant wind turbines, the further development of fuel cells should be actively pursued to make possible economic reconversion of the hydrogen to electric power. Magnetohydrodynamics and hydrogen-fired steam plants are less attractive possibilities. If wind power is to be used as just one of several inputs to a large electric grid its variability can be treated, as is the undependability of other components that must be down part of the time for repairs, by redundency of generating capacity. Recent experience with nuclear power has demonstrated a capacity factor[6] of about 55%, and it is hoped but doubtful that this can be substantially improved. Even at the sites with favorable winds that be selected, it is expected that the capacity factor for wind power will be only around 35%, including occasional repairs that interfere little because they are of relatively small units. As long as wind turbines are part of a system fed largely by oil and coal burning plants as is the case now with nuclear reactors, they can be used while they operate to permit reducing the power drain from those plants and saving fuel.

THE NSF-ERDA PROGRAM

While we criticize the national wind power program for not undertaking immediately the construction of full-scale demonstration wind turbines, or at least one of them, in the forthright manner displayed by private enterprise 35 years ago, it must be acknowledged that something potentially useful is being done, involving an expenditure of about half a million dollars in fiscal year 1974 and twice that in FY 1975. The National Science Foundation, in addition to supporting some smaller efforts and paper studies has devoted most of its support to the wind power development program of the NASA-Lewis Research Center for space research near Cleveland, a government laboratory with facilities conveniently available for a program stretched out over some years. The main activity of this program so for has been to design and build a 100 kilowatt experimental wind machine, of a size and design not very different from several that have gone before elsewhere. With this it is intended to gather data on the basis of which to build a sequence of larger machines, perhaps culminating in about 1980 in a "wind farm" with a total output of some 10 megawatts.

Some idea of the scope of the program may be learned from the ERDA budget proposal for FY 1976, which reads in part:[7]

"The specific five-year objectives of the Wind Energy Conversion subprogram are: (1) operate and evaluate MWe scale multi-unit wind energy systems; (2) operate and evaluate MWe scale second generation advanced systems in a user environment; (3) complete the design of a 100 MWe system; (4) complete the assessment of a future offshore hydrogen producing system; (5) operate and evaluate a series of systems in a farm environment; and (6) utilize operational data obtained on 100 KWe scale systems for application to future MWe scale systems.

"Program objectives include design and development of subsystems for future systems; test and evaluation of several innovative and experimental types of wind energy concepts; and development of extensive operational data in user environments (on 100 KWe scale system) for use in second generation design studies."

Some of the alternative concepts being explored may have advantages such as high starting torque, but also disadvantages such as greater vulnerability to storms. One of the interesting alternatives has many blades under tension like the spokes of a bicycle wheel, driving a general with a belt around the rim, and may be advantageous in small sizes for domestic use. It seems unlikely at present that any of these concepts will displace the high-speed rotor with two or three blades that has already been demonstrated on close to full-scale at Grandpa's Knob. The technical advantage of the high-speed design is that, with a tip speed about six times wind velocity, it effectively covers a large projected area, extracting as much kinetic energy from the wind as possible, without covering that large area with metal and exposing it to a storm. Thus there is no need to await other developments before going ahead with construction of full-scale high-speed demonstration turbines rapidly as a prelude to large-scale utilization of wind power.

The ERDA program does not propose constructing these, as outlined in items (1) and (2), but not as rapidly as possibly as though there were no hurry. Tentative expectations are that the construction of an approximately 1–MW machine might be completed in late 1977 to be followed by four approximately 2–MW machines in about 1980. The phrase "in a user environment" implies that these may be four rather similar machines operated by four utility companies, as will be the case, it appears, with several 100-kilowatt-scale machines following completion of the test model now being built. A more forthright program would contract now for the prompt design and construction of the four 2–MW scale units with emphasis on a variety of options rather than on the user environment. Valuable diversification of experience would be provided by building two units on land, one rather low and one very tall, and two floating offshore units, one with a single rotor and one with two or three. The present program contemplates no offshore experience at all, neglecting for several years what may turn out to be the most favorable environment and the one that is in most need of vigorous exploration because there has been no past experience with it.

FULL-SCALE DEMONSTRATION UNITS NEEDED NOW

However, in the present power crunch and with further decisions on further decisions on nuclear power pending, there is a rush. Actual experience with the construction of large-scale units should be accumulated at the same time that techniques are being perfected on a small scale that may improve later generations of large machines.

The Smith-Putnam accomplishment does provide operating experience with a large machine, but being in the musty past it does not convey the force of conviction or the detailed information that actual construction and operation of such a machine in present circumstances would have. There would be nothing so effective as seeing a variety of giant wind machines operate and studying their costs to convince a utility

Footnotes at end of article.

company to buy wind power or Congress to subsidize a large program, even if the machine were not the best possible and there should thus remain room for improvement in the next model.

The decision whether and how to exploit wind power in a big way and a reliable estimate of its future economics cannot reasonably be made until after its feasibility has been demonstrated by the construction and operation of at least one full-scale wind-electric generators machine of a size suitable for deployment in large numbers. The immediate need, then, is an extra appropriation of something of the order of twenty million dollars over the next two or three years, with perhaps five to eight million available in the first year, and the decision to start now building a few full-scale prototype wind machines that will supply the information soon on which to base a decision to go into quantity production.

The success of the S. Morgan Smith Company in completing its large wind turbine in the short span of two years was possible partly because the company benefited by the early cooperation of an able early enthusiast for wind power, Palmer C. Putnam. If the funding agency in ERDA accepts proposals from companies or large laboratories that are new to wind power and mainly seeking lucrative contracts, it seems unlikely that such prompt success can be expected. To get prompt results now, it seems desirable for each project again to achieve effective cooperation between one of the present-day wind power enthusiasts and an organization with adequate engineering staff and construction and sub-contracting capabilities. A good approach would be for the funding agency to seek and favor, for design and construction of large demonstration units, proposals involving this sort of cooperation.

There are quite a few technical men, mostly engineers at universities, devoted to the development of wind power from whose ranks appropriate initiative and consultant talent could be found. They include Allison and Hughes and Bergery in Oklahoma, Wendenick in Alaska, Nelson and McClure in Texas and Heronemus in Massachusetts. The funds required to provide such an opportunity for some of these men, and others who catch their enthusiasm, to contribute to the rapid development of wind power would be small indeed compared with other energy expenditures, a few tens of millions of dollars at most.

When the funding agency in recent years has received a proposal from one of these enthusiasts for the construction of a full-scale unit, the proposal may have been turned down partly out of reluctance to make a large committment to one proposal when there are so many but perhaps partly also because of questioning the credibility of the proposer as an advocate of large-scale wind power. This aspect of credibility should no longer be questioned, for the credibility of large-scale wind power has been established by the Smith-Putnam experience and their subsequent studies based on that experience, as reported in Putnam's book.[1] In particular, their cost estimates based on their experience and translated into 1975 dollars are apt to be as reliable as any until similar experience will have been obtained with the construction of full-scale units. Those estimates seem to establish that electric power produced by large wind turbines is economically very attractive and distinctly competitive as a supplement to other sources in this era of high fuel costs and nuclear cost overruns.

WIND POWER AS A STIMULANT TO INDUSTRY

Once the decision is made through a combination of government and private efforts to go ahead with a large wind power program, a rather substantial industry would evolve to build large wind machines and associated equipment. A very rough idea of the size of the industry may be obtained by considering the amount of material involved, mainly metal and epoxy materials. The pre-production wind turbine designed by Smith-Putnam after their Grandpa's Knob experience but never built was to weigh 350 tons. It was rated at 1.5 megawatts which with allowance for wind variability is equivalent to about ½ MW steady power. This means 700 tons per megawatt. By way of comparison, the automotive industry puts out about 10^7 cars per year at a bit over 2 tons per car, using about 2×10^7 tons of material per year. A wind power system made of this much material would then produce 30,000 MW. The U.S. electric power consumption at about 2 KW per capita, is about 400,000 MW. If the size of a heavy industry is roughly proportional to the material it uses, these figures mean that wind-power industry one-tenth as large as the automotive industry would in ten years build a wind power system supplying about 8% of the present electric consumption in the U.S. (The wind power industry would probably be somewhat more productive than in this rough estimate because a wind turbine with its support structure is on the average a less refined piece of machinery than an automobile.)

The degree to which wind power thus deployed may be considered an option competing with the nuclear option and perhaps even largely replacing its further expansion depends mainly on how rapidly such an industry could be built up. Neither option is capable of meeting the special needs of the next decade brought about by the oil situation. Some combination of conservation and increased (and hopefully improved) use of coal will apparently be required for that.

With conservation in prospect and the accompanying unemployment of men and facilities having various industrial skills and capabilities, it should be possible to build up a wind machine industry rapidly, and beneficially to society, by not too drastic conversion of skills and facilities. Workers left unemployed by a slack automotive industry and the trend to smaller cars don't want to collect garbage but would be happy to have jobs much like their former ones making the gears and generators and spars and blades and shafting of big wind machines rather than big cars. This possibility of reconversion fits in well with the needs of the times.

In recent years the building of superhighways, for example, has been seen in political circles as an opportunity to stimulate industry and provide employment. Now the need to build up a new source of power to replace dwindling oil and gas supplies should similarly be viewed as a source of employment and industrial activity. It would seem socially irresponsible to waste the opportunity by meeting the need with compact, high-technology nuclear plants when low-technology and labor-intensive wind-electric systems could meet the need, perhaps more economically, and provide considerably more employment in large-scale construction. Some people resist the idea of wind power because it would be so much more work to construct those huge structures but from the point of view of relieving unemployment this is one of its advantages.

CHOICE OF SITES FOR WIND POWER

When it comes to the planning for a system of many large wind machines a site should be chosen where the winds are as strong and steady as possible. The power available to a wind machine of a given size is proportional to the third power of the wind speed, so it pays to go to a site where winds are strong. It appears that there will usually be a system economy in very large units in strong winds, despite the probability that such "large economy size" machines will have cut-in speeds, the lowest wind speed for satisfactory operation, perhaps as high as 15 miles per hour against 8 for smaller machines. It is therefore important to gain experience as soon as possible with a full-size multi-megawatt machine at a windy site suitable for later installation of thousands of similar large machines. Experience with smaller machines at less favorable sites can be no substitute.

Three types of geographic locations are suitable for installation of large-scale wind power systems; mountain tops, level country, and at sea. Mountain tops can be chosen for exploiting favorable wind conditions without the use of very high towers, as indeed was done in the Vermont experiment. The most easily accessible mountain tops are seen by enough people that there may be the objection of "visual pollution". The western great plains have favorable winds particularly at rather high altitudes and could be the site of many large wind generators widely spaced in sparsely populated regions where they need not interfere appreciably with present land use, either grazing or agriculture.

Mooring of large wind machines at sea has some distinct advantages: the location may be chosen for favorable winds; they are seen essentially only by the few remaining commercial fishermen with whose work they would not interfere, riding on the mooring makes the wind turbines face into the wind and a floating structure that can lean with a high wind is more easily designed to survive a storm.

The Smith-Putnam studies of wind distributions above mountain tops led them to the conclusion that it does not pay to use very high towers there, about 150 feet being optimum. On flat land or at sea this is a controversial question. W. T. Heronemus calculates that it would pay to go to heights of several hundred feet above the great plains and with multi-turbine units off shore to take advantage of the stronger winds aloft and the velocity-cubed law. A recent report submitted to ERDA is said to find low towers and single-turbine units most economical on land. Rapid development of wind power is so urgent that it would seem best very soon to contract for the design and deployment of four full-scale demonstration machines, a low and a high one on the western plains and a low single turbine unit and a higher three turbine unit off shore.

ONE PROPOSED SYSTEM: OFFSHORE WIND POWER

Because the very promising sea environment is quite different from the land environment where there is already the Smith-Putnam experience, it is particularly important that new authorization and funding should be provided for the construction of at least one full-size unit and its deployment in a favorable location at sea as soon as possible, without awaiting refinements from further R&D.

For supplying electricity and its products to the Northeast, the most favorable winds are over Georges Banks, off the New England coast. The ultimate system contemplated in that area will consist of something like ten thousand floating six-megawatt wind machines and associated submerged units for generating hydrogen, storing it under the pressure of the deep ocean just over the continental shelf, and delivery of both hydrogen and electricity ashore. The adjacent continental shelf area to the south of Long Island and all along the middle Atlantic coast as far south as Hatteras could support equally productive similarly large installations. What is needed immediately for the sake of experience is the construction of at least one multi-megawatt wind machine to be deployed ten miles off Cape Code and a cable to shore.

If a concept proposed by Heronemus is adopted,[8] this would be a six-megawatt floating unit consisting of three two-megawatt

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Footnotes at end of article.

wind turbogenerators wtih epoxy blades supported about 300 feet above the surface of an aluminum frame above reinforced concrete hull and ballast spheres, as shown in the figures.

To give some idea of costs, Heronemus in 1972 made a carefully studied estimate for a specific offshore wind power system consisting of 13,600 floating wind machines of six megawatts each clustered about 82 submerged hydrogen-generating stations connected by pipelines to a pressurizing station feeding into a deep-water storage facility and all connected by pipeline to fuel-cell stations ashore.[8] The total installed generating capacity would be 82,000 megawatts and the estimated total cost $22 billion in 1972 dollars or $26 billion in 1975 dollars.

If we take the capacity factor, the average delivered power as compared with rated capacity, as 35% for wind and rather generously 60% (rather than[6] 50 or 55%) for nuclear, the installed generating capacity of wind power must be 60/35 or 1.7 times as great as the equivalent nuclear capacity. 82,000 megawatts of wind power in the offshore system are thus roughly equivalent to about 48,000 megawatts of nuclear generating capacity or 44 of the large 1100 megawatt nuclear power station. The $26 billion estimate for the complete wind power system thus amounts to about six hundred million 1975 dollars for the wind equivalent of a large nuclear plant or about $550 per nuclear installed kilowatt. Present quotations for nuclear plants are running considerably higher than that figure, and if due allowance were made for government-supplied facilities they would perhaps be close to twice that high. This margin by nearly a factor two makes wind power including storage facilities thus deployed seem competitive with nuclear even if the Heronemus estimate, though carefully made, might be very optimistic as it is considered to be by the ERDA funding agency.

CONCLUSION—ALTERNATIVE OR SUPPLEMENT?

There is no question but that wind power can contribute substantially to national power needs in this century. It now appears that we are waking up to our need for alternative energy sources enough that wind power will contribute substantially within 15 years even at the slow pace of the present program, thus at least relieving the need for as many nuclear power plants as are being planned and diversifying our energy sources. Unless it is accelerated and combined with conservation, as it should be, this does not make it an "alternative to an increased use of nuclear power"[5] but merely an alternative to so large an increase.

The prospects of wind power should be compared with the program now being promoted in Washington to build 200 nuclear reactors, probably largely at government expense, in nuclear parks by 1990. There is no apparent limit to the harnessing of wind power that would preclude its generating as much power as they would by that time and supplementing other sources of power as reliably as can be expected of nuclear power. It will involve a huge construction effort but not one beyond the capacity of industry, equivalent to perhaps half of the automotive industry, with a substantial increase in the lagging shipbuilding industry. Equipping those nuclear parks will also take a large industrial effort, including that for associated facilities that industry has been reluctant to provide.

The greatest difference in the prospects of actually using nuclear or wind power is that one is promoted and the other is not. As a prelude to industrial acceptance and promotion government initiative is needed for wind power, even as was the case with nuclear, with financial backing much less than that devoted to the civilian nuclear effort. With such initiative wind power would be capable of supplanting nuclear completely. This would involve not only the system described for the Grand Banks and capable of supplying all the electric energy needs of New England in 1990, but half a dozen projects of similar magnitude, offshore along the east coast and on land over the great plains and perhaps elsewhere. In the light of this possibility, it must be concluded that wind power is a real alternative to nuclear power. But no matter whether it is viewed as a start toward reducing the need for additional nuclear power or eliminating it completely, the first full-scale demonstration wind-power units should be built immediately.

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[4] E. W. Golding, *The Generation of Electricity*, Philosophical Library, New York, 1956, p. 257.

[5] *No Alternative to Nuclear Power*, Bulletin of the Atomic Scientists, March 1975, p. 4.

[6] David D. Comey, Bulletin of the Atomic Scientists, November, 1974, p. 253.

[7] ERDA, Budget Estimates, Fiscal Year 1976 and Transition Period, Book I.

[8] W. E. Heronemus, *Pollution Free Energy from Offshore Winds*, preprints, 8th Annual Conference and Exposition, Marine Technology Society, Sept. 11–13, 1972, Washington, D.C.

Mr. ABOUREZK. Mr. President, Professor Inglis began work in nuclear physics in 1935. From 1949 to 1969 he was employed by the AEC at its Los Alamos and Argonne laboratories.

In this paper, Professor Inglis presents a clear and convincing case for speeding development of wind power generating electricity. His statement is a concise review of the past experience with wind generators. That experience, he contends, is being ignored at least in part in the present research programs: "There is no question but that wind power can contribute substantially to national power needs in this century."

Professor Inglis contends that wind power with financial backing "much less than that devoted to the civilian nuclear effort, would be capable of supplanting nuclear completely. But no matter whether it is viewed as a start toward reducing the need for additional nuclear power or eliminating it completely, the first full-scale demonstration wind-power units should be built immediately."

I concur. Professor Inglis, a distinguished scientist, has made a valuable contribution to the national effort to develop alternative energy resources with this timely discussion of using the wind to generate electric power.

CAPTIVE NATIONS WEEK

Mr. PERCY. Mr. President, the 17th observance of Captive Nations Week gives the American people an opportunity to reaffirm our emphatic support for the universal human aspiration for personal freedom and national self-determination.

Throughout the world, basic human rights—the right to freedom of expression, the right of free emigration, the right to due legal process, the right to freedom from foreign hegemony, and the right to an equal opportunity for individual self-fulfillment—are being denied. It is America's responsibility to speak out in defense of these rights and never to excuse their violation. Most important, we must be vigilant in the defense of human rights in our own country, for, in the long run, our most effective contribution to the cause of human rights is by the force of our own example.

Our foreign policy's emphasis on the relaxation of international tensions is usually justified in terms of our interest in world peace; it should also be viewed as an opportunity to further the cause of human rights abroad. I believe we should take maximum advantage of the opportunities which international contacts provide for promoting the free movement of peoples and ideas.

At the same time, we must continue to send the message of freedom directly to those who have no access to uncensored news. By supporting the work of Radio Free Europe and Radio Liberty, we can let those people know that our concern for their rights has not waned.

Finally, let us remember that America's reputation as a spokesman for human rights and an advocate of individual freedom remains one of our strongest assets in the world arena. Even at a time when so many millions of people are denied liberty, I retain my faith in the ultimate victory of freedom and justice.

FDA AGREES TO STUDY HERMETIC SEALING OF CARDIAC PACEMAKERS

Mr. RIBICOFF. Mr. President, I have received a letter from Alexander M. Schmidt, Commissioner of Food and Drugs, informing me that he has accepted my proposal to have the Food and Drug Administration—FDA—explore the need for developing standards for the hermetic sealing of cardiac pacemakers.

I have strongly urged the development of hermetic seal standards for the pacemaker industry following a report of the Comptroller General in March which was critical of the FDA's handling of the recall of 23,000 pacemakers for moisture-related defects.

In this report, which I released in March, the General Accounting Office investigators noted that the FDA had not developed standards to deal with the problem of moisture penetrating the surgically implanted pacemakers and causing short circuiting. The Government Operations Committee subsequently learned that the U.S. Navy had developed a standard for hermetically sealing high-reliability electronic components. On April 23, I obtained an opinion from the National Bureau of Standards—NBS—that the FDA should adopt such a standard for pacemakers in conjunction with other high-quality standards.

Dr. Schmidt, in his letter to me, stated

that the FDA would deal with the hermetic seal question at a special workshop being planned with the NBS to review pacemaker problems with representatives of the pacemaker industry. I am today sending a letter to Dr. Schmidt asking for a report from him following the workshop as to what course of action the FDA intends to follow with respect to the hermetic seal question.

I ask unanimous consent that Dr. Schmidt's letter to me and my letter of response to him be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON
GOVERNMENT OPERATIONS,
Washington, D.C., July 10, 1975.

ALEXANDER M. SCHMIDT, M.D.
Commissioner of Food and Drugs, Food and Drug Administration, Rockville, Md.

DEAR DR. SCHMIDT: Thank you for your letter of June 19, informing me that the FDA will deal with the question of hermetically sealing cardiac pacemakers at a special workshop being planned with the National Bureau of Standards to review pacemaker problems with representatives of the pacemaker industry.

I agree that this workshop will be useful in fully exploring the desirability of requiring that all pacemakers be manufactured using the hermetic-seal approach. I am sure that the workshop will fully consider the National Bureau of Standards recommendation, communicated to me in a letter of April 23, that FDA establish a standard for hermetic sealing of pacemaker circuitry in conjunction with other high-quality standards. I very much appreciate the invitation you have extended to me or a staff representative to attend the workshop.

I also would appreciate a report from you following the workshop as to what course of action the FDA intends to follow with respect to the hermetic-seal question.

I hope very much that this question can be resolved so as to give full assurance to the thousands of Americans whose lives depend on pacemakers that these devices are designed to function with maximum reliability.

Thank you very much for your cooperation.

Sincerely,

ABE RIBICOFF.

FOOD AND DRUG ADMINISTRATION,
Rockville, Md., June 19, 1975.

Hon. ABRAHAM RIBICOFF,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Secretary Weinberger contacted you on May 27 in response to your letter of April 29 concerning the National Bureau of Standards (NBS) review of certain pacemaker problems. As you are aware, for several weeks we have been working with the National Bureau of Standards to develop a workshop dealing with cardiac pacemakers. The NBS has been contacting pacemaker manufacturers to determine the scope of the workshop in order to make it relevant to current pacemaker characteristics and experience.

Because of your interest in pacemakers and, in particular, your concern about hermetic sealing, we do intend to include in the NBS/FDA workshop a discussion of the concept of hermetic sealing of pacemakers and the desirability and practicability of developing design and/or construction standards which would deal with hermetically sealing pacemakers. Since we expect that most, if not all, pacemaker manufacturers will be in attendance at the NBS/FDA workshop, we think that a frank and open discussion of hermetic sealing can be accomplished and a determination made as to the desirability of a requirement that all pacemakers be manufactured using the hermetic sealing approach.

Because you have raised the question of hermetically sealing pacemakers, I would like to invite you or any members of your staff to attend the NBS/FDA workshop and participate in the discussions. As soon as a date has been set for the workshop I will inform you.

Sincerely yours,

ALEXANDER M. SCHMIDT, M.D.,
Commissioner of Food and Drugs.

Mr. RIBICOFF. Mr. President, I am gratified that the FDA has agreed to deal directly with the pacemaker-moisture problem and the need for hermetic sealing to prevent it. The special workshop presents an important opportunity to agree on steps to combat the moisture problem, which has necessitated the recall of 23,000 of the 125,000 pacemakers in use today. I will monitor the workshop deliberations closely and will report on the results, following receipt of Dr. Schmidt's report to me on the question of hermetic sealing.

WHATEVER THE SETTLEMENT, IT IS A COMEDOWN FOR ISRAEL

Mr. ABOUREZK. Mr. President, we are all aware of the gravity of the current Middle East situation and of the sensitivity of the on-going negotiations. It is of utmost importance—to our national interest and to the interest of world peace—that a settlement be reached.

Terence Smith, in an article in the New York Times of Sunday, July 13, 1975, presents an excellent discussion of Israel's past and present negotiating strategy—buying time. Included in this discussion is the history of how this policy went wrong and how it just might be wrong also for the present and the future.

During this period of negotiations, it would benefit all of us to carefully read Mr. Smith's article. Mr. President, I ask unanimous consent that it be printed in the RECORD.

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

WHATEVER THE SETTLEMENT, IT'S A COMEDOWN FOR ISRAEL

(By Terence Smith)

BONN.—Complete with moat and drawbridge, set in a deep wood northwest of Bonn, the 800-year-old Gymnich Castle is the West German Government's most elegantly appointed guest house. Last week's tenant was Prime Minister Yitzhak Rabin of Israel, and he used the baroque setting for a meeting with Secretary of State Kissinger on the same thorny, frustrating issue that has absorbed them for months: How much of the Arab land Israel seized in 1967 is she prepared to return in order to gain another interim agreement with Egypt? That question is part of the larger one that has confounded American and Israeli leaders for eight years: How can Israel convert the military victory she scored in 1967 into a comparable political gain and—hopefully—peace?

Israel's bleak diplomatic situation today is a dramatic come-down from the euphoric days, just eight years ago, when everything seemed possible in the wake of the most one-sided military victory in modern warfare. There was a general assumption in Israel in those days that after the trouncing the Arabs received in the Six-Day War, they would have no choice but to negotiate a peace agreement with Israel.

Instead, there has been another war, an oil embargo, the growth of Arab economic power, Israel's deepening diplomatic isolation, and now tension between the United States and Israel. Since the generally accepted prognosis for the immediate future is the same, it is worth recalling what went wrong.

From 1967 to 1973, Israel pursued a simple but fundamentally flawed policy. Her strategy, articulated over and again by former Premier Golda Meir, was to hold on to every inch of occupied territory until the Arab states were ready to negotiate—on Israel's terms. Israel's aim was to demonstate to the Arabs that they had no feasible military option, therefore, no real choice but to conclude a peace agreement. This was the rationale behind the deep-penetration Israeli air raids into Egypt in 1970–71, the attacks against the guerrilla organizations in Jordan before that and the periodic forays against the Syrian Air Force. The aim was to stand fast until the Arabs came around.

CLOSING THE ESCAPE HATCH

Parallel to this strategy, Israel had to beat back various diplomatic initiatives that she felt would give the Arabs an escape hatch. These included the still-born efforts of Gunnar V. Jarring, the Swedish diplomat who served thanklessly as a special United Nations mediator from 1967–1973, and the 1971 initiative of former Secretary of State Rogers.

Israel resisted these initiatives and the Arabs made it easy for them by displaying their own brand of intransigence. Had the Arabs challenged Israel to an open and unconditional direct negotiation in that period, the Israelis would have faced a rending political crisis at home.

The United States was content to let the deadlock continue until the 1973 war. The Middle East was a problem, but not a priority.

The October, 1973, war demonstrated the flaw in the Israeli strategy: that the Arabs would fight rather than negotiate. The subsequent oil embargo made the Middle East suddenly everyone's problem.

New United States interests in the area emerged as well. Washington saw a chance to improve its standing in the Arab world, to open a new channel of communication with Egypt, and to reduce Soviet influence.

So today, eight years and one month after her greatest victory, Israel is on the diplomatic defensive. She is being pushed by the Arabs, the United States and Europe to give up her territorial bargaining cards sooner rather than later.

M. Rabin's strategy today differs from his predecessor's only in nuance. His hope is that a new interim agreement with Egypt will buy several years of relative relaxation in the area and avoid a break with the United States. In a few years, he reasons, new energy sources may be developed and Arab economic and political power may decline. Then Israel will be in a better bargaining position.

But what is the territorial bottom line? How far can an Israeli Government withdraw, short of peace, and still survive? Not much further, says Mr. Rabin, unless there is a serious political quid pro quo for the relinquished real estate.

And what about Syria? Will a new interim agreement between Israel and Egypt reduce the tension on the Golan Heights? If it does not, will the Syrians launch a new "war of attrition" or perhaps a frontal attack in concert with Jordan and Iraq?

Unanswered as they are, these questions raise serious doubts about the wisdom of trying to buy time. From Israel's point of view, the history of the past eight years is not an encouraging omen.

THE FARM ECONOMY

Mr. TALMADGE. Mr. President, Friday, July 11, the Committee on Agriculture and Forestry met with Secretary of Agriculture, Earl Butz, in the first of the quarterly oversight hearings in regard to the condition and outlook of our farm economy that I announced in May.

In preparation for this oversight hearing we had the committee staff prepare extensive background materials on our farm economy. These materials relate to farm production, commodity utilization, farm income, agricultural prices, and agricultural exports.

Mr. President, I ask unanimous consent that these materials be printed in the RECORD for the use of Members and those persons who have an interest in agriculture.

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

5-YEAR PROFILE OF SELECTED CROPS AND 1975 PROJECTIONS

	Planted acreage (mil/A)	Yield (harvested) (bu/A)	Million bushels: Production	Carry-over	Use: Domestic	Export	Total	Export as percent of total use	Average price
Corn:									
1970	66.8	72.4	4,152	1,005	3,977	517	4,494	11.5	$1.33
1971	74.1	88.1	5,641	667	4,387	796	5,183	15.4	$1.08
1972	67.0	97.1	5,573	1,126	4,733	1,258	5,991	21.0	$1.57
1973	71.9	91.2	5,647	709	4,631	1,245	5,874	21.2	$2.37
1974	77.7	71.3	4,651	483	3,700	1,075	4,775	22.5	$2.95
1975 [1]	77.5	90.3	6,046	360					
Wheat:									
1970	48.7	31.0	1,352	885	769	738	1,506	49.0	$1.33
1971	53.8	33.9	1,618	731	855	632	1,487	42.5	$1.34
1972	54.9	32.7	1,545	863	785	1,186	1,971	61.9	$1.76
1973	59.0	31.7	1,705	438	752	1,148	1,900	60.4	$3.95
1974	71.2	27.4	1,793	247	707	1,050	1,757	59.8	$4.04
1975 [1]	74.4	31.7	2,187	285					
Soybeans:									
1970	43.1	26.7	1,127	230	760	434	1,258	34.5	$2.85
1971	43.5	27.5	1,176	99	721	417	1,203	34.7	$3.03
1972	46.9	27.8	1,271	72	722	480	1,283	37.4	$4.37
1973	56.7	27.7	1,547	60	821	539	1,436	37.5	$5.65
1974	53.6	23.5	1,233	171	700	400	1,179	33.9	$6.69
1975 [1]	54.6			225					
Cotton:									
1970	11.9	438	10.2	5.8	8.1	3.9	12.0	32.5	22.0¢
1971	12.4	438	10.5	4.3	8.2	3.4	11.6	29.3	28.1¢
1972	14.0	507	13.7	3.3	7.8	5.3	13.1	40.5	27.2¢
1973	12.5	520	13.0	4.0	7.5	6.1	13.6	44.9	44.4¢
1974	13.7	443	11.7	3.9	5.8	3.9	9.7	40.2	42.8¢
1975 [1]	10.2			5.7					

[1] Estimated.

TRENDS IN SELECTED CROPS (ANNUAL AVERAGES FOR PERIODS)

	Acres planted (mil/A)	Yield (bu/A)	Yield variance (bu)	Total production (mil/bu)	(Mil bu): Total use	Carry-over	Percent: Carry-over as percent total use	Exports as share of total use	Price
Corn:									
1950–54	82.4	39.4	1.5	2,793	2,756	752	27	4	$1.52
1955–59	77.6	48.7	2.5	3,235	3,086	1,322	43	6	1.18
1960–64	69.4	62.5	3.2	3,723	3,852	1,672	43	12	1.10
1965–69	66.4	78.5	4.0	4,454	4,483	1,020	23	13	1.13
1970–74	71.5	84.0	9.7	5,133	5,263	798	15	19	1.86
Wheat:									
1950–54	74.0	17.3	.8	1,094	987	524	53	33	2.07
1955–59	56.3	22.2	2.1	1,095	1,049	1,031	98	43	1.88
1960–64	53.8	25.2	.6	1,222	1,325	1,228	93	54	1.77
1965–69	58.8	27.5	1.6	1,426	1,414	626	44	50	1.37
1970–74	57.5	31.3	1.7	1,603	1,713	633	37	56	2.48
Soybeans:									
1950–54	16.2	20.3	.9	304	297	8.2	3	12	2.62
1955–59	22.2	22.6	1.3	483	478	41.2	9	20	2.08
1960–64	28.4	24.0	.7	661	665	54.1	8	26	2.38
1965–69	39.6	25.7	1.1	998	958	129.7	14	31	2.51
1970–74	48.7	26.6	1.3	1,271	1,272	126.1	10	36	4.52
Cotton:									
1950–54	24.7	[1] 296.6	[1] 28.7	[2] 14.6	[2] 13.3	[2] 5.4	41	30	35.7¢
1955–59	15.5	[1] 428.2	[1] 28.2	[2] 13.0	[2] 13.8	[2] 10.9	79	37	31.7¢
1960–64	15.7	[1] 475.0	[1] 40.0	[2] 14.7	[2] 13.6	[2] 9.2	68	36	31.7¢
1965–69	11.3	[1] 480.8	[1] 32.9	[2] 10.6	[2] 12.3	[2] 11.3	92	28	24.6¢
1970–74	12.9	[1] 469.2	[1] 35.4	[2] 11.8	[2] 12.0	[2] 4.3	36	37	32.9¢

[1] Pounds.

[2] Bales.

SHARE OF FEED CONSUMPTION BY LIVESTOCK TYPE FOR THE PERIOD 1969–71

	Corn	Other grain [1]	All grain	High protein
Total use (million tons)	325.6	135.4	461.0	62.8
Dairy (percent)	12.3	13.7	12.7	13.7
Beef (percent)	23.2	50.1	31.1	15.6
On feed (percent)	(17.9)	(44)	(25.6)	(7.3)
Other (percent)	(5.3)	(6.1)	(5.6)	(8.3)
Poultry (percent)	18.0	18.0	18.0	40.4
Hogs (percent)	36.2	11.7	29.0	19.9

[1] Includes barley, oats, sorghum, wheat, and rye.

U.S. AVERAGE PRICES, MONTHLY AND MARKETING YEAR, FOR SELECTED AGRICULTURAL COMMODITIES

Commodity and year	January	February	March	April	May	June	July	August	September	October	November	December	Season average	Percent change from peak to latest
Corn (dollars per bushel):														
1975	3.07	2.86	2.67	2.68	2.66	2.68								−22.3
1974	2.59	2.76	2.68	2.41	2.45	2.57	2.91	3.37	3.30	3.45	3.32	3.27	2.95	
1973	1.39	1.35	1.37	1.42	1.61	1.99	2.03	2.68	2.15	2.17	2.18	2.39	2.55	
Wheat (dollars per bushel):														
1975	4.11	3.95	3.65	3.69	3.47	2.92								−47.1
1974	5.29	5.52	4.96	3.98	3.52	3.57	4.04	4.24	4.32	4.85	4.87	4.65	4.04	
1973	2.38	1.97	2.06	2.15	2.15	2.43	2.47	4.45	4.62	4.22	4.20	4.78	3.95	
Upland cotton (cents per pound):														
1975	39.9	32.0	33.9	32.2	36.3	36.9								−32.8
1974	50.6	52.0	53.4	54.9	49.2	51.5	49.4	53.6	54.9	51.4	50.4	43.8	42.8	
1973	22.39	22.78	26.38	27.06	30.25	29.52	30.38	37.46	38.2	28.0	39.5	47.6	44.4	

U.S. AVERAGE PRICES, MONTHLY AND MARKETING YEAR, FOR SELECTED AGRICULTURAL COMMODITIES—Continued

Commodity and year	January	February	March	April	May	June	July	August	September	October	November	December	Season average	Percent change from peak to latest
Soybeans (dollars per bushel):														
1975	6.30	5.72	5.31	5.61	5.00	4.90								−51.0
1974	5.87	6.07	5.96	5.15	5.21	5.13	6.11	7.55	7.32	8.17	7.44	7.03	6.69	
1973	4.11	5.49	6.04	6.14	8.27	10.00	6.69	8.99	5.81	5.63	5.14	5.65	5.68	
Beef, S & H (dollars per hundredweight):														
1975	31.00	29.60	30.50	34.90	40.10	42.60								−22.7
1974	47.40	46.50	42.80	41.10	39.20	34.30	38.30	40.50	35.40	33.40	31.70	31.00	38.30	
1973	40.80	43.40	46.30	44.90	45.70	46.10	47.30	55.10	49.10	44.70	42.00	39.90	45.30	
Calves (dollars per hundredweight):														
1975	23.90	24.30	24.70	26.80	29.50	29.70								−56.5
1974	54.10	53.30	49.60	47.40	42.70	37.40	36.00	34.30	30.10	27.70	25.70	25.00	35.20	
1973	49.40	53.00	58.50	56.60	58.90	58.50	59.20	68.20	61.20	57.70	52.80	50.10	56.60	
Hogs (dollars per hundredweight):														
1975	38.20	38.40	38.30	39.30	45.10	47.30								−16.0
1974	38.20	40.10	39.30	35.00	30.60	26.30	24.20	34.30	36.00	33.70	37.10	36.80	34.20	
1973	29.60	31.00	34.30	38.20	35.10	35.30	37.30	41.30	56.30	43.80	40.90	40.50	38.40	
Broilers (cents per pound):														
1975	24.2	24.6	23.7	23.4	24.6	27.4								−24.9
1974	21.5	23.4	22.2	21.0	20.5	19.0	20.5	20.9	22.8	22.8	24.2	21.9	21.5	
1973	17.2	19.8	23.2	25.2	23.8	24.3	27.6	36.5	29.7	23.7	19.4	20.0	24.0	
Eggs (cents per dozen):														
1975	57.1	54.3	54.1	47.4	47.6	45.7								−33.5
1974	66.6	63.9	56.7	50.1	42.2	39.8	43.8	47.8	54.8	54.9	55.4	59.0	53.3	
1973	50.0	42.8	46.9	46.9	45.5	50.4	51.9	68.7	63.9	59.3	59.3	64.0	52.5	
Milk, all (dollars per hundredweight):														
1975	8.33	8.28	8.13	8.09	7.98	7.94								−11.4
1974	8.84	8.92	8.96	8.87	8.27	7.67	7.60	7.69	8.03	8.28	8.44	8.22	8.31	
1973	6.56	6.60	6.54	6.43	6.40	6.40	6.57	7.19	7.87	8.32	8.66	8.80	7.14	
Milk (eligible for fluid market) (dollars per hundredweight):														
1975	8.69	8.64	8.46	8.39	8.26	8.22								−10.7
1974	9.09	9.13	9.20	9.19	8.69	8.08	8.00	8.04	8.36	8.60	8.79	8.60	8.65	
1973	6.84	6.90	6.83	6.68	6.67	6.68	6.85	7.45	8.13	8.55	8.89	9.02	7.42	
Milk, manufacturing (dollars per hundredweight):														
1975	7.00	7.04	7.01	7.04	7.05	7.04								−13.8
1974	8.13	8.17	8.15	7.81	6.93	6.43	6.33	6.47	6.80	7.04	7.01	6.73	7.15	
1973	5.52	5.52	5.57	5.59	5.60	5.61	5.72	6.29	6.93	7.45	7.76	8.00	6.20	

FARM INCOME AND CASH RECEIPTS

[In billions of dollars]

	Cash receipts from farm marketings	Production expenses	Net income		Return to equity (current net equity, percent)		Cash receipts from farm marketings	Production expenses	Net income		Return to equity (current net equity, percent)
			Current dollars	1967 dollars					Current dollars	1967 dollars	
1967	42.8	38.3	11.6	11.6	5.0	1972	61.0	52.4	17.5	14.1	5.6
1968	44.2	39.5	12.2	11.7	5.1	1973 [1]	86.9	64.7	32.2	24.6	8.2
1969	48.2	42.2	14.2	13.0	5.7	1974 [1]	93.5	74.8	27.2	18.8	6.2
1970	50.5	44.6	14.0	12.2	5.5	1975 [2]			20.0	13.0	4.6
1971	52.9	47.6	13.0	10.8	4.7						

[1] Preliminary.

[2] Estimated.

CASH RECEIPTS FOR SELECTED ENTERPRISES

[In billions of dollars]

	Livestock	Cattle and calves	Hogs	Dairy products	Poultry	Crops	Wheat	Corn	Soybeans	Cotton
1970	29.5	13.6	4.5	6.5	4.2	20.9	2.1	3.3	3.2	1.3
1971	30.6	15.0	4.2	6.8	4.0	22.3	2.0	3.6	3.3	1.5
1972 [1]	35.7	18.2	5.4	7.1	4.2	25.3	3.0	3.7	3.9	1.8
1973 [1]	45.8	22.4	7.6	8.1	6.9	41.1	6.1	7.3	6.9	2.7
1974 [1]	41.4	17.9	7.0	9.3	6.2	52.0	7.9	9.8	8.8	3.5

[1] Preliminary.

TOTAL VALUE AGRICULTURAL EXPORTS AND INDEXES OF THE QUANTITY AND THE VALUE OF SHIPMENTS (1967=100)

Year	Total value (millions)	Indexes (1967=100)		Year	Total value (millions)	Indexes (1967=100)	
		Value	Quantity			Value	Quantity
1967	$6,380	100	100	1971	$7,693	120	111
1968	6,228	97	100	1972	9,401	147	129
1969	5,936	93	94	1973	17,680	277	166
1970	7,259	113	111	1974	21,994	344	155

QUANTITY AND VALUE INDEXES OF EXPORTS FOR SELECTED AGRICULTURAL PRODUCTS

[1960=100]

Year	Corn		Wheat		Rice		Cotton		Soybean		Feed grains	
	Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value
1960	100	100	100	100	100	100	100	100	100	100	100	100
1961	132	128	121	126	85	76	84	89	103	97	101	100
1962	192	187	104	110	107	104	51	54	116	130	152	150
1963	197	208	124	129	122	120	58	59	121	147	145	150
1964	215	229	142	149	135	139	70	70	143	174	153	162
1965	268	293	121	117	155	166	50	50	152	204	197	212
1966	275	308	151	152	134	155	48	44	159	230	228	248
1967	229	247	116	120	186	214	53	47	168	239	183	199
1968	264	258	111	109	193	235	51	47	176	240	177	174
1969	247	255	86	83	195	236	31	29	184	248	156	162
1970	255	289	118	110	182	213	40	38	209	368	181	199
1971	228	262	108	108	151	174	55	59	269	411	156	182
1972	396	436	139	143	207	264	41	51	255	440	255	282
1973	587	997	236	407	166	367	73	95	269	805	380	652
1974	527	1,324	160	449	176	580	69	136	309	1,044	340	856

AGRICULTURAL EXPORTS SHARE FOR MAJOR COMMODITIES

[In percent]

Year	Soybeans	Wheat	Rice	Feed grains	(Corn) [1]	Cotton	Subtotal	Year	Soybeans	Wheat	Rice	Feed grains	(Corn) [1]	Cotton	Subtotal
1960	10.0	21.3	3.0	11.4	(5.9)	20.3	66.0	1968	18.6	18.2	5.6	15.3	(11.7)	7.4	65.1
1961	9.3	25.9	2.2	10.9	(7.2)	17.4	65.7	1969	20.1	14.4	5.8	15.0	(12.2)	4.7	60.0
1962	12.4	22.6	3.0	16.3	(10.5)	10.5	64.8	1970	24.4	15.6	4.3	15.1	(11.3)	5.1	64.5
1963	12.7	23.9	3.2	14.8	(10.6)	10.3	64.9	1971	25.8	14.5	3.3	13.0	(9.6)	7.6	64.2
1964	13.2	24.2	3.2	14.0	(10.2)	10.7	65.3	1972	22.5	15.7	4.1	16.5	(13.1)	5.4	64.4
1965	15.8	19.3	3.9	18.7	(13.3)	7.8	65.5	1973	22.0	23.8	3.1	20.2	(16.0)	5.3	74.2
1966	16.1	22.7	3.3	19.8	(12.7)	6.3	68.2	1974	22.9	20.9	3.9	21.4	(17.0)	6.1	75.2
1967	18.0	19.4	5.0	17.1	(11.0)	7.3	66.8								

[1] Corn is included in feed grains.

FINANCIAL HOLDINGS AND INCOME TAX RETURN OF SENATOR WILLIAM PROXMIRE

Mr. PROXMIRE. Mr. President, in 1963, 1965, 1967, 1970, 1972, 1973, and 1974 I submitted for the RECORD a history of my financial holdings from the time I was first elected to the Senate in August of 1957 until April of 1974. In order to bring the full record up to date I submit herewith the history of my financial holdings since April of 1974.

The bulk of the securities I hold are now in State and municipal bonds, totaling $62,000.

My other assets include ownership of my home and furnishings in Washington, D.C., on which I owe a mortgage to the Perpetual Building Association of Washington, D.C.; ownership of my home and furnishings in Madison, Wis., from which home I received $200 per month in rent during 1974 and because of substantial improvements, effective June 1, 1975, I now receive $350 per month in rent; ownership of one 1970 automobile and 1972 automobile; ownership of two checking accounts in Washington banks, one checking account in a Madison, Wis., bank and one savings account in a Madison bank. The combined balance as of this date, in these accounts is $12,590.71.

I also hold a note on my former residence in Washington at 3220 Ordway in the amount of $10,000.

Trust custody of stock in my children's names has been turned over to them directly as they are over 21.

I estimate my net worth to be about $312,000.

The increase in my net worth since 1974 is the result of the realized capital gains from the sale of two houses in Washington this year 1975, and the increase in value of my Madison house and my civil service retirement fund.

To the best of my knowledge, this is an accurate record of my financial holdings and obligations.

In addition, I herewith submit a balance sheet showing my net worth and how it was arrived at, a copy of my 1974 Federal tax return and a list of all honoraria received during 1974 in the amount of $300 or more. Additional income was received from book royalties, newspaper articles, TV appearances, and a series of speeches for the Brookings Institution here in Washington for which I receive $150 per speech.

In addition to the $35,680 paid to the Federal Government in taxes on 1974 income, I also paid taxes to the State of Wisconsin in the amount of $9,243 for total income tax payments of $44,923.

I ask unanimous consent that the balance sheet, copy of 1974 Federal tax return, and list of all honoraria received in 1974 in the amount of $300 or more be printed in the RECORD.

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

Net worth of Senator William Proxmire as of June 1975

Municipals and State bonds	$62,000.00
1972 Vega (Blue Book trade-in value)	900.00
1970 Mustang (Blue Book trade-in value)	1,125.00
Two checking and one savings account:	
Washington accounts-checking	8,726.71
Madison account-savings	2,272.28
Madison account-checking	1,591.72
4613 Buckeye Road, Madison:	
Assessed value $27,600—market value $48,600	48,600.00
3097 Ordway St., NW, Washington, D.C.:	
Market value $190,000—mortgage value ($65,000)	125,000.00
Furnishings	10,000.00
Note on 3220 Ordway St., N.W., Washington, D.C.	10,000.00
Cash deposit in civil service retirement as of June 30, 1975	41,629.45
Total	311,845.16

Honorariums—Date, payer, description of service, and amount

1-15-74—Cleveland State Univ., speech, $1,000.00.

1-15-74—Canisius College, Buffalo, New York, speech, $1,000.00.

1-16-74—College of Lake County, Grayslake, Ill., speech, $1,000.00.

1-17-74—Project Health, Los Angeles, Calif., speech, $1,500.00.

1-18-74—Northeastern Retail Lumberman's Assn., New York City, speech, $1,000.00.

1-24-74—Schuman Foundation, Washington, D.C., speech, $1,000.00.

2-11-74—Univ. of Northern Iowa, Cedar Falls, Iowa, speech, $1,000.00.

2-12-74—Northern State College, Aberdeen, S. Dak., speech, $500.52.

2-22-74—University of Maryland, College Park, Md., speech, $1,000.00.

2-12-74—University of South Dakota, Brookings, S. Dak., speech, $1,000.00.

3-8-74—Brown University, Providence, R.I., speech, $1,000.00.

3-14-74—University of Delaware, Newark, Del., speech, $1,500.00.

3-15-74—Project Health, New York City, Speech, $1,500.00.

3-24-74—Univ. of Rochester, Rochester, N.Y., speech, $1,000.00.

4-17-74—Lehigh University, Bethlehem, Pa., speech, $1,050.00.

4-18-74—Case Western Reserve Univ., Cleveland, Ohio, speech, $1,500.00.

4-26-74—Rosemont College, Philadelphia, Pa., speech, $1,050.00.

4-27-74—Global Energy Conf. of S. Cook Cty. World Affairs Conf., Harvey, Ill., speech, $1,000.00.

4–28–74—St. Lawrence Univ., Canton, N.Y., speech, $1,000.00.

5–10–74—Beaver County Community College, Monaco, Pa., commencement speech, $1,342.05.

5–11–74—Union College, Cranford, N.J., speech, $1,050.00.

5–23–74—Maryville College, Maryville, Tenn., speech, $1,350.00.

5–24–74—Kentucky Bar Assn., Louisville, Ky., speech, $1,250.00.

10–15–74—University of Richmond, Richmond, Va., speech, $1,000.00.

10–27–74—Chicago Health & Tennis Institute, Chicago Ill., speech, $1,200.00.

10–28–74—Vanderbilt University, Nashville, Tenn., speech, 1,500.00.

10–29–74—University of Nevada, Las Vegas, Nevada, speech, $1,236.00.

10–30–74—University of Calif., Los Angeles, speech, $1,000.00.

10–30–74—University of Colorado, Boulder, Colo., speech, $1,050.00.

10–31–74—Manchester College, No. Manchester, Ind., speech, $1,000.00.

11–3–74—The Century Club, Boston, Mass., speech, $1,000.00.

11–4–74—New York State Univ., Binghamton, N.Y., speech, $1,000.00.

11–7–74—Tanners Council, Chicago, speech, $1,500.00.

11–10–74—Sinai Sunday Forum, Michigan City, Ind., speech, $1,050.00.

11–12–74—Jersey City State College, Jersey City, N.J., speech, $1,000.00.

11–12–74—Brandeis University, Waltham, Mass., speech, $1,000.00.

11–13–74—Committee for Monetary Research and Education, Washington, D.C., speech, $500.00.

11–13–74—Florida Atlantic Univ., Boca Raton, Fla., speech, $1,000.00.

11–14–74—Boston University Law School, Boston, Mass., speech, $1,000.00.

11–14–74—University of Maryland, Baltimore, speech, $900.00.

12–2–74—Seminar of Natl. Exec. Conference of Wash., D.C., speech, $1,000.00.

12–6–74—Economic Club of Memphis, Memphis, Tenn., speech, $1,750.00.

U.S. INDIVIDUAL INCOME TAX RETURN

Name (If joint return, give first names and initials of both): William & Ellen H. Proxmire.

Present home address: 4614 E. Buckeye Rd., Madison, Wis.

County of residence: Dane.

Your social security number: [redacted].

Spouse's social security no.: [redacted].

Occupation: Yours—U.S. Senator. Spouse—Corp. exec.

FILING STATUS

2. Married filing joint return (even if only one had income).

EXEMPTIONS

6a. Yourself.

b. Spouse.

c. First names of your dependent children who lived with you: Douglas.

7. Total exemptions claimed: 3.

PRESIDENTIAL ELECTION CAMPAIGN FUND

Do you wish to designate $1 of your taxes for this fund? Yes. If joint return, does your spouse wish to designate $1? Yes.

INCOME

9. Wages, salaries, tips, and other employee compensation: See statement 1, $46,806.

11. Interest income: $172.

12. Income other than wages, dividends, and interest: $61,840.

13. Total: $108,813.

14. Adjustments to income: $4,328.

15. Subtract line 14 from line 13 (adjusted gross income): $104,490.

TAX, PAYMENTS AND CREDITS

16. Tax, check if from: Form 4276, $34,512.

18. Income tax: $34,512.

19. Other taxes: $1,168.

20. Total: $35,680.

21a. Total Federal income tax withheld: $14,898.

b. 1974 estimated tax payments (include amount allowed as credit from 1973 return): $10,080.

22. Total: $24,978.

BALANCE DUE OR REFUND

23. If line 20 is larger than line 22, enter balance due IRS: $10,702.

SEIDMAN & SEIDMAN,
Seidman and Seidman CPA's.

WAGE AND TAX STATEMENT—U.S. SENATE

FEDERAL INCOME TAX INFORMATION

1. Federal Income Tax Withheld: $14,393.08.

2. Wages, Tips and other Compensation: $42,500.00.

Employee's Social Security Number: [redacted]

Hon. WILLIAM PROXMIRE,
U.S. Senate.

WAGE AND TAX STATEMENT—1974: THE TONIGHT SHOW COMPANY, INC.

Federal Identification No.: 95–2784374.

State Identification No.: 194–3940–6.

1. Federal income tax withheld: $65.78.

2. Wages, tips and other compensation: $306.00.

SECIAL SECURITY INFORMATION

3. FICA employee tax withheld: $17.90.

4. Total FICA wages: $306.00.

STATE OR LOCAL INCOME TAX INFORMATION

6. Tax withheld: $14.85.

7. Wages paid: $306.00.

8. State or locality: CA.

W. PROXMIRE.

WAGE AND TAX STATEMENT—1974: WASHINGTON WHIRL-AROUND OF D.C. INC.

Employer's State identifying number: 08465.

FEDERAL INCOME TAX INFORMATION

1. Federal income tax withheld: $400.10.

2. Wages, tips and other compensation: $3,500.00

SOCIAL SECURITY INFORMATION

3. FICA employee tax withheld: $188.50.

4. Total FICA Wages: $3,500.00.

STATE OR LOCAL INCOME TAX INFORMATION

6. Tax withheld: $111.97.

7. Wages paid: $3,500.00.

8. State or locality: D.C.

Employee's Social Security number: [redacted]

ELLEN H. PROXMIRE.

WAGE AND TAX STATEMENT—1974: WONDERFUL WEDDINGS OF METROPOLITAN AREA, INC.

Employer's State identifying number: 08468.

FEDERAL INCOME TAX INFORMATION

1. Federal income tax withheld: $30.60.

2. Wages, tips, and other compensation: $500.00.

SOCIAL SECURITY INFORMATION

3. FICA employee tax withheld: $29.26.

4. Total FICA wages: $500.00.

STATE OR LOCAL INCOME TAX INFORMATION

6. Tax withheld: $3.34.

7. Wages paid: $500.00.

8. State or locality: D.C.

Employee's Social Security number: [redacted].

ELLEN H. PROXMIRE.

OTHER INCOME

INCOME OTHER THAN WAGES, DIVIDENDS, AND INTEREST

28. Business income or (loss): $62,862.

29. Net gain or (loss) from sale or exchange of capital assets: $—1,000.

Pensions, annuities, rents, royalties, partnerships, estates or trusts, etc.: $—337.

35. State income tax refunds: $315.

38. Total: $61,840.

ADJUSTMENTS TO INCOME

41. Employee business expense: $4,328.

43. Total adjustments: $4,328.

TAX COMPUTATION

44. Adjusted gross income (from line 15): $104.490.

45. (a) If you itemize deductions, check here and enter total from Schedule A, line 41 and attach Schedule A: $17,336.

46. Subtract line 45 from line 44: $87,154.

47. Multiply total number of exemptions claimed on line 7, by $750: $2,250.

48. Taxable income: $84,904.

OTHER TAXES

55. Self-employment tax: $1,168.

61. Total: $1,168.

ITEMIZED DEDUCTIONS AND DIVIDEND AND INTEREST INCOME

Names: William and Ellen H. Proxmire.

Your [redacted].

MEDICAL AND DENTAL EXPENSES

1. One half (but not more than $150) of insurance premiums for medical care: $150.

4. Subtract line 3 from line 2. Enter difference: $0.

5. Enter balance of insurance premiums for medical care not entered on line: $175.

7. Total: $175.

8. Enter 3% of line 15, from 1040: $3,135.

9. Subtract line 8 from line 7 (if less than zero, enter zero): $0.

10. Total: $150.

TAXES

11. State and local income: $6,930.

12. Real estate: $2,429.

13. State and local gasoline: $12.

14. General sales: $460.

17. Total: $9,831.

INTEREST EXPENSE

18. Home mortgage: $3,395.

19. Other: Union Trust; $130.

20. Total: $3,525.

CONTRIBUTIONS

21. a. Cash contributions for which you have receipts, cancelled checks, etc.: $2,037.

24. Total contributions: $2,037.

MISCELLANEOUS DEDUCTIONS

33. Other: See statement 6; $1,793.

34. Total: $1,793.

SUMMARY OF ITEMIZED DEDUCTIONS

35. Total medical and dental: $150.

36. Total taxes: $9,831.

37. Total interest: $3,525.

38. Total contributions: $2,037.

40. Total miscellaneous: $1,793.

41. Total deductions: $17,336.

PROFIT OR (LOSS) FROM BUSINESS OR PROFESSION

William and Ellen H. Proxmire.

[redacted].

A. Principal business activity: Speaking.

B. Business name: William Proxmire.

D. Business address: U.S. Senate.

City, State and ZIP code, Washington, D.C.

E. Indicate method of accounting: Cash.

INCOME

1. Gross receipts or sales $50,922. Less: returns and allowances: $50,922.

3. Gross profit: $50,922.

4. Other income: See Statement 2, $13,193.

5. Total income: $64,115.

DEDUCTIONS

(a) Travel expense: $3,136.
(m) Total other business expenses: $3,136.
20. Total deductions: $3,136.
21. Net profit or (loss): $60,979.

PROFIT OR (LOSS) FROM BUSINESS OR PROFESSION

Name(s): William and Ellen H. Proxmire.
[redacted].
A. Principal business activity: Consultant; product: Services.
B. Business name: Ellen Proxmire.
D. Business address: 3025 Ordway Street NW., Washington, D.C.
E. Indicate method of accounting: Cash.

INCOME

1. Gross receipts or sales: $1,800. Less: returns and allowances, $1,800.
3. Gross profit: $1,800.
4. Other income: See statement 3; $151.
5. Total income: $1,951.

DEDUCTIONS

(a) Travel: $68.
(m) Total other business expenses: $68.
20. Total deductions: $68.
21. Net profit: $1,883.

CAPITAL GAINS AND LOSSES

Name(s): William and Ellen H. Proxmire.
Social security number: [redacted].

LONG-TERM CAPITAL GAINS AND LOSSES—ASSETS HELD MORE THAN SIX MONTHS

a. Kind of property and description: Sale 5M Virgin Island, 2/1/01.
b. Date acquired: 6/13/73.
c. Date sold: 8/5/74.
d. Gross sales price: $3,900.
e. Cost or other basis, as adjusted: $5,107.
f. Gain or (loss): $—1,207.
a. Kind of property and description: Sale 5M Rockville, Md., 6/1/87.
b. Date acquired 2/13/74.
c. Date sold: 8/13/74.
d. Gross sales price: $2,950.
e. Cost or other basis, as adjusted: $3,606.
f. Gain or (loss): $—656.
a. Kind of property and description: Sale 5M Md State H E, 7/1/03.
b. Date acquired: 5/9/73.
c. Date sold: 7/26/74.
d. Gross sales price: $4,163.
e. Cost or other basis, as adjusted: $5,025.
f. Gain or (loss): $—862.
11. Net gain or (loss), combine lines 6 through 10: $—2,725.
12(b). Long-term capital loss carryover attributable to years beginning after 1969: $10,169.
13. Net long-term gain or (loss): $—12,894.
14. Combine the amounts shown on lines 5 and 13, and enter the net gain or loss here: $—12,894.
16. (a) Enter one of the following amounts: 50% of amount on line 13: $—6,447.
(iii) Taxable income, as adjusted: $1,000.

SUPPLEMENTAL INCOME SCHEDULE AND RETIREMENT INCOME CREDIT COMPUTATION

Name(s): William and Ellen H. Proxmire.
Your [redacted].

RENT AND ROYALTY INCOME

See statement 4, percentage ownership or occupancy: $—337.
2. Net income or (loss) from rents and royalties: $—337.
Total of Parts I, II and III: $—337.

SCHEDULE FOR DEPRECIATION CLAIMED IN PART II ABOVE

See statement 4: $2,068.
2. Totals: (c) Cost of other basis, $61,615, $2,068.

COMPUTATION OF SOCIAL SECURITY SELF-EMPLOYMENT TAX

Name of self-employed person: Ellen H. Proxmire.
Social security number of self-employed person: [redacted].
Business activities subject to self-employment tax: Consultant.

COMPUTATION OF NET EARNINGS FROM NONFARM SELF-EMPLOYMENT

(a). Schedule C, line 21. (Enter combined amount if more than one business.): $1,883.
6. Total: $1,883.
8. Adjusted net earnings or (loss) from nonfarm self-employment: $1,883.

NONFARM OPTIONAL METHOD

9. (a). Maximum amount reportable, under both optional methods combined (farm and nonfarm): $1,600.

COMPUTATION OF SOCIAL SECURITY SELF-EMPLOYMENT TAX

12. Net earnings or (loss): (b) From nonfarm, $1,883.
13. Total net earnings or (loss): $1,883.
14. The largest amount of combined wages and self-employment earnings subject to social security tax for 1974 is $13,200.
15. (a). Total "FICA" wages as indicated on Forms W-2: $4,000.
(c). Total: $4,000.
16. Balance: $9,200.
17. Self-employment income: $1,883.
18. If line 17 is $13,200, enter $1,042.80; if less, multiply the amount on line 17 by .079: $149.
20. Self-employment tax: $149.

COMPUTATION OF SOCIAL SECURITY SELF-EMPLOYMENT TAX

Name of self-employed person: William Proxmire.
Social security number of self-employed person: [redacted].
Business activities subject to self-employment tax. Speaking.

COMPUTATION OF NET EARNINGS FROM NONFARM SELF-EMPLOYMENT

(a). Schedule C, line 21. (Enter combined amount if more than one business.): $60,979.
6. Total: $60,979.
8. Adjusted net earnings or (loss) from nonfarm self-employment: $60,979.

NONFARM OPTIONAL METHOD

9. (a). Maximum amount reportable, under both optional methods combined (farm and nonfarm): $1,600.

COMPUTATION OF SOCIAL SECURITY SELF-EMPLOYMENT TAX

12. Net (b). From nonfarm: $60,979.
13. Total net earnings or (loss) from self-employment reported on line 12: $60,979.
14. The largest amount of combined wages and self-employment earnings subject to social security tax for 1974 is $13,200.
15. (a) Total "FICA" wages as indicated on Forms W-2: $306.
(c) Total: $306.
16. Balance: $12,894.
17. Self-employment income: $12,894.
18. If line 17 is $13,200, enter $1,042.80; if less, multiply the amount on line 17 by .079:
20. Self-employment tax: $1,019.
$1,019.

UNDERPAYMENT OF ESTIMATED TAX BY INDIVIDUALS

Name(s) William and Ellen H Proxmire.
[redacted].
1. 1974 tax (from Form 1040, line 20): $35,680.
5. Balance: $35,680.
6. Enter 80% of the amount shown on line 5: $28,544.

DUE DATES OF INSTALLMENTS

7. Divide amount on line 6 by the number of installments required for the year (see Instruction B) Enter the result in appropriate columns: Apr. 15, 1974, $7,136; June 15, 1974, $7,136; Sept. 15, 1974, $7,136; Jan. 15, 1975, $7,136.
8. Amounts paid on estimate for each period and tax withheld: Apr. 15, 1974, $6,245; June 15, 1974, $6,245; Sept. 15, 1974; $6,244; Jan. 15, 1975, $6,244.
10. Total: Apr. 15, 1974, $6,245; June 15, 1974, $6,245; Sept. 15, 1974, $6,244; Jan. 15, 1975, $6,244.
11. Underpayment (line 7 less line 10), or Overpayment (line 10 less line 7): Apr. 15, 1974, $891; June 15, 1974, $891; Sept. 15, 1974, $892; Jan. 15, 1975, $892.
12. Total amount paid and withheld from January 1 through the installment date indicated: Apr. 15, 1974, $6,245; June 15, 1974, $12,490; Sept. 15, 1974, $18,734; Jan. 15, 1975, $24,978.
14. Exception No. 2, tax on prior year's income using 1974 rates and exemptions: $24,926*; Enter 25% of tax, $6,232; Enter 50% of tax, $12,463; Enter 75% of tax, $18,695; Enter 100% of tax, $24,926.

MAXIMUM TAX ON EARNED INCOME

Name(s): William and Ellen H. Proxmire.
Identifying number: [redacted].
1. Earned income: $109,668.
2. Deductions: $4,328.
3. Earned net income: $105,340.
4. Enter your adjusted gross income: $104,490.
5. Divide the amount on line 3 by the amount on line 4. Enter percentage result here, but not more than 100%: 100.00 percent.
6. Enter your taxable income: $84,904.
7. Multiply the amount on line 6 by the percentage on line 5: $84,904.
8b. Less: $30,000.
9. Earned taxable income: $84,904.
10. If: on Form 1040, you checked line 1 or line 4, enter $38,000; on Form 1040, you checked line 2 or 5, enter $52,000; Estate or Trust, enter $26,000: $52,000.
11. Subtract line 10 from line 9: $32,904.
12. Enter 50% of line 11: $16,452.
13. Tax on amount on line 6: $36,184.
14. Tax on amount on line 9: $36,184.
16. If the amount on line 10 is: $52,000, enter $18,060: $18,060.
17. Add lines 12, 15, and 16. This is your maximum tax: $34,512.

CAPITAL LOSS CARRYOVER

Name(s): William and Ellen H. Proxmire.
[redacted].

POST-1969 CAPITAL LOSS CARRYOVERS

1. Enter loss shown on your 1973 Schedule D (Form 1040), line 5; If none, enter zero and ignore lines 2 through 6—then go to line 7: $0.

LONG-TERM CAPITAL LOSS CARRYOVER

7. Line 4 less line 5 (Note: If you ignored lines 2 through 6, enter amount from your 1973 Form 1040, line 29: $1,000.
8. Enter loss from your 1973 Schedule D (Form 1040), line 13; if none, enter zero and ignore lines 9 through 12: $12,169.
9. Enter gain shown on your 1973 Schedule D (Form 1040), line 5. If that line is blank or shows a loss, enter a zero: $0.
10. Reduce any loss on line 8 to the extent of any gain on line 9: $12,169.
11. Multiply amount on line 7 by 2: $2,000.
12. Excess of line 10 over amount on line 11: $10,169.

Note: The amount on line 12 is your long-term capital loss carryover from 1973 to 1974 that is attributable to years beginning after 1969. Enter this amount on your 1974 Schedule D (Form 1040), line 12(b).

1974 FEDERAL INCOME TAX STATEMENTS: STATEMENT 1—WAGES

	Inc. tax withheld	Wages etc.	FICA
Employer's name and address:			
(H) U.S. Senate, Washington, D.C.	14,393	42,500	---
(W) Washington Whirl-around	408	3,500	189
(H) Tonight Show	66	306	18
(W) Wonderful Weddings	31	500	29
Total wages	14,898	46,806	236

Statement 3—Other business income

BUSINESS NAME: WILLIAM PROXMIRE

Explanation of income:	Amount
Royalties plus writing	$9,744
Travel reimbursement	3,449
Total, other business income	13,193

Statement—Other business income

BUSINESS NAME: ELLEN PROXMIRE

Explanation of income:	Amount
Royalties-book	$151
Total other business income	151

Statement 4—Rent and royalty income

(H) Property (1):	Amount
Residence, Madison, Wis.	$2,400
Gross rents	2,400
Expenses:	
Depreciation	676
Repairs—miscellaneous	72
Insurance	66
Taxes—property	1,195
Total expenses	2,011
Net income	389

DEPRECIATION

Description	Date acquired	Cost or other basis	Accumulated dep.	Dep. method	Life years	Dep. this year
House	58	30,565	11,422	150DB	50	574
Improvements	07/01/64	1,750	1,648	SL	10	102
Furniture	12/01/64	800	800	SL	5	0
						676

(W) Property (2); Sea Pines plantation Hilton Head Island, S.C.;	
Gross rents	$2,780
Expenses:	
Depreciation	$1,392
Interest	1,838
Maintenance	88
Management fees	634
Expenses—Continued	
Miscellaneous expenses	$64
Taxes—property	216
Total expenses	4,232
Net loss	−$1,452
Percent of ownership	50.000
Net deductible loss	−$726

DEPRECIATION

Description	Date acquired	Cost or other basis	Accumulated dep.	Dep. method	Life years	Dep. this year
Building	07/01/72	25,300	1,518	SL	25	1,012
Appliances	07/01/72	1,150	173	SL	10	115
Carpeting	07/01/72	600	180	SL	5	120
Heat and air condition	07/01/72	1,450	218	SL	10	145
						1,392

Recapitulation of rent and royalty income:	
Property (1)	$389
Property (2)	−726
Net loss from rents and royalties	−337

Statement 5—Business expense

Travel expense away from home:	
Lodging, meals, plus tips	$969
Transportation	2,628
Living expenses—D.C.	3,000
Total business expense	6,597
Less reimbursements	−2,269
Total	4,328

Statement 6—Itemized miscellaneous deductions

Tax preparation fees	$1,025
Safe deposit box	42
Total	1,067
Business expense:	
Dues and subscriptions	208
Photos	518
Total business expense	726
Miscellaneous other deductions	1,793

Statement 7—Interest income

	Amount
United Bank and Trust	$172
Total interest income	172

Statement 8—Receipted cash contributions

Charities qualifying for 50 percent limitations:	
Cancer fund	$200
Heart fund	200
Landon School	415
Yale	220
United Way	200
Multiple sclerosis	200
Hill school	200
Harvard	200
Lake Forest Cem. Comm.	55
Washington tennis patrons	35
Washington tennis patrons	12
SOME	50
Miscellaneous organized charities	50
Total receipted cash contributions to charities qualifying for 50 percent limitation	2,037
Total receipted cash contributions	2,037

I hereby certify that I was in a travel status in the Washington area, away from home, in the performance of my official duties as a Member of Congress, for 289 days during the taxable year, and my deductible living expenses while in such travel status amounted to $3,000.00.

WILLIAM PROXMIRE, U.S.S.

FOOD STAMP REFORM

Mr. TALMADGE. Mr. President, increasingly, the news media are full of articles about abuse of the food stamp program. Increasingly, hard working, taxpaying Americans all over the country are getting fed up and disgusted with the abuse that is rampant in the program. Everytime that I go home to Georgia I hear frequent complaints about abuses that citizens have noticed.

I believe the reform of the food stamp program should be one of the No. 1 priorities of the Congress. Therefore, I have directed the staff of the Committee on Agriculture and Forestry to prepare alternative reform proposals and I plan to have full and thorough hearings on this problem at the earliest possible date. Senator BUCKLEY and others recently introduced a very thorough, carefully considered reform bill, S. 1993, which is pending before the Committee on Agriculture and Forestry. I applaud Senator BUCKLEY for his efforts and I have promised him that this bill will have the full and complete attention of the committee.

Recently the Department of Agriculture came forth with a study and analysis of the food stamp program. This study is being printed by the Committee on Agriculture and Forestry. Unfortunately, the study is long on analysis and short on positive recommendations for reform.

Already 20 million Americans are receiving food stamp benefits. Although many of these Americans are truly needy and depend heavily on food stamps to survive, there are many other Americans who are not truly needy and should not

be receiving food stamp benefits. When the Committee on Agriculture and Forestry submitted its budget estimates pursuant to the Congressional Budget Act of 1974, it estimated that the food stamp program would cost almost $6 billion during fiscal year 1976. If abuses continue to escalate, this will prove to be a conservative estimate indeed.

It is unfortunate that, with all the problems we have with the food stamp program, a majority of the Members of the Senate do not seem to be concerned. Recently, over the objections of myself and other members of the Committee on Agriculture and Forestry, the Senate approved a plan to allow anyone to walk in off the street and certify himself as eligible for food stamps subject to a later eligibility check by food stamp officials. Fortunately, the House of Representatives has not yet approved this ill-conceived scheme.

I hope that more and more Members of the Senate and the House of Representatives will become aware of the fact that their constituents want food stamp reform, not a food stamp boondoggle. For this reason, I commend to the attention of my colleagues an article by Trevor Armbrister in the July edition of the Readers Digest.

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

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

TIME TO CLEAN UP THE FOOD-STAMP MESS

(By Trevor Armbrister)

"We have a very real responsibility to provide adequate nutrition for those least able to help themselves. But we have an equally great responsibility to bring under control a program riddled with abuse, a program where taxpayer funds are distributed in cruelly inequitable fashion."—Sen. ROBERT PACKWOOD (R., Ore.)

In State College, Pa., four students—all from middle-income families, all receiving money from home—live in the same house and share the same kitchen. They don't need government food stamps (as negotiable as cash in some 230,000 stores across the United States); and, under regulations effective last January, they probably are ineligible to receive them. Yet, because welfare workers have no realistic way of verifying students' eligibility, they receive the stamps. Each month they pay $19 and get $154 worth of stamps. "There's no hassle, no problem," one of the students explains. "It's a bonanza."

In Denver, Colo., a welfare worker interviews a food-stamp applicant. She thinks she remembers that the applicant has used at least two other names to request stamps before, and she suspects that an investigation would prove him ineligible. She has no time to make that investigation, however—the case load in her office has jumped 36 percent in the last month. She approves his application.

In St. Louis, Mo., 12,000 members of the International Association of Machinists and Aerospace Workers District Lodge 837 walk off their jobs at the McDonnell Douglas plant. They earn $7.43 per hour and are demanding more. During their walkout they cannot qualify for unemployment compensation, but they are eligible, immediately, for food stamps. "If it weren't for the stamps," a union official explains, "we might not be able to sustain the strike. They give us a nice cushion at a time like this."

CAUSE FOR CONCERN

Explosive growth triggered by loose eligibility standards; administrative complexity that buries caseworkers under an avalanche of paper and discourages them from halting fraud; taxpayer subsidies for labor walkouts—these are among the more serious ills of the food-stamp program. "We're giving away food stamps like crazy," says Deputy U.S. Commissioner of Welfare Carl Williams. "There are virtually no controls. The taxpayers ought to be up in arms." U.S. Rep. Bill Frenzel (R., Minn.) agrees that the program "literally screams for reform."

Under the terms of the Food Stamp Act of 1964, the federal government provides stamps for needy families, to raise their nutritional levels. The U.S. Department of Agriculture (USDA) sets basic policy and supplies the money to the 50 states. The states, in turn, pass the funds along to county welfare departments, which must certify applicants' eligibility and calculate how many stamps each should receive.

The number of stamps depends on the number of people in the applicant's household and his "adjusted net income"—gross income minus such deductions as state and federal taxes, medical expenses, school tuition and union dues. The deductions are so liberal that families with annual incomes well over $12,000 are receiving aid. As of July 1, a family of four with no income will receive each month $162 worth of stamps free. (USDA says that it costs $162 to provide that family a nutritious diet). A family of four with an adjusted monthly net income of $265 will pay $71 for $162 in stamps.

During the past decade, the food-stamp program has helped millions of Americans achieve a decent diet—often meaning the difference between sustenance and despair. No one wants to deny stamps to the needy, especially in the midst of today's economic problems. But loose eligibility standards have caused an alarming swelling of eligibility rolls. Initially, in 1964, the food-stamp program cost $30.5 million and served 367,000 Americans. By last March, there were 19.1 million recipients, and the cost was running at an annual rate of $5 billion. By 1976, says the Joint Subcommittee on Fiscal Policy of the Congress, one in four Americans—some 60 million people—will be able to participate at a cost of $10 billion.

PROFILE OF ABUSE

To assess the implications of this dramatic growth, I recently visited food-stamp offices across the country, talking with caseworkers and recipients alike, interviewing USDA officials. From those discussions emerged a troubling picture of a program that has literally run amok—and which, according to USDA's own figures, wastes at least 740 million taxpayer dollars a year. Consider these major problems:

Needless Complexity

The food-stamp program is an "administrative nightmare," a California state task force reported last year. In Denver, food-stamp caseworkers must fill out 12 separate forms for each applicant. In Columbus, Ohio, they have to complete ten. "The certification requirements have become unmanageable," complains Charles Lopez, director of New Mexico's State Welfare Agency. Furthermore, requirements change constantly. In one three-month period last year, caseworkers in Maryland's Montgomery County had to implement 39 changes in determining applicants' eligibility.

To make matters worse, regulations are often contradictory. If someone in Los Angeles, for example, applies for welfare and food stamps simultaneously, a caseworker must fill out two lengthy, dissimilar and often conflicting forms. Food-stamp regulations contain no prohibition against an applicant's transferring assets to someone else in order to qualify; welfare regulations do. The income exemptions for a food-stamp applicant are far more liberal than those that can be awarded a welfare recipient.

As a result of such unnecessary complexity, last year Los Angeles County required 1800 employes and more than $25 million just to administer the program. Even more worrisome, this complexity causes case-workers to make an extraordinary number of errors. In Los Angeles, that error rate is 47.3 percent; in Rhode Island, 65.8 percent. A nationwide USDA survey indicates that one out of every four beneficiaries is receiving more aid than he is legally entitled to.

Loose Eligibility Standards

In Champaign County—site of the University of Illinois—the number of food-stamp recipients jumped from 350 to more than 2000 between 1970 and 1974; more than 70 percent of the recipients were students. "Just about anybody can walk in and get food stamps," one student told a reporter. "I figure if the government has the money and everyone else is getting food stamps, why shouldn't I?"

Last November, in Lehigh and Northampton counties of Pennsylvania, food-stamp applications nearly doubled as a result of strikes in several companies. In Ohio's strikes in several companies. In Ohio's Trium Trumbull and Mahoning counties in 1974, welfare departments issued some $550,000 in food-stamp coupons to United Auto Workers members during a six-week strike. Countrywide, the National Labor Management Foundation estimates, strikers received $225 million in food-stamp benefits last year.

Yet the Food Stamp Act of 1964 didn't even mention strikers. And today strikers are given an unfair advantage over elderly, disabled and truly needy applicants. Union officials sign up their people en masse; other applicants have to wait their turn. A striker's income is considered to be zero even though he has been receiving wages up until the moment the walkout begins.

Recipient and Caseworker Fraud

To Eddie Murphy and the 11 other members of his gang, the scheme seemed foolproof. Posing as migrant fruit workers, they would find employment in Florida and then follow the harvest north to Michigan, collecting food stamps all along the way. Once they received their stamps, gang members would fence them for cash. By the time their fraud was discovered, they had succeeded in siphoning off at least $40,000 worth of stamps. Arrested and indicted on nearly 200 counts, they pleaded guilty to some of them and received suspended sentences.

In Chicago, stamp recipients in a South Side neighborhood discovered that they could use their stamp coupons to make installment payments on fur coats, refrigerators and washing machines. Creditors simply took the stamps and redeemed them for cash. This arrangement resulted in a taxpayer loss of some $50,000. Once again, the perpetrators received suspended sentences.

Similarly, in low-income areas of Detroit, stamp recipients allegedly have been able to exchange their food-stamp cards for supplies of hard drugs. And in Washington, D.C., last fall, a federal grand jury reported that between $150,000 and $300,000 worth of coupons had been issued illegally during a two-year period.

One reason for the alarming increase in such fraudulent practices is a lack of investigators. In San Francisco, for example, only four investigators handle some 36,000 people receiving stamps.

PUSH TO REFORM

There is much that counties and states can do on their own to make the program work. They can, for instance, expand their

outreach efforts to ensure that the truly needy receive help. They can allocate more resources and personnel to cut down on fraud, and can require stamp recipients to carry identification cards.

But food stamps are a *federal* program and only Congress can get to the heart of the problem. Congress should:

Remove the program from USDA and place it in the Department of Health, Education, and Welfare. Agriculture Secretary Earl Butz complains—justifiably—that 64 percent of his budget goes into such programs as food stamps and school lunches. The food-stamp program is a welfare program and should be viewed as such. Transferring it to HEW would speed consolidation of dissimilar food-stamp and welfare certification criteria. By consolidating food-stamp regulations with those for welfare, administrative savings in California alone would come to $31 million a year.

Tighten eligibility standards. A family's eligibility should be determined by its gross income and not its "adjusted net income." Itemized deductions, which favor the well-to-do at the expense of the poor, should be replaced by a standard deduction. This would reduce the number of $12,000-a-year families receiving stamps. Strikers should be barred from receiving stamps. If the provisions of the law which exempt students from having to register for work were removed, non-needy students wouldn't be so tempted to apply. Finally, welfare recipients whose incomes exceed food-stamp cutoff levels should not be eligible to get stamps.

Make the federal government responsible for investigating and prosecuting food-stamp-program abusers. Under existing law, county and state governments are supposed to probe and prosecute recipient and case-worker fraud. The federal government reimburses half their costs. Yet, under the same law, all money recovered as a result of such prosecutions must go to the U.S. Treasury. Therefore, county and state governments lack incentive to crack down.

Last December, in an effort to right the program's wrongs—and to cut $648 million from the federal-budget deficit—the Ford Administration tried to increase the amount that recipients had to pay for their stamps. Congress rejected the proposal overwhelmingly—yet failed to come up with any solution of its own. Says Sen. Jesse Helms (R., N.C.): "In abdicating its responsibility, Congress is betraying not only the taxpayers who finance this $5-billion-a-year pork barrel but the truly needy who deserve assistance."

"MIKE'S HIKE" FOR THE HANDICAPPED—$4,500 RAISED BY YOUNG MAN'S EFFORT

Mr. RANDOLPH. Mr. President, as chairman of the Senate Subcommittee on the Handicapped, I bring to your attention a unique contribution to our handicapped Americans. Today I had the privilege to host along with Senator ROBERT STAFFORD of Vermont a luncheon to honor Mike Karinshak of Pittsburgh, Pa. It marked the termination of the 22-year-old youth's hike along the Appalachian Trail to raise funds for a Pittsburgh rehabilitation center.

"Mike's Hike," a 2,000-mile hike over the Appalachian Trail from Georgia to Maine, raised $4,500 for the Greater Pittsburgh Guild for the Blind. Mike's mother, Mrs. Mary Karinshak, blind since 1971, completed a personal adjustment program at the agency 2 years ago. She is now the only licensed blind baker and caterer in Pennsylvania, operating "The Mary K Shoppe" in her home in Uniontown, Pa.

It was an opportunity to bring together Mike and his sister, Judy Karinshak, with people who have provided leadership roles in programs for the blind. They included Arthur J. Nicholson, president of the board of directors of the guild; Dr. Leon Reid, director of the guild; and Leonard Robinson, lawyer and author of "Light at the Tunnel End." It was indeed fortunate that Commissioner Andrew S. Adams, Rehabilitation Services Administration, and his assistant, Wilmer S. Hunt, were able to meet with us to celebrate the occasion.

Mike used his hike as a means of raising funds to show his appreciation for the assistance his mother has received. Mrs. Karinshak's bakery came into operation under the provisions of the Randolph-Sheppard Act. The bakery's equipment was provided by the Bureau of the Visually Handicapped, through the Pittsburgh office which is supported with Federal funds.

Mike is the son of a coal miner and the youngest of eight children. The hike took 4 months and began on March 16 in Springer Mountain, Ga., and terminated on July 10 at Mount Katahdin, Maine. We were gratified that he walked over the trail in West Virginia. Dr. Reid, a dedicated leader in blind programs of the guild, is a native of our State.

INCREASED FUNDING FOR MATERNAL AND CHILD HEALTH

Mr. WILLIAMS. Mr. President, I am pleased to join with a number of my distinguished colleagues in forwarding to the Senate Subcommittee on Labor and HEW Appropriations a letter requesting a $45 million increase over last year's appropriations for the maternal and child health and crippled children's programs. The distinguished chairman of the subcommittee, Senator WARREN G. MAGNUSON of Washington, has an outstanding record of deep commitment to the health of this Nation's children, and we are hopeful that the subcommittee will look favorably on this request.

The programs in question, established under title V of the Social Security Act, are designed to bring a wide range of health services to economically distressed areas. The maternal and child health program, MCH, offers such services as comprehensive child medical and dental care, prenatal and postnatal care and education, and family planning. Among its major goals are the reduction of infant and maternal mortality, and the prevention and treatment of such childbirth-related tragedies as mental retardation and physical defects.

The crippled children's program furnishes diagnostic, treatment, and rehabilitative services to children with rehabilitative services to children with handicapping conditions or diseases. Through a combination of preventive measures and early diagnosis and treatment, the program endeavors to insure that as many children as possible become independent, healthy, productive members of society.

These programs are neither new nor untested. They have operated in one form or another for more than 40 years. Moreover, they enjoy a solid record of success and achievement. Thousands of people are now healthy, active contributors to their communities because of the services that these programs have provided them.

My own State of New Jersey has an important place in this record of success. For example, in Newark, N.J., the Beth Israel Medical Center has experienced a dramatic decline in neonatal mortality, from 17.4 per thousand live births in 1972, to 12.4 per thousand live births in 1974. Officials of the New Jersey Department of Health attribute this decline to the medical care that Federal funds provide under the MCH program. Similar successes are reported for other areas of New Jersey as well.

The Ford administration has shown a frightening insensitivity toward the health of infants, handicapped children, and expectant mothers. As part of an all-too-familiar pattern, the President has recommended that over $83 million be cut from last year's appropriation of $295 million. This proposed cut would mean a disastrous setback from the progress made in the field of child health over the last four decades. It would also repudiate our national commitment to provide all our people with the best possible health care. It represents a step backward that we cannot allow.

The immediate and long-term effects of this drastic loss of funds would be of devastating dimensions. For many, the MCH and crippled children's programs mean the difference between healthy, normal lives and institutionalization or early death. Under the President's proposal, these people would find that many of the medical services they desperately need are no longer accessible or available. It is estimated that two-thirds of all chronic handicapping conditions among children could be prevented or corrected if proper medical care were available. Yet only 5½ percent of America's 9 million handicapped children are served by the crippled children's program. A budget cut of the size recommended will reduce that small percentage even further, at a time when the need for this program is greater than ever.

The MCH and crippled children's programs together serve almost 350,000 mothers and children in New Jersey. The fiscal year 1975 appropriation for the State was $4,777,000. The President's proposal would cut $1.275 million from that amount—a reduction of more than 20 percent. In human terms, this loss means that the number of New Jersey infants now receiving intensive neonatal care would drop by one-fourth. Many of those deprived of this medical care will die or remain dependent for the rest of their lives. Other health services of equal importance would also be seriously affected. It is doubly tragic that this suffering will occur not because the medical technology to prevent it is lacking, but because the funds to apply that technology will be deliberately withheld.

The dollar cost of institutionalization

and years of dependency for those denied help under these programs far outweigh any possible savings that could result from the reduction of services now offered. In New Jersey, the total amount spent last year for screening thousands of children for PKU roughly equals the annual cost of caring for one child who suffers from that disease. Of course, the cost to society of potentially productive lives, and the increase in human suffering and anguish are costs that cannot be measured.

In recent action, the House approved a $31 million increase over the fiscal year 1975 appropriation, which is certainly an important step in the right direction. However, an increase of $45 million would better equip these programs to respond to the medical needs of our children.

The real issue before us is whether this country is committed enough to the health of its children to continue funding urgently needed health services. I believe that America could make no more important a commitment. I am also convinced that we could make no better investment.

Dr. Joanne E. Finley, State Commissioner of Health for New Jersey recently wrote me to express her deep concern over the President's recommendation for the MCH and crippled children's program. Her letter clearly illustrates the serious impact that the President's proposal could have on a great many child health services in the State of New Jersey, and I ask unanimous consent that Dr. Finley's letter be printed in the RECORD.

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

NEW JERSEY DEPARTMENT OF HEALTH,
Trenton, N.J., July 2, 1975.

Hon. HARRISON A. WILLIAMS, Jr.,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: The New Jersey State Department of Health strongly supports funding for Maternal and Child Health and Crippled Children Programs to $340 million. Adequate funding for these vital programs is crucial so that gains made in maternal and child mortality are not lost and that projects may be initiated in areas needing them. The needs for Maternal and Child Health Programs in New Jersey are still unmet as there are cities and rural areas of the State which do not have adequate prenatal clinics, have inadequate nurseries, and have diminishing pediatric services. Medical care to prevent handicapping conditions is the primary purpose of the Crippled Children Program. Inadequate funding of this Program has led to desperation on the part of the medically indigent families and financial losses to hospitals who can little afford to absorb these costs.

A reduction of Maternal and Child Health and Crippled Children Program funding to New Jersey would mean a reduction of services. We estimate that 1,820 women could not be provided with prenatal care. These would be women in the highest medical risk categories for pregnancy complications and infants with abnormalities. Approximately 500 infants needing neonatal intensive care services could not be accommodated. Without the benefits of these services, these infants may die or have a lifetime disability of cerebral palsy or mental retardation.

The proposed cut of $375,000 to the New Jersey Crippled Children Program will deprive handicapped children of approximately 5,508 days of acute hospital or convalescent hospital stay. If the average stay of a handicapped child at one of these institutions is 30 days, this will mean hospitals cannot be reimbursed for the care of over 180 children.

Sincerely yours,

JOANNE E. FINLEY, M.D.,
State Commissioner of Health.

HUMAN RIGHTS IN CAMBODIA AND ELSEWHERE

Mr. CRANSTON. Mr. President, last Thursday our new colleague from North Carolina ROBERT MORGAN, gave a speech during the morning hour that deserved the serious attention of all of us. He was endeavoring to put the spotlight on a tragedy taking place in Cambodia under the new Khmer Rouge Government. The forced marching of masses of people from the city to the countryside has apparently resulted in the brutal death of tens of thousands—according to reports coming out of the American Embassy in Bangkok. It is now the duty of all of us, as the Senator from North Carolina reminds us, to break the silence and speak out against these cruelties. Having been very critical of the role our own Government played in bringing death and destruction to Cambodians, I regret that now the people of that nation are suffering tyranny from within.

At the same time, Mr. President, I think we must be sensitive to the suppression of human liberty wherever it occurs, under left-wing or right-wing dictatorships. Alexandr Solzhenitsyn appropriately has been reminding us of the repressive practices of the Soviet Government against citizens of the U.S.S.R.—practices which often have been denounced on the floor of the Senate. I would hope that my colleagues could get equally aroused about reports of human rights denials in countries with which we are allied and/or to which we extend military aid and other assistance.

Some cases in point: The President of Indonesia was recently in town seeking additional military assistance. Indonesia still incarcerates political prisoners in the tens of thousands left over from a civil war many years ago. The Government of Chile, which will be seeking renewed military aid from the United States in fiscal year 1976, has just refused to let in a United Nations commission endeavoring to investigate the plight of those arrested and tortured by the regime that replaced an elected government. And, finally, last Thursday's papers carried news of another round in the liquidation of political rights and civil liberties in South Korea. According to an Associated Press report in the New York Times of July 10, three "wartime security" bills were put through the Korean National Assembly last week. One of the measures—a "public security" bill—could be used as justification for spying on or jailing anyone thought to be in opposition to the government. One provision of present law already provides penalties for acts or writing considered to give comfort to, or sympathize with, the Communist cause. Under this sweeping clause, many politicians, writers and newsmen have been brought to trial for speeches and writings.

I have not mentioned the disappointing turn events have taken in India in recent weeks. It is especially saddening to see a vibrant democratic tradition go up in smoke across a subcontinent.

All in all, Mr. President, these are not good times for the progress of human freedom and political liberty, as the signers of the Declaration of Independence understood the terms. It is, therefore, even more necessary that we continue to hold the torch high in the most powerful democratic legislature in the world.

FOOD STAMP PROGRAM ABUSED

Mr. HANSEN. Mr. President, as a cosponsor of S. 1993, Senator BUCKLEY's Food Stamp Reform Act of 1975, I am deeply concerned about the alarming increases in costs and numbers of participants in the food stamp program.

Since Wyoming newspapers carried stories about the introduction of the Buckley bill, I have heard from many Wyoming taxpayers who are outraged by the fact nonneedy persons are able to receive food stamps because of the net income eligibility standards, and because there is no ceiling on income for food stamp eligibility purposes.

A July 12 article in the National Observer pointed out some of the problems with this program as it presently is authorized. Notes the author, Mark Arnold:

It was conceived as a way of helping low-income Americans obtain a better diet and of soaking up mounting farm surpluses. But the program is becoming a financial cushion for growing numbers of working-class families with income below the five-figure level but well above the government's poverty threshold of $5,040 annual income for a nonfarm family of four.

The article notes that this year, for the first time, the number of food stamp beneficiaries not receiving other forms of public assistance exceeds the number who are.

I believe this article helps to focus attention on some of the inequities of the food stamp program, and I commend it to the attention of my colleagues.

I ask unanimous consent that the article be printed in the RECORD.

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

FOOD STAMPS: "OUT OF CONTROL"?

(By Mark R. Arnold)

A commercial mail-order house, hawking its latest booklet, is running ads in mass-circulation magazines offering—for $3.50—to show how "taxpayers making up to $16,000 a year" are now eligible for Federal food stamps.

The ad is providing valuable ammunition to New York Conservative Sen. James L. Buckley and other critics who charge that the fast-growing food-stamp program is now "out of control."

Most families earning $12,000 to $16,000 a year do not qualify for food stamps, insist administrators at the Department of Agriculture's Food and Nutrition Service. But the fact that some do qualify is a clue to how far this $5-billion-a-year program to stretch food dollars has strayed from its original purpose.

CONFLICTING VISIONS

It was conceived as a way of helping low-income Americans obtain a better diet and of soaking up mounting farm surpluses. But the program is becoming a financial cushion for growing numbers of working-class families with income below the five-figure level but well above the Government's poverty threshold of $5,040 annual income for a nonfarm family of four.

Now both the White House and Congress are studying ways of revamping food stamps. The attempts face conflicting visions of the program's future.

On the one hand are those, such as Buckley, who want to redirect aid to people who actually need *food* assistance, chiefly the poor. The money saved by eliminating higher-income families would be used to give a more adequate diet to the smaller number of beneficiaries.

LIVING-COST INCREASES

On the other hand are those who view food stamps as a praiseworthy, major income-supplement program—a kind of backdoor substitute for the Family Assistance Plan, which died in the wrangling of the early 1970s between Congress and former President Nixon. They want to see further expansion.

Under the impact of the recession and growing publicity, 19.5 million Americans stretched their food dollars with bonus Government coupons in May, up from 15.3 million in May 1974. Official forecasts suggest that for every beneficiary of the program, one or two others may also be qualified. Federal costs are expected to climb 30 per cent to $6.5 billion over the next 12 months.

"The bulk of the people are still low-income," observes program Administrator Edward J. Hekman, "but a certain number are just people with high rent, medical, or disaster costs." Hekman notes that this year, for the first time, the number of food-stamp beneficiaries not receiving other forms of public assistance exceeds the number who are. And on July 1, an additional 500,000 to 800,000 nonpoor became eligible for food stamps under liberalized income standards pegged to cost-of-living increases.

How many $16,000 families qualify? No one knows, since eligibility is pegged not to gross income but to "net income"—income left after allowable deductions for household, medical, education, and other expenses. Maximum net-income eligibility standards vary with family size—$540 a month for a for a family of four; $926 a month for a family of eight, for example. A family can generally figure if its gross income is more than 20 per cent higher than the net-income maximums, it's not eligible for assistance. But families with higher incomes can qualify for benefits if they can demonstrate extraordinary expenses such as medical bills, and meet restrictions on allowable assets.

All but the poorest must pay a specific portion of their monthly income toward the purchase of food stamps, which carry a value greater than the price paid for them—hence the term "bonus coupons." The stamps can be used like cash at most supermarkets. The Department of Agriculture administers the program through state and local welfare offices—a fact that inhibits many working-class families from participating.

DODGING THE ISSUE

In a report prepared at the request of the Senate, the Agriculture Department last week acknowledged that food stamps have become "a major income-maintenance program." But it skirted the larger issue at the request of the White House, which wants to study the implications that any major change in food-stamp operations would have on other income-support programs, such as Aid to Families with Dependent Children and unemployment compensation.

Says Art Quern, who is co-ordinating a new interagency study for the White House Domestic Council: "Food stamps are the one program available to people without regard to whether they're disabled, blind, fatherless, elderly, or whatever." To Buckley, that's precisely the problem. He complains: "We are fast approaching a point at which a third or a half of the American people may be eligible for this form of public assistance."

THE FINANCIAL CRISES IN OUR CITIES

Mr. BROCK. Mr. President, no one who believes in America's Federal system of Government can fail to be dismayed by the financial crises facing municipalities throughout this country. Intervention in local affairs by State and Federal Governments may stave off bankruptcy but it also detracts from the local autonomy which has for so long been a vital linchpin in our democracy.

How did our cities get into this mess? Who is responsible? It has become clear that there is more to the crises than simply declining tax bases and unemployment. City management is difficult and costly. It is also, however, becoming something of arcane art, if you can believe the professional writing by urban affairs experts. Between them and the politicians the ordinary citizen becomes first baffled and confused and then apathetic. If there seems to be no common sense applied to the cities' problems and you cannot make heads or tails out of the budget, it is unlikely you will be an active, involved, concerned citizen. The taxpayers "drop out," leaving the municipal arena to special interest groups who hire urban affairs professionals or specialized lawyers to fight for control of the city treasury.

Decentralized government is the closest we will ever come to pure democracy. I believe viable municipal government can survive only if voter apathy and confusion can be ended. The first step that must be taken is to provide timely and comprehensible information that will enable citizens to hold their city officials responsible for their acts. In this regard I commend to your consideration the recent suggestion made by David Rockefeller as related in a recent message by Robert Hurleigh on the Mutual Broadcasting System commentary. His call for a "municipal report card" deserves serious consideration by everyone who cares about the preservation of our system of government.

Mr. President, I ask unanimous consent that the transcripts of Mr. Hurleigh's broadcasts of July 8 and 9, 1975, be printed in the RECORD.

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

HURLEIGH COMMENTARY JULY 8, 1975

This is Robert F. Hurleigh speaking from the Mutual studios in Washington. I'll have a comment on "Municipal report cards" in just one minute.

The United States Conference of Mayors has been in session in Boston this week—and among those invited to address the Mayors was David Rockefeller, Chairman of the Board of the Chase Manhattan Bank. The New York Banker may have struck a note that many a big-city resident will applaud in appealing to the Mayors to become more business-like, and more results-oriented in administering the affairs of their cities. In particular, Mr. Rockefeller suggested that city administrations should be held accountable for their results, measured in the harsh, full light of public view, and recommended that the tax-paying citizens should get municipal report cards from the Mayors which would be honest, open and thorough.

The Chase Manhattan Chairman believes that criteria could be established and agreed upon for measuring the cost-efficiency and the cost-effectiveness of municipal services, region by region and city by city. This would bring a degree of competitiveness among the municipal chief executives which would be healthy for both the administrators and the citizens and would effectively develop a powerful incentive to create new concepts and discard old methods that have been proven bankrupt on the basis of actual performance. David Rockefeller did not say it, but every citizen of any large American city knows that too many Mayors are more concerned with being popular—of winning votes from large "blocs" than in developing efficient operations. But David Rockefeller did suggest that there is a similarity between a business operation and a city administration.

Granting that a city is concerned with the welfare, convenience safety and comfort of its citizens, the New York Banker told the Mayors that business doesn't aim simply at profit, but must find ways to minimize the cost per unit of its product in order to remain competitive and to open the way for better wages and lower prices, as well as higher earnings. So, too, should a city try to reduce costs per unit of performance. Most city administrators feel they have done a good job of fiscal planning if they simply manage to balance the budget. There is no doubt that Mr. Rockefeller's suggestions will be welcome to those city residents whose tax bills are constantly increasing through every type of taxation the city fathers can dream up, and when deficits appear the political answer always seems to be to put another increase on one or more of the city taxes.

Thus, the suggestion by Mr. Rockefeller for municipal report cards—for the taxpayers to compare the management of comparable cities and to have an equally open view of where their own cities stand, of how the cost of the services compare and whether the people who manage their cities are delivering results, is indeed most thought provoking . . .

So goes the world today.

HURLEIGH COMMENTARY JULY 9, 1975

This is Robert F. Hurleigh speaking from the Mutual studios in Washington. I'll have a comment on the acceptance of reponsibility in just one minute.

Somewhere in the back pages of your daily newspaper—usually following the features, sports and possibly the comics—there is a business and financial page or section. Here you will find the drama of the executive suite, the failures as well as the successes. The rewards for success and the penalties for failure. And in business it is usually the responsible executive who is rewarded or suffers the failures of his company. So it is with Lynn Townsen, the Chairman of the Board and Chief Executive Officer of the Chrysler Corporation.

Chrysler has had three very bad quarters and expects the next quarter to show multi-million dollar losses before the company can be turned around. One of the reasons given by some analysts for Chrysler's poorest performance of the big four auto makers has been the failure to develop smaller cars comparable to its competitors. So Mr. Townsen, 56 years old, has decided to leave the company and will take early retirement. And the stockholders of the Chrysler Corp. will have

a new Chairman and Chief Executive Officer. Chrysler—as well as the other big auto makers—has suffered the combined blows of the oil-embargo, higher gas prices, the general recession and inflation as well as government ordered environmental and safety controls which pushed new car prices higher at the very time the other debilitating business factors were at work. But the report card shows that Chrysler had the lowest percentile of its competitors—and the top man has accepted the responsibility—and has resigned.

It is, of course, only coincidental that the change of chief executive officers at Chrysler comes on the very day that the Conference of Mayors, meeting in Boston, were presented with a suggestion that the cities of our country should consider measuring the decisions of their mayors—their administrators in the harsh, full light of public view as do big corporations and business generally.

The citizens of Chicago, Detroit, Los Angeles, Houston and New York should have an equally open view of where their own cities stand and should know how the cost of their services compare and whether the people who manage their cities are delivering results. The suggested Municipal report cards would show the per capita cost of each service rendered to the citizens and how the costs of one city's services compare to another. The cost-of-living in one city would be considered in the criteria in order to obtain fairness in the reporting. The publishing of comparative costs should inspire efficiencies, innovations and effectiveness in the management of our cities and give the hard-pressed tax-payer an opportunity to see how his own city managers are doing.

So goes the world today.

CIA REPORT ON APOLLO-SOYUZ MISSION

Mr. PROXMIRE. Mr. President, it is well known that I have been deeply concerned about the impending Apollo-Soyuz mission. For over a year, I have reviewed this subject as Chairman of the HUD and Independent Agencies Subcommittee of the Appropriations Committee.

The subcommittee has received testimony from NASA and the Central Intelligence Agency on the safety of the joint flight.

In response to numerous requests, today I am releasing a summary of the CIA's testimony to the subcommittee. Although this is not a subcommittee report, there being disagreement over the seriousness of the safety hazard and certain other factors, this report summarizes the CIA testimony in a straightforward manner—emphasizing the CIA's conclusions first and then indicating some of the other data that might give one pause for concern.

I will leave it up to my colleagues as to the conclusions that can be drawn from this summary report. As for myself, I continue to feel that the entire episode is a waste and that the risk to the lives of our astronauts should never have been undertaken.

When looking closely at the Soviet space program there is every indication that they have very poor quality control—they just cannot perform vital missions with the degree of excellence and safety necessary for manned missions. They have had far too many failures—twice as many as the United States by any comparison. Their technology is far below that of the United States.

Therefore, we are actually providing them technical assistance while we learn nothing in return.

True, it will be a grand show. The world will be captivated for a few minutes as Soviet cosmonauts and American astronauts clasp hands and exchange words in each other's language far above the earth. The television networks will play it big, once again showing a fascination with space programs that may not be mirrored in the American public.

And NASA will make the most of the situation. Already there is talk of future joint ventures. Millions more in tax dollare are being planned away for some future date. The present flight will cost $225 million alone. How many millions lie ahead for such grant jestures? I hesitate to guess.

Mr. President, having shared my personal feelings, I will now turn to the summary report.

SUMMARY REPORT

The summary indicates the CIA reported that although the Soviets have experienced many space problems, the prospects foı a successful mission are good.

The Soviet's preparations for this flight are more extensive and thorough than previous efforts. Furthermore, past failures have occurred at a phase that will not jeopardize U.S. astronauts should there be a reoccurrence.

Suggesting caution in this assessment is considerable additional evidence supplied by the CIA that the Soviets have encountered severe problems in space and their technology is inferior to that of the United States in almost every category.

The Soyuz rendezvous and docking system has failed almost half the time.

The current level of Soviet preparation still is below that of the United States.

The threat of a minor fire poses a moderate risk to the ASTP while a major fire is much less likely.

Soviet communications are not up to the quality of U.S. communications.

Cosmonaut training and ground control crew proficiency are inferior to that of U.S. counterparts.

There has been some technology flow to the Soviet Union as a result of the ASTP. Future joint missions would pose more of a potential for technology drain.

The primary advantage to the U.S.S.R. from the ASTP has been in observing U.S. management and program operational techniques.

The Soviet lunar program has produced a string of failures.

In summary, the United States has a significant technological lead over the U.S.S.R. in the following areas: Communications, management and quality control, handling of emergency situations, launch coordination and procedures, computerized functions, capability for inflight mission changes, space medicine, and crew training.

The two countries are about equal in tracking capability, environmental safety, backup systems and life monitoring systems.

In view of these facts, I again urge NASA to request that the current Soviet mission involving the Soyuz and Saylut 4 spacecraft be deorbited prior to the link-up of the ASTP.

Although the odds are in favor of a successful flight, the risks remain too high in my opinion for manned flight only for the sake of a questionable rationale for détente.

Space should be used to solve Earth problems such as crop management, fishery resources, communications, pollution control, and mineral and oil exploration. It is foolish to take undue chances for a program that costs so much—$225 million each side—and yet produces so little.

Mr. President, I ask unanimous consent that the summary report be printed in the RECORD.

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

SUMMARY OF CIA REPORT ON SOVIET READINESS TO PARTICIPATE IN ASTP

The 5 April launch failure of a manned Soyuz spacecraft renewed interest in the question of Soviet readiness to participate in the Apollo/Soyuz mission scheduled for July 15, 1975. Similar attention had been focused on this subject several other times during the past two years as a result of failures of other Soviet man-related space missions. For example, in-flight malfunctions occurred aboard two unmanned Salyut space stations in 1973, and Soyuz-15 failed to dock with Salyut-3 last August 16. Earlier history of the Soyuz Program includes two events more catastrophic—the deaths of the Soyuz-1 and Soyuz-11 flight crews in 1967 and 1971 respectively.

As a result, CIA was requested to provide an overall evaluation of the Soyuz spacecraft and give its view as to Soviet readiness to safely participate in the Apollo/Soyuz mission. The CIA was a logical source for this evaluation in view of the fact they have studied the Soviet space program since its inception in the late 1950s.

In summary, CIA reported the prospects for successful completion of the Apollo/Soyuz Test Program (ASTP) mission are considered to be good. Although incongruous when compared with recent Soviet flight history, the CIA pointed out that Soviet preparations for ASTP, including spacecraft systems testing and checkout and crew training, have been more extensive and thorough than for any previous Soviet mission.

Furthermore, many of the problems the Soviets have had on past missions occurred at phases of the missions which if repeated on the ASTP mission would have no effect on the U.S. crew. For example, the 5 April launch failure, if repeated in July, could well affect mission completion, but would have no effect on the U.S. crew from a safety standpoint. Another example is the Soyuz-15 docking failure. During ASTP, the Soviet spacecraft will passively wait for the Apollo spacecraft to rendezvous, approach and dock with it and there will be no dependence upon the Soviet system which has failed for them almost half of the time.

The CIA report reviewed the performance of each of the primary Soyuz subsystems. Their review was based on information obtained on more than two dozen manned and unmanned Soyuz missions conducted since 1966. Each subsystem was evaluated in terms of its potential impact on mission success and on U.S. astronaut safety. In spite of the many subsystem problems and relatively poor reliability of the Soyuz over the years, very few subsystems individually

have any real potential effect on astronaut safety.

A number of failures could affect the Soviet crew, like a reentry malfunction as on Soyuz-1 or Soyuz-11, but few are likely to affect the safety of the astronauts. If a Soviet spacecraft problem does occur, based on the flight performance over the years, it will likely be at a time which does not affect Apollo. Such a situation would likely force the mission to be aborted but would not affect the U.S. ability to safely return its crew.

Although recognizing that the Soviets are more thoroughly prepared for the ASTP than any previous flight, several additional aspects of the Soviet manned space program should be noted.

The current level of Soviet preparation still is below that of the U.S.

Although unlikely to create a hazard, the Soviet experience with rendezvous and docking has been poor.

The threat of a minor fire poses a moderate risk to the ASTP while a major fire is much less likely.

Soviet communications are not up to the quality of U.S. communications.

Cosmonaut training and ground crew proficiency are inferior to that of the U.S. counterparts.

There has been some technology flow to the Soviets as a result of the ASTP. Future joint projects would pose more of a potential for technology drain.

The primary advantage to the USSR from the ASTP has been in observing U.S. management and program operational techniques.

The Soviet lunar program has produced a string of failures.

In summary, the U.S. has a significant technological lead over the USSR in the following areas: communications, management and quality control; handling emergency situations; launch coordinations and procedures; computerized functions; capability for inflight mission changes; space medicine; and crew training. The two countries are about equal in tracking capability; environmental safety; back-up systems; and life monitoring systems.

Mr. President, as a result of Soviet technical deficiencies I have strongly recommended the current mission involving the Soyuz and Salyut 4 be deorbited prior to the ASTP launch.

Mr. Carl Ducket, Deputy Director of the CIA for Science and Technology, reported, among other statements:

"I do not think they (the USSR) are in good shape to handle two missions at once from the command point of view."

This warning should not go unheeded.

THE MIDDLE EAST—1980

Mr. McCLURE. Mr. President, peace in the Middle East continues to be an elusive goal, despite the efforts of President Ford and his administration. I know that my colleagues join with me in support of this goal, and I believe that we should continue to maintain a sharp, focused perception of the consequences of failure.

Justice and security for Israel and her Arab neighbors are more than just nice words. Achievement of these ideals can make the difference between a strong United States, remaining faithful to its basic principles, and a Nation so weakened by continued economic and Soviet pressures that abandonment of these principles may become a serious policy consideration.

I, for one, do not believe that the American people will allow this to occur. I know with certainty that it is not necessary. We can achieve a peace in the Middle East. A peace based on U.N. Resolution 242 will provide Israel, the Arab nations, and the United States with the victory that each is seeking.

Mr. President, one of our distinguished former colleagues, Senator J. William Fulbright, has written a scenario, based on his wide experience and knowledge, which offers insight to this critical issue. I call particular attention to his scenario for the Israeli border situation, as just one example of how time may not work to any one country's best interest.

In addition, his disturbing picture of the use of American troops in the Middle East should sharpen the understanding of many of us, as to the possible consequences of an unbalanced or unjust Middle East policy.

I ask unanimous consent that former Senator Fulbright's scenario be printed in the RECORD, together with another article which he wrote earlier entitled "American Interests in the Middle East."

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

[From the Washington Star, July 13, 1975]

FULBRIGHT'S 1980 MIDDLE EAST SCENARIO

(By J. William Fulbright)

One morning in the early summer of 1980 I sat at my desk contemplating an invitation: "Dear Mr. Fulbright: The Young Americans for Peace and Justice in the Middle East invite you to be a featured speaker at their forthcoming rally on the Washington Monument grounds. As you may know, this rally is expected to be the climactic event in the three years' crusade to end American military involvement in the Middle East. An attendance of at least half a million concerned Americans is anticipated.

"In addition to popular folk singers and one of the nation's top rock bands, the program will feature five of the leading candidates for the presidential nomination at next month's Democratic Convention. All five were also candidates in 1976, and each will offer a plan for the extrication of the United States from the military quagmire in the Middle East. One of the candidates, hitherto regarded as an all-out supporter of Israel, will lead a ceremonial burning of the notorious 'letter of the 76' of May 1975, in which 76 senators had called for all-out military support of Israel. Although you are no longer in politics, we believe that your long interest in the Middle East entitles you to participate in an event which we feel sure will rock the White House to its foundation."

Momentarily undecided on whether to accept the invitation, I reflected on the events of the preceding five years:

In the course of the year 1975 and the first half of 1976, most of the Arab leaders stated publicly their willingness to accept Israel as a permanent Jewish state within its borders of 1967. Even the PLO leadership conceded privately that Palestine aspirations would have to be confined to the West Bank and the Gaza strip. Israel, however, with solid backing from the United States Congress, held out for "defensible" borders, the exact extent of which she was unprepared to define but which were generally understood to include the eastern part of Sinai, the Golan Heights, some parts of the West Bank with the right to establish Israeli military installations in the relinquished portion, and east Jerusalem, which was held to be "non-negotiable."

In the fall of 1976, following several abortive renewals of step-by-step diplomacy and the final collapse of the Geneva peace conference, the "Second Yom Kippur War"—or, as it is sometimes called, the "Ten Days' War"—burst upon the Middle East without warning. It is still not known whether the war began with an Arab surprise attack or an Israeli pre-emptive attack, but despite fearful casualties and the havoc wrought by several missile strikes on Tel Aviv and even heavier missile strikes on Cairo and Damascus, the Israeli Army won a stunning victory on all fronts after 10 days of hard fighting. On the tenth day the Soviet-American mediation team commissioned by the United Nations Security Council secured a cease-fire, with Israeli forces positioned just outside of Cairo, Damascus and Amman.

On the third day of the war the Arab oil-producing states imposed an embargo on all NATO countries France and Portugal managed to escape the effects of the embargo by promptly denouncing the NATO treaty and withdrawing from the Atlantic alliance. The embargo continued after the cease-fire, and by the third month the affected Western nations were in severe economic crisis. Unemployment in West Germany reached 10 percent, and in Italy, following civil disorders in Rome and Milan, the government resigned and was replaced by a popular front of Communist and left-wing Socialists.

The United States, still producing 60 percent of its own oil requirements, was least affected. Unemployment held steady at 15 percent, but the United States government found it necessary to repudiate previous emergency oil-sharing agreements with its allies.

On the first day of the fifth month of the embargo, the President of the United States went on national television to announce that at that very moment United States marines and paratroopers were landing on the Persian Gulf coast of Saudi Arabia and Kuwait to occupy the coastal oil fields. The action, he said, was being carried out in accordance with a long standing Pentagon contingency plan, and in strict compliance with the emergency procedures of the War Powers Act.

The oil fields, the President emphasized, would be occupied only temporarily—"until the oil producers come to their senses"—and the oil would be extracted and sold by the occupying authority as an "international public trust." Several days later Congress adopted a resolution applauding the President's action. The resolution was carried by a vote of 435 to 0 in the House and by a vote of 98 to 2 in the Senate.

Unfortunately, the landings were not a complete surprise. Through an inexplicable breach of security, the Saudis and Kuwaitis had gained 24 hours' advance notice of the landings, and by the time the marines and paratroopers were on the ground gigantic oil fires were raging across the Ghawar and Burgan fields, and, to the amazement of the occupying force, on the surface of the Persian Gulf as the result of the demolition of sub-surface oil facilities.

Through the skill and heroic efforts of highly trained oil fire-fighting teams flown in from Texas, most of the fires were extinguished within three months and within another month, by mid-1977, production was back to half of its pre-embargo capacity and rapidly increasing.

It was not until the fall of 1977, however, that Persian Gulf oil was again reaching world markets, owing to the blockage of the Strait of Hormuz by two sunken supertankers which had been torpedoed by PT boats manned by Arab terrorists.

The "International Petroleum Authority" which had been set up to run the oil fields—with membership consisting of the United States, Bolivia, Paraguay and the Dominican Republic—announced in January 1978 that, owing to the costs of security, reconstruction, and anti-terrorist operations, it would be necessary to raise the price of oil $1 a barrel above the OPEC price of 1975. This, how-

ever, was only a temporary measure, it was announced, and the Authority, as required by its charter, would continue to treat the oil it extracted and sold as an "international public trust."

An Arab summit conference held at Khartoum in the winter of 1978 resulted in a declaration of "jehad"—or holy war—against America and American interests all over the world. The Khartoum declaration also formally revoked previous offers to settle with Israel on the basis of the borders of 1967, insisting instead on the original United Nations partition plan of 1947.

In the months that followed, a series of terrorist attacks against Americans occurred in various parts of the world. Three American embassies were bombed and, despite new security measures, two American aircraft were hijacked on trans-Atlantic flights. In the spring of 1978 bombings occurred in Chicago, New York, and in National Airport in Washington, D.C., all with substantial loss of life. After each of these outrages, the clandestine radio of the terrorist "Arab Liberation Organization" claimed responsibility.

The United States government responded to these provocations in several ways. After an extended, acrimonious debate, the Congress by narrow majorities authorized the President to send 50,000 additional troops to bolster our security forces in the Persian Gulf, and additional naval units were sent to patrol the Strait of Hormuz.

New measures also were taken to deal with domestic terrorism. Acting on the report of a special study mission which had been sent to Israel to study airport security, the Federal Aviation Agency announced that all passengers on domestic flights would be required to check in two hours ahead of flight time for security checks. Congress also adopted legislation imposing a mandatory death penalty for all persons convicted of acts of terrorism.

Throughout the years 1978 and 1979, despite repeated pleas by the President for "patience" and "fortitude," public support for the administration's Middle East policy waned steadily. In the trail of public opinion, congressional opinion followed. The President's request for an additional 30,000 men for the Middle East security force encountered rough sledding in Congress. In April 1979, the "Young Americans for Peace and Justice in the Middle East" announced still another march on Washington. In the summer, the Senate Foreign Relations Committee opened hearings on a bill to repeal the "Persian Gulf Resolution."

By the end of the year the polls showed the President's popularity at a new low of 27 percent, while support for Israel stood only slightly higher at 29 percent. A special caucus of liberal Democrats in the House and Senate adopted a cautiously worded resolution calling on Israel—"for the sake of world peace"—to "consider" whether it could withdraw to the 1947 partition line in exchange for an American guarantee.

The Middle East became the dominant issue in the 1980 presidential primaries. In an obvious effort to influence the election, the Arab Liberation Organization announced in February a new worldwide offensive against the United States. There followed terrorist outbreaks in Houston and Boston, and a hand-fired missile of apparent Soviet origin did heavy damage to the American embassy in Tokyo.

In the wake of these events the incumbent President's popularity plunged still farther, and support for Israel dropped to a new low of 23 percent. By the time of the California primary in June, all of the Democratic candidates had called upon Israel to withdraw to the 1947 partition line. "It is no more than morality requires," said the Washington Post in an editorial.

So matters stood as I penned my reply to the Young Americans for Peace and Justice in the Middle East.

"Dear Mr. Chairman: I regret very much that I must decline your invitation to speak at your forthcoming rally. As you know, I am retired from politics and I think it best to leave crusades to the young and to others still actively involved. Furthermore, I must confess that I do not fully concur in the stated aims of your organization. Although I favor a prompt and orderly American military withdrawal from the Middle East, I still adhere to my long-standing conviction that Israel is entitled to a secure national existence within its borders of 1967. I am aware that this view is generally considered outmoded, but I adhere to it in the belief that the United States must honor its solemn commitments.

"Finally, at a time when the executive branch of our government has been greatly weakened by the cumulative effects of Vietnam, Watergate and the Middle East crisis, it seems to me that some of us ought to stand by the President.

Sincerely yours, J. W. Fulbright."

[From the Washington Post, July 7, 1975]

AMERICAN INTERESTS IN THE MIDDLE EAST

(By J. W. Fulbright)

In his speech at Atlanta on June 24, Secretary of State Kissinger pointed to the range of vital American interests in the Middle East—the security of Israel, access to Arab oil, the strain on the Western alliance posed by each successive crisis, the threat to the world economy of a new oil crisis, and the chronic danger of confrontation with the Soviet Union. The Secretary emphasized that the United States "must do its utmost to protect *all* its interests in the Middle East."

Having recently returned from an extended tour of the Middle East, I am filled with a strong sense of both the import and urgency of the Secretary's observations. Time is working against us, and against our interests.

To see why, it is necessary to consider *all* of our interests in the Middle East. The Arab-Israeli conflict and the oil problem are not only related but inseparable. Israel is largely a creation of the conscience of the West, particularly that of the United States; for that reason alone, her survival qualifies as an American national interest. At the same time we have a most vital interest in access to Arab oil—all the more as the Gulf States account for a steadily rising portion of our imports and Congress shows little inclination to enact measures for meaningful energy-conservation. Logic suggests that if we are to give all-out support to current Israeli policy, we should be taking drastic measures of energy conservation against the inevitable embargo; or if we are to allow our dependency on Persian Gulf oil to continue to increase at its present rate, it would be prudent to draw back from our financial and political support of continued Israeli occupation of Arab lands.

The problem of statecraft is to avoid this unpalatable choice by reconciling our Israeli and Arab interests, surely not to allow ourselves to drift, or be maneuvered, into a position in which one must be sacrificed to the other. The only way to reconcile these interests is by bringing the Arab states and Israel to a settlement.

The status quo is not benign. It is not allowing tensions to abate; on the contrary, it fosters a steady and accelerating slide toward war. The Secretary was, if anything, understating the matter when he said at Atlanta that "we are now at a point where there must be a turn either toward peace or toward new crises." Virtually every Arab leader I met on my trip expressed not just apprehension but certainly that if significant progress toward a settlement does not come soon, war will follow within a year or so, and with it a new oil embargo.

The principal Arab countries—including Egypt, Syria, Jordan and Saudi Arabia—are all led by moderate and responsible men. These leaders are united in a consensus for making peace with Israel on the basis of the 1967 borders. All of them say so, explicitly and without qualification, and the head of the Palestine Liberation Organization, Yasser Arafat says so, too, guardedly and by indirection but, to my ear, unmistakably. The emergence of this consensus for the acceptance of Israel is the most important and promising development in the Arab world since the 1967 war. It has created what Arab leaders describe as a "golden opportunity" for peace.

Emphatic as they are in pointing to this "golden opportunity," Arab leaders are no less emphatic that, if not seized upon now, the opportunity will soon be lost, perhaps irretrievably. As in our own politics, no approach to a problem—especially a risky and controversial one—can be pressed indefinitely if it does not bring results. The continued occupation of Arab lands is a threat not only to Arab moderation but to the moderate leaders themselves. Mr. Arafat hints that he could be more forthcoming if he had something to show for it and also warns that if he does not succeed he will be replaced by extremists. One also hears—with disturbing frequency—warnings that President Sadat himself may be in trouble if he does not soon achieve some progress toward peace.

The stakes are high, either for disaster or, as is not always sufficiently recognized, for great good. If there is another war, it may well bring on difficulties with the Soviet Union, and it will surely bring an embargo, which in turn could precipitate the disintegration of our alliances with Europe and Japan.

On the other hand, Saudi Arabia, with one-fourth of the world's oil reserves, has offered the United States a degree of cooperation and assured access to its oil that arouses the envy of all other industrialized countries. The Saudis do not propose, nor would we desire, privileged or discriminatory access to their oil, but they do offer us—and it is entirely proper that we should accept—a unique relationship based upon assured oil supply, large-scale investment of oil revenues in the United States, and primary reliance upon American technology for the development of Saudi Arabia. A Saudi-American association of this kind could also serve as an economic nucleus that would be highly beneficial to the rest of the world, including the developing countries. Also of great importance is the fact that almost all of Saudi Arabia's vast oil reserves are explored and extracted by a highly efficient American company with excellent relations with the Saudi government. It is staffed primarily by Americans, is American in its orientation, and qualifies thereby as a solid asset to the national interest.

There are two basic problems with respect to our reliance on Arab oil: supply and price. The problem of supply—which is to say, the threat of embargo—is wholly a function of the Arab-Israel conflict. If that is resolved, there is no further threat of embargo. The problem of price is also related to the Arab-Israel conflict. A settlement could not be expected to result in an immediate, sizable price rollback, nor would it detach Saudi Arabia from OPEC. It would, however, eliminate the only outstanding issue between the United States and Saudi Arabia—especially if provision were made for the restoration of East Jerusalem to one form or another of Arab sovereignty. Under these circumstances, Saudi Arabia would almost certainly draw closer to the United States and become more amenable to our influence, making the problem of oil prices far more susceptible of reasonable accommodation.

Except from Israel herself, there is a virtual world consensus as to the main outlines of a Middle East settlement: an Israeli with-

drawal to the borders of 1967 with insubstantial variations; a Palestinian state comprising the West Bank and Gaza, either separate or in association with Jordan as the Palestinians may choose; the permanent or indefinite demilitarization of the Golan Heights, of much or all of Sinai including Sharm el-Sheikh, and of much or all of the West Bank; the stationing in the demilitarized zones of U.N. Forces which could not be removed except with the consent of both sides; and great power guarantees of the settlement, preferably under the aegis of the United Nations Security Council, supplemented if necessary by a solid and explicit American guarantee of Israel.

A settlement along these lines has been endorsed by the principal Arab parties and also by the Soviet Union. The Arab consensus for the acceptance of Israel has been repeatedly signaled by the Arab leaders. King Khalid put it this way: "The Arabs have learned to be moderate, reasonable. Gone are the days of Nasser's period when the Arabs threatened to exterminate the Israelis." No less significant is the Soviet declaration of williness to guarantee Israel. As Foreign Minister Gromyko put it at a dinner in Moscow on April 23 for Syrian Foreign Minister Khaddam: "Israel may get, if it so wishes, the strictest guarantees with the participation—under an appropriate agreement—of the Soviet Union." As noted, the Arab consensus will not survive indefinitely if it brings no rewards; nor can we count on the Soviets to renew their offer to cooperate if we do not hold them to it now.

The settlement would not need to be implemented at once. President Sadat and other Arab leaders indicate that they would be prepared to have it implemented over a period of years, step-by-step—*provided* it were understood that such a settlement, and nothing less, were the agreed objective.

A settlement of the kind described would redeem and reconcile the American interests at stake and, I feel certain, is in the best interests of Israel as well. Israel will be secure only when she gains acceptance as a normal state in the Middle East, in which event she would almost certainly become the scientific and technological leader of the region. The Arabs offer that—or a start toward that—now, but it is far from certain that they will continue to offer it as they gain in military and technological capacity. The advantage of Israel is transient: a population far more advanced than those of her neighbers in technology and organization. The Arabs, however, are advancing rapidly in education and technological skills, and when these are added to their vastly greater numbers and wealth, the balance of power will swing in their favor. In that eventuality, Israel will become less and less secure despite the retention of "defensible borders" and will of course be thrown into steadily greater dependence upon the United States.

As matters now stand, our commitment to Israel is open-ended: We are providing the material means for an Israeli policy that is beyond our control—a policy that, by all indications, is carrying both Israel and the United States toward a major new crisis. An American guarantee of an agreed settlement, on the other hand, would clarify an ambiguous commitment, bringing it clearly within the scope of our national interest, and at the same time provide Israel with the greatest possible security under the circumstances that exist in the area. As one thoughtful observer remarked: "The only secure borders are those which are accepted by one's neighbors."

SETTING THE RECORD STRAIGHT ON SOCIAL SECURITY

Mr. CHURCH. Mr. President, alarmist accounts have surfaced in recent months about the financial condition of the social security trust funds.

Unfortunately, these articles have only caused needless anxiety and concern for millions of retirees and workers—instead of contributing to any meaningful dialog concerning the future of the social security program.

In the past, critics of social security have raised similar charges. They were discredited then, and they will be now.

Persons who claim that social security is on the verge of financial collapse are really doing a disservice to our Nation.

Social security is sound, and it is serving all Americans well.

The program can, of course, be improved. This is a major reason that the Committee on Aging is now conducting hearings on "Future Directions in Social Security."

But a discussion of this kind is very different from assertions that the system is bankrupt or doomed to collapse.

It is refreshing to note, however, that articles have appeared recently to set the record straight concerning the charges directed at social security.

One such account is about "The Social Security Scare," appearing in the June issue of People and Taxes.

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

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

[From People & Taxes, June 1975]

THE SOCIAL SECURITY SCARE—UNWINDING THE SOCIAL SECURITY MYTH

(By Samantha Senger)

The social security system has been receiving a lot of publicity lately, due to projected deficits in the system. Newspaper articles and editorials claiming that the trust fund is unsound, or that the system is bankrupt, have caused fears that workers in the future may not get the retirement income they have been counting on.

None of that is true. The social security system will continue to meet obligations in the future. The fears come from a misunderstanding of the type of system it is—commentators try to evaluate it as a standard insurance program which should have a certain percentage of reserves against future liabilities. Social security is not set up that way.

THE COMMON MYTH

The common myth is that social security is a contributory insurance and pension plan, which holds each worker's contributions in a trust fund until the worker retires. But, given the size of the program, it would be an impossible drain on the financial assets of the country if the money collected by the payroll tax were actually to be taken out of circulation and saved in a separate account for perhaps 40 years. For example, last year alone a total of $57.7 billion was collected, about one-fourth of total federal budget receipts.

The fact is that the system is financed on a pay-as-you-go basis, so that today's workers are paying for the retirement benefits of yesterday's workers. Since future benefits will be paid by future workers, the reliability of the system depends only on the government's ability to collect taxes. Social security benefits, therefore, are not in jeopardy. The fact that the trust fund is losing money may be a cause for concern, but not alarm.

ACTS AS BUFFER

In some ways, that is what the trust fund is there for—the fund is only meant to act as a buffer to keep the flow of benefits steady. This relatively small fund—about $46 billion—collects excess payments in good years and pays the difference in poor years to assure this flow.

Due to a number of factors in our recent economic history, the past few years have been poor ones—high unemployment cuts the amounts collected, and the rising cost of living forces higher benefits. The result is a projected deficit—to come out of the trust fund—of $3.0 billion in 1975. If this deficit continues and increases over the years, the trust fund will be exhausted by the early 1980's.

ESTIMATED SHORT-RANGE TRUST FUNDS OPERATIONS

[In billions of dollars]

Year	Income	Outgo	Trust fund	Loss net
1975	66.5	69.5	45.9	−3.0
1976	72.3	78.1	42.9	−5.8
1977	81.8	87.5	37.1	−5.8
1978	91.1	97.1	31.3	−6.0
1979	100.3	107.1	25.4	−6.8
1980	109.1	116.8	18.6	−7.7

Even if the trust fund is allowed to be totally depleted (which is most unlikely—the prediction of one year of deficit has spawned a number of urgent proposals and hearings) the rest of the system could continue without it, and the bulk of social security payments would still be made. At worst, the long range deficit is projected to be about 5.3%. This means that with no trust fund at all, the system could still meet 95% of its obligations.

But nobody is proposing that the system be run that way, and the Congress and Administration are looking for a better financing system for the program. While witnesses at hearings before the Social Security Subcommittee of the House Ways and Means Committee—including the Social Security Commissioner, the Social Security Advisory Council, the Secretary of HEW and a panel of independent economists and actuaries—did not agree on the precise action necessary, they all agreed that the system is sound and will continue to pay the benefits it is expected to.

Most of the experts also agreed on the causes of the deficit. The primary one seems to be the economy, which accounts for almost 2% of the 5.3% deficit. Their estimates are based on a 6% increase in average earnings and a 4% increase in the Consumer Price Index (CPI).

AUTOMATIC ESCALATOR CLAUSE

The general state of the economy also increases the benefits paid, since the social security law now has an automatic escalator clause in it so that the benefits increase as the CPI increases. This "indexing" system was enacted in 1972. Prior to that, the law had to be amended each time it was necessary to upgrade the benefits. The delays proved to be a great hardship on many of the 30 million Americans who receive social security. It also made the system very politically vulnerable—large increases in election years could be used to influence the senior citizen's votes.

The indexing scheme that was enacted in 1972 was heavily criticized by most of the experts, not because benefits increase automatically, but because the formula chosen to do this is incorrect. The complicated formula results in a sort of double indexing, because it not only increases the benefits but also increases the wage base upon which those benefits are later computed. The result is that by the beginning of the next century, if the wage and price increases continue as projected, a worker might be able to retire with a social security payment higher than her or his income immediately before retirement.

FUTURE PROJECTIONS DIFFICULT

Aside from the obvious burdens of financing such a system, the formula is so sensitive to the consumer price index that it is almost unpredictable. Having so many economic variables that are impossible to accurately predict makes the projections for the future needs and responsibilities of the system very difficult to estimate. These variables could mean astronomical payroll tax increases, so that workers 75 years in the future will be paying as much as 23% of their income to support the retirees.

Most of the experts recommend changing this formula so that only benefits will rise with the CPI. The congressional committee has commissioned a study by several independent actuaries and an economist to analyze this and other formulas and recommend a suitable plan.

Another factor which is contributing to the deficit is the birth rate, which has dropped in the last ten years. During the postwar "baby boom" of 1940 to 1965, the average fertility rate rose to a high of 3.7 children per woman. That rate has dropped by a half, down to 1.85, due mostly to changed life styles and improved birth control methods. Demographic predictions for the future years vary but the fertility rate is generally expected to stabilize at about 2.1, which is the rate required to maintain a stable population size. The trustees are counting on an immediate upswing but the advisory panel to the Senate Finance Committee thinks the fertility rate will decline even further to 1.6 in 1980 before starting a slow increase up to 2.1.

LONG RANGE PROBLEMS

What all that means for social security is that when the workers born during the baby boom are ready to retire, there will be a lot fewer workers to support them. Right now there are roughly 100 contributing workers for every 30 people receiving social security. With the combined effects of more old and fewer young people, that will change to more than 45 retirees to be supported by every 100 workers. That would mean the payroll tax would have to increase by half again just to match the growth in the retirement population.

All of these are weighty problems without simple solutions. A variety of answers have been proposed, and many more are being studied now, but it seems unlikely that anything will be done soon. The quick answers—raising taxes or cutting benefits—would be politically impossible during the current recession and the upcoming election year. And the long range questions take long range consideration.

FUNDING LEVELS FOR ALCOHOLISM AND NARCOTICS PROJECTS

Mr. HATHWAY. Mr. President, a few day ago I was privileged to testify before the Appropriations Subcommittee on Labor, Health, Education, and Welfare on the subject of funding levels for alcoholism and narcotics projects. During that testimony, I stated that now was not the time to cut back funding for these programs, as the Nation has established programs which are indeed having an effect on alcohol and drug abuse.

There is every evidence that we are at a point where expanded treatment facilities could help us turn the corner on these problems, and begin our way back to vigor and health for the millions of Americans now sick from alcoholism and drug addiction.

As an example of the progress we have made, and the potential that exists if we do continue our work in this field, I submit for printing in the RECORD an article that appeared in the Maine Sunday Telegram on the alcohol safety action program. Funds for this program were dropped without notice or reason, and the tremendous improvements made during the life of this organization are well worth noting.

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

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

[From the Maine Sunday Tribune, July 6, 1975]

ASAP ENDS LIFE WITH RECORD OF ACCOMPLISHMENT

(By John Lovell)

For three years a federal program known as Alcohol Safety Action Program had occupied a crowded, small suite of offices in Portland's Congress Square. This weekend, D. Dwight Dogerty. Jr was cleaning out the files.

The lawyers who had worked there prosecuting drunken drivers, the education specialists who had conducted training programs to help police catch them, the people who had run rehabilitative classes to straighten them out, all were gone.

Dogerty, 37, the program's director since its inception, listened to a police radio scanner as he sorted papers. There were no more ASAP police patrol cars out looking exclusively for drunken drivers, but Dogerty had the radio on anyway, listening for the dispatcher's words that could mean another fatality statistic the ASAP effort had sought to prevent.

"Fifty-two per cent of all highway fatalities in York and Cumberland counties in the past three years," he observed, "were involved with alcohol.

"We estimate that only one out of every 200 instances of OUI (operating under the influence) is detected, based on roadside samplings done nationally and in Maine," Dogerty continued as he emptied his desk. "So the problem is out there."

But during the three-year life of the ASAP, ended on June 30, traffic fatalities dropped in the two-county program by a third.

In 1971, the year before ASAP began, there were 70 highway fatalities. In 1972 there were 73 such deaths. In 1973 there were 51, and last year the death toll dropped to 46.

Dogerty was reluctant to assume credit for the reduction, but he said: "In human terms the program has been very effective. I know it saved lives and saved families."

While traffic deaths decreased by a third in the two counties in which ASAP operated. Dogerty noted, the statewide highway death toll dropped by about one per cent.

The Maine ASAP boasted the largest reduction of traffic fatalities of any ASAP in the nation, but nonetheless it was among several such programs chosen by its federal funding agency, the Department of Transportation, to be closed down this year.

Charles E. Wyman, director of the Maine Motor Vehicle Department under which Dogerty ran the Alcohol Safety Action Program, is mystified at the federal decision not to refinance the program.

"We wrote some pretty pointed letters," he said, "but we never got any answers."

Although no attempt was made to seek financing of the program from the Maine Legislature this year, Wyman said ASAP isn't entirely dead.

He and Dogerty noted that the 19 State Police troopers and municipal police patrolmen who had been trained and assigned to catch drunken drivers have taken their ASAP expertise with them to their general patrol assignments.

And scores of other police officers around the state have also been trained by the program to know how to better detect and apprehend such drivers.

Most importantly, perhaps, the department won enactment of a law requiring mandatory attendance at driver rehabilitative classes for anyone arrested of drunken driving for the first time.

These classes, optional under ASAP, which developed them, were one of the most effective counter measures used in the program to get drunken drivers off the road, Dogerty said.

Impetus to attend the classes was provided in two ways. Persons arrested on OUI charges were offered a choice between risking conviction and automatic four-month suspension of their driving licenses or attending the course and accepting restricted licenses within 30 days. And they were offered an opportunity, if they attended the course, of pleading guilty to a lesser charge, such as driving to endanger.

The law making such classes mandatory becomes effective in three months, and will apply to drivers arrested on OUI charges throughout the state instead of just in York and Cumberland counties.

When the program began, Dogerty recalled as he sealed a carton of records, "we were really pushing convictions. But this backfired on us, because we lost people from the rehabilitative program."

Still, many more people are arrested for drunken driving than attend rehabilitation courses. Dogerty remarked that 2,800 people are arrested for driving under the influence each year in Maine.

In York and Cumberland counties, 65 per cent of the OUI arrests led to convictions on the same charges. Of the remaining 35 per cent, Dogerty continued, some cases were dropped for various reasons and most ended up as pleadings of guilty to reduce traffic charges by those drivers who had attended rehabilitation classes.

Although both Dogerty and Wyman had high praise for the classes, Dogerty is convinced, he said, that straightforward selective law enforcement was the single most effective countermeasure the program had in getting drunks off southern Maine roads.

"The hard, cold fact is that officers were out there making arrests," he said. "We couldn't get people into rehabilitation without that."

Arresting drunks gets them off the road; rehabilitating them keeps them from drinking and driving again, Dogerty said.

But he added: "We don't really know if the rehabilitation program appreciably reduces the probability of repeat arrests."

Wyman, however, cited a six-month study of 2,280 drivers in the Maine ASAP which showed that of 1,150 who attended rehabilitation classes, five became repeat offenders. Of the 1,130 remaining drivers who didn't attend the classes, 81 became second offenders.

"This indicates one of two things," Wyman said. "Either the program was going well and accomplished what it was intended to do, or it wasn't getting to the hard-core drinking driver.

"But one thing we can say now: Of the ones we caught whose licenses were suspended, we got them off the road for four months and we didn't solve their problems."

That's why Wyman feels the new law mandating rehabilitative classes is so important, he said—to solve the problems that lead some people to drink and drive.

But no one knows yet just how effective ASAP has been, Wyman and Dogerty said, because complex evaluations of the $2.1 million program aren't yet complete.

Done at a total cost of $331,000 over the past three years by Social Systems Research Corp. in Bangor, the evaluation is now being completed in sections. One of them, newly

arrived at Dogerty's office as he was taking a highway map off his wall, apprises the effectiveness of ASAP's police patrol activity.

The evaluation report says: "Results showed that ASAP patrols, both state and local, produced significantly more OUI and OAS (operating after suspension) arrests per man than non-ASAP patrols as a group.

"Special OUI training showed the trained group of officers superior to the untrained group in 1972 for OUI arrest rates.

"Quality of police work as measured by the proportion of guilty dispositions of arrests showed both ASAP state and local patrols to be associated with a higher proportion of guilty dispositions than non-ASAP patrol arrests in all three years of the project."

In part because of such apparent successes with police training. Wyman said he hopes soon to develop a Motor Vehicle Department training program for all police officers in the state to teach them how to better detect and apprehend drunken drivers.

And he said the department would continue ASAP's medical work in "evaluation and followup of those people in rehabilitative courses.

"The we have to do is prevent that second offense," he said.

The mandatory rehabilitative courses will pay for themselves, Wyman noted, because each driver participating in them will pay a course fee of $30.

Said Dogerty, "the rehabilitation has changed people's lives. We've gotten countless letters thanking us for that form graduates.

"It's worked," he said, "but I don't think we've refined the system enough to be able to pinpoint the person who can be expected at sometime to be involved in a fatal crash."

The one flaw in ASAP, in other words, in that until someone drinks, drives and is caught, the program can't help him.

What's likely to happen now that there are no police officers on the highways exclusively patroling for such people?

Dogerty has a personal prediction: "I think fatalities are going to go back up."

DEATH OF DR. LILLIE MAY JACKSON

Mr. BEALL. Mr. President, on Friday, July 11, 1975, I attended funeral services for one of Baltimore's most distinguished leaders, Dr. Lillie May Jackson. Dr. Jackson, rose to the leadership of the Baltimore City NAACP in 1935, an era when overt discrimination against black Americans was widely practiced and accepted in our society. Long before the civil rights movement gained national prominence, Dr. Jackson was crusading to make life better for black people. Under her leadership, Maryland restaurants, theaters, and commercial outlets abandoned the blatant discrimination that had previously existed. Job and economic opportunities were opened to blacks in ever increasing numbers.

Through the efforts of Dr. Jackson, and those closely associated with her, Baltimore and Maryland made steady progress towards the goal of equality for all. Although Dr. Jackson's articulate voice has been stilled, her good works live on and all the people of Maryland are the better for her having been among us during this difficult transition period.

Mr. President, I ask unanimous consent that the obituary that appeared in the News American on July 10 and an article entitled "Grateful People Gather at Sharp Street Church in a Final, Moving Tribute to Lillie M. Jackson" which appeared in the Baltimore Sun on July 11, 1975, be printed in the RECORD.

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

LILLIE JACKSON, HEADED NAACP

Funeral services for Dr. Lillie May Jackson, president of the Maryland Chapter of the National Assn. for the Advancement of Colored People for 35 years, were to be held today at Sharp Street Memorial United Methodist Church, Dolphin and Etting streets.

Mrs. Jackson died Saturday at her home in the 1300 block Eutaw Place after a long illness. She was 86.

A native of Baltimore, Mrs. Jackson attended public schools before taking teaching courses at the Colored High and Training School, Pennsylvania Avenue and Dolphin Street. After graduating she taught second grade at the old Biddle Street Elementary School.

In 1910, she married Keiffer Albert Jackson, a Carrollton, Miss., exhibitor of religious and educational motion pictures. She traveled in the South with her husband for eight years showing the films.

The couple returned to Baltimore, where they made a home for their three daughters and son. After her children were grown, Mrs. Jackson became involved in reorganizing the Baltimore Branch of the National Assn. for the Advancement of Colored People.

In 1935 she was elected president of the revitalized organization and worked to desegregate public schools, state parks, municipal swimming pools and various beaches.

She retired in 1970 but remained active in the community. She founded Freedom House, a federation of inner city neighborhood club leaders.

The group meets at the old NAACP headquarters, 1234 Druid Hill Ave., every Tuesday to discuss ways of combating crime and decreasing juvenile delinquency.

Mrs. Jackson's husband died in 1970 after 60 years of marriage. She was active in the church for several years after his death.

Interment will be in Mt. Auburn Cemetery in Mt. Winans.

Mrs. Jackson is survived by three daughters: Mrs. Virginia Kiah, Mrs. Juanita Mitchell and Mrs. Marian Smith; a son, Bowen Jackson; a sister, Mrs. Florence Snowden; two nephews, 10 grandchildren and 9 great-grandchildren.

GRATEFUL PEOPLE GATHER AT SHARP STREET CHURCH IN A FINAL, MOVING TRIBUTE TO LILLIE M. JACKSON

(By DeWayne Wickham)

Dr. Lillie M. Jackson returned yesterday to the church where 30 years ago she raised her voice in protest against the social and racial injustices of that day.

In 1945, Mrs. Jackson came to the Sharp Street Memorial United Methodist Church to lead a rally in support of striking Pennsylvania avenue counter girls and clerks who were protesting low salaries and the lack of paid vacations. Friends say that it was the shrillness of her voice, urging the strikers to "stick to their guns," which carried the day.

Today she was silent, but her message was echoed by the many persons who spoke in her stead.

Mrs. Jackson, 86, the matriarch of the city's most prominent black family and long-time head of both city and state chapters of the NAACP, died Saturday. Funeral services were held yesterday.

While many of the top officials of the city, state and nation packed into the Sharp Street Church, swelling the estimated crowd to more than 1,200, another 300 persons stood outside in silent tribute to the woman who came to be known in the black community as "Ma Jackson."

Governor Mandel and Senators J. Glenn Beall, Jr., and Charles McC. Mathias, Jr. (both R., Md.), were there; so were all but one of the members of the state legislature's Black Legislative Caucus. Delegate Hattie N. Harrison (D., 45th, Baltimore) was reported to be out of town.

Also in attendance were members of the Supreme Bench of Baltimore, Police Commissioner Donald D. Pomerleau and a representative of Mayor Schaefer. The Mayor himself was in Washington attending a meeting with President Ford.

As the crowd filed into the historic grey stone church at Dolphin and Etting streets, many of the onlookers recognized some of the stalwarts of the civil rights movement. Among them were Roy Wilkins, executive director of the NAACP and Supreme Court Justice Thurgood Marshall, who often carried the NAACP's fight to the nation's highest court while heading its legal staff.

"She was the embodiment of the NAACP on the state and local level," Mr. Wilkins said. "The movement has lost one of its power-play advocates."

And Justice Marshall, seated in the basement of the church prior to the service, said, "I think my presence is what counts. . . . I am here to bear witness."

When the family and close friends of Mrs. Jackson were seated, only five minutes after the scheduled 1 P.M. start, the gathering joined in the singing of "Lift Every Voice and Sing"—the compelling song of the civil rights movement that many blacks refer to as their "national anthem."

Until her retirement in 1970, Mrs. Jackson was the heart of the civil rights movement in the state. She took her fight for equality for Maryland's black citizens both to the streets and the courts.

When Mrs. Jackson assumed the leadership of the Baltimore branch of the NAACP in 1935, all downtown theaters and restaurants barred blacks. Department stores, although allowing blacks to make purchases, would not allow them to try on their purchases.

Mrs. Jackson waged a tireless campaign against these and other social ills that she encountered. "Mrs. Jackson's legacy is all around us," Governor Mandel said in his eulogy.

Representative Parren J. Mitchell, brother-in-law of Mrs. Jackson's daughter (Juanita Mitchell), set the mood for the occasion when he said, "We are celebrating a triumphant life."

He said that Mrs. Jackson's life had demonstrated to him the "indestructibility of human life."

"The infinity of her love makes for that indestructibility," he said, "a love built on sacrifice and the legacy of suffering."

Probably the most fitting tribute that was paid this woman, who for five years led the fight to open the doors of the Lyric Theater to blacks, came from the Rev. W. W. Payne, pastor of the City Temple Baptist Church.

"Her name was a synonym for freedom . . . she was a living legend," he said.

Quoting from an inscription found in London's Westminster Abby, Rev. Payne said of Mrs. Jackson, "'God buries the workman, but the work goes on.' She will never die, her work goes on."

Mrs. Jackson was the head of the city's most politically active black family. Her daughter Juanita is married to Clarence Mitchell, Jr., head of the NAACP's Washington office.

Her grandson, Clarence Mitchell 3d (D., 38th, Baltimore), is a state senator who has been in the General Assembly since 1962. Another grandson, Michael B. Mitchell, has

announced his intention to seek a Fourth district councilmanic seat in this September's primary.

And Representative Mitchell, brother of Clarence, Jr., is the state's first black to be elected to a seat in Congress. Mr. Mitchell launched an abortive campaign for mayor this Spring, but dropped out last month.

As the three-hour service drew to a close, the people packed into the church began to sway from side to side as a soloist bellowed out the words of a traditional black gospel hymn—in final tribute to Mrs. Jackson's life.

May the work Ive done speak for me.
May the service I gave speak for me.
May the life I lived speak for me.
And when I'm in my grave and there's nothing
more to be said,
May the work I've done speak for me.

PORTUGAL

Mr. BUCKLEY. Mr. President, recent developments in Portugal force one to the conclusion that the leftists and Communists now in control of that country are determined to eradicate all vestiges of democracy and individual liberty.

Their reaction to that country's last free election was to abolish the democratic socialist parties that outpolled them and move against the labor unions that represented a strong countervailing force. It has all happened before, of course, for in many ways the takeover in Portugal is following the classic pattern that left much of Europe in Communist hands after World War II.

Mr. President, Sunday's New York Times magazine contained an interview with Mr. Alvaro Cunhal, the leader of the Portuguese Communist Party, conducted by Oriana Fallaci. In that interview Mr. Cunhal reveals himself to be as power hungry and cynical as any Communist revolutionary anywhere. It should be read by anyone who thinks the situation in Portugal is going to improve so long as the Communists are in a major position within the regime.

Mr. President, I ask that Miss Fallaci's interview with Mr. Cunhal be printed in the RECORD.

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

A TALK WITH THE COMMUNIST LEADER

(By Oriana Fallaci)

The man who counts most in present-day Portugal, the man who influences the army's power machine, the man, in one sense, who has emerged the winner, although he was beaten at the elections, is Alvaro Cunhal, the Portuguese Communist party leader. It isn't too easy to obtain an interview with him. If one succeeds, however, one has only to listen to him in order to grasp what is happening in that country, to obtain a clear picture.

Cunhal ignores diplomacy's nebulous paths. When he opens his mouth, he says what he thinks, with blunt sincerity. And among the things that he thinks, that he wants, that he has already partially obtained, we find a total refusal of democratic liberties, of democracy as we conceive it. The sum and substance of his utterances is: Either the dictatorship of the proletariat or else Fascism; the third force doesn't count, liberal Socialism is rubbish. If this attitude harms Eupopean comrades, all the worse for them. He makes no mystery of his opinion.

The only mystery he makes concerns his own person: He refuses to state whether he has any family or where he lived after his flight from the fortress of Peniche where he was interned until 1960, for 14 years in all. (It is, however, believed that he lived in Moscow and married a Russian.) Paradoxically, one is attracted to him. He is friendly, gay, impetuous, apt at repartee and able to make one laugh even while he is uttering the most unacceptable principles. Moreover, his intelligence is lively and sharp despite his blind faith and a hint of naiveté that cannot but astonish his listener. (I saw his eyes flicker and his ears redden when I maliciously insinuated that the Soviet Union, impatient with his orthodox excesses, might consider liquidating him.) It is hard to resist the fascination of his handsome, clean-shaven face imbued with faith, his blue eyes and his snow-white hair. (Women find him likable.) It is easy to ignore his charm, however, when one reflects on how ruthless this man is, when one remembers he doesn't believe in freedom.

Cunhal: Say what you like, think what you like: We Portuguese Communists need the army. And we're supporting the army. We've no use for a popular front with the Socialists, a pact like the one formulated by Nenni and Togliatti in 1948. We have already signed the kind of pact we need with the M.F.A., the Armed Forces Movement. In this country it is impossible to form a popular front without the army. The Socialists' great mistake lies in not having understood such a simple truth, in having estranged themselves from the army despite all the votes obtained. Even now, they can't manage to grasp this fact. They refuse to acknowledge that we are engaged in a revolution together with the army, a revolution started and led by the army. The Socialists already backed the wrong horse on April 25. At decisive moments, we Communists have always arrived first. On March 11, for instance, when there was the coup attempt, we didn't wait to see which way the wind would blow. We didn't fiddle about trying to discover which group was more likely to win. We immediately took the responsibility of denouncing the counterrevolutionary danger, of condemning Spinola. And we remained on the side of the Armed forces.

Fallaci: Say what you like, think what you like: It isn't permissible to neutralize and ignore a party that represents the greater majority of your people, the party that won the election. If one doesn't accept the rules of the election game. . . .

But we Communists don't accept the rules of the election game! You err in taking this concept as your starting point. No, no, no: I care nothing for elections. Nothing! Ha, ha! If you believe it's all a question of the percentage of votes obtained by one party or the other, you're laboring under a gross delusion! If you think the Socialist party with its 40 per cent and the Popular party with its 27 per cent constitute the majority, you're the victim of a misunderstanding! They aren't the majority.

Are you joking, Cunhal? Or is arithmetic nothing more than an opinion?

I'm telling you that elections have nothing, or very little, to do with the dynamics of revolution. Whether you like it or not, whether the Socialists like it or not. I'm telling you that the election process is but a marginal complement of said dynamics. Because the Armed Forces Movement, in this country, is a political force. An independent force, with its own political thinking, its political autonomy, even if it isn't represented in the election results. Yes, I know what you're wishing to retort: that the Army voted too. So what? Its votes were scattered among the various political parties: The Armed Forces Movement wasn't competing as such. And if yo ubelieve the Constituent Assembly can meet without the M.F.A., you're making a big mistake. If you believe the Constituent Assembly will be transformed into a Parliament, you're making a ridiculous mistake. No, indeed! The Constituent Assembly will certainly not form a legislative organ; it will certainly not become a chamber of deputies. I promise you. It will be a Constituent Assembly and nothing more, with a limited importance, nothing more. It will meet within a well-determined political framework, well-conditioned by the agreement signed with the M.F.A. by the force that is not represented by the M.F.A. Because it's the M.F.A. that launched the revolution on April 25, not the Socialist party.

Have I understood you properly? You did say there'd be no parliament in Portugal?

You've understood perfectly. I promise you there'll be no parliament in Portugal.

In that case, why hold elections at all? Why did you Communists take part? Why spend so much effort and money?

He! He, he! Maybe you have a point there. Maybe it would have been better if we hadn't taken part. But one can't always do what one likes; one can't always follow programs. Everything was already planned, decided. So many contradictory factors had intervened—that heterogeneous Government, for instance. That large coalition of power that even included the Popular Democratic party. We Communists had indeed told the army men that the P.P.D. shouldn't have been included, that the country couldn't be led towards Socialism by means of an extensive democratic coalition. But they insisted on lumping together Socialists, Communists, Social Democrats and the various trends within the Armed Forces Movement. . . . We had warned them the elections constituted a danger, that they were premature, that if no measures were taken we'd lose them, that one can't mix the passive vote with militancy. But we were able to prevent only the regional elections. They insisted on holding the one for the Constituent Assembly.

Cunhal, elections provide the only thermometer for assessing a people's will.

One of the thermometers. Only one. And I say this just to please you or, better, because if I answered "no thermometer," we'd go on for ever: yes, no, yes, no. But how can you speak of using a thermometer when there are districts where people can't even read and write? Districts where propaganda is carried out by whispering: "If you vote hammer and sickle, the Communists will come and give you an injection behind your ear."

What you're saying is that the people are immature, Cunhal. It's always an excuse for dictatorships. And it's exactly what the Fascists say.

Well . . . It doesn't mean that the people are immature . . . it means that the electoral method isn't the only one. . . .

The truth is that you didn't expect to lose so heavily, Cunhal.

No, no. I knew the right would win. Hadn't I even warned the army? I expected more votes in Lisbon, true. I expected more votes in several districts, in the South . . . but I never deluded myself that we'd obtain the majority. That woud have been an unfounded hope. Anti-Communist feeling ran so high that in some villages I couldn't even hold a meeting. On the walls they scribbled: "Cunhal, if you come here, you die." The agricultural electorate was very unfavorable to us. The election campaign was held in a climate of terror in the countryside. And everywhere, the enemy to be overcome wasn't Fascism, it was the Portuguese Communist party. We had everyone against us: right, center, left. We had you against us, too, you of the international press—always talking of Prague, of Lisbon as of Prague . . . while the Vatican radio launched appeals not to vote for the left and the Socialists evoked the

spector of civil war, of a war with Spain if the Communists came to power, of a Communist army coup. It was unavoidable that the right should win.

It isn't the right that won, Cunhal. It's the Socialists that won. Nor was there any terror: You spoke wherever you liked. The election was held in a correct manner. It's you, later, that behaved incorrectly. Unlawfully in fact.

Ah, but at this point I must explain to you what's happening in Portugal, what we have here. There's a revolution happening, you know? There's a revolutionary process afoot, you know? Even if it is proceeding side by side with a bourgeois democratic process that sometimes coincides with the aims of the revoluntionary process and sometimes contradicts them. The solution of our problems lies in the dynamics of revolution, whereas the bourgeois democratic process wants to entrust it to the old electoral concepts, invoking legality, a juridical situation and seeking to protect it with the laws of a previous regime. It refers to laws that must be respected. But in the revolutionary process, laws are made, not respected. Do you see? The revolution doesn't respect old laws; it makes ones.

Perfectly right. Perfectly true. But, in that case, why speak of democracy? Democracy is pluralism; it is free thinking. It's elections that must be respected. Elections in which all take part and not just the parties tolerated by you.

That's your opinion. It's by no means mine.

So I perceive. But then, what on earth do you mean when you use the word democracy?

Certainly not what you pluralists mean. To me, democracy means getting rid of capitalism, or trusts. And I'll add: In Portugal, henceforth, there exists no possibility for a democracy such as the kind you have in Western Europe. By "henceforth" I mean "no longer." Of course, if on April 24 we had been told, "You'll have a political set-up like the one in France or in Italy or in England," we'd have exclaimed: "How wonderful, what a relief!" But things went differently; the way events moved opened other prospects to us, and you can't expect a people's wishes to limit themselves or crystallize. In other words: Your Western democracy is no longer enough for us. Your coexistence of democratic freedoms and monopolistic power no longer interests us. We wouldn't attain it even if we could. Because we don't want to. We don't want a democracy like yours. We don't even want a Socialism, or, rather, a dream of Socialism, like yours. Is that clear?

And how!

In this country we need thorough, radical transformation at the social and the economic level. There are two choices before us: either a monopoly with a strong reactionary government or the end of monopolies with a strong Communist democracy. Capitalism in Portugal has developed in a very individualistic way—based on a backward industry, a primitive agriculture, a poverty never lightened by technology. Moreover, it has always enjoyed the protection of the Government establishment. It was the Fascist state itself that promoted a trust system by its use of violent repression and its enforcement of the miserable conditions the workers lived in. Our capitalism has always been an underdeveloped one, not at all to be compared with the types existing in other European countries. There's always been an enormous difference between the salaries of our workers and those of other European workers, an abyss between their mutual standards of living. So I'm interested in getting rid of monopolies, even if we're doing it in rather a disorderly way just at present. What you see now in Portugal is but the beginning. A temporary situation, in fact. Don't believe that the nationalization already achieved has followed a blueprint, a program. It's just a solution to immediate problems. Even without wanting Socialism, nationalization was overdue. And here you come babbling of election results, democratic freedoms, liberty!

Is it because you don't like that kind of talk that you've had the Socialist daily. Republica suppressed? Is it because you don't care for freedom that you've monopolized all the information media, from newspapers to radio to television?

I haven't monopolized anything. The press is self-managed ideologically, and I'm agreeable. It follows Portugal's revolutionary process and is entirely free. Of course, if the workers believe some editor or staff is counterrevolutionary, they have every right to demand their removal. It's even their duty, both spiritual and political. Everywhere, in Portugal, a paper's workers may evict the paper's editor. Or refuse to print the paper for him. That's what happened in the case of Republica. The Socialists behaved hysterically; they made a scandal of the affair to remind people they'd won the election. The truth is that the workers rebelled because Republica published nothing but attacks against the P.C.P., libels against the P.C.P. and criticism of the revolution. They began by censoring the texts they found unfair and then revolted. They were quite right to do so.

What if Socialist workers were to do the same to your papers? What would you say to them then, Cunhal?

He, he! I'd say: You fellows . . .

Listen, Cunhal: One even finds you, because you're ovrbearing and make no secret of it, a tyrant who takes no pains to mask his tyranny. On the other hand, don't you realize the harm you're doing to the European left and particularly to your Communist comrades in other countries? Just consider the Spanish Communist party. . . .

Ah! Poor Spanish Communist party. Ah! Poor Spanish Communists! How their plight moves me, how I suffer for them!

Just consider the Italian Communist party and the service you've done the Italian Christian Democratic party. . .

Oh! How sorry I am, how afflicted, navré! Je suis navré! Vraiment navre! Oh! Poor Italian Communists! Je pleure pour les Communistes Italiens! I weep for all European Communists, I reproach myself, I curse myself, I suffer on their behalf! Yes, I know their complaints. They're the ones they repeat to me whenever they come here. "Why are you doing these things?" "Why don't you accept some of the democratic procedures?" "Why do you prevent the Christian Democrat party taking part in the election?" and so on and so on and amen. What Christian Democrat party? All there existed was a tiny party that had been formed a bare four weeks earlier, with a fascist at its head. A fascist who should have been in prison since Sept. 28, in fact, because he had already betrayed the Armed Forces Movement with Spinola. A young reactionary party that didn't even have a Catholic base and that had already attempted conspiracy. . . .

All that has still to be proved and, in any case, wasn't the M.D.P. [Movimento Democratico Portugues, a Communist front] also such a small party but recently formed for your convenience?

We are looking through two very different windows. Your window isn't mine.

That appears obvious to me. However, I find it strange that you should sneer so at your Communist brethren in another country. The Italian Communist party was striving for the historical compromise and you. . . .

Oh, how sad to think they've suffered so much because of me! Oh, how mortified I feel! They had that possibility, and I spoiled it for them! You know what I think! If a Communist party can suffer damage by events taking place in another country, if it has to bear the consequences, then it means that . . .

. . . it isn't worth much? It may not be worth much, but the Italian Communist party, notwithstanding, can summon up seven million votes, whereas you didn't get even 700,000. Have you ever meditated this fact? Have you never considered the advisability of making the choice Togliatti made, of inserting yourself in the so-called bourgeois democracy?

No, no, no, no, no, no and no! We've already obtained much more this way. Today there are no more private banks in Portugal and all the fundamental sectors have been nationalized; agricultural reform is on the way, capitalism is destroyed and monopolies are about to be destroyed. And all this is irreversible. Irreversible! So my answer to the Communists in Western countries, to their complaints is: We don't await the results of elections to change things and destroy the past. Our way is a revolution and has nothing in common with your systems.

Do you believe Portugal will go Communist?

Indeed I do! It's my aspiration, since I'm a Communist myself. And it is indisputable that Portugal, as things now stand, is moving toward Socialism. The only thing I can't say, as things now stand, is what form that Socialism will take. Maybe I ought to be able to, seeing I'm in charge of a party by no means defeated. But, frankly, I don't feel up to it. I don't know why. We Communists would like to have everything, but we have to reckon with a very complicated, very contradictory reality. Our program for a Communist Portugal is certainly open to amendment. We've signed a five-year pact with the M.F.A. And we haven't the slightest intention of aligning ourselves against the army.

What if the military discover they're not so fond of you as you are of them, Cunhal? What if they transform Portugal into something like Peru?

No . . . I don't think so. No, not Peru. . . .

But suppose it happens?

Well, then I'll tell you: You can exclude the idea that in Portugal there exists a political force able to survive without the Communist party. Or, rather: Without the Communists, the revolution is impossible. I'm not saying this to express an opinion: I'm saying it to state a fact. I'm not saying it to imply blackmail, either; I'm saying it to demonstrate that we're conscious of our unexpendability. The military are aware of this too and have no idea of attempting to proceed without us. Neither now nor in the future.

However, there are some military who don't like you. I refer to the Maoists, who declare themselves fed up with the Portuguese Communist party's influence on the Revolutionary Council and the Armed Forces Movement.

There are certainly some Maoists concealed in the army, and it is obvious they oppose us, since they are inspired by the forces of reaction. This orientation of Maoist groups is universal, the same the whole world over. Their energy isn't the middle class, it isn't capitalism: They themselves have risen from the middle class, or even from capitalism. Their enemy is the Communist party. The Portuguese Maoists are like the Italian, French or German Maoists: puppets of the reaction against the Communist party. And they do constitute a danger. On the other hand, they have no possibility of seizing power. All they can do is attempt to divide, engage in provocation, like last night, when they started shouting that the political prisoners' camps contained Communists who had plotted with the Fascists.

Prison camps? What next? Aren't the jails enough? How many political internees have you in Portugal today?

I don't know. In any case, not many, not enough. They set them free too easily. They arrest them and then throw them out the next day. Sometimes these military are really too mild. And yet, they've made a revolution.

Listen, Cunhal, here one hears of nothing but revolution. What revolution? Revolutions

occur when the people participate. April 25 was a coup d'etat, not a revolution.

By no means! If you consider the M.F.A. just a group of conspirators who meet one fine day to engage in a plot, it shows you don't understand what's happened in Portugal. It wasn't a coup: We Communists said so at once. It was a movement of democratic forces within the army with meetings of 400 officers at a time discussing ways and means of changing the regime. I shouldn't even call them meetings: I should call them assemblies. And if you ask me where the people were during those assemblies, I'll answer that the Armed Forces Movement wouldn't have been formed if the people had not already started the struggle. The progressive officers didn't fall from heaven, were not born spontaneously like mushrooms after rain and sunshine. But to convince you, I must make my analysis.

Please, don't bother.

No bother. Here it is. The last years of the Fascist regime were difficult ones even for the dominant capitalists groups. The colonial war absorbed 43 per cent of the national resources and those groups found out supporting it no longer served their purposes. Apart from everything else, it isolated them from the rest of Europe and impended their economic expansion. Caetano would have to revise his international policy and liberalize his Government, they kept on repeating anxiously. This anxiety found a response in Spinola and other generals. Spinola was intelligent, well-prepared and had a following. However, there was also another trend within the army: the progressive officers. An elementary one, we must admit, not ideological. Few had the necessary preparation: Communist cells, for instance, existed among the soldiers but seldom among the officers. And the movement evolved rather as a caste than a democratic one. Then the officers began to hold meetings to discuss their career problems and the discussions expanded. They matured. And when both trends, Spinola's that only wanted the liberalization of the regime and the progressive officers' that wanted much more, found themselves shoulder to shoulder on April 25. . . .

. . . Cuhal stepped in and went to work on the progressive officers. Until he had them where he wanted them.

That's not the way to put it. We Communists had no contacts before April 25. We did foresee something, but we couldn't forecast anything for certain because we had no agents within the army. One can't even say we had lots of sympathizers there. In fact, the new leader considered was a moderate: Costa Gomes. Spinola took Costa Gomes's place because it was Spinola who negotiated with Caetano, and the latter declared he would surrender only on condition Spinola assume leadership. However, that's not what I wanted to explain. It's the fact that it's the army that overtherw the fascist dictatorship, but it's the people that imprinted the revolutionary dynamics. In fact, it's the people that assaulted police headquarters and freed political prisoners. I can demonstrate this because there are films of the events.

Revolutions are launched to give people a better life. That doesn't seem to me to be the case in Portugul.

I'll admit it. Our economy is still disastrous, even after nationalization. But I react like an authentic revolutionary to the bitter reality and have the courage to oppose strikes, excessive wage claims, to repeat that one mustn't lapse into demagogy, into a competition of who promises more. This very morning, I've had a discussion with the representatives of hotel staffs. I asked them: "Do you believe you'll solve your problems by ever-increasing wage claims? Monetarily, maybe. But what about tomorrow? Tomorrow you'll have no more tourists (already this year very few are coming) and the hotels will have to close down. You must make fewer demands and work more, produce more."

If the Italian unions could hear you!

Why should I worry about the Italian unions? Truth is truth and demagogy is demagogy. If we don't help ourselves, nobody's going to help us . . . Any more questions?

Only two. The first is What about NATO?

The other day, I met the United States Ambassador who was here before Carlucci. He was with some English people and they all asked me: "But how is this? You Portuguese Communists support NATO. You really want to stay in it?" My answer: "Who told you we support it, that we want to stay in it? We have merely stated that we don't wish to discuss the problem for the time being. It needs to be considered in a broader context: World peace, the Warsaw Pact, the cooperation of countries with different political regimes. Some day, we'll tackle it. We're in no hurry. For the time being, belonging to NATO doesn't present us with any problems."

The second question concerns the Warsaw Pact. Is it or isn't it true that you voiced approval for Soviet intervention in Czechoslovakia?

You want to end on that note, do you?

I'm sorry to appear brutal.

Why "brutal"? It's entirely true that I approved and supported Soviet intervention in Czechoslovakia, the so-called tanks in Prague. And there's no shame in admitting it; at most, and sometimes, it's unreasonable. But such was my, our, choice, and we were right. In every sense: political, historical and cultural. And I don't care a fig for whatever interpretation is given it. And I'd be grateful if this interview would stress this point well. And another too. I repeat and conclude: Portugal will never be a country of democratic freedoms and monopolies. It won't be a fellow-traveler of your bourgeois democracies. Because we won't allow it to be. We might land with another fascist Portugal. It's a risk we have to run, although I don't believe in another fascist coup: We Communists are equipped to prevent it, thanks to our alliance with the military. But, certainly, we shall not have a Social Democract Portugal. Please make that quite clear, will you?

Never fear, Cunhal, I will.

THE ROY JEFFERSON INNER CITY LEARNING CENTER

Mr. BEALL. Mr. President, on May 27 I had the pleasure of visiting the Roy Jefferson Inner City Learning Center. Roy Jefferson, as my colleagues know, is the outstanding wide receiver of the Washington Redskins.

Roy Jefferson is concerned over the fact that there are a large number of youngsters in this Nation who cannot read or read inadequately; but Roy Jefferson is determined to do something about the problem and that is what the Inner City Learning Center is all about.

I was quite impressed with the center and it is amazing what progress can be made in such a short period of time. A colorless suite, through volunteer efforts and donations from many merchants in the area was transformed into a classroom most conducive for learning. Remnants of carpets donated by merchants were patched together to form a colorful kaleidoscopic surrounding. I ask unanimous consent that a summary sheet explaining the Roy Jefferson Center and a list of those merchants who contributed to the center be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

M. BEALL. This shows once again that citizens are likely to help when called. While the good work done by business and civic-minded citizens is often overlooked, I want to commend those who contributed to the launching of the learning center.

As a member of the Education Subcommittee, reading is an area of deep concern to me. I have labeled reading as the "Achilles' Heel of American Education."

Recently I appeared before the Senate Appropriations Committee urging funding of the national reading improvement program, which I authored along with Senator EAGLETON. I recommended $25 million for the program and the Senate Appropriations Committee provided and the Senate approved $22 million. In the final House-Senate conference, the amount was reduced to $17 million. I ask unanimous consent that this testimony be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BEALL. Mr. President, I want to congratulate Roy Jefferson for undertaking this challenging assignment. Roy Jefferson's efforts here in the Nation's Capital, in my judgment, should be emulated elsewhere in the country. For this reason I have written to the National Football League Commissioner Pete Rozelle urging the NFL to make reading one of their public service activities for this upcoming season. American youth idolize football players and interest in reading by the NFL I am certain will impress many children in the country and probably contribute substantially to the emerging national attack on reading problems. I ask unanimous consent that a copy of the letter I wrote to Commissioner Rozelle be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

[EXHIBIT 1]

ROY JEFFERSON INNER CITY LEARNING CENTERS

DEAR APPLICANT: Thank you for your interest in the Roy Jefferson Inner City Learning Centers. Here are a few questions and answers we find are commonly asked by applicants. If you should not find the answer to your question please feel free to contact the Registrar.

1. What is the Roy Jefferson Inner City Learning Center?

The Roy Jefferson Inner City Learning Center is an educational learning center concentrating on helping individuals with reading problems. It has been established under a contract with the Right to Read Program within the United States Office of Education.

2. What is the primary goal of the program?

The primary goal is to increase the reading level of each participant a minimum of 2.5 years and to create good reading habits and interest on the part of the student.

3. Who is eligible to participate in the center activities?

Any individual who is at least one year behind in his/her reading and does not have a physical or mental problem which would prohibit participation.

4. Where are the centers located?

At the present time only one center is open at 1411 K St., N.W., Washington, D.C. Suite 1110. Other centers will be opened in the Washington Metropolitan area as funds and citizen interest increase.

5. What are the costs involved in participating in the program?

Instruction and basic material costs are provided free. There will be some minor costs to the participants for activities included in the program. We do not anticipate these costs being greater than $1 per week.

6. What type of education materials are used in the program?

The program is customized completely according to the individual student's need. The management instructional system is entitled Saturation Approach to Learning and provides for the customization of many published materials into individualized programs. These programs concentrate on specific skills needed by the student. Materials are also created to meet the specific interests of the student. They are not programmed. All materials within this approach are designed to meet the needs of the individual student. We "program" the materials not the student.

7. What times are the activities?

Instruction is scheduled on an appointment basis with one hour sessions twice a week. The appointments remain constant once established. During the months of September through May the staff will be scheduling instruction at the following times (Mondays–Thursdays):

1:00—Special Student.
2:00—Adults.
3:00—Children.
4:00—Children.
5:00—Children.
6:00—Special Conferences.
7:00—Children.
8:00—Open to all ages.

During the summer months the staff will modify the schedule with the following increased times:

10:00—Children.
11:00—Children.
12:00—Open to all ages.
1:00—Special Conferences.
2:00—Adults.
3:00—Children.
4:00—Children.
5:00—Children.
6:00—Special Conferences.
7:00—Open to all ages.
8:00—Adults.

Saturday Program schedules will vary according to the activity. In general all students will participate either during the morning or afternoon session. Morning sessions will begin at 9:00 and end at 12:00. Afternoon activities will begin at 1:00 and end at 4:00.

In general students will attend two instruction sessions weekly and participate in one of the Saturday sessions.

8. What kind of activities will occur at the center?

To comply with the general philosophy of the program, the activities will center around motivating participants to want to read about and enjoy experiencing activities of interest to them. Professional athletes and other well known celebrities will meet with the participants and provide motivation and assistance. Community leaders and business professionals will assist in conducting stimulating field activities.

Instructors will meet with assigned students on a one to four basis in an informal setting to present materials and discuss student progress.

Movies, field trips, fairs, parties, etc. will occur weekly.

9. How will this program cooperate with the area schools?

Information regarding the program, its goals and procedures will be discussed with the area school officials, principals and teachers. They will be invited to participate in workshops, center activities, and record exchange programs. Progress reports will be sent to the participant's school long with requests for input from his/her classroom teacher.

10. Will each participant be tested?

Yes. All participants will be given a diagnostic reading test as part of his/her enrollment. This test will be given periodically to measure progress and program completion. These tests will be reviewed with the student's parent or guardian and the areas of weakness will be discussed.

11. Will progress reports be given to the student and his/her parents?

Yes. Parent conferences will be scheduled on a monthly basis to discuss the participants program. The participant will receive a weekly review of his/her progress.

12. What kind of reward system is planned?

Each activity will be assigned a point value. Students who complete an activity will be awarded a specific number of points. These points can be applied to prizes ranging from small tokens to exciting trips, events, and valuable merchandise.

13. What about discipline?

Although the rules will be few, those which are made will be strictly enforced. Parent's cooperation is essential. Students will be dropped from the program if they continue to violate the rules. Students with behavior problems will be placed with special teachers and encouraged to modify their behavior. No corporal punishment will be administered by any instructor. When a student is in gross violation of the rules his/her parent or guardian will be contacted and permission to continued in the program will be granted only with an accompanying parent in the center during the student's appointment times.

14. Should I threaten my child with punishment?

Please do not initially threaten or scare your child regarding his activities. We would prefer that the child understand the purpose for the rules and how the rules will protect them from danger and help them learn. Behavior problems are often the result of poor teaching and the lack of a stimulating atmosphere. We will regard behavior problems as a failure on our part.

15. Can more than one member of a family participate in the program?

Yes. Selection however will be based upon need.

16. What is the policy regarding acceptance and rejection of a student?

There will be no discrimination with regard to race, color, or creed. There will be a committee composed of staff members and consultants who will select participants based upon the urgency of need and order of application. Those students who are not scheduled for immediate openings will be placed on a waiting list by priority and date of application.

Children with less than one year reading retardation will not be accepted. Preference will be given to students with more than two years retardation.

17. When will I be notified of acceptance or rejection?

The review committee will meet on Saturday, April 19, 1975 at 2:00 p.m. to determine the initial population. Parents will be notified of acceptance or rejection by mail no later than Friday, April 25, 1975. The registrar will have a list of accepted participants by April 21, 1975 and interested parents may inquire by calling the center.

18. When will the center open?

The official opening ceremony will be May 1, 1975. Student activities will begin on May 2, 1975. The actual starting date for each student will be designated in the acceptance letter.

19. Can the participtants borrow books or materials for home or school use?

Yes. A special library will be located in the center and materials will be loaned to the participants. A one week lending limitation will be imposed and strictly enforced.

All participants should have D.C. Library cards prior to entering the program.

20. Will the participants be given work he/she will do at home?

Yes. This work should not interfere with normal school work. Parents will be given instructions on how to assist the child in these activities.

Failure to do the assignment will result in loss of points leading to awards and prizes offered by the center.

21. Will there be any home visitations?

Yes. Athletes and staff members will visit each home to meet with parents and students to discuss the program and answer any questions.

22. Will the participants be required to furnish any supplies?

Yes. Each participant will be required to bring to the center the following supplies at his first appointment:

3 pencils, 3 bandaids, 1 spool of heavy thread, and 1 old shirt for art activities.

23. Will parents or guardians be required to participate in any activities or meetings?

Yes. It is mandatory that at least one parent participate in the following activities:

a. Initial enrollment.

b. Parent Orientation at 7:00 P.M., April 25, 1975 or at 10:30 A.M. April 26, 1975. Call the center to designate your time preference or discuss any scheduling difficulties. (1½-hour meeting.)

c. Parent Conference—Monthly by appointment (30 min.).

24. What is the policy regarding failure of a parent to attend these meetings?

If parents refuse to attend these meetings their child will be dropped from the program.

25. Will the center be closed on legal holidays?

Yes. It will also be closed on any day in which D.C. schools are forced to close due to bad weather. The center will not close on teacher conference days or during other county/city holidays. Please check with the registrar if you are in doubt.

26. Will the center accept private donations?

Yes. We are a non profit tax exempt institution and would appreciate any donations. Donations will not influence in any way the acceptance of a participant.

Groups wishing to sponsor children or outreach centers should contact the center director.

27. What type of donations are you interested in?

Businesses and individuals are encouraged to donate school supplies, camera equipment, film, rugs, furniture, snack foods, games, toys, new clothing, drapes, paint, wood for shelving, books, arts and craft supplies, pictures, personal services, office equipment, and money.

28. Who can volunteer their services to the program?

Any individual of good moral character who is willing to work with patience and enthusiasm with students who have normally had a bad experience with teachers or formal instruction. These individuals may assist in one or more of the following ways:

a. Tutors (We will train you on a regular basis).

b. Arts & Crafts (both experienced and inexperienced).

c. Business men and women who can aid in World of Work orientation.

d. Craftsmen i.e., electrical, woodworking, etc who will aid the staff in center activities and design.

e. Field Trip aides (Saturdays).

29. What are your medical policies?

All medical problems must be reported upon applying to the program. Very few medical problems will disqualify an applicant. We want to know problems so that we can be ready for any emergencies. Be sure that you list allergies and drugs being taken. We will not administer any drugs or treat any injuries beyond applying a bandaid.

If an emergency should occur we will notify the Rescue squad, family doctor, and parent/guardian. A staff member will go with the child to the hospital.

30. Will there be a formal graduation ceremony?

Yes. A formal graduation ceremony will occur three times each year in September, January, and April. Graduates will be those individuals who have completed their program of study.

Thank you for your taking the time to learn about the center and for your interest in helping us serve you. If I can be of any service to you or your organization please feel free to call on me.

Carpet Merchants: Interstate Carpet, Fairfax, Virginia; House of Carpets, McLean, Virginia; Carpet Carnival, Suitland, Maryland; Dieners Carpets, Rockville, Maryland; The Rug Man, Fairfax, Virginia; Carpetland, Fairfax, Virginia.

Furniture: Metro.

Macke Vending Co.: Juke Box.

The American Legion: Paper, office supplies, typewriters, adding machine, American flag.

Grants for Summer Employment: Redskin Foundation, Washington, D.C.; United Planning Organization, Washington, D.C.; Public Defenders Office, District of Columbia Government, Washington, D.C.

[EXHIBIT 2]

STATEMENT OF SENATOR J. GLENN BEALL, JR.

Mr. Chairman, as the ranking minority member of the Education Subcommittee and as a coauthor, along with Senator Eagleton, of the National Reading Improvement Program, I welcome this opportunity to appear with Senator Eagleton to strongly urge the Committee to appropriate $25 million for this major national reading effort.

The Reading Improvement Program was enacted as part of the Education Amendments of 1974 and is designed to deal with what I have labeled the "Achilles' Heel" of American education—the large number and high concentrations of children in some of our schools with severe reading difficulties.

I am pleased that the Administration in their FY 76 budget contemplated funding this new program; however, I am disappointed that the Administration elected to discontinue in effect the former Right to Read Program. This certainly was not what Senator Eagleton or I contemplated. We are urging the Committee to appropriate $8 million to continue the former Right to Read effort and an additional $17 million for funding the projects under the National Reading Improvement Program.

The following facts and statistics indicate the magnitude of the problem and the need for action:

Approximately 18½ million adults are functional illiterates.

Some 7 million elementary and secondary children are in severe need of special reading assistance.

In large urban areas, 40 to 50 percent of the children are reading below grade level. A 1969 Office of Education survey indicated 22 percent of the urban schools had 70 to 100 percent of their pupils reading a year or more below grade level.

These massive reading difficulties have been confirmed by surveys of teachers and pupils alike. Over and over again, parents, the general public, and the press across the nation have expressed concern with the poor pupil performance in the fundamental reading area. For example, a 1973 survey in my State found that "the people of Maryland believe that the mastering of reading skills is the most important education goal for the schools of the State."

Mr. President, after I had introduced the reading proposal, I received a letter from an individual from Texas who sent me a copy of an article from the "Dallas Morning News". I would like to read a couple of paragraphs from this article.

"At commencement exercises throughout the city recently, anywhere from 500 to 1,000 of Dallas' 9,000 graduating seniors, according to official estimates, walked across stages to be handed diplomas they could not read. Barely able to read, many will wind up with poor jobs or no jobs at all. Still in school, youngsters who are either unable to read at all or read only at the most elementary level can be found in almost every one of Dallas' 43 secondary schools. Dallas School Superintendent Nolan Estes has estimated more than 20,000 of the public school system's 70,000 secondary students read at least two or more years below grade level."

The National Reading Improvement Program is essentially preventive in nature. It is based on the premise that it is much easier to prevent reading difficulties than to remedy such difficulties once they occur. The program has essentially three parts:

(1) Reading Improvement Projects, under which grants are made to states and local educational agencies for projects designed to overcome reading deficiencies;

(2) Special Emphasis Projects, which seek to determine the effectiveness of intensive instruction by reading specialists and the regular elementary teacher. Projects under this part would (a) provide for the teaching of all children in grades one and two by a reading specialist, (b) the teaching of children in grades three through six who have reading problems by a reading specialist, and (c) an incentive Vacation Reading Program for elementary children who are found to be reading below the appropriate grade level.

(3) Reading Academies, which provide assistance to youths and adults who otherwise would not receive assistance and instruction.

Mr. Chairman, the reading program we are asking the Committe to support is the result of considerable study and two volums of hearings. In addition, we conducted a fifty-state survey of the training required for teachers in the elementary area. While the National Reading Improvement Program will not be a panacea for all the reading problems, I believe that there is considerable evidence that this approach can and will make a substantial difference. A society, where technology and education are so important and where only approximately 5 percent of the public are unskilled, cannot allow the dangerous conditions, of massive numbers of children lacking the ability to read which affects both their capability to learn and to earn, to continue.

As a member of the Budget Committee, I am aware of the fiscal problems facing this country and the need for spending restraint. This is a program that addresses a critical problem that crys out for a solution. Support for this program has been widespread both from the education community and from the general public. In view of the limited opportunities available for individuals who cannot read, and in view of the burdens that such individuals often become to society, this program is one we must afford even in this difficult budget year.

I note, Mr. Chairman, that a 1974 special report of "Education USA" on reading noted with respect to the Right to Read effort that it "has become one of the most highly publicized and underfinanced federal efforts in educational history." That is true notwithstanding the fact that in 1969 Education Commissioner Jim Allen announced with considerable fanfare the launching of the Right to Read effort. Since then each of his successors have recognized and supported reading as a priority area. It is my hope that the Appropriations Committee will not allow this program to suffer a similar fate and instead provide the modest funds in view of the magnitude and importance of the problem as recommended by Senator Eagleton and me.

Mr. Chairman, I ask unanimous consent that the statement I made when the bill passed the Senate on May 8, 1974 which goes into considerable more detail with respect to the reading problem and the rationale for this program, be printed in the hearing record.

[EXHIBIT 3]

U.S. SENATE,
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C. May 27, 1975.

Mr. PETE ROZELLE,
Commissioner, The National Football League
410 Park Avenue New York, New York

DEAR COMMISSIONER ROZELLE: Roy Jefferson, the outstanding Washington Redskins wide receiver, has taken on a new assignment. It is as challenging and as difficult as any Superbowl, and for those involved, the stakes are even higher—success both in school and in subsequent adult life.

I am proud and the National Football League should be proud of what Roy Jefferson is doing. He has opened the "Roy Jefferson Inner City Learning Center". I have visited this Center and it is amazing the progress that can be achieved in so little time. A colorless suite, through volunteer efforts and community donations, has been transformed into a kaleidoscopic classroom. It clearly is a happy atmosphere, conducive for learning.

Washington, D.C. is one of the twenty-six cities in which the National Football League teams are located. For the most part, these teams are situated in cities which have the problems that afflict many large urban areas. One of the most serious problems confronting American cities and their school system is the reading problem, which I have called the "Achilles' heel of American education". The following facts and statistics indicate the magnitude of the problem and the need for action:

Approximately 18½ million adults are functional illiterates.

Some 7 million elementary and secondary children are in severe need of special reading assistance.

In large urban areas, 40 to 50 percent of the children are reading below grade level. An Office of Education survey indicated 22 percent of the urban schools had 70 to 100 percent of their pupils reading a year or more below grade level.

I know and strongly applaud the public service activities undertaken in recent years by the National Football League. The National Football League players are idolized by the youth of this Nation. Therefore, I urge the National Football League to make reading one of their public service activities for the upcoming season. I think it would be an inspiration to the youngsters with reading difficulties if the National Football League would encourage other players and

teams to adopt a project such as Roy Jefferson has done in Washington, as well as do the traditional "television spots" emphasizing reading and its importance.

As you may know, I authorized the National Reading Improvement Program that was enacted in the last Congress. This program envisions a major national reading effort, particularly aimed at elementary youngsters, to prevent reading problems in the future. I would hope that the National Football League would consider joining and contributing to this national attack on reading problems.

With best wishes, I am

Sincerely yours,

J. GLENN BEALL, Jr.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

DETERMINATION OF SENATE ELECTION IN NEW HAMPSHIRE

The ACTING PRESIDENT pro tempore. Under the previous order the Senate will now resume the consideration of the unfinished business, Senate Resolution 166, which the clerk will state.

The legislative clerk read as follows:

A resolution (S. Res. 166) relating to the determination of the contested election for a seat in the United States Senate from the State of New Hampshire.

The ACTING PRESIDENT pro tempore. Under the previous unanimous-consent agreement, there will be 2 hours of debate on this issue today.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and it will be a live quorum.

The second assistant legislative clerk called the roll and the following Senators entered the Chamber and answered to their names.

[Quorum No. 53 Leg.]

Allen	Hart, Gary W.	McGovern
Clark	Hatfield	Morgan
Ford	Helms	Ribicoff
Garn	Laxalt	Scott, Hugh
Griffin	Mansfield	

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Pending the execution of the order, the following Senators entered the Chamber and answered to their names:

Abourezk	Hansen	Pell
Bartlett	Haskell	Percy
Biden	Hathaway	Proxmire
Brock	Hollings	Randolph
Brooke	Hruska	Roth
Byrd, Harry F., Jr.	Huddleston	Schweiker
Byrd, Robert C.	Jackson	Scott, William L.
Cannon	Johnston	Sparkman
Case	Kennedy	Stafford
Chiles	Long	Stennis
Church	Magnuson	Stevens
Cranston	McClellan	Stone
Curtis	McClure	Symington
Dole	McGee	Talmadge
Eagleton	McIntyre	Thurmond
Fannin	Metcalf	Tunney
Fong	Mondale	Weicker
Glenn	Moss	Williams
Goldwater	Nelson	Young
Gravel	Nunn	
	Packwood	

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. BENTSEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from North Dakota (Mr. BURDICK), the Senator from Iowa (Mr. CULVER), the Senator from Mississippi (Mr. EASTLAND), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. MONTOYA), the Senator from Maine (Mr. MUSKIE), and the Senator from Rhode Island (Mr. PASTORE) are necessarily absent.

I further announce that the Senator from Illinois (Mr. STEVENSON) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from New York (Mr. BUCKLEY), the Senator from New Mexico (Mr. DOMENICI), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. TAFT), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

DETERMINATION OF SENATE ELECTION IN NEW HAMPSHIRE

The Senate continued with the consideration of the resolution (S. Res. 166) relating to the determination of the contested election for a seat in the U.S. Senate from the State of New Hampshire.

The PRESIDING OFFICER. Who yields time?

Mr. CANNON. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are in 1 hour of controlled time on division 2 which is issue (1) which is lines 7 through 12 of page 1 of the resolution; the vote to come at 2 p.m. tomorrow.

Mr. CANNON. Very well.

Mr. President, I yield myself such time as I may need.

The request of Mr. Wyman to go beyond the 3,500 ballots that were protested during the complete recount of the approximately 223,000 ballots conducted by the New Hampshire Secretary of State and that have already been reviewed by the Committee on Rules and Administration and to conduct another recount of Gorham, Bedford, Somersworth Ward 1, Claremont Ward 2, Concord Ward 1, Hanover, Newmarket, Pelham, Salem, and Gilford, has no reasonable basis and should be denied.

Mr. President, this request should be denied for several reasons:

First, there is no sound basis for this protest. There is absolutely no evidence to support the assertion—just a bald assertion—that the secretary of state's talley sheet is inaccurate.

Second, no timely protest was made on these ballots or these precincts during the recount conducted by the New Hampshire secretary of state as is required by New Hampshire law.

Had Mr. Wyman wanted to protest these matters he could have protested during the recount. He could have protested the individual ballots or could have filed a protest with respect to the precincts themselves.

He did not do that, and the first that we heard of the issue of these 10 precincts was after the recount had been concluded and Mr. Wyman had discovered that he had lost the recount by 10 votes to Mr. Durkin and that the recount declared Mr. Durkin to be the winner.

In addition, the lack of security of these 180,000 ballots stored in the National Guard armory has seriously compromised the integrity of all of those 180,000 paper ballots.

U.S. Marshal Victor Cardosi in the letter sent to Senator PELL, on January 22, 1975, had this to say about the 180,000 odd ballots stored in the National Guard garage.

The second building we examined was the garage at National Guard Armory, specifically bays numbered 8 and 9. The security there leaves much to be desired as enumerated in our report.

One of the overhead doors was not locked. We were told that it did not matter as the door was frozen and could not be opened. The day of our inspection, it was very cold and we found this to be true. However, between the time the ballots were placed there (January 3rd) and the day of our inspection (January 17th) there were several warm days when we feel that if the door was not locked, it could have been opened.

The partitions between the bays consist of chicken wire, 8 feet high, and it would not be too difficult to gain access to bays 8 and 9 from the other bays.

The method of sealing the cardboard boxes and the heavily wrapped packages leaves much to be desired. We were told by John Fraser that some of the checklists used in the November election were never received, also some were returned, as requested, to town officials; therefore, not all of the checklists are now in storage.

Now then, Attorney General Warren Rudman, the New Hampshire attorney general, who is a member of the ballot law commission, said, in response to an inquiry:

Now you have to understand there were two classifications of ballots. The ballots that you see here, about 180,000 ballots, were never protested by anyone. There were roughly 3500 ballots that were in fact protested. Those ballots are under very tight security. The tightest security imaginable at the State Police Laboratory in the evidence safe. Now, at the conclusion of the Ballot Law Commission hearing it was stated on the record and agreed to by the parties that these

ballots will be placed in a safe, warm, secure place where they wouldn't get wet or spoiled, or what have you, if there were any reason ever to look at them in the future. But they have never been protested by anyone. And I think for anyone now to come and say, 'well, we've got some problems with these ballots,' that's just confusing the public and confusing the issue and I just don't think it's very forthright.

That was Attorney General Rudman.

Notwithstanding the untimeliness of the Wyman protest—that is, that he did not make any protest with regard to these precincts—it was on November 27 when Mr. Wyman first decided to raise a question on these 10 precincts. That was the day after the recount had been concluded, which was concluded on November 26, and at a time when Mr. Wyman found that he was 10 votes behind, according to the recount. So this was Mr. Bigg's letter, dated November 27, 1974.

Re: Wyman-Durkin Recount.

ROBERT L. STARK,

Secretary of State, Clerk of the N.H. Ballot Law Commission, State House, Concord, N. H.

DEAR MR. STARK: I am writing to you in your capacity as Secretary of State and Clerk of the New Hampshire Ballot Law Commission.

I am the legal representative of Honorable Louis C. Wyman, presently United States Congressman, and candidate for the United States Senate.

Pursuant to RSA 68:4 (II), I am writing to you to hereby appeal from your declaration upon recount, that Mr. Wyman did not have the greatest number of votes.

This appeal is from all rulings made by you as Secretary of State, on ballots protested during the recount, and on all rulings related thereto, including but not limited to your rulings denying my protests and my requests as follows:

I point out, Mr. President, that no protest had ever been raised at that point in time on those 10 precincts. So this is what Mr. Bigg did. He went ahead, then, and listed these 10 precincts among other things. I read as follows:

(1) to send for and examine an additional box from Gorham, allegedly containing additional ballots, and to recount once more those ballots presently in your possession from the Town of Gorham;

Mr. President, the allegation there was that there were 100 straight Republican ballots in the box from the town of Gorham that had not been counted, that if this particular box were opened up, the 100 straight Republican ballots would then be discovered. Well, Mr. President, with respect to that rule, here is what happened: On December 9, 1974—I remind you that letter was November 27—the ballot law commission took oral testimony from election workers in the town of Gorham. Most importantly, they also opened a ballot box which Mr. Wyman's attorney alleged would contain 100 straight Republican ballots not counted in the recount. This contention was shown to be totally without substance. The ballot box contained only constitutional question ballots.

Mr. President, that was the disposition of the so-called 100 ballots in issue No. 1.

Here was issue No. 2:

(2) to once again recount the ballots from the Town of Bedford and determine the cause for an alleged change in the number of recounted ballots from said Town;

(3) to once again recount the ballots from the Town of Claremont, Ward 2, and determine the cause for an alleged change in the number of recounted ballots from said Ward 2 in the Town of Claremont;

(4) to once again recount the ballots from the City of Concord, Ward 1, and determine the cause for an alleged change in the number of recounted ballots from said Ward 1 in the City of Concord;

(5) to once again recount the ballots from the Town of Gilford, and determine the cause for an alleged change in the number of recounted ballots from said Town;

(6) to once again recount the ballots from the Town of Hanover, and determine the cause for an alleged change in the number of recounted ballots from said Town;

(7) to once again recount the ballots from the Town of Newmarket, and determine the cause for an alleged change in the number of recounted ballots from said Town;

(8) to once again recount the ballots from the Town of Pelham, and determine the cause for an alleged change in the number of recounted ballots from said Town;

(9) to once again recount the ballots from the Town of Salem, and determine the cause for an alleged change in the number of recounted ballots from said Town;

(10) to once again recount the ballots from the Town of Somersworth, Ward 1, and determine the cause for an alleged change in the number of recounted ballots from said Ward 1 in the Town of Somersworth;

Mr. President, those 10 precincts are the 10 that are referred to in the issue now before us. I have already mentioned that on issue No. 1 the ballot law commission did precisely on December 9 what Mr. Wyman contended for: brought the box in, opened it up, found out that there were not any straight Republican ballots in it. It contained only constitutional question ballots.

What happened with respect to the remainder of the items? This matter then went to the ballot law commission, and on December 4 here is what happened before the ballot law commission. This was a quote from Mr. Brown, who was then the lawyer appearing before the commission for Mr. Wyman.

We request that this Commission completely review all of the ballots, used and unused, together with the other relevant election documents, of Gorham, Bedford, Gilford and Somersworth Ward 1, unless we can be afforded an opportunity to review certain of these documents to satisfy ourselves that less than a full review is necessary in order that justice be done.

Mr. President, those are 4 of the precints, the 10 precincts to which I have referred.

This is Chairman Snow, chairman of the ballot law commission:

Chairman SNOW. Give us those again. Gorham and Gilford I got—what were the other two?

Mr. BROWN. Gorham, Bedford, Gilford and Somersworth Ward 1.

Chairman SNOW. Okay.

Mr. BROWN. The Commission will recall that in Mr. Bigg's appeal notice we listed several others. We don't intend to pursue the others.

This is Mr. Brown speaking to the Dort Bigg letter of November 27 that outlined the 10 precincts that they wanted recounted. This is Mr. Brown again: "We don't intend to pursue the others."

Mr. Brown again:

What is involved here with these four precincts is that responsible election officials and voters in each of these precincts are insistent to us that their original counts were valid and the counting errors occurred here during the recount. Logically, this may actually be true. It is just as possible that people of good will working hard counting ballots can make an error in the State House as at the Town Hall. We, therefore, because of special circumstances in each of these four precincts, wish a further review.

With the exception of four precincts that I mentioned—we don't anticipate having to go outside of the envelopes in which Mr. Stark and Mr. Kelley segregated out the ballots that are subject to protest, by all parties.

Now, the protest procedure was that when a ballot was protested before the secretary of state, it was segregated in an envelope by Mr. Stark and Mr. Kelly, and those were the envelopes that were referred to. So he said:

With the exception of four precincts that I mentioned—we don't anticipate having to go outside of the envelopes in which Mr. Stark and Mr. Kelley segregated out the ballots that are subject to protest, by all parties.

Now, this happened on December 4. In the meantime, all of the parties were doing a lot of checking because there was an appeal to the ballot law commission, and part of the procedure was in progress.

On December 20, some 16 days later, Mr. Wyman, during the proceedings before the New Hampshire Ballot Law Commission, waived his request to recount again all ballots cast in Gorham, Bedford, Gilford, and Somersworth Ward 1. Those were the four that were reserved on December 4, the other six having been waived. I refer now to the transcript of the ballot law commission on December 20, 1974. I quote:

Taking into consideration all of the issues having to do with recounts in Lancaster, Meredith, Goffstown, Merrimack, Seabrook; the absentee vote in Amherst, absentee vote situation in Nashua; Manchester voting machine situation. With respect to Goffstown, the only issue there is the American Party possible double vote, which we haven't ruled on, and which we'll rule on. I've been advised of that, and that's correct for the record.

In addition to all of your other objections which have been continuing, that we have no authority to do what we are doing, that we have gone beyond the scope of the Statute in considering what we have considered—

This is Mr. Millimet, Mr. Durkin's lawyer, now:

Mr. MILLIMET. Well, I haven't said that about most of the proceedings, may it please the Chairman, but you apprehended my views on the issues that you enumerated.

Chairman SNOW. I mean, what I'm saying is I don't think you need to state it again.

Mr. MILLIMET. Yes. It's in the record, we understand that.

This is Mr. Brown now, Mr. Wyman's lawyer, again:

Mr. BROWN. So far as the precinct recount requests—and I had four of them——

Chairman SNOW. Gilford, Bedford, Somersworth Ward 1 and Gorham.

Mr. MILLIMET. You didn't mention Somersworth.

Chairman SNOW. I was going to ask you about it.

Mr. BROWN. I am not pressing on any of those, but I may have some live testimony with regard to the Somersworth situation, depending upon how my brother's case develops, and I withdraw the request for the precinct reviews.

Mr. President, I want to repeat that:

. . . and I withdraw the request for the precinct reviews.

The transcript continues:

Chairman SNOW. Gilford, Bedford, Somersworth Ward 1 and Gorham.

Mr. BROWN. Yes.

Chairman SNOW. Did you get that?

Commissioner RUDMAN. Yes, I did.

Incidentally, that is the attorney general that I referred to earlier.

Commissioner CROWLEY. I got it.

So, Mr. President, there we have a complete disposition in satisfaction by Mr. Wyman's lawyers of all of the issues that were raised in the Dort Biggs' letter of November 27 with respect to those 10 precincts, none of those issues having been raised before the secretary of state, and it was to their satisfaction.

Mr. President, we have to bring a conclusion to this matter at some time and I do not know how many times a party has to be satisfied with what has been done with respect to the precinct, but certainly Mr. Brown was satisfied that Mr. Biggs' points raised in his November 27 letter had been concluded.

I submit, Mr. President, that the Senate should not go back now and attempt to recount a recount in these 10 precincts for the reasons I have stated.

Mr. President, I reserve the remainder of my time.

Mr. HATFIELD. Mr. President, I yield myself sufficient time to cover a few points.

First of all, I find myself in an interesting situation of attempting to interpret lawyer language as a nonlawyer, but I think we have an example here this afternoon that has to be clarified. We have to get this back into English language, the language not of some unique group set aside in our society because of professional training known as lawyers.

The chairman of the committee is an attorney, and I think we have seen this afternoon how lawyers can use words to convey impressions and ideas which are not inaccurate but certainly are not telling the full story.

First of all, let me make very clear that at no time—and I emphasize at no time—did Mr. Wyman's lawyers waive the rights of their client in the proceedings before the secretary of state of New Hampshire or before the State ballot law commission.

The chairman this afternoon has been very accurate in using the technical language that Mr. Wyman's attorneys withdrew protests at a certain time or they did not pursue protests under certain circumstances, but there is valid reason for that, and I will explain it.

Let me make the record clear, even though the chairman, I think, misstated himself when he said at one point, he did not use the word "withdrew" but he used the word "waived." Neither Mr. Brown nor any of the other attorneys, to my knowledge, in any part of the record, ever waived the rights of Mr. Wyman as their client. Now, let me, first of all, say this: There is ample reason; there is ample basis, for pursuing issue No. 1 under this resolution from the Rules Committee.

The chairman has said, first of all, that there is no sound basis for adopting issue No. 1. Well, there is a sound basis. The sound basis is this: We have under the Constitution the right of due process that is granted to anyone in this country, including candidates for public office. Up to now due process has not been fulfilled on behalf of Mr. Wyman, and there are three or four specifics to that that I would like to list.

First, during the protest or during the counting of the ballots, and in the various precincts on election night, verbal protests were issued by both sides. Such protests were issued as they related to these precincts.

Now, during the secretary of state's recount they again issued these protests, and the chairman had this afternoon recited from a letter of November 27, 1974, to the secretary of state signed by Mr. Bigg, the attorney for Mr. Wyman, in which he set down in writing a confirmation and a followup of the verbal protests that had already been issued.

Let us get that straight right here: in typical lawyer fashion, when verbal protests had been issued, Mr. Bigg, the lawyer, in good lawyer-like fashion, followed those verbal protests up with a written protest.

There is evidence Mr. Wyman had these protests. Now let me read to you an affidavit dated April 21, 1975, signed by Robert L. Stark, secretary of state of New Hampshire, subscribed and sworn to before Justice of the Peace Catherine Hardy on the 21st of April 1975. It reads as follows:

APRIL 21, 1975.

AFFIDAVIT

I am Robert L. Stark, Secretary of State of New Hampshire.

During the recount of the New Hampshire U.S. Senate election ballots in November, 1974, precinct challenges were taken verbally by both contestants. As indicated in Attorney Bigg's letter of November 27th there were demands of that nature from both sides during the counting of the ballots.

My response to all such requests was uniformly in the negative or we would never have been able to get through the recount. I would not recount a precinct on an allegation that the tally sheet was incorrect or for any other reason and I do not recall having recounted any precinct a second time in my conduct of the recount of the Nov. 5th Senatorial election no matter which side protested the precinct.

ROBERT L. STARK,
Secretary of State.

I think we have in this two examples of the evidence that Mr. Wyman's people were timely with their protests. They were issued under the circumstances of New Hampshire custom and New Hamshire practice, and they were also further validated by the letter that Mr. Bigg wrote and the affidavit that the secretary of state also issued.

Mr. President, let me also further suggest that when the chairman of our committee and the manager of the bill says that the committee was not ready to go beyond the 3,500, the assumption was made that all 3,500 ballots had been properly ruled upon during the process prior to the coming to the Senate. This assumption also carries with it a lack of full facts of the case. It is the truth, but it is not the whole truth.

The whole truth is simply this, the ballot law commission ruled on only approximately 400 of the 3,500 ballots. Those others were not waived, they were stipulated. The fact also remains that the ballot law commission did not handle each and every protest. Consequently, because the ballot law commission did not rule on these protests does not mean the Senate of the United States was not to rule or to make judgment on them.

Let me further add that at no point, at that point, had Mr. Wyman's people yielded or waived their rights, their legitimate rights, even for those cases the ballot law commission did not take jurisdiction.

Before I leave the ballot law commission, I would like to point out that the ballot law commission refused to take jurisdiction on these matters and in so doing, did not, in itself, negate the existing rights of the parties.

I think it is very interesting that when the ballot law commission was called upon by Mr. Durkin to rule on the recount of the Salem precinct they avoided the issue at that point and in their formal ruling said that they would not recount such ballots, or such precincts; but that did not, in itself, waive the rights of the contestants.

Then the contestants came to the Senate of the United States and the Senate through the Rules Committee passed a policy on these. This policy very carefully stated that a consideration would be made by the committee of all the protests made by either party at any stage of the proceedings contemplating that the committee will take the appropriate steps on each protest to ascertain the validity of such protest and the accuracy of the count of the matter protested.

Mr. President, just because the chairman has on occasion said the committee did give such consideration and ended up in a 4-to-4 tie is certainly not in keeping with the policy set forth by the committee that said they would take appropriate steps on each protest to ascertain the validity of such protest and the accuracy of the count of the matter protested.

Here, the committee refused to even go back to honor that protest by Mr. Wyman, some of these 10 precincts, and refused to avail itself to the easy recount of those 18,000 ballots in the basement of the Russell Office Building.

That is a lack, in my opinion, and I

speak solely as a layman, of providing due process under the Constitution of the United States to one of the contestants of this election.

The other assumption as given again by the chairman this afternoon now is that the secretary of state's recount is an accurate recount. He keeps saying, as he did in the committee, we are not going to have a recount of a recount.

That is a very interesting cliche. I do not know what it means; it sounds good, "a recount of a recount." It sounds like an exercise in futility.

Well, I think it is very interesting that when we get beyond the cliche character of the statement and down to the facts of the case, to illustrate why we have no reason to believe that the secretary of state is infallible, or the secretary of state was not without error. That has already been proven.

First of all, let us bear in mind that the ballot law commission in reviewing the secretary of state's recount looked at a number of matters and they found that the secretary of state had been in error. They found that the secretary of state would not count write-in votes on voting machines and the State ballot commission later counted these votes.

Also, the ballot law commission review of the secretary of state's recount found that the secretary of state had counted so-called void or spoiled ballots. The State ballot law commission overruled this decision.

Interestingly, Mr. Durkin later stipulated these State ballot law commission's rulings. In other words, no one really raised a challenge to these changes, since this was an action of correcting the secretary of state's recount.

No, the secretary of state is not infallible any more than any of the rest of us are infallible.

If I ever wanted to vote for the man I considered infallible I think it would be Dr. Riddick. He was our great Parliamentarian for a number of years in the Senate, who wrote the book on parliamentary procedure of the Senate and is now Parliamentarian Emeritus.

Dr. Riddick was called upon by our committee to take over the chairmanship of an ad hoc group of staff people representing the majority and minority staff.

Let me also add that in the presence of Dr. Riddick and our two staff people counting these ballots were representatives of both Mr Wyman and Mr. Durkin. It is very interesting that when they were given the assignment to go into all of the ballot boxes and to come up with these ballots under protest, that although only 1,000 ballots were involved, Mr. President—I emphasize that only 1,000 ballots were involved—the panel had to recount the content of two boxes because of counting errors they had made, 1 ballot in 75 and 3 ballots in 249.

This was, in a sense, an example of how even those who are most careful in their counting activity, without intent, certainly with no design, but certainly because they are human, are subject to error.

I cannot understand why, when we hear these loud protests that we want to find out what the people did last November in New Hampshire, what their intent was, that somehow we want to hide from the evidence that we are calling for. We want to set aside, we want to avoid, we want to dodge, whatever else we want to call it, I do not know what, the question is going back and recounting these 10 precincts in which protests were made on the night of election. Protests were made before the secretary of state, protests were made before the ballot law commission, and protests were made in the Rules Committee of the U.S. Senate, and at no point along the way has this protest been waived, nor has this protest been satisfied.

Again, I want to emphasize that Mr. Wyman's attorneys used lawyer techniques of strategy in either not pursuing at a point or withdrawing from consideration at another point, but that did not waive their rights of protest.

This afternoon we have again heard the very interesting issue of ballot security raised. I think it is very interesting how it was raised on a very selective basis, under selective circumstances.

It was raised in the committee when the minority wanted to recount the entire election to find out what the people of New Hampshire really intended in the election that was declared Mr. Wyman's victory by only two votes.

But when we had the Mansfield-Cranston proposal made to the floor, we found that security was not a very important issue. We could now go back and take all those ballots again, and get out of those ballots certain ones that had certain skip characteristics even though they were not to be counted.

The point was that there was not a great question of ballot security or the validity of those ballots to be reviewed under the Mansfield-Cranston circumstance, but now this afternoon we hear this great sinister question about who might have tampered with the ballots, all for the validity or integrity of those ballots.

I say that it is not a valid issue at any point along the way, and we have had ample evidence from the testimonies of the attorney general and others. No one has raised a question of tampering with the ballots, no one has raised it in terms of evidence, no one has charged any kind of action of chicanery here as it relates to these ballots. They just raised the issue, I think, as a diversionary point.

No, Mr. President, I think if we really want to find out how the people voted in New Hampshire, we cannot just be selective in our evidence, count certain ballots, apply New Hampshire law where we want to, disregard it in other places.

This is the kind of game I think gives rise to the charges of partisanship, and I am not saying there is not, perhaps, a basis upon which both sides could be charged with this, to some degree.

But let me say this, at no time, at no time has the minority ever said more than, let us apply New Hampshire law; and I have stated myself, from my own personal position, I am not interested in whether the winner is Mr. Wyman or Mr. Durkin. I am not pleading Mr. Wyman's case. I am pleading but a case of New Hampshire law and if it does not fall to Mr. Wyman, then so be it.

I am not arguing on behalf of Mr. Wyman. He has his attorneys to do that. I am arguing on behalf of the minority that says let us apply New Hampshire law. Also, if we are going to make a ruling on this case, let us consider all the protests of both candidates and not just the protests of one because the majority party has the votes, and then deny the rights of the minority because they do not have their protests reviewed.

Again I go back to the committee policy that very clearly stated we will not only listen to those protests but we will ascertain the validity of such protests and the accuracy of the counts of the matter protested.

Mr. CANNON. Mr. President, before I yield to the Senator from Rhode Island, I just want to respond to my distinguished colleague when he suggested that we were trying to consider only Mr. Durkin's protests and not consider Mr. Wyman's protests. That is 180 degrees opposite from the truth.

Mr. President, one of Mr. Wyman's protests, which he made to the Rules Committee, was to open and examine a Manchester absentee ballot not previously counted at the State level because it was sent to the wrong ward. At Mr. Wyman's urging that ballot was opened and counted for Mr. Wyman by the committee. It was counted on a vote of 8 to 0.

Mr. President, both the secretary of state and the ballot law commission denied Mr. Wyman the right to that ballot, but we took his protest up and we voted and we counted it for him and it is in the box, tabulated for Mr. Wyman.

In addition to that, Mr. Wyman requested that we open and examine an Amherst absentee ballot not previously counted at the State level because the voter's name was not on the checklist. That ballot was opened by a vote of the committee and counted for Mr. Wyman by an 8 to 0 vote. That was the ballot that had been opened that had been carried around in the purse of the city clerk for several days before it was turned it. Obviously, it was well known who the ballot would have been counted for, were it counted.

In any event, it had been turned down by the secretary of state and had been turned down by the ballot law commission. But it was counted by the Rules Committee.

Third, we had a request to search for and examine a Portsmouth ward 3 ballot not previously considered by the ballot law commission but counted on election night. The committee retrieved this ballot and voted to count the ballot as cast. The suggestion there was that this was an extra ballot from the wrong ward because it said ward 3 rather than ward 6, or vice versa. But in any event, the ballot was opened, retrieved, at Mr. Wyman's request, and was counted as it had been voted.

Fourth, Mr. Wyman requested that we test 12 Manchester voting machines to determine if they accurately recorded the votes cast for the candidates for the U.S. Senate. That is one of the issues that is before us. We employed two experts agreed upon by the minority and by the majority to go up there. We took their advice as to what had to be done to determine whether these machines worked properly. We did that. They gave us their report and the report is here. The vote is here on a tie vote.

Five, the request was to investigate the circumstances involved in the casting of an absentee ballot in Nashua and that issue was resolved by the committee by a vote to accept the ballot as cast.

Now I yield such time to the distinguished Senator from Rhode Island as he may need.

Mr. PELL. I thank the Senator from Nevada.

As a matter of record, I wanted to give my reasons why I opposed the recount of the 10 precincts enumerated in issue No. (1) of Senate Resolution 166.

I realize some of these grounds have been covered, but those of us of the committee have a certain obligation to give our own positions.

First, there is no credible evidence of error committed during the recount conducted by the secretary of state of New Hampshire.

Second, the ballot law transcripts for December 4 and December 20, 1974, demonstrate clearly that Mr. Stanley Brown did not pursue his request for review of any of those precincets by the ballot law commission.

The question has been raised that eventually there were verbal protests and they were followed up with a written protest. But a protest, in order to be effective, must be timely. I think this is an important point to consider.

Third, and finally, the very questionable integrity of the 180,000 odd ballots, including the 10 precincts, all of which were stored in the National Guard garage casts a cloud over the value of any recount. I quote from two New Hampshire sources. First from a letter and a report to me from the U.S. Marshal, Victor Cardosi, who checked on security of ballots and machines at my request.

We examined two buildings in Concord where the ballots are presently stored.

The first building we examined was the laboratory area of the State Police building, allegedly containing 3,500 ballots, which appears to have adequate security as our report indicates.

The second building we examined was the garage at the National Guard Armory, specifically bays numbered 8 and 9. The security there leaves much to be desired as enumerated in our report.

In addition to inspecting the above buildings, we examined the voting machines in four communities; namely, Portsmouth, Exeter, Manchester and Nashua. These voting machines are stored in schools, church halls, American Legion hall, Knights of Columbus Hall, Fire Station, maintenance department building, city library, and a town hall. Visual inspection indicated the seals were not broken with the exception of machine number 27941 located in Portsmouth.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the full text of this report.

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

U.S. MARSHAL,
DISTRICT OF NEW HAMPSHIRE,
Concord, N.H., January 22, 1975.

REPORT ON BALLOTS AND VOTING MACHINES

Attached to this report are the New Hampshire State Police inventory and security detail card, and listings of voting machine numbers with their protective numbers for the cities of Manchester, Nashua, Portsmouth and Exeter.

The 3,500 ballots, more or less, according to Mr. James Duffy, have been under State Police supervision and custody at the State Police laboratory vault which we consider to be under good security. The combination to the vault is held only by Col. Doyon, Maj. Bean, Capt. Beaudoin, State Police Criminologist Roger Klose, and State Police Chemist Warren Edmond, Philip Harmon and Maurice Boudreau, all of whom have responsible positions. Further, the vault is in a room equipped with a special lock and only the above-named have access to it.

We inspected the ballots at the New Hampshire State National Guard Armory in Concord. According to the figures given to us by Mr. Duffy, there were about 185,000 ballots stored there. These ballots are stored in bays 8 and 9 of a 10-bay garage with overhead doors at each end. The key is under the control of Richard K. Collins, Business Administrator, Albert Couture, Chairman, and John Fraser who is now working for the Secretary of State of New Hampshire and was the Clerk of the Ballot Law Commission.

Major General McSwiney told us that in accepting these ballots he would not take responsibility for anything over and above normal security. There is only one night watchman/custodian who is also assigned janitorial work.

One of the overhead doors was not locked. We were told that it did not matter as the door was frozen and could not be opened. The day of our inspection was very cold and we found this to be true. However, between the time the ballots were placed there (January 3rd) and the day of our inspection (January 17th) there were several warm days when we feel that if the door was not locked it could have been opened.

The partitions between the bays consist of chicken wire, 8 feet high, and it would not be too difficult to gain access to bays 8 and 9 from the other bays.

The method of sealing the cardboard boxes and the heavily wrapped packages leaves much to be desired. We were told by John Fraser that some of the checklists used in the November election were never received, also some were returned, as requested, to town officials; therefore, not all of the checklists are now in storage.

From December 24, 1974 to January 3, 1975, when they were removed to the armory, these ballots were stored in room 108 at the State House in custody of the Secretary of State. This room had a new lock with the keys in the custody of the Secretary of State and the New Hampshire State Police.

The voting machines are now stored in various buildings as noted on the attached listings.

We found one voting machine in Portsmouth, number 27941, on which the seal was broken. Visual inspection indicated that the seals on all other voting machines were intact.

This inspection was performed by United States Marshal Victor Cardosi, Chief Deputy G. Duncan Swain and Deputy Richard Brunelle.

Respectfully submitted,
VICTOR CARDOSI,
U.S. Marshal, District of New Hampshire.

Mr. PELL. Furthermore, from the attorney general of New Hampshire, Warren Rudman, who also is a member of the ballot law commission, I should like to quote the following statement:

Now you have to understand there were two classifications of ballots. The ballots that you see here, about 180,000 ballots, were never protested by anyone. There were roughly 3500 ballots that were in fact protested. Those ballots are under very tight security. The tightest security imaginable at the State Police Laboratory in the evidence safe. Now, at the conclusion of the Ballot Law Commission hearings it was stated on the record and agreed to by the parties that these ballots will be placed in a safe, warm, secure place where they wouldn't get wet or spoiled, or what have you, if there were any reason ever to look at them in the future. But they have never been protested by anyone. And I think for anyone now to come and say "well, we've got some problems with these ballots," that's just confusing the public and confusing the issue and I just don't think it's very forthright.

This is what Mr. Rudman said in a taped news program on January 31, 1975. I realize that some months later that statement was qualified by him. This was said in the immediate reaction, and usually I think the truth comes out in the immediate reaction.

I would also like to refer to the debate last week when there were various comments by my Republican colleagues to the effect that I had suggested a review of all of the ballots by an independent panel, such as the American Arbitration Association.

There is some truth in those remarks as they relate to the American Arbitration Association because I believe that an independent and impartial body could review ballots and make recommendations to the Senate without the burden of partisanship.

I am still of that opinion and as I stated in my individual views printed in the report, I hope that if another contest should arise in the future, an independent panel might be utilized to assist the Senate by doing the actual counting and reporting its findings to the Senate.

It should be made clear at this point, however, that my suggestion dealt only with those ballots which the committee on February 19, 1975, agreed to review—namely the 3,500 approximate ballots which were in the custody of the ballot law commission.

At no time did I suggest a review of the 185,000 ballots or any other number of ballots except the 3,500.

Page 286 of the committee hearing, part II, states my thoughts quite clearly. I recommended a panel to be agreed upon by the parties to the contest or the American Arbitration Association to review "the contested ballots, agreed upon to be reviewed by previous committee action—3,500—and report its recom-

mendation as to each ballot to our committee for its decision."

I ask unanimous consent to have printed in the RECORD the text of the motion by Senator ALLEN specifying which ballots would be counted, which was passed 8 to 0, and also the text of my own motion with regard to the American Arbitration Association, which did not prevail as a result of a 4 to 4 tie.

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

FEBRUARY 19, 1975

Motion by Senator Allen, as amended by Senator Hatfield, that the New Hampshire Senate contest be based upon the following:

(1) a recount of the approximately 3,500 ballots before the Ballot Law Commission in relation to the final results certified by the Ballot Law Commission, and

(2) a consideration by the Committee of all the protests made by either party at any stage of the proceedings contemplating that the Committee will take the appropriate steps on each protest to ascertain the validity of such protest and the accuracy of the count of the matter protested.

YEAS—8

Mr. Pell.
Mr. Byrd.
Mr. Allen.
Mr. Williams.
Mr. Hatfield.
Mr. Scott.
Mr. Griffin.
Mr. Cannon.

NAYS—0

FEBRUARY 19, 1975

Motion by Senator Pell that the Committee adopt a procedure which would establish a panel, either through agreement by the contestants, or, if they cannot agree, through the American Arbitration Association, to review the contested ballots agreed upon to be reviewed by previous Committee action, and to report its recommendation on each ballot to the Committee for its final decision.

YEAS—4

Mr. Pell.
Mr. Hatfield.
Mr. Scott.
Mr. Griffin.

NAYS—4

Mr. Byrd.
Mr. Allen.
Mr. Williams.
Mr. Cannon.

Mr. HATFIELD. Mr. President, I would like to say that I appreciate the recitation of magnanimous expressions this afternoon by the chairman of the committee that the committee has been so generous in its consideration of Mr. Wyman's protests. I was overwhelmed with the generosity expressed, and I wanted to say that if I did not know the record, I would almost become a believer. "Almost thou persuadest me," but not quite.

I think, on the first issue, having to do with the absentee ballots, there was not a great deal of choice that the Senate Rules Committee had, for the Supreme Court of the State of New Hampshire had very carefully stated on January 6, 1975, in Louis C. Wyman versus John A. Durkin, Robert L. Stark, Secretary of State, and Carmen Chimento, that this was a matter that only the Senate of the United States could resolve. Therefore, we did not have much choice but to consider this particular issue.

I would also say, as it related to the failure of the court to accept a ballot that was referred to as another one of those great generous moves on the part of the committee to honor Mr. Wyman's protests, that the voter had gone to the polls and had voted in complete compliance with New Hampshire law. It was because the clerk had made a clerical error, that the Rules Committee voted to enfranchise a valid vote in New Hampshire. This was no great generous action on the part of the committee.

But let us get to the basic heart of the matter, which is, why are we here on this floor today, and why have we been here for the last 18 days, trying to resolve eight of the 35 issues which the committee could resolve? Eight of those happen to be Mr. Wyman's protests. If the committee had been so fair with respect to all these issues, we would not be here today with those eight tie votes.

I submit that the record will show that those protests have not been reviewed in their entirety, and what few may have been related to Mr. Wyman were certainly pretty much obvious on the face of them, and did not take a great deal of committee wisdom or committee deliberation.

As to the one about the machines, I am not going to go through that long recitation in which we engaged here in the first few days when we opened this issue, in reciting just what kind of investigation occurred up in New Hampshire. But I think by that record it will be shown that the minority considered this investigation pretty much a farce, that here we had a displacement of the so-called objective, nonpartisan, impartial Dr. Riddick with the representative of the majority party staff overruling most questions raised by the minority staff.

But I do not think we have to go into that again, except to restore the complete record, to show that when we talk about honoring Mr. Wyman's protests, this just is not borne out by the overall record. When we look at all the protests raised, and then the failure of the committee to keep up with its own policy, we see the record clearly. The committee said that it would listen to "all of the protests made by either party at any stage of the proceedings contemplating that the committee will take the appropriate steps on each protest to ascertain the validity of such protest and the accuracy of the count of the matter protested."

That is just a complete fallacy as to issue No. 1; namely, the recounting of the 10 precincts.

I yield to the assistant minority leader, the Senator from Michigan.

Mr. GRIFFIN. I thank the Senator from Oregon.

Mr. President, prior to Saturday, almost all of the major newspapers in the State of Michigan had taken an editorial position with respect to this matter. One notable exception was the Detroit Free Press. But on Saturday the Detroit Free Press published an editorial which I should like to read into the RECORD:

The U.S. Senate's inability to settle the New Hampshire senatorial election is a travesty, and the only proper course now is to call for a new election to settle the matter.

Initially, the Republican, Louis Wyman, was declared the winner by 542 votes out of 223,000 cast. The Democrat, John Durkin, challenged the results and, after a recount conducted by the secretary of state of New Hampshire, was declared the winner by 10 votes.

Mr. Wyman challenged that result, however, and the New Hampshire Ballot Commission declared him the winner by two votes.

The ballots have been theoretically impounded, but they have evidently been protected very poorly, and each succeeding recount has demonstrated the difficulty of determining what some voters intended to do. The paper ballots appear to be marked in an exceedingly erratic fashion.

The Senate itself has been trying to settle the issue of who won but the Republicans have been able to prevent the shutting off of debate on a resolution to have the Senate make the decision. And the Democrats have beaten down efforts to have the seat declared vacant and a new election decreed.

Given the inability of the Senate to act, the only reasonable course now is to permit New Hampshire to hold a new election. The partisanship on both sides is appalling, and the question is so close that a new election offers the only prospect of a clear result and an end to long impasse.

Mr. President, I thought it also interesting that the editorial which appeared in the Washington Post——

Mr. CANNON. Mr. President, will the Senator yield at that point?

Mr. GRIFFIN. I am glad to yield.

Mr. CANNON. I wonder if he would read that figure again. I think there is a very patent error in the figure of the editorial, and I do not know whether it carries over into the rest of it.

Mr. GRIFFIN. Which figure is it? I am not necessarily subscribing to all the factual representations.

Mr. CANNON. It referred to the number of votes by which Mr. Wyman apparently won the election on election night. I think the Senator read 542. Did I understand that?

Mr. GRIFFIN. Or is it 342?

Mr. CANNON. Whichever it is, whether 532 or 332, it is wrong. I am sorry they do not at least attempt to verify the figures after we have been talking about them this long.

Mr. GRIFFIN. I think there are perhaps several other recitations in there that may not be factual, but I think that the opinion is an opinion which seems to be pretty generally shared across the country now that the best solution and the best resolution of this mess is to give the people of New Hampshire another opportunity to express themselves.

I think that it is also interesting to take a look at the editorial which appeared in this morning's Washington Post. As far as this Senator knows, it seems to be about the last major holdout I would say of editorial opinion against a new election. But even in the

Washington Post this morning, the editorial includes this statement:

Each day of squabbling merely strengthens the nationwide impression that the Senate cannot decide who won the contest last November, and that the best approach would be to hold a new election in the state. That is what the Republicans have advocated all along.

But beyond that even the Washington Post, which is the last major holdout against a new election, takes the position that at the very least these 10 precincts which are involved in issue No. (1), and which we will be voting on tomorrow, should be recounted and retallied as requested by Mr. Wyman.

So, there is not one newspaper in the country, to my knowledge, that would subscribe to the view taken by the chairman of the Rules Committee and which he is urging his colleagues on that side of the aisle to take.

Mr. HUGH SCOTT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. All the time of the Senator from Oregon has expired.

Mr. GRIFFIN. Mr. President, will the Senator from Nevada yield time to the minority leader?

The PRESIDING OFFICER. The Senator from Nevada has 1 minute.

Mr. HUGH SCOTT. I will not press it.

Mr. HATFIELD. I have 5 minutes and I am happy to yield another 2 minutes.

The PRESIDING OFFICER. All the time of the Senator from Oregon has expired.

Mr. CANNON. Mr. President, in my 1 minute may I point out this is only the controlled time of 1 hour. There still remains time.

Mr. HATFIELD. We still have 11 minutes.

The PRESIDING OFFICER. There will be 11 minutes.

Mr. HUGH SCOTT. Mr. President, will the Senator yield to me 3 minutes?

Mr. HATFIELD. I have no time to yield at this point. I understand I am out.

Mr. HUGH SCOTT. I seek recognition on 11 minutes and ask for 3 minutes, however I do that.

The PRESIDING OFFICER. The Senator from Nevada has 1 minute remaining of controlled time.

Mr. CANNON. Mr. President, I yield the Senator the 1 minute and then from then on the time will not be controlled.

Mr. HUGH SCOTT. I thank the distinguished Senator from Nevada.

Mr. President, not only is editorial opinion virtually unanimous, with one exception, as to the propriety of sending this election back to New Hampshire, but even the exception points out that Mr. Wyman's protest ought to be given at least the validity of Mr. Durkin's protest and that both of them ought to be retallied, if the Senate is interested in the outcome, in knowing who won.

Since the election is being reviewed for claims by Mr. Durkin not involving fraud or corruption, but which only allege error in the claims of Mr. Wyman, the claims alleging error are only to be reviewed.

It seems to me the most important point to be made here is that all we are asking under issue (1) is that the ballots be counted.

Does the Senate want to count the ballots of these 10 precincts or not? If the Senate denies us even the right to count the pieces of paper to determine whether error was made that would be an act so arbitrary as I think to affect the views of Senators on both sides of the aisle as to whether this contest is being conducted fairly in the Senate with equal rights to both the parties.

The number of ballots are stated in 10 precincts, and in two of those precincts, Bedford and Salem, the protests are by both contestants.

Mr. Durkin wanted them recounted. Mr. Wyman wanted them recounted. But the argument is made that they did not protest in time.

The very first statement made by Attorney Brown in the Rules Committee was that he was indeed preserving all of his rights to protest. That was apparent in all of the debate before the Rules Committee. It was made manifest in at least one of the motions made by the Senator from Oregon (Mr. HATFIELD). The reservation of the rights to protest all along the line was made by Mr. Millimet, counsel for Mr. Durkin, during earlier proceedings in New Hampshire, as it was made for Mr. Wyman on each occasion.

It cannot be argued that since the Ballot Law Commission was held by the courts not to have jurisdiction over certain actions, including the counting and tallying of certain precincts, that there was, therefore, some kind of a waiver.

There never has been a waiver, and if the Senate wants to find out what is going on, it should accede to what Mr. Durkin asks and what Mr. Wyman asks.

Therefore, I conclude by making the point that there is only one fair conclusion to issue (1), and that is to let us count the pieces of paper, and let us see whether there was error or not. Both parties have asked for it at some point in the proceedings. Both parties indicate they want it.

Yet it is argued on the other side we do not have to do it because someone did not protest in time.

I answer they did protest in time. They preserved the right of protest. The Rules Committee recognized that they had preserved the right of protest and now some members of the Rules Committee are asking the Senate to deny to the Senate the right to find out in those 10 precincts whether the pieces of paper representing ballots actually were counted accurately or not.

No one knows whether they were or not. No one ever will know unless issue (1) is decided so as to permit the count. I submit that is the only fair thing to do. If it is not done, we on this side will certainly take it very hard, indeed, and I suppose we will fight harder than ever if we are not going to be given a fair shake. I yield back the remainder of my time.

Mr. CANNON. Mr. President, I know that the distinguished Senator from Michigan would not want to leave the impression that the Washington Post editorial was supporting a new election.

Mr. GRIFFIN. I though I made that clear. But go ahead.

Mr. CANNON. He read this far:

And that the best approach would be to hold a new election in the State.

And he said:

That is what the Republicans have advocated all along.

But the editorial goes on to say:

A new election is not, however, the fairest or most desirable remedy. Last November's outcome was obviously very close, and some ballots are very hard to judge. But it has not been shown that, on the merits, the necessary judgments are impossible. A new election would not be a rerun in any real sense; it would not tell us what New Hampshire's voters were trying to say last November. It would be an entirely new election, under different circumstances with, no doubt, different issues and a different turnout. Moreover, even that drastic step might not give New Hampshire another senator any time soon. The state's new special-election law is likely to face legal challenges that could run on for months. Finally, it is always conceivable that the same procedural flaws that started all the trouble could infect a new election too—and might even bring the results back to the Senate again.

Mr. President, I ask unanimous consent that the editorial in its entirety be printed in the RECORD.

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

THE NEW HAMPSHIRE ELECTION MESS

Instead of moving smartly toward a resolution of the New Hampshire election case, the Senate ended another week of bitter debate almost as frustrated and fogbound as before. The Democrats made a major overture toward breaking the deadlock, but the Republicans brusquely rejected it. Three more cloture attempts fell short. Both sides did manage to agree to vote Tuesday on one point involving a possible recount in 10 precincts. But as the Senate suspended its inconclusive arguing and started to take up energy bills, the people of New Hampshire were still short a senator.

There may be plenty of reasons, but there is no excuse for the Senate's inability to settle the Wyman-Durkin case. Each day of squabbling merely strengthens the nationwide impression that the Senate cannot decide who won the contest last November, and that the best approach would be to hold a new election in the state. That is what the Republicans have advocated all along, and their strategy has been self-fulfilling to a point. As long as 40 senators refuse to end debate, the fight will—as they predict—go on and on.

A new election is not, however, the fairest or most desirable remedy. Last November's outcome was obviously very close, and some ballots are very hard to judge. But it has not been shown that, on the merits, the necessary judgments are impossible. A new election would not be a rerun in any real sense; it would not tell us what New Hampshire's voters were trying to say last November. It would be an entirely new election, under different circumstances with, no doubt, different issues and a different turnout. Moreover, even that drastic step might not give New Hampshire another senator any time soon. The state's new special-election law is likely to face legal challenges that could run on for

months. Finally it is always conceivable that the same procedural flaws that started all the trouble could infect a new election too—and might even bring the results back to the Senate again.

All told, it is far wiser and constitutionally more correct to finish the Senate review and decide as quickly and judiciously as possible which candidate, Mr. Wyman or Mr. Durkin, got more valid votes last November. For all its bickering, the Rules Committee has already dealt with most of the contested ballots and has narrowed the issues to quite manageable scope. A way to proceed from here is not hard to prescribe. In our view, the Senate should first set firm deadlines for all future debate and votes, then proceed to vote on whether the so-called "skip-candidate" ballots ought to be counted or not. The General Accounting Office, as an impartial auditor, should be directed to go back through all the ballots and audit not only the "skip-candidate" votes but also the 15 precincts in which counting irregularities or missing votes have been alleged by Mr. Wyman's camp. Meanwhile the Senate should be voting on the other ballots and issues that the Rules Committee was unable to resolve. GAO should then combine its own audit, the Rules Committee's tally and the Senate's judgments and produce a final count. Whoever wins would then be seated.

It is easy—almost embarrassingly easy—for disinterested observers to recommend such a course. The problem is that few senators, at the moment, are disinterested. The contest has become a test of partisan power, loyalty and stamina. The Democrats are reluctant to concede that they erred in trying to limit the inquiry too much. Many Republicans, no doubt, are tired of the obstructionist strategy of their leadership but do not want to be the first to jump ship by voting for cloture. Yet more and more senators on both sides ought to be growing tired of the games and increasingly ashamed of the spectacle their maneuvering has produced. Such general unhappiness could be a useful force by causing a resurgence of institutional pride and common sense. Those are the elements that must be mobilized to bring this unhappy stalemate to a fair and expeditious end.

Mr. GRIFFIN. Will the distinguished chairman yield for a moment?

Mr. CANNON. I want to respond further to the Senator from Pennsylvania first. Then I shall yield the floor.

Mr. GRIFFIN. All right. I wonder what his response would be to the editorial call of the Washington Post that these very 10 precincts that we are talking about right now, which will be voted on tomorrow, should be retallied, as Mr. Wyman has asked?

Mr. CANNON. I am going to respond to that right now, because the Senator from Pennsylvania has suggested that we were saying because it was not timely made. That is one of the reasons, but the basic reason is simply that Mr. Wyman's people satisfied themselves with respect to those protests in those 10 precincts. Had the Senator from Pennsylvania been here a little earlier, he would have heard me tell about the town of Gorham. Mr. Wyman contended that there were 100 straight Republican ballots in that box from the town of Gorham, that if they opened that box up, that would be in it, and it would give him a 100-vote margin.

The ballot law commission opened that box and there was not a solitary straight Republican ballot in there. It was entirely con-con ballots.

Then, Mr. Brown, Mr. President, a very able attorney for Mr. Wyman, first waived the protest as to a number of those that were set forth, six of them that were set forth in Dort Bigg's letter of November 27. I covered that in the RECORD this morning.

This is Mr. Brown to the commission:

The Commission will recall that in Mr. Bigg's appeal notice, we listed several others. We don't intend to pursue the others.

That was after he had named the four precincts of Gorham, Bedford, Gilford and Somersworth Ward 1. He went on and said:

We don't intend to pursue the others.

If that is not a waiver, I do not know of anything in the world that can be called a waiver, because he had satisfied himself with it.

Now he went on on December 20—that was December 4. They were massaging this problem all during that period up to December 4.

Mr. Brown, on December 20: So far as the precinct recount requests—and I had four of them—four of those 10 that we are talking about, because he had already waived the other six—

Mr. BROWN. So far as the precinct recount requests—and I had four of them—

Chairman SNOW. Gilford, Bedford, Somersworth Ward 1 in Gorham.

Mr. MILLIMET. You didn't mention Somersworth.

Chairman SNOW. I was going to ask you about it.

Mr. BROWN. I am not pressing on any of those, but I may have some live testimony with regard to the Somersworth situation, depending upon how my brother's case develops.

Mr. HUGH SCOTT. Will the Senator yield on that?

Mr. CANNON. No, I am in the middle of the sentence and I stopped to give emphasis to this. I want to quote again.

Mr. Brown said—

And I withdraw the request for the precinct reviews.

Chairman SNOW. Gilford, Bedford, Somersworth Ward 1 and Gorham?

Mr. BROWN. Yes.

Chairman SNOW. Did you get that?

Commissioner RUDMAN. Yes, I did.

Commissioner CROWLEY. I got it.

Now I yield to the Senator.

Mr. HUGH SCOTT. It has been made clear throughout that the ballot law commission and, for that matter, the secretary of state, both had limited authority under New Hampshire law. All rights were specifically reserved because some of the arguments which were being made by counsel in New Hampshire were not allowed to be successfully asserted by the courts. Others were denied by the ballot law commission.

As to Gorham, the story there is that the Senator from Nevada is not talking about the Gorham ballot box, but only about a box containing con-con ballots, which at some point was believed also to contain other ballots. It was opened and found that it did not contain anything but the con-con ballots. The Gorham ballot box has never been opened and we are pressing to open it to find out what happened to those 98 votes.

This election was decided by a 2-vote margin and we ought to know what is in the ballot box to see whether those 98 votes counted against Mr. Wyman were correctly counted or not.

Mr. CANNON. Mr. President, I simply say it is unfortunate that Mr. Wyman did not have such an able counsel representing him before the ballot law commission as he has here today, although I thought very highly of Mr. Brown's ability. He stated time and time again, as my colleagues have pointed out earlier, when he came before the commission, that he was not waiving anything. They were retaining all of their objections. But I just read to you his language. I read it again. This is Mr. Brown:

The Commission will recall that in Mr. Bigg's appeal notice, we listed several others. We don't intend to pursue the others.

That was after he had named specifically Gorham, Bedford, and Somersworth ward 1. Then he went on, some 16 days later, having satisfied himself as to those precincts, and said, and I quote again:

And I withdraw the request for the precinct reviews.

Chairman SNOW. Gilford, Bedford, Somersworth Ward 1 and Gorham?

The same Gorham that the Senator from Pennsylvania is talking about.

Mr. HUGH SCOTT. Would counsel for Mr. Durkin yield at this point?

The PRESIDING OFFICER. The 2 hours' time limitation on this debate has expired.

(The following remarks occurred during the colloquy relating to issue No. 1 and are printed at this point in the RECORD by unanimous consent.)

Mr. PELL. Last week mention was made concerning the sale of embassies. This is perhaps a little irrelevant to the issue at hand, but I was struck by those remarks, and the fact that some of my colleagues were shocked at the thought that certain embassies would be sold—a shock which I share, particularly when you think of the situation in the Benelux countries—Belgium, the Netherlands, and Luxembourg—where it took a total of over $500,000 to get those three embassies.

I would hope that those who share my shock would join with me in supporting my bill which would require that 80 percent of all ambassadors appointed abroad be appointed in the career way.

Mr. HATFIELD. Mr. President, I can only briefly comment, about the last point, that I hope the Senator is moved by evidence, and not gossip, because I think we have been through various eras of political history where people's good names or character have been besmirched if not demolished by politicians whose charges are generally unfounded. So I hope whatever charge the Senator makes is based upon evidence.

Mr. PELL. My remarks are exactly as made in the Foreign Relations Committee previously. If you add up the total contributions of our Ambassadors to the Benelux countries, Belgium, the Netherlands, and Luxembourg, you will find that the total amount tallies more than

$500,000. That is a matter of public record.

Mr. HATFIELD. And what am I to draw from that?

Mr. PELL. The talk concerning the sale of embassies or the appointments of ambassadorships or political contributions, which has gone on in our country in the past; no party has a monopoly on it. My point is that these particular embassies seem particularly expensive.

Mr. HATFIELD. Does the Senator have any evidence that they were sold?

Mr. PELL. That they were quid pro quo? No, absolutely not.

Mr. HATFIELD. Does the Senator have any different evidence than has been considered by other bodies or other committees?

Mr. PELL. No, only exactly what we said in the Foreign Relations Committee.

Mr. HATFIELD. May I ask what relevance that has to the issue at hand?

Mr. PELL. I do not think there is any direct relevance; but if the Senator will look at the RECORD of last week, he will find that it was discussed at some length. I could not get to the floor at the time, but I was interested in the subject.

Mr. HATFIELD. Is the Senator making any charges or allegations?

Mr. PELL. No; I am just expressing my regret that whatever the word would be, the "exchange," if that is a happier phrase, that people would be appointed as a result of large contributions, which practice fortunately will be eliminated as a result of the new legislation.

Mr. HATFIELD. What relevance does that have to the issue of the moment?

Mr. PELL. There was about an hour's debate last week on this very same issue, on this floor.

Mr. HATFIELD. Mr. President, we are now on the issue of the New Hampshire election, and I think the Senator's remarks do not clarify this point. We are now on issue No. 1.

Mr. PELL. It is irrelevant to issue No. 1, but I could not get to the floor at the time.

Mr. HATFIELD. Then perhaps the Senator would like to have this discussion come at the end of the discussion we are having this afternoon as to issue No. 1.

Mr. PELL. Absolutely, if the Senator would prefer.

(This concludes the remarks which occurred during the colloquy on issue No. 1, and which by unanimous consent were ordered to be printed in the RECORD at this point.)

ORDER FOR CHANGE IN TIME FOR DEBATE AND VOTE ON ISSUE NO. 1, SENATE RESOLUTION 166

Mr. ROBERT C. BYRD. Mr. President, under the order previously entered, 1 hour for debate on issue No. 1 begins tomorrow at 1 p.m., the vote to occur at 2 p.m. I ask unanimous consent that those hours respectively be changed to 9:45 a.m. and 10:45 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR DEBATE TO BEGIN AT 9:45 A.M. TOMORROW ON PENDING QUESTIONS

Mr. MANSFIELD. Mr. President, it has not been decided yet what time the Senate will convene tomorrow, but I ask unanimous consent that beginning at the hour of 9:45 the last hour on the pending question begin operating; that the time be equally divided between the manager and the ranking Republican member of the committee, the vote to occur at the hour of 10:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been ordered.

EMERGENCY PETROLEUM ALLOCATION EXTENSION ACT OF 1975

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1849, which the clerk will state.

The legislative clerk read as follows:

A bill (S. 1849) to extend the Emergency Petroleum Allocation Act.

The Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, line 10, strike "August 31, 1977," and insert "March 1, 1976,".

So as to make the bill read as follows:

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 "Emergency Petroleum Allocation Extension Act of 1975".

EXTENSION OF MANDATORY ALLOCATION PROGRAM

SEC. 2. Section 4(g)(1) of the Emergency Petroleum Allocation Act of 1973 is amended by striking out "August 31, 1975," wherever it appears and inserting in lieu thereof "March 1, 1976,".

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

The PRESIDING OFFICER. On whose time?

Mr. MANSFIELD. The time to be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mr. CURTIS). Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator is recognized.

Mr. JACKSON. Mr. President, I ask unanimous consent that the following members of the staff of the Committee on Interior and Public Works be granted the privileges of the floor during the consideration of S. 1849:

Bill Van Ness, Richard Grundy, Ben Cooper, Tom Platt, Jackie Lovelace, and Pat Berry.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum and ask that it not be taken out of either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, the purpose of the Emergency Petroleum Allocation Act of 1973 was to provide authority to deal with the impact of shortages of crude oil, residual fuel oil, and refined petroleum products on the economy, on individual consumers, and on the independent sector of the petroleum industry. In addition to providing the authorities necessary for dealing with the shortage induced by the Arab embargo, the act has served to insulate the economy and the American consumer from the drastic petroleum price increases which followed.

The act is now scheduled to expire on August 31, 1975. If it is not extended, Mr. President, the two-thirds of domestic crude oil production now under price controls will jump abruptly from $5.25 to over $13 per barrel. With the President's $2 tariff in place, removal of price controls will force domestic crude oil prices even above the artificially high and economically ruinous prices now set by the OPEC cartel.

If the President imposes a third dollar tariff, the cost to the U.S. economy of decontrolling old domestic crude oil—coupled with higher costs for new and imported oil and competing fuels such as coal and intrastate natural gas—will amount to a staggering $33.5 billion per year. Assuming the OPEC cartel raises world oil prices by $2 this fall, Mr. President, the total drain on the economy would approach $50 billion.

Mr. President, even without a further increase in world oil prices, the administration's commitment to rationing energy by prohibitive pricing will exert intolerable pressure on the average family's budget. An increase of $33 billion in energy costs amounts to $160 for each man, woman, and child in the United States—over $600 for an average family of four, or $50 a month for that family. Anyone who has received a tax rebate check—or noted reduced income withholding rates—cannot fail to see that this advantage is temporary, that higher energy prices will again lower real incomes and living standards. The President's energy tax, tariff, and pricing policies amount to no less than a "veto" of the Tax Reduc-

tion Act he reluctantly signed. This energy program more than offsets the economic stimulus that act sought to provide.

There are, of course, those who will reap extravagant benefits from the Ford energy program. Implementation of the President's proposals—principally the decontrol of domestic oil—will generate at least $22 billion in additional revenues for the petroleum industry. Because of the enormous level of domestic production controlled by the major integrated oil companies, nearly 85 percent of these revenues—almost $17 billion—will flow to these 15 energy giants. Exxon's share, for example, will be over $2 billion. Exxon's profits in 1974 were $3.14 billion.

The administration originally proposed a windfall profits tax to capture these revenues for the Federal Government. This tax, of course, does nothing to ease the impact of high energy prices on consumers. The current administration proposal on windfall profits apparently includes the "plowback" concept. Implementation of this unworkable concept would make the tax a "paper tiger," both by reducing the revenues which would be collected, and strengthening the dominant market position of major oil companies for whom exorbitant oil prices are a sufficient incentive.

The administration's ill-considered and reckless pursuit of higher energy prices, whatever the consequences, is as easy to demonstrate as the patent unfairness of the program. I will cite only a few examples of the unseemly haste that has marked administration decisionmaking involving billions of dollars and the personal economic security of every American.

First, the FEA regulation which appeared in the Federal Register on May 2, ostensibly to implement the President's decision to phase out price controls over 2 years, would in fact have decontrolled the price of most oil in only 14 of 15 months. This would accelerate the windfall accruing to energy producers under the President's program, while costing consumers billions of dollars.

A second issue—the prospect of an imminent gasoline shortage—even more clearly illustrates the administration's tilt toward the oil industry. The price of gasoline has moved steadily upward since the beginning of the year, while gasoline stocks have dropped precipitously. We confront a curious situation in which crude oil inventories are at historic highs and gasoline stocks are at perilously low levels. Why? Because the decontrol of oil prices anticipated by the industry will enormously increase its profits.

Mr. President, if the industry continues to sit on this oil, and the administration on its hands, the American motorist will be sitting in gas lines before the summer is out. Without the authorities provided in the Allocation Act to deal with such a shortage, the consumer will be inconvenienced, the economy will be burdened, and thousands of independent petroleum marketers will be forced out of business. This administration is asking Americans to bear intolerable social and economic costs on behalf of the oil industry.

President Ford has stated that further price hikes by the cartel would be "very disruptive and totally unacceptable." And yet, the administration's own program would raise energy prices by over $33 billion annually. The President cannot have it both ways. A steep increase in energy prices—whether the result of administration policies or actions by a foreign cartel—is not in the interest of the American economy or the American consumer. The President's pursuit of higher energy prices not only signifies acquiescence to prolonged recession, but abandonment of the fight against inflation.

Removing domestic crude oil from price controls will effectively transfer the power to set U.S. energy prices from the American people to the Organization of Petroleum Exporting Countries cartel. This cartel now sets world oil prices at levels which no one anywhere dares maintain are in any way related to the cost of producing oil. The decision to completely remove the insulation between the U.S. economy and these totally unreasonable world oil prices would, in combination with the President's oil tariff proposals, drive the price of a barrel of domestic oil to over $14. The effect of this price for domestic oil alone would extract $19 billion from U.S. consumers on an annual basis. This increase would be greater than the increase in the cost of imported oil imposed on the U.S. economy by the OPEC cartel during all of 1974.

Even proponents of decontrol recognize that the immediate lifting of all price controls—which will occur if the Allocation Act is permitted to expire on August 31—would jeopardize any chance for an early economic recovery. In fact, the administration's own proposal to decontrol domestic crude oil prices over 2 or 3 years would necessitate an extension of the authorities provided in the Allocation Act.

Mr. President, S. 1849 extends the act for 6 months. Without such an extension, there will be no opportunity either to phase out price controls gradually, or to extend the act with appropriate amendments for an interim period. Since the Allocation Act permits the President to increase crude oil prices, or exempt any category of petroleum from regulation, the issue of domestic crude oil pricing can and should be resolved while preserving the important protection provided by the act.

Mr. President, let me emphasize that I do not believe this is an appropriate time to undertake substantive amendment of the act. The Federal Energy Administration has not completed its review or submitted recommendations to the committee for the purpose of modifying the act. I therefore strongly urge that we defer these questions. It is essential, however, that the 6-month extension now under consideration be granted.

The problem of exorbitant world oil prices and their adverse impact on the domestic economy and American consumers, coupled with the ever-present danger of another embargo or other shortage condition, persuasively demonstrates the need for extending the Allocation Act an additional 6 months. The uncertain action of the oil-producing cartel, which may raise world oil prices this fall by as much as $2 or $4 per barrel, further reinforces the case for maintaining a capability to control domestic crude oil prices in the near term.

Mr. President, I ask unanimous consent that a fact sheet detailing the cost of the administration's energy program prepared by the staff of the Interior and Insular Affairs Committee be printed in the RECORD at this point.

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

FACT SHEET: ENERGY PRICES AND THE FORD ADMINISTRATION ENERGY PROPOSALS

The plan the Ford Administration calls its "energy program" has two principal goals:

To substantially raise the energy prices paid by consumers; and

To substantially increase the profits of energy companies.

The energy tariff and price decontrol program which the President plans to implement through executive order will raise domestic energy costs for petroleum, natural gas, coal and electricity by at least $33 billion on an annual basis. This virtually identical to the increased costs paid for primary energy in the U.S. in 1974 as a result of the price increases of OPEC and domestic energy producers.

OIL

The President's proposed $3 tariff on imported oil increases the price of the one-third of domestic production which is not under price controls.

Added cost of imports (including effect of rebates for imported refined products)—$5.4 billion.

Added costs: "new oil"—$3.3 billion; subtotal $8.7 billion.

The President proposes to decontrol the prices of "old" oil—two thirds of domestic production. With the $3 tariff in effect, the price of this oil would rise by over $9 per barrel.

Added costs: decontrol of old oil—$19.0 billion; total cost: oil $27.7 billion.

COAL AND NATURAL GAS

The prices of natural gas sold on the intrastate market and of coal rise in response to oil price increases. Each dollar per barrel increase in oil prices is equivalent on a Btu basis to an increase of 18¢ per thousand cubic feet for natural gas and $4.30 per ton for coal.

Added costs: coal and natural gas—$5.8 billion; total cost: all fuels $33.5 billion.

COST TO THE AVERAGE AMERICAN

The $33.5 billion in increased costs to the economy will be paid by consumers in the form of higher prices for fuels and electricity, in higher taxes to support government's increased energy costs and in higher prices for all other goods and services whose costs depend in various ways on energy prices.

Spread over 210 million people, $33.5 billion amounts to $160 for each man, woman and child.

Cost to an average four-person family: $600 per year.

EFFECT ON PETROLEUM PRICES

The price paid by U.S. refiners for crude oil—including new, old and imported oil—would increase by over $6 per barrel.

Average price increase for all petroleum products: 15 cents per gallon.

Costs tilted towards gasoline: 28 cents per gallon.

PROFITS AND TAXES

Of the $33.5 billion annual cost, $5.4 billion represents Treasury revenues and the remainder, $28.1 billion represents increased profits for domestic oil, natural gas and petroleum producers, since no workable windfall profits tax have been proposed.

COST OF INCREASED DOMESTIC PRODUCTION

The Ford Administration's discussion of the impact of the decontrol of crude oil prices on domestic production shows projected production with decontrol dropping below current levels. However, the drop projected is smaller than the decline projected without decontrol. The net increase is 135,000 barrels per day—or 50 million barrels per year—when the decontrol has been completed. Consumers will pay oil companies an extra 22.3 billion annually for this oil.

Cost of added domestic production: $445 per barrel.

FURTHER OPEC PRICE INCREASES

FEA Administrator, Frank Zarb, has indicated that he expects the OPEC cartel to raise world oil prices by $2 per barrel this fall. If this happens and domestic energy prices are decontrolled, the price of all domestic oil—and natural gas and coal as well—will rise in response to the OPEC price decision.

Added costs: $2 OPEC price increase—$15.3 billion.

PRICE INCREASES DURING THE 1973–74 EMBARGO

During 1974 the price of all imported oil rose from an annual rate of $7 billion to approximately $24 billion. Domestic energy production increased in price by over $16 billion. Thus the increase in the cost of primary energy to the U.S. economy in 1974—which was triggered by OPEC's embargo and price escalation—amounted to $33 billion. These increases were a principal factor in the 12% inflation of 1974. High energy costs have also been important in deepening and prolonging the current recession. The energy price increases of 1973–74 brought upon us by OPEC were almost identical in magnitude to those the Ford Administration proposes for 1975 and 1976.

Mr. JACKSON. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FANNIN. Mr. President, I ask unanimous consent that the following staff members be accorded the privilege of the floor during the debate and voting on S. 1849: Harrison Loesch, Fred Craft, David Stang, Roma Skeen, Mary Adele Shute, Gaye Vaughan, Mike Hathaway, Nolan McKean, Jim Hinish, Tom Imeson, Tom Biery, Linda Goold, and Doug Fant.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, at the request of the administration last fall, we voted in favor of S. 3717 to extend the expiration date of the Emergency Petroleum Allocation Act from February 28, 1975, to June 30, 1975. Our sole purpose for voting to support the 4-month extension was to provide an additional period of time in which to proceed with an orderly and complete phaseout of all price and allocation control. No other amendments than the mere 4-month extension were contemplated or agreed upon in conversations between administration officials and members of this committee on both sides of the aisle.

Such an intent of the committee members was clearly reflected in the following statement made by the committee chairman, Mr. JACKSON, on the floor of the Senate on August 12, 1974—page 27705 of the CONGRESSIONAL RECORD of August 12:

The act is now scheduled to expire on February 28, 1975. This expiration date occurs too soon after the new Congress convenes for a careful evaluation of the administration of the act and an informed decision as to the need for a full scale extension of the act in light of conditions then prevailing. Furthermore, if the Congress were unable to complete action on extension proposals, the act would expire at the height of the winter heating season when the need for allocation authority could be greatest . . . The Committee believes that it is too soon to make basic changes in the act and that proposed changes should be considered next year in light of more extension experience with the act. Accordingly, it is proposing a *short* (emphasis added) extension without amendments.

All we are saying is, let us extend the act as it is from February 28 until June 30. We will have time, then, after the first of the year to act carefully and deliberately.

On November 22, 1974, Chairman JACKSON in another floor statement—page 37056 of the CONGRESSIONAL RECORD of November 22—listed additional, but no longer valid, reasons for the "short" extension of the Emergency Petroleum Allocation Act of 1973:

Faced as we are with a coal strike of uncertain duration, with the forecast for a severe winter . . . the Government must have petroleum allocation authority through the present winter.

The chairman, Mr. JACKSON, reiterated in the same floor statement the necessity of an extension of the act, in order to allow Congress time to assess the act:

The purpose of the six month extension provided for in H.R. 16757 is to provide adequate time for the new Congress and the executive branch to review the act . . .

Whereas the consideration of a coal strike and the winter of 1974–75 is behind us, the attempt to extend the Emergency Petroleum Allocation Act of 1973 until March 31, 1976, can only be viewed a default of the Congress to honor its pledge to come to grips with energy polily, including the need to repeal or substantially revise the act.

When we considered S. 3717 on the Senate floor last August, the administration's position as we understood it was as follows:

First. The expiration date of the Emergency Petroleum Allocation Act would be extended to June 30, 1975.

Second. Between August 1974, and June 30, 1975, the administration should proceed with an orderly total phaseout of price and allocation controls to be completed by June 30, 1975.

The Emergency Petroleum Allocation Act by its very title was intended to be an emergency measure to deal with a temporary petroleum fuels shortage which now has ended. It is to be recalled that the act was passed at the time of the Arab oil embargo specifically to deal with the supply shortages caused by the oil embargo. That such was what was contemplated is clearly borne out by section 2 of the act which reads as follows:

SEC. 2(a) The Congress hereby determines that—

(1) shortages of crude oil, residual fuel oil and refined petroleum products caused by inadequate domestic production, environmental constraints, and the unavailability of imports sufficient to satisfy domestic demand, now exist or are imminent;

(2) such shortages have created or will create severe economic dislocations and hardships, including loss of jobs, closing of factories and businesses, reduction of crop plantings and harvesting, and curtailment of vital public services, including the transportation of food and other essential goods; and

(3) such hardships and dislocations jeopardize the normal flow of commerce and constitute a national energy crisis which is a threat to the public health, safety, and welfare and can be averted or minimized most efficiently and effectively through prompt action by the Executive branch of Government.

(b) The purpose of this Act is to grant to the President of the United States and direct him to exercise specific *temporary* (emphasis added) authority to deal with shortages of crude oil, residual fuel oil, and refined petroleum products on dislocations in their national distribution system. The authority granted under this Act shall be exercised for the purpose of minimizing the adverse impacts of such shortages or dislocations on the American people and the domestic economy.

We who voted against the Emergency Petroleum Allocation Act at the time did so because we felt that the bill, at best, would only spread shortages around. Additionally, we felt that should the Federal Government intervene in the marketplace by imposing regulations affecting supply and price, no matter how benignly such intervention was intended, unforeseen inequities would result and the shortage would be exacerbated.

The one day of hearings last year on S. 3717, extending the Emergency Petroleum Allocation Act, contained much testimony enumerating and describing the inequities which have resulted from the act. These remarks plainly show both that the legislation was intended to deal with a petroleum fuels emergency which no longer exists and that the wisdom of Federal regulatory intervention in the marketplace even under the then existing fuel shortage as questionable.

Continued reliance upon legislative authority designed specifically to alleviate the impact of emergency fuel shortages in times of a reported petroleum surplus generates many deleterious effects:

FEA Administrator Frank Zarb presented testimony to the Interior Committee on May 19 of this year which analyzed the following deleterious effects of the act:

1. The EPAA is inconsistent with the national goal of achieving long-term energy

independence. . . . The EPAA creates such inflexibility in FEA's price control program that considerable disincentives to increased *domestic* producton are created. . . . For example, the crude oil entitlements and the buy-sell programs, which are largely designed to give small and independent refiners necessary access to the cost advantages of price-controlled domestic crude oil, must to some degree have the undesirable effect of encouraging imports, since the burden of their higher cost is not borne solely by the importer, but shared with his competitors.

2. The EPAA denies consumers the full benefits of competition. . . . Price controls, while overtly holding down prices, also are operating to support higher prices than might be possible in a free market. The two-tier price system, for example, creates cost disparities which in certain cases allow recovery of higher margins by competitors blessed with lower current costs than would be possible under free market conditions. The dollar-for-dollar pass through rule in Sec. 4(b)(2) of the EPAA, which in effect allows the continuation of historical profit margin levels, tends to provide government endorsement of and justification for such profit margins, even though those margins were in some cases unnecessarily high during the base period, and the logic of market conditions might dictate lower margins today.

3. THE EPAA PROLONGS UNWARRANTED ECONOMIC DISTORTIONS AND INEFFICIENCIES

An unavoidable effect of an extended allocation program is to maintain within the petroleum industry those inefficiences and distortions that existed during an arbitrarily chosen base period. Continuation of historic distribution patterns may result not only in prolonging such inefficiencies, but also may have adverse effects upon industrial expansion and population movement.

With respect to domestic crude oil, for example, FEA met the EPAA allocation requirements by freezing supplier/purchaser relationships as of December 1, 1973. As domestic production continues to decline at differing rates in different parts of the country, necessary adjustments in crude oil distribution channels cannot be resolved through the operation of normal market mechanisms, and can only be accomplished by an ad hoc action by FEA, which is ill-equipped to deal with such matters.

Distortion must also result from continued regulation of only petroleum products without comparable regulation of such substitute sources of energy as coal, electricity, and natural gas. Such disparate treatment disrupts the functioning of normal market forces, and prevents a coordinated response to the Nation's energy problems.

4. THE EPAA MAKES IT VERY DIFFICULT FOR THE PETROLEUM INDUSTRY TO REACH RATIONAL BUSINESS DECISIONS

The constant need for regulatory changes to respond to ever-changing market conditions (such as the establishment of the cost equalization program to solve problems created by the two-tier price system) seriously inhibits the industry's ability to engage in long-term business planning. That planning that can be done must also be skewed to reflect the distortions built into the marketplace as a result of the rigid requirements of the EPAA. This problem will only be exacerbated by further piecemeal extensions of the EPAA, rather than enactment of a new regulatory program which deals with the realities of today's marketplace and our long-term needs.

A prime example of the uncertainty created by FEA regulations results from the supplier/purchaser relationship rules, noted above. These rules have created an administrative house of cards held together only by historical, and in many cases impractical, supplier/purchaser relationships that are mandated by the Act. The more time that passes, the more fragile these relationships will become and the greater the disruption that will result when the program is terminated. In this atmosphere, the industry is understandably reluctant to make the investment decisions which must be made soon if the country's long-term energy goals are to be met. . . .

5. PROPOSAL TO PHASE-OUT OLD OIL

As can be seen from the above discussion of the problems inherent in the Emergency Petroleum Allocation Act, the solution to many of these lies in the elimination of the two-tier pricing system for crude oil. The two-tier pricing system inevitably causes cost disparaties among refiners and marketers of petroleum products which in turn create economic distortions. Although these cost disparities have been substantially reduced by the crude oil entitlements program, they can never be entirely eliminated while the two-tier pricing system exists. Such cost disparities significantly hinder FEA's ability to assure that the competitive viability of the independent sector of the petroleum industry is maintained.

Moreover, the existing complicated structure of price controls at all levels of distribution, which is necessitated due to the existence of the cost disparities resulting from the two-tier price system, tends to be self-defeating over the long run by reducing normal incentives toward increased production and cost control and by eliminating the ability of the industry to engage in long range business planning. As the effectiveness of price controls lags over time, regulations of greater complexity and reach become necessary to maintain the controlled-price structure. Tightening of controls tends to further stifle initiative and to contribute to greater economic distortion. . . .

Various other leaders of the supplier, producer, and financial institution fields testified at the Senate Interior Committee's oversight hearing as to the disfunctional responses precipitated by oil price controls and the FEA regulatory program.

Wallace W. Wilson, vice president of Continental Illinois National Bank & Trust Co. of Chicago, told the committee:

The combined effects of price controls, allocation regulations and the loss of percentage depletion is to *reduce* the amount of capital available for reinvestment, at a time when the only realistic solutions to our long-term energy dilemma require increased capital investment in new exploration and development. . . .

The longer price controls are continued, the longer we will frustrate the normal economic processes that work effectively to balance supply and demand and to allocate our resources to their most effective uses.

William V. Traeger, vice president of Otis Engineering Corp., stressed a similar point:

The provisions of the Emergency Petroleum Allocation Act place a lid on prices received for petroleum products while a variety of factors, including actions by the Congress, create a buildup of costs and a profit squeeze which drains vital capital from our industry and makes other forms of financing difficult or impossible. Many of our customers' long term commitments are "locked in" and adjustments of budgets to provide for the shortage of available capital will have a dramatic effect on industry expenditures for exploration and production.

Finally, one must consider the avowed intent of Congress in enacting the EPAA, as stated on page 13 of the conference report accompanying S. 1570, under the "findings and purpose of the EPAA of 1973":

No allocation plan, regulation or order, nor mandatory price, price ceiling or restraint, was to be promulgated whose net effect would be a substantial reduction of the total supply of crude oil or refined petroleum products available in or to markets in the United States.

Yet, as noted by the foregoing testimony, and by this apt comment by Charles J. Waidelich, president of Cities Service Co., the EPAA has created exactly the opposite effect:

Continuation of these restrictive regulations is contrary to the intent of Congress (See page 13, Conference Report to accompany S. 1570. Findings and Purpose for Direct Quotation.) when the Emergency Petroleum Allocation Act of 1973 was enacted. These regulations have the effect of curtailing the expansion of oil and gas exploration. Regulation of supply is distorting the workings of the marketplace. The consumer is paying, and will continue to pay, a price for these programs.

Our company's reduced expenditures for exploration and production will mean loss of additional production . . . loss of employment opportunities within our economy . . . and a possible effect on employment of contractors and suppliers.

H.R. 4035 as agreed to in conference contains a provision extending the EPAA to December 31, 1975. Another bill, S. 622—section 122—also contains a provision extending the EPAA to March 1, 1976. And, of course, S. 1849 as reported is exclusively an extension of the EPAA until March 1, 1976. This panoply of bills all catering to an extension of the EPAA only indicate either Congress' unwillingness or incapability to grapple with the growing dependence upon imported oil. Hence, this is not a case of Congress against the President. This is a case of Congress giving itself an excuse for its own inaction. Congress should not attempt to shield itself from the plethora of press criticism about continuing congressional delay in enacting a comprehensive energy program. Instead, Congress should act responsibly by dealing with the substantive issues. Thus, voting for S. 1849 which would motivate further delay would be an affront to the dignity and credibility of the U.S. Senate.

Mr. President, a word in response to Senator JACKSON's comments about OPEC setting U.S. oil prices:

Persons who reflexively utter incantations every time the term OPEC is mentioned at best seem to be deceiving themselves. The argue that we must free

ourselves from OPEC prices by regulating the price of our domestic fuels. But by so doing they would further discourage domestic production while concomitantly forcing greater dependence upon OPEC oil at prices they have no means of controlling.

Only through use of the unregulated price mechanism can domestic supply be encouraged to develop to the point of surplus, thereby not only freeing us from dependence upon OPEC oil at prices we cannot control, but also causing domestic prices ultimately to decline due to supply again exceeding demand.

In short, Mr. President, there is no way to regulate domestic energy prices and free ourselves from increased dependency upon imported petroleum at the same time. These are mutually exclusive policy goals.

Mr. President, it is my belief that the best system for holding down inflation and providing an efficient distribution of goods and services is the free market. The more that Government interferes with our business enterprises, the more regulation imposed, the more problems we have for the American consumer.

President Ford is taking the lead in seeking to do away with unneeded Federal regulation, and I believe that this is the course which will lead to economic stability and a reduction in the forces of inflation.

Mr. President, in the interest of continuing the discussion regarding inflation and regulation, I refer to an editorial which appeared in the July 8, 1975, Phoenix Gazette.

I read from that article "On Taming Inflation":

Has the rate of inflation been tamed? Since the last quarter of 1974, the rate has been cut in half, from about 12 per cent to 6 per cent, lower than even some of the more optimistic forecasters expected.

Consumer prices rose at only a 5 per cent annual rate in the second quarter of 1975. But whether this trend will continue or prices will rise with the economic tide remains much in doubt.

There are signs that prices are moving back up:

The spurt in gasoline prices just before the Fourth of July holiday came as a shocking suggestion to motorists that inflation is still very much alive.

Prime rate boosts to 7¼ per cent from 7 per cent appear on the way because of the Federal Reserve's credit tightening and stronger loan demands.

Aluminum producers announced price increases, but then agreed to a 30-day delay at the request of the government's Council on Wage and Price Stability.

The aluminum case may very well serve as a leading indicator on which way inflation is going to go.

Albert Rees, director of the wage and price stability council, fears that price boosts by the aluminum industry could spark a chain reaction among other "highly concentrated" industries such as steel and automobiles. "If such industries make decisions to increase prices at the first stirrings of recovery," Rees says, "I am concerned that such actions could blunt the recovery that is in progress."

The council will hold a hearing on the proposed aluminum increase on July 22 in Washington.

The forces of inflation, however, run much too strong and deep to be controlled by any such agency as the Council on Wage and Price Stability or even the mighty Federal Reserve. The government may succeed in getting the aluminum industry to drop its price increase plans for now, but one way or another the costs of production, including profit, will have to be met. And a delay in the aluminum industry's price increase could result eventually in an even higher price boost.

Such an adverse result may now be showing up in gasoline prices. If the government hadn't pursued policies designed to hold gas prices down, they might have gone up and, as the law of supply and demand operated, now be settling down.

But then no one, it seems, has the courage to let the most effective of inflation fighters—the free market—work its wonders. Inflation may be quieted down but it would be a mistake to regard it as tamed.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, I have a printed amendment at the desk, No. 606, to the pending Senate bill 1849. I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is not in order until the committee amendment has been acted upon.

What is the will of the Senate?

Mr. FANNIN. Mr. President, I suggest the absence of a quorum?

The PRESIDING OFFICER. On whose time?

Mr. FANNIN. The time to be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR RANDOLPH OFFERS AMENDMENT TO EXTEND FEDERAL COAL CONVERSION PROGRAM

Mr. RANDOLPH. Mr. President, I ask unanimous consent that it be in order to consider an amendment which I have at the desk. It is printed amendment 606 to S. 1849.

The PRESIDING OFFICER. Is there objection?

Mr. FANNIN. Reserving the right to object, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FANNIN. It is my understanding that this in no way affects the committee amendment.

The PRESIDING OFFICER. It would merely allow action on the amendment of the Senator from West Virginia prior to action on the committee amendment.

Mr. FANNIN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The second assistant legislative clerk read as follows:

TITLE II

SEC. 201. This Act may be cited as the "Coal Conversion Extension Act of 1975".

SEC. 202. Section 2(f)(1) of the Energy Supply and Environmental Coordination Act of 1974 is amended by striking "June 30, 1975" and inserting "December 31, 1975".

Mr. RANDOLPH. Mr. President, the amendment is cosponsored by the Senator from Washington (Mr. JACKSON) and the Senator from New Mexico (Mr. DOMENICI). I ask that the Senator from Kentucky (Mr. FORD) also be included as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, this amendment would provide an additional 6 months for the Administrator of the Federal Energy Administration to issue coal conversion orders. Authority contained in the Energy Supply and Environmental Coordination Act of 1974, which expired on June 30, 1975, would be extended until December 31, 1975. I have discussed the need for this additional time with the Senator from Arizona (Mr. FANNIN), the ranking minority member of the Committee on Interior and Insular Affairs.

Mr. President, the record should note that the Senate on April 9, 1975, approved such a 6-month extension. On that occasion I offered an identical amendment to S. 622, the Standby Energy Authorities Act, which was passed by the Senate. Subsequently, the other body approved another measure, H.R. 4035, which contained a similar provision. The difficulty, however, is that these two bills—S. 622 and H.R. 4035—are not companion measures.

In the interest of continuing this vital program I again offer this proposal for a 6-month extension of this coal conversion program originally authorized in the Energy Supply and Environmental Coordination Act of 1974.

I remember very well, Mr. President, that over 1 year ago on June 26, 1975, the Congress passed and the President approved the Energy Supply and Environmental Coordination Act of 1974. Among its provisions was authority for the Federal Energy Administrator to require electric powerplants and major industrial facilities with the capability to utilize coal to convert from oil and natural gas to coal—our country's most abundant energy resource.

Subsequently in his state of the Union message on January 14, 1975, the President endorsed greater coal conversion. Nevertheless, it was early May before the Federal Energy Administration issued the first "Notices of Intent" to issue coal conversion orders.

I regret that there was this protracted delay. It is difficult for me to understand, when coal conversion was a part of the program of the President, that it was not given the priority which I think the Senate and Congress intended. However, I am not critical at this juncture, Mr. President, because, as Senator FANNIN has said repeatedly and he has indicated again here today, there must be affirmative action here in the Senate, not just criticism of the administration in reference to what we do in connection with the use of our energy resources.

Not until June 30, 1975—the last day before its authority expired—did the Federal Energy Administration issue any final coal conversion orders. Moreover, after 1 year, we now are informed that it will take the Environmental Protection Agency an additional 3 to 6 months to complete its evaluation. This is true even though the candidates for conversion were known months ago. These protrated delays are difficult to understand since this is considered a priority program by the Ford administration.

Mr. President, the orders issued on June 30 affect 25 electric utility companies. Some 75 electric powerplants located at 32 generating stations have been ordered to cause the use of oil or natural gas as their primary energy source.

The eventual conversion of these electric power plants to coal—I think this is very important, and I stress it—could result in yearly savings of approximately 64 million barrels of oil, or more than 88 billion cubic feet of natural gas. So it is unfortunate that we have not moved more quickly in this matter, because, certainly, the administration has characterized this program as essential to carrying out its commitment to reduce petroleum imports and to reduce the impact of natural gas shortages.

The Presiding Officer at this time is especially interested in the matter of the production of natural gas. I hope we can act more affirmatively in some way, through incentives or otherwise, to bring this into being.

It is unfortunate that on the basis of present conversion schedules, none of these savings will be realized this year. This program has been characterized by the administration as essential to carrying out the President's commitment to reduce petroleum imports and to reduce the impact of natural gas shortages. Yet the benefits to be derived from the program will not materialize for several years.

On July 1, 1975, FEA Administrator Frank Zarb declared that the prohibition orders "are essential to encourage powerplants to use coal, our most abundant energy resource, while preserving important environmental objectives."

I agree with the statement.

The Administrator also observed that "American consumers are paying dear prices because of our increasing vulnerability and dependence on foreign oil. Unless our program for self-sufficiency succeeds, cartel nations are in a position to continue to increase prices paid by the American consumers."

Mr. President, on June 30, 1975, the Federal Energy Administration also issued construction orders to 41 electric utility companies requiring certain proposed new powerplants be built with coal burning capability. These orders will insure that these new installations will be designed and constructed so that coal can be used as a primary energy source.

Affected by the construction orders are 47 generating stations representing 74 powerplants in 25 States. While some of these facilities are already being designed to utilize coal, the issuance of these construction orders will assure that this occurs.

Mr. President, I ask unanimous consent that the two tables listing the powerplants that have received coal conversion orders from the Federal Energy Administration, as of June 30, 1975, be printed in the RECORD at this point in my remarks.

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

LIST OF POWERPLANTS THAT HAVE RECEIVED PROHIBITION ORDERS

REGION I

Owner	Powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Public Service Co. of New Hampshire	4	Schiller	Portsmouth, N.H	50	509		114
Do	5	do	do	50	527		114
Total	9			100	1,036		228

REGION II

Docket No.	Owner	Powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
OFU-052	Atlantic City Electric Co	1	B. L. England	Beesleys Point, N. J	136	1,378		310
OFU-053	do	2	do	do	163	1,814		372
OFU-054	Central Hudson Gas & Electric Corp	3	Danskammer	Roseton, N.Y	147	1,418	11	335
OFU-055	do	4	do	do	239	2,438	12	545
OFU-056	Niagara Mohawk Power Co	1	Albany	Bethlehem, N.Y	100	1,071		228
OFU-057	do	2	do	do	100	1,034		228
OFU-058	do	3	do	do	100	1,000		228
OFU-059	do	4	do	do	100	1,052		228
Total					1,085	11,205	23	2,474

REGION III

Owner	Powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Potomac Electric Power Co	1	Morgantown	Newburg, Md	626		0	1,427
Do	2	do	do	626	7,249		1,427
Virginia Electric Power Co	3	Chesterfield	Chester, Va	113	1,025	0	258
Do	4	do	do	188	1,824	0	429
Do	5	do	do	359	2,717	0	819
Do	6	do	do	694	5,500	0	1,582
Do	1	Yorktown	Yorktown, Va	188	0	437	429
Do	2	do	do	188	1,001	27	429
Do	1	Portsmouth	Chesapeake, Va	113	610	0	258
Do	2	do	do	113	1,024	0	258
Do	3	do	do	185	1,666	0	422
Do	4	do	do	239	2,276	0	545
Baltimore Gas & Electric Co	1	Crane	Baltimore, Md	191	2,014	0	436
Do	2	do	do	209	2,167	0	477
Do	4	Riverside	do	72	517	0	164
Do	5	do	do	81	719	0	185
Do	1	Wagner	do	132	1,095	0	301
Do	2	do	do	130	1,282	0	310

REGION III—Continued

Owner	Powerplant	Generating station No.	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Delmarva Power & Light Co	1	Edge Moor	Wilmington, Del	66	661	10	151
Do	2	do	do	86	704	0	151
Do	3	do	do	75	877	121	171
Do	4	do	do	150	1,687	500	342
Total				4,810	36,615	1,095	10,971

REGION IV

Docket No.	Owner	Powerplant	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
OFU-060	Alabama Electric Cooperative, Inc	3	McWilliams	Gantt, Ala	25		703	57
OFU-061	Carolina Power & Light Co	1	Sutton	Wilmington, N.C	113	546		258
OFU-062	do	2	do	do	113	1,081	5	258
OFU-063	Carolina Power & Light	3	do	do	420	2,284		958
OFU-064	Florida Power Corp	1	Crystal River	Red Level, Fla	441	3,823		1,006
OFU-065	do	2	do	do	524	4,159		1,195
OFU-066	Georgia Power Co	1	McManus	Brunswick, Ga	50	449		114
OFU-067	do	2	do	do	94	768		214
OFU-068	Savannah Electric & Power Co	1	Port Wentworth	Port Wentworth, Ga	50	351	948	114
OFU-069	do	2	do	do	54	183	708	123
OFU-070	do	3	do	do	103	319	596	235
Total					1,987	13,963	2,960	4,532

REGION V

Owner	Powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Wisconsin Public Service Corp	2	Weston	Rothchild, Wis	75	1.0	2,148	171
Detroit Edison Co	5	St. Clair	East China Township, Mich	358	1,391.6	44	816
Total				433	1,392.6	2,192	987

REGION VI

Owner	Powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 Mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Village of Winnetka	5	Winnetka	Winnetka, Ill	4			9
Do	6	do	do	4			9
Do	7	do	do	7			16
Do	8	do	do	13		365	30
Total				28		365	64

REGION VII

Owner	powerplant No.	Generating station	Location	Capacity (MW)	1973 oil consumption (10^3 bbls)	1973 gas consumption (10^3 mcf)	Estimated annual coal demand upon conversion (10^3 tons)
Ames Electric Utility	7	Ames	Ames, Iowa	33		1,509	75
Iowa Electric Light & Power Co	1	Sutherland	Marshalltown, Iowa	38		2,044	87
Do	2	do	do	38		1,875	87
Do	3	do	do	82		3,604	187
Iowa Power & Light Co	10	Des Moines	Des Moines, Iowa	70		2,135	160
Do	11	do	do	110		3,006	251
Iowa Public Service Co	1	George Neal	Salix, Iowa	139		4,247	317
Do	14	Maynard Station	Waterloo, Iowa	50		2,115	114
Kansas City Board of Public Utilities	1	Kaw River	Kansas City, Kans	46		1,617	105
Do	2	do	do	50		1,519	114
Do	3	do	do	65		3,955	148
Do	1	Quindaro No. 3	do	82		3,335	187
Do	2	do	do	158		4,279	360
Kansas City Power & Light Co	3	Hawthorne	Kansas City, Mo	113		1,987	258
Do	4	do	do	143		2,485	326
Do	5	do	do	515		1,875	1,174
Kansas Power & Light Co	3	Lawrence	Lawrence, Kans	49		2,648	112
Do	4	do	do	114		3,958	260
Do	5	do	do	413		16,930	942
Do	9	Tecumseh	Tecumseh, Kans	82		3,446	187
Do	10	do	do	150		1,825	342
Nebraska Public Power District	1	Sheldon	Columbus, Nebr	109		3,420	249
Do	2	do	do	120		3,565	274
Springfield City Utilities	3	James River	Springfield, Mo	44		1,184	100
Do	4	do	do	60		3,095	137
Total				2,873		81,658	6,553

Note: Some of these plants may presently be burning coal due to recent natural gas curtailments. Source: Federal Energy Administration.

POWERPLANTS ISSUED CONSTRUCTION ORDERS

Docket No.	Owner	Powerplant No.	Generating station	Location
OFU-001-N	Alabama Power Co	2	J. H. Miller	West Jefferson, Ala.
OFU-002-N	do	3	do	Do.
OFU-003-N	do		1981, unnamed	Unknown.
OFU-004-N	do		1982, unnamed	Do.
OFU-005-N	do		1983, unnamed	Do.
OFU-006-N	Board of Water & Light Trustees, City of Muscatine, Iowa.	9	Muscatine	Muscatine, Iowa.
OFU-007-N	City of Lakeland, Fla	3	City of Lakeland	Lakeland, Fla.
OFU-008-N	do	4	do	Do.
OFU-009-N	City of Painesville, Ohio.		Painesville Municipal.	Painesville, Ohio.
OFU-010-N	Commonwealth Edison Co.		Undesignated, 1982.	Unknown.
OFU-011-N	do		Undesignated, 1983.	Do.
OFU-012-N	do	1	Undesignated, 1984.	Do.
OFU-013-N	do	2	do	Do.
OFU-014-N	do		Undesignated, 1985.	Do.
OFU-015-N	Golden Valley Electric Association, Inc.	2	Healy	Healy, Alaska.
OFU-016-N	Louisville Gas & Electric Co.	1	Trimble	Trimble County, Ky.
OFU-017-N	do	2	do	Do.
OFU-018-N	do	3	do	Do.
OFU-019-N	Marquette Board of Power & Light.	3	Shires	Marquette, Mich.
OFU-020-N	Niagara Mohawk Power Corp.	1	Lake Erie	Near Dunkirk, N.Y.
OFU-021-N	do	2	do	Do.
OFU-022-N	Oklahoma Gas & Electric Co.	1	Unknown	Unknown.
OFU-023-N	do	2	do	Do.
OFU-024-N	do	3	do	Do.
OFU-025-N	Public Service Co. of Colorado.	1	Southern	Eastern Colorado.
OFU-026-N	do	2	Northeastern	Do.
OFU-027-N	Southwestern Electric Power Co.	2	Welsh	Cason, Tex.
OFU-028-N	do	3	do	Do.
OFU-029-N	The Cincinnati Gas & Electric Co.	2	East Bend	Boone County, Ky.
OFU-030-N	The Empire District Electric Co.		Plant X	Unknown.
OFU-031-N	Carolina Power & Light Company.	1	Mayo	Person County, N.C.
OFU-032-N	do	2	do	Do.
OFU-033-N	Central Illinois Public Service Co.	2	Newton	Jasper County, Ill.
OFU-034-N	Central Power & Light Company.	1	Coleto Creek	Goliad County, Tex.
OFU-035-N	Dairyland Power Cooperative.	6	Alma	Alma, Wisc.
OFU-036-N	Iowa Southern Utilities.	1	Ottumwa	Chillicothe, Iowa.
OFU-037-N	Kansas City Power & Light.	1	Iatan	Iatan, Mo.
OFU-038-N	Los Angeles Department of Water & Power; and Nevada Power Company.	1	Harry Allen	Las Vegas, Nev.
OFU-039-N	do	2	do	Do.
OFU-040-N	do	3	do	Do.
OFU-041-N	do	4	do	Do.
OFU-042-N	Los Angeles Department of Water & Power; Nevada Power Co.; and City of St. George.	1	Warner Valley	Washington County, Utah.
OFU-043-N	do	2	do	Do.
OFU-044-N	Louisville Gas & Electric Co.	4	Mill Creek	Louisville, Ky.
OFU-045-N	Montana-Dakota Utilities Co.	1	Coyote Station	Beulah, N. Dak.
OFU-046-N	Montana Power Co	3	Colstip	Colstip, Mont.
OFU-047-N	do	4	do	Do.
OFU-048-N	Oklahoma Gas & Electric Co.	1	Sooner	Noble County, Okla.
OFU-049-N	do	2	do	Do.
OFU-050-N	Portland General Electric Co.		Boardman	Boardman, Oreg.
OFU-051-N	Public Service Co. of Colorado.	1	Northeastern	Eastern Colorado.
OFU-052-N	Public Service Co. of Oklahoma.	3	do	Oologah, Okla.
OFU-053-N	do	4	do	Do.
OFU-054-N	Public Service Co. of New Mexico; and Tucson Gas & Electric Co.	3	San Juan	Waterflow, N. Mex.
OFU-055-N	do	4	do	Do.
OFU-056-N	Sierra Pacific Power Co.	1	Unnamed	Humboldt County, Nev.
OFU-057-N	do	2	do	Do.
OFU-058-N	Southern California Edison Co.; Arizona Public Service; Salt River Project; and San Diego Gas & Electric Co.	1	Kaiparowits	Nipple Beach, Utah.
OFU-059-N	do	2	do	Do.

Mr. RANDOLPH. Mr. President, the Federal Energy Administration has indicated that it had insufficient time during the year to issue conversion orders to all the electric powerplants under its consideration. In addition, there are another approximately 4,000 major fuel burning installations order than powerplants under consideration. These other facilities appear to offer an additional energy savings equivalent to some 300,000 barrels of oil per day. However, due to an absence of concise data on the capability for these installations to use coal, it was not possible for the Federal Energy Administration to complete their evaluation of these facilities prior to June 30, 1975. The coal conversion authority has expired at a time when the FEA's survey of major industrial installations is nearing completion.

In order to obtain maximum benefits from this work the Administration in S. 594, the Energy Independence Act of 1975, requested a 2-year extension of the coal conversion authority contained in the Energy Supply and Environmental Coordination Act of 1974. Recognizing that the Congress is presently considering these amendments as well as S. 1777, the National Petroleum and Natural Gas Conservation and Coal Substitution Act of 1975, on June 2, 1975, the FEA Administrator, Mr. Zarb, wrote me supporting a 6-month extension of this program stating—

I urgently request that you use your efforts to obtain immediate enactment of a six-month extension of ESECA without tying it to any controversial or complicated issues, so that the President may promptly sign such an extension into law.

Inasmuch as ESECA has been extensively debated in Congress and represents agreements on priorities for achieving national energy and environmental goals, prompt and favorable consideration of a six-month extension can be anticipated . . . Enactment will assure continuation of this important program for reducing dependence upon oil and gas and increasing reliance upon domestic coal until Congress has had further opportunity to enact a comprehensive energy program.

Mr. President, I ask unanimous consent that Mr. Zarb's letter be printed in the RECORD at this point.

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

FEDERAL ENERGY ADMINISTRATION
Washington, D.C., June 21, 1975.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to urge prompt Congressional action in order to continue an ongoing program which will make a measurable contribution to attaining National energy independence.

On June 30, 1975, authorities granted to the Federal Energy Administration under the Energy Supply and Environmental Coordination Act of 1974 (ESECA) will expire. Without a legislative extension of that Act, authority to issue orders prohibiting powerplants and major fuel-burning installations from using oil and natural gas as a primary energy source will expire, as will the authority to issue construction orders requiring new powerplants to be equipped with coal-burning equipment.

In this first year since ESECA was enacted, much progress has been made. We have established an administrative framework to implement the program; notices of intent to issue prohibition orders have been directed to 74 existing powerplants located at 32 generating stations; and notices of intent to issue construction orders have been sent to an additional 74 newly planned powerplants. We are now evaluating comments submitted in response to our notices of intent, and we will issue appropriate prohibition and construction orders by June 30.

Despite the efforts made by the Administration, much remains to be done. More time is needed so that approximately 25 additional powerplants and 100 major fuel-burning installations can be placed under prohibition orders, and construction orders be issued for up to 25 planned powerplants.

While the Administration had anticipated Congressional extension of ESECA authorities as an integral part of a comprehensive energy program, to date this necessary extension has not been forthcoming. The President's Energy Independence Act of 1975, submitted in January, contained as Titles IV and V extension of ESECA and related amendments to the Clean Air Act respectively. It now appears obvious that neither of those Titles will be passed by Congress prior to expiration of the Act.

Although I recognize that extension of ESECA has been included in other legislative efforts, I urgently request that you use your efforts to obtain immediate enactment of a six-month extension of ESECA

without tying it to any controversial or complicated issues so that the President may promptly sign such an extension into law.

Inasmuch as ESECA has been extensively debated in Congress and represents agreements on priorities for achieving national energy and environmental goals, prompt and favorable consideration of a six-month extension can be anticipated. I am enclosing a simple draft bill to accomplish that extension. Enactment will assure continuation of this important program for reducing dependence upon oil and gas and increasing reliance upon domestic coal until Congress has had further opportunity to enact a comprehensive energy program, including further extensions and environmental amendments to ESECA.

I have sent similar requests to Senator Edmund S. Muskie, Chairman of your Subcommittee on Environmental Pollution; Representative Harley O. Staggers, Chairman of the House Committee on Interstate and Foreign Commerce; and Representative John D. Dingell, Chairman of the Subcommittee on Energy and Power of that Committee.

Again, I urge your expeditious action on this urgent matter.

Sincerely,

FRANK G. ZARB,
Administrator.

Enclosure.

A bill to amend the Energy Supply and Environmental Coordination Act of 1974 in order to extend the authority of the Federal Energy Administration to issue various orders thereunder for an additional six months

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 2(f)(1) of the Energy Supply and Environmental Coordination Act of 1974 is amended by striking "June 30, 1975" and inserting in lieu thereof "December 31, 1975."

Mr. RANDOLPH. Mr. President, subsequently FEA Administrator Zarb submitted a statement on S. 1777 to the Committee on Public Works in which he noted that—

Any examination of government efforts to foster coal utilization should begin with the pioneer program authorized by Congress last June in the Energy Supply and Environmental Coordination Act of 1974.

The Administrator prefaced his statement by the observation—

The substitution of coal for insecure foreign sources of oil, and for our own dwindling supplies of natural gas, is imperative if we are to lessen the nation's energy vulnerability.

Mr. President, I think it would be unfortunate—indeed it would be unwise—should this coal conversion authority not be extended. The Federal Energy Administration can obtain extensive experience from this program. Moreover, this experience is needed for the Congress to adequately judge the validity of the additional amendments proposed by the Administration regarding this coal conversion program.

I urge my colleagues to approve this amendment No. 606 to S. 1849.

Mr. JACKSON. Mr. President, I am very pleased, from my side, to accept the Senator's amendment. It is a necessary amendment. It is of an emergency nature, basically to extend the coal conversion authority provided by the act until December 31, and unless this authority is extended until that time we could find ourselves in a very difficult situation, as the Senator so ably outlined here in great detail.

I would hope, therefore, that the amendment would be accepted unanimously.

Did the Senator wish to comment on this particular amendment?

Mr. FORD. I certainly would.

Mr. JACKSON. I yield to the distinguished Senator from Kentucky.

Mr. FORD. Mr. President, I support the amendment of the distinguished Senator from West Virginia and I support the remarks that the manager of the bill, the distinguished Senator from Washington, has made.

With the permission of the Senator from West Virginia, I ask unanimous consent that my name be added as a cosponsor of this amendment to the bill.

The PRESIDING OFFICER (Mr. STAFFORD). Without objection, it is so ordered.

Mr. FORD. I thank the Senator very much.

The blessings of coal, as we all know, are not confined to any one State or any one region of this country.

I have always been an advocate of the principle that the short-term and midterm answer to our energy problems of today will be from coal, and I am convinced more and more, as I said in this distinguished body, that we must look to coal for our answer in the future. Coal can be the buffer against future embargoes, and we know how important this is.

Coal, in my opinion, can make us self-sufficient. As we talk about converting to coal, I am sure that the Members of this body know that something over 1 million tons of coal per day are used in the generation of electricity. That is 365 million tons of coal per year. Since it is a known fact that it has worked, it is somewhat of a disappointment to me that a greater interest in the use of coal has not been taken by the Federal Government.

So I think this amendment is important, and I am delighted that the manager of the bill and the minority side seem to be in favor of it.

I would be very hopeful if, instead of waiting until the last minute, at the eleventh hour, to be using this particular kind of natural resource that we will accelerate the use of coal for not only the economy in regions where it is removed, but for the stability of this country as a whole.

I thank the Senator.

Mr. RANDOLPH. Mr. President, I wish to express my appreciation to the able Senator from Kentucky (Mr. FORD), who is knowledgeable in this subject.

West Virginia and Kentucky or Kentucky and West Virginia are the leaders, one at one time or another, in the production of bituminous coal. For example, in 1973 West Virginia produced 115 million tons of bituminous and lignite coal compared to 127 million tons for Kentucky. The national total was 591 million tons.

As we look forward during the next 10-year period we recognize that the projections are for increased productivity in West Virginia and in Kentucky.

There are very real reasons for such a program as we envisage here today to be a part both of the programs of the administration and of Congress. We need not be polarized in our thinking because the administration itself, through the President and through the energy czar, Mr. Zarb, both have indicated their strong advocacy for additional time so that these coal conversions from oil and natural gas can take place.

Mr. President, I have constantly indicated, as I will say to our colleagues, Senator FANNIN and Senator HANSEN and others, that this Senator is not interested in divisiveness or polarization with the administration. This Senator is intensely interested in all of us working, insofar as possible, in cooperation and with initiative and resourcefulness, so that we do repair the damage which has already been done, and so that many additional years do not come to pass without the United States of America becoming self-sufficient from the standpoint of the production of energy.

I remind my colleagues—and the Senator from Kentucky well knows this to be a fact—in coal we have four times the energy in this country than all the energy from petroleum in the Middle East.

We must use it, and it can be used in environmentally accepted ways. This is a further opportunity, as Senator FANNIN and others have indicated, to extend the time so that this coal conversion program can move forward not in a hit-and-miss fashion but in an orderly way. I again commend my colleague.

Mr. FORD. It is a comfortable feeling to know that this body and the Executive are on the same wavelength. I think it is in the best interests of the country that we cooperate when we find an endeavor we can all agree on.

As the Senator knows, and I know, not only can we furnish coal for the generation of energy, but we can use it for oil and for synthetic natural gas which can make this country self-sufficient, and we will not have to look to any other country, and the fact can be that we will be looking to export instead of import.

Mr. RANDOLPH. One final comment, Mr. President. There are those who indicate that a doubling of coal production and marketing cannot be done in the next 10-year period.

It can be done, Mr. President, if we ourselves are determined, all of us, that it is to be done and that it be done not in the interest of any particular region of the country but that it be done for the benefit of the American people as a whole.

Mr. FANNIN. Mr. President, it is with pleasure that I commend the distinguished and able Senator from West Virginia (Mr. RANDOLPH) for the leadership he has furnished over the years in the field of energy. He is not only a leader from the standpoint of coal utilization but he has been very prominent in assisting in legislation that would utilize, promptly utilize, many of our resources.

We are blessed in this country of ours with about 40 percent of all the world's coal reserves. Many people realize the significance of that blessing, but some do not.

When we look at the figures that illustrate that over 70 percent of all fossil fuel energy is in coal and only 15 percent,

or thereabouts, in petroleum products, we know of the great possibility we have of reaching our goal in furnishing the needs of this country for energy.

We do face a serious problem unless we have programs, such as this particular amendment provides, whereby we can go forward with the utilization of coal.

That is why I feel that the distinguished Senator from West Virginia has again brought something to our attention that is very essential. He is working with the administration on this measure because it does give more time for the implementation of some of the programs that are in progress.

If the distinguished Senator moves in separate legislation the substance of his amendment to S. 1849 I am reasonably certain that such a bill would become law.

I would suggest to the distinguished Senator from West Virginia that his amendment be separately offered as a clean bill.

Mr. President, I again commend the distinguished Senator from West Virginia (Mr. RANDOLPH) for offering this amendment.

Mr. JACKSON. Mr. President, I erred in saying that we are extending the authority until December 31 in connection with the amendment of the Senator from West Virginia (Mr. RANDOLPH) Actually, the authority expired on June 30.

Mr. RANDOLPH. That is right.

Mr. JACKSON. Which makes more urgent the need to extend the authority provided in the act.

I, therefore, urge that the Senate adopt the amendment offered by the able Senator from West Virginia who has been the pioneer in this area.

As Senator FANNIN has mentioned, no one has taken a greater interest, as far as this aspect of the energy problem is concerned, than the distinguished Senator from West Virginia (Mr. RANDOLPH) and I commend him mostly highly.

I do not know of anyone else who wants time and I suggest we have a vote.

Mr. RANDOLPH. I am very appreciative of the kind remarks of Senators JACKSON and FANNIN regarding my continuing efforts in support for the formulation of a national energy policy. It has been my desire to work within the Senate in cooperation, where possible, with the administration, to strengthen our energy resource programs. Thus we will strengthen our country and serve all of our people.

The PRESIDING OFFICER. Are the Senators prepared to yield back their time?

Mr. JACKSON. I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from West Virginia yield back the remainder of his time?

Mr. RANDOLPH. Yes.

The PRESIDING OFFICER. All time has been yielded back, the question is on agreeing to the amendment of the Senator from West Virginia.

The amendment was agreed to.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I ask unanimous consent that whereas the time is up on the committee amendment, as I understand it, that that time be extended for 15 minutes, to be utilized by the distinguished Senator from Oklahoma (Mr. BARTLETT), and that immediately thereafter the vote occur on the committee amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

Mr. BARTLETT. What is this?

Mr. JACKSON. This is just the committee amendment changing the date from 1977 to 1976, a routine committee amendment.

Mr. BARTLETT. I see.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Who yields time?

Does the Senator from Oklahoma seek recognition?

Mr. BARTLETT. Mr. President, I ask the distinguished Senator from Washington if I could have his attention.

The PRESIDING OFFICER. The Senator from Washington is being addressed by the Senator from Oklahoma.

Mr. BARTLETT. Does the Senator from Washington have to leave the Chamber?

Mr. JACKSON. I have to leave the Chamber for a moment. I will be glad to come back and respond to any question if the Senator will defer it until that time.

Mr. BARTLETT. All right.

Mr. President, I am concerned about the extension of the Petroleum Allocation Act because it does not appear to me to face up to part of the real problem that we have in the domestic energy shortage; that is, the very obvious lack of supply. When one compares the oil industry with other industries, if one does it on power concentration, one finds that the number of companies engaged in oil exploration is much larger than that of the average number of companies engaged in any major endeavor in this country. In fact the independents, the non-30 largest, find about 80 percent of the production found in this country. Obviously this statistic also indicates that there is not a barrier to entry into the area of pertoleum exploration, development, and drilling for oil and gas wells.

It is also obvious in comparing the profits of the major companies, let alone the smaller ones, that the return on capital investment is about average with that of other major industries.

So, we have in the petroleum industry a number of companies of free enterprise, which are engaging in perhaps the most important business activity of any companies in the country because of the current shortage of domestic oil and gas.

This becomes very important because of our national security, economic needs, and the needs that we have as a nation to provide the energy needed for all of our business and manufacturing activities.

Yet, in the case of oil and gas, we of Congress seem to think, somehow or other, that we accomplish more for the better interest and the best interest of the citizens of this country by having price controls. It is the only area of price controls in our whole business complex in the United States.

I cannot understand why we want to continue putting shackles on an industry that otherwise I think would expand its operations to the extent that we could increase the suppiles and help decrease the shortage we have.

In 1955 the amount of exploration and development activity in this country peaked out. It peaked out and declined after that until 1971 because there just was not enough capital formation available to industry to drill the number of wells that needed to be drilled. In 1955 we had a cushion of some 2 million to 3 million extra barrels of petroleum that could be produced when needed as was needed in the Suez crisis of 1956, I believe, and it was used in another crises in the Middle East later on.

But because of the lack of capital formation and of insufficient profit, there was not enough capital to drill the wells that were needed to be drilled during the late fifties and sixties to retain the cushion, the extra supply of oil and gas, and to keep up with the demand.

So by the time we reached 1971, the number of active rigs had gradually but consistently reduced to less than 1,000, and we had a very severe energy shortage in the United States. Our imports went way up until they are reaching now 40 percent.

It is rather interesting looking back on how the amount of imports was regarded during the sixties as compared to today.

At that time, General Lincoln's group, which was concerned with the national security of this country, felt that if imports reached 10 percent they were reaching a level that would threaten the national security. Yet now, when we obviously are depending upon others for 38 percent of our imported oil, no one seems to be a bit concerned about national security.

Yet we only have to look back to 1973, a period of just 2 years ago, when an embargo was placed on the importation of oil from Arab countries, that required us to use all of our ingenuity in order to keep the wheels of industry turning and in order to keep this country moving ahead. Even with that, we suffered considerably because of the lack of energy.

Starting in 1971, because of a relaxation of price controls, a removal of price controls on part of our crude oil, we have had an increase in the amount of drilling. This has enabled the number of active rigs to go up to approximately 1,740.

But just 3 months ago, this Congress

decided that the depletion allowance should be eliminated for the larger companies and should be greatly reduced for all companies engaged in oil and gas exploration. Because of this, the tax on oil and gas incomes was increased by $2.5 billion. This was levied retroactively on the oil and gas industry.

Obviously, the one part of their spending that they could look to to make up the difference of the $2.5 billion was by cutting their exploratory budgets. This they did. It was very interesting in a report to a special hearing that the Committee on Interior and Insular Affairs, chaired by the Senator from Washington, had, that the kind of exploration that was eliminated was the wildcat exploration, the long-shot drilling, the kind of drilling that had less chance of success but had greater opportunities of increased potential of finding undiscovered reserves.

So, at the present time we have some 1,740 potential rigs to be used, and yet we only are utilizing approximately 1,612 as of last week.

What does this mean? It means, very simply, that the oil and gas industry does not have the capital to keep turning to the right, as is their expression, to keep operating all the rigs that exist.

How far down the road do we need to go in order to have some chance of developing sufficient oil and gas reserves to have a sufficient supply to meet demand? I think a good way of looking at this as a rule of thumb would be to look back at 1955, when we had operating some nearly 2,700 rigs. At that time, the demand for oil was about half of what it is today; so, by doubling that figure of 2,700 rigs in 1955, it would give us approximately 5,400 active rigs that we need today, actively engaged in oil exploration, in order to find sufficient oil and gas in order to meet the demand of today.

The total of 1,740 rigs is almost exactly one-third of 5,400. So we are just one-third of the way down the track. Yet we do not have enough capital being formulated today to keep the rigs we now have operating.

My concern with the extension of the Petroleum Allocation Act is that, in extending the price controls, we are going to assure ourselves that we are not going to be able to have the activity of drilling for oil and gas sufficient to find the reserves we need.

Many of those who are opposed to deregulating or decontrolling the prices on oil and gas throw up their hands and say, "Well, if we do this, the price is going to go out of sight." The estimate of the Federal Energy Administration is that the price would go up 5 to 6 cents a gallon of gasoline. At the present time, the current prices we pay include approximately 3 cents a gallon for the tariff that we pay on the importation of crude oil from foreign countries. If this were removed, as I trust it would be if the price were decontrolled, then the price of gasoline would only have to go up 3 cents a gallon. I am convinced that the people of this country want assurance from Congress that there is an environment in which the free enterprise oil and gas industry operates, in which there is a chance of developing sufficient oil and gas reserves to meet the demand. I am convinced that the people are willing to pay the price. The price I am talking about would be 3 cents a gallon more than the price we have today, caused by the decontrol of the prices on domestic crude oil production.

There are those who say that the price of imported oil is a cartel price, and they are correct. It is set by countries arbitrarily, not based on supply and demand. Then they criticize the decontrol of the price of domestic production on the basis that the world price is not a free market price. But it certainly does not make it any more free market to control the price of domestic oil. In fact, to me, it does not make much sense when the foreign producers of energy, countries which have a great excess of production, set a cartel price that is the world price. Then we come along, a country very short of production, and assure ourselves of not having adequate supplies by having a controlled price far below the world price.

The world price is a cartel price, but let us face up to it, it is the world price. It is what we pay when we cannot produce enough domestic crude oil to satisfy our needs. We bring in expensive cartel-priced oil at approximately $12.75 a barrel, whereas we are producing oil in this country and paying for it at an average price of some $7.50 to $8 a barrel. I think we must face up to the basic problem that we have, which is a problem of energy shortage, and analyze that to see how we can deal with it in order to have sufficient supplies.

Mr. HANSEN. Will the Senator from Oklahoma yield for an observation?

Mr. BARTLETT. I very happily yield to my distinguished friend from Wyoming.

Mr. HANSEN. Mr. President, I think what the distinguished Senator from Oklahoma is saying is very, very important. Practically every authority agrees that there are two steps that need to be taken by America at this time. One is to do all we can, consistent with the needs of providing jobs in America, to conserve energy, and, even more specifically, to conserve the consumption of oil and natural gas. That is part of the job. It is an important part. Many, many speakers have stressed its importance.

On the other hand, there is also need, and I think most people have given more than just a cursory glance at the problem would agree that we need to do something about bringing into being greater supply. Many things have been proposed. The distinguished junior Senator from Louisiana, some months ago, proposed that we deregulate secondary and tertiary recovered oil. That proposal was adopted in the Senate and it since has been stricken from one of the bills that has gone to conference, I think unfortunately, because of all of the opportunities that this country has to increase supply, there is no sure way of doing that than to decontrol the price of secondary and tertiary recovered oil.

Why do I say that? For one very obvious reason. At the present time, we have reserves in the United States of some 40 billion barrels of oil. By that is meant that, given the amount of oil in place that we know is there, understanding the cost of pumping that oil to make it available and equating those costs with the selling price of oil, given the present equilibrium that is now established, we can produce from those known reserves some 40 billion barrels. But if we were to turn the oil industry loose and say to those thousands of persons, tens of thousands of persons, who own interests in the different oilfields throughout the United States, "We will let the price rise consistent with what the public is willing to pay" and I underscore those words, "Is willing to pay," then we could produce an additional 60 billion barrels.

In other words, Mr. President, we can take the 40 billion barrels which normally would be produced given present costs and price levels existing now, and we could increase that by an additional 60 billion barrels. In other words, we could get one-and-a-half times as much more out of the ground as we hope to get.

The PRESIDING OFFICER. The time on the committee amendments has expired.

Mr. HANSEN. Mr. President, I ask unanimous consent that we may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield time from the bill to the distinguished Senator?

Mr. HANSEN. That will be fine.

Mr. STONE. I yield 10 minutes to the Senator from Wyoming.

ORDER FOR A RECESS UNTIL 9:15 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:15 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY PETROLEUM ALLOCATION EXTENSION ACT OF 1975

The Senate continued with the consideration of the bill (S. 1849) to extend the Emergency Petroleum Allocation Act.

Mr. HANSEN. Mr. President, the point I am trying to make is what I have been talking about, the releasing, insofar as price controls are concerned on secondary and tertiary recovered oil, is just one one of the steps that we could take in order to increase supply.

The Senator from Oklahoma (Mr. BARTLETT) has been pointing out other ways we can do this and, indeed what are the results of some of the steps we have already taken.

I have letters and newspaper articles, magazine articles, all sorts of information detailing exactly what has happened and, if I may, I would like to call attention to some of the things that have been occurring which underscore and buttress what has been said by my good friend from Oklahoma.

I wish to read portions of a letter dated July 9 written to me by the president of True Oil Co. from Casper, Wyo., telling

about the situation in my State of Wyoming. He states:

In the three months since the President signed into law HR 2166, entitled "Tax Reduction Act of 1975," the average number of drilling rigs active in the State of Wyoming has decreased from 129 to 99, a decrease of over 23%. During the same period last year the average number of drilling rigs in operation increased by 13%. The full impact that HR 2166 has already made on the industry in this state can best be judged by examining the attached chart showing average drilling rigs in operation over the past 18 months. This clearly shows that an escalating trend was almost spontaneously turned into a seriously declining one. This in my judgment has been almost entirely a result of the major oil companies' reduction in their exploration and development budgets caused by the reduction in their cash flow resulting from the higher income taxes mandated by this law. Nobody, including major oil companies, can spend money they do not have or cannot borrow.

The Society of Independent Professional Earth Scientists, a very sophisticated group of geologists, confirms the same conclusion reached by Mr. True and by the distinguished junior Senator from Oklahoma. They say:

We polled 70 drilling contractors and 35 sellers of oil field tubular goods.

The Hughes Rig Count still shows about 1600 rigs working with no appreciable change since January. We know that this was due to the tremendous backlog of drilling left over from last year. So our main thrust was to determine what was happening to the backlog. The survey shows the backlog down 293% from the first of the year. Sales of surface casing are down 66% from the first quarter which, in itself, is a seasonably bad quarter.

Most contractors and casing merchants reported that independents were their main customers.

The general feeling here is that the bottom is dropping out. I have enclosed a sampling of the returns, together with a summary.

We think that the time has come for a major statement on the adverse effect of congressional action on a vital industry. If the Senator feels like making it, we would be glad to help him shape it.

Of course, I would welcome that assistance because this very distinguished group of professionals know what they are talking about. Their only concern is to see that Americans understand what the facts are, and when Americans are apprised of the facts and have been given time to understand them, there can be no doubt but what most will agree we are headed down the wrong trail.

Today, testifying before the Committee on Finance, was Secretary of the Treasury William Simon. This afternoon, Frank Zarb, the Administrator of FEA, is back appearing informally before a gathering of Senators over there in order that he can advise them just on an informal basis of what is going on.

The facts are that when Mr. Simon was testifying I read from a statement in the U.S. News and World Report dated June 16, 1975, whereby the President of a bank in Midland, Tex., said—and I am paraphrasing his remarks—America is still determined to punish the oil industry. It has made it extremely tough for that industry to raise the kind of money necessary in order to continue a drilling program and, indeed, when one considers the impact that resulted from the passage of the Tax Reduction Act of 1975, the experience in Texas reflects that of people throughout the rest of the country.

If I may, I would just like to read, in order to be more precise, what Charles D. Fraser, the senior vice president of the First National Bank of Midland, Tex., said. He said,

The loss of depletion not only took a lot of money out of the industry, it showed people that Congress is still in a vindictive mood toward the oil industry, when it should be encouraging exploration.

It warned oilmen that they had better wait and see what happens next before they proceed.

The president of Houston Oil & Mineral Co., Mr. J. C. Walter, Jr., said:

A surplus of rigs has developed almost overnight. They are stacking [storing] rigs in the Midland area and contractors are waiting on new orders.

In other words, the backlog—which means the number of requests for drilling rigs to drill prospects—has dropped off most dramatically. From that fact can be inferred the following conclusions:

First. The industry has been discouraged as to profitability. It has been discouraged as to the logic and good sense in trying to drill when you consider the overall rate of success in the industry and wildcatting, when you consider the return that can be expected in light of the Tax Reduction Act of 1975, and there is no doubt at all but what our efforts in March of this year were counterproductive.

Instead of encouraging more supplies to be brought on stream, we have the effect of telling the industry, "Slow up, stop, don't do any more."

I think that is tragic and, I think, that is a fact that needs to be understood, as has been the thrust and the whole point of the Senator from Oklahoma's amendment to try to reduce, insofar as it can be done, the uncertainty that faces the industry presently.

I would like to compliment my good friend from Oklahoma for the job he has done in bringing his expertise, his understanding, his knowledge of this very complicated and important industry to Members of the Senate.

I thank my good friend from Oklahoma.

Mr. BARTLETT. Mr. President, I thank my distinguished friend from Wyoming. He has brought out some very interesting facts about the problems of price controls and extension of the Petroleum Allocation Act.

There are many inequities in this program that I think we want to discuss as we debate it, but I do have an amendment at the clerk's desk and I would like to have it read.

The PRESIDING OFFICER (Mr. GARN). The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma (Mr. BARTLETT) proposes an amendment to the committee amendment: On page 1, line 10, delete "March 1, 1976," and insert in lieu thereof "December 31, 1975,".

The PRESIDING OFFICER. There are 30 minutes on the amendment in the second degree, 15 minutes to a side.

Mr. BARTLETT. Mr. President, I do not want to fly under false colors. I am not in favor of this bill, but I do think it is an appropriate amendment to reduce the extension of the Joint Allocation Act.

As the bill stands now, the pending amendment, the date would be March 1, 1976, roughly 9 months from now. This amendment would reduce that to roughly one-half year.

We have had the Petroleum Allocation Act operating for some time. It has many unfairnesses in it, inequities that should be corrected, but its main fallacy is that it increases the demand for energy and it decreases the supply, which is exactly the opposite of what an emergency energy program should do today for this country.

We have ever increasing shortages of energy, yet the programs that have been adopted by Congress, the great majority of them, have been ones that have extended and increased the shortage, or, as I said, increased the demand and decreased the supply.

It has made us more dependent upon foreign sources of supply which we know can be used as political blackmail in the form of an embargo to put pressures on this country in its political decisions with foreign countries.

Certainly, 6 months is ample time for this body and the other body to consider changes in the Allocation Act.

I think the greatest step that could be taken, made forward by the Congress in approaching the energy shortages, would be to let this act expire on August 31 because then what would happen is that our price controls would go out the window and we would have the opportunity of sufficient capital accumulation to drill the wells that need to be drilled.

Well, the first yell, of course, that comes from the other side, is that there is going to be this horrible increase in prices. And yet, is there?

The FEA says the price increase that would be occasioned by a complete decontrol of crude oil would be 5 cents to 6 cents a gallon and if the President would remove the tariff on imported oil, which amounts to 3 cents a gallon of gasoline, then the price increase would only be 3 cents, but there would be the assurance to the American people that we do have a plan that would maximize exploration and development in this country that would not artificially increase demand and decrease supply, but would do the reverse.

It would increase the supplies and decrease the demand for energy to the extent of a small increment of increased cost, but it would give continuing assurance that the effort to find more oil and gas, which are essential to getting us out of this century, would be maximized, that we would have ample opportunity to increase the rate of drilling.

I said a minute ago that the number of active rigs that are now operating in this country are approximately 1,612, short by almost 130 rigs of the 1,740 rigs that exist. Yet, we need some 5,400 rigs to do the amount of drilling that needs to be done to find

the oil and gas that this country requires to get us out of the 20th century and into the 21st century when, hopefully, the large expenditures that this Nation is making through public expenditures and private expenditures will be sufficient to bring on new types of energy, alternative sources.

But I think we are kidding ourselves when we control the prices on the one item, oil and gas, that is in such short supply, that is so greatly needed for national security, and the strength of our economy.

We had much unemployment last winter occasioned by an insufficient amount of natural gas. The Petroleum Allocation Act, by extending it, tends to reduce the amount of oil available and the fact that this Congress has attempted to deregulate natural gas extends the shortage of that very important energy. So that this Nation has its unemployment increased by the actions of Government.

The problems that I see have not been problems of the failure of industry to respond to the needs of the Nation, but the problems of Government to give it the kind of environment in which it needs to operate to do the amount of exploration and development that is required.

This amendment, very simply, gives 6 months for the Congress to improve the Petroleum Allocation Act, if that is its desire, to pass this bill, which certainly should be ample time to go through the entitlements problems and the other inequities that do exist.

We have a situation where parts of the country are subsidizing the purchases of high-cost imports in other parts of the country, and this, to me, is very unfair. We have the situation where some refiners are subsidized by other refiners. So we do not have free enterprise or competition between the free enterprise components of the oil and gas industry. We have controls on them that make, really, a mockery out of free enterprise competition, all at the expense of the consumer. This raises the cost to the consumer over what they would be otherwise.

I believe that Congress has been given ample opportunity. The committee on which I serve, the Interior Committee, was charged 4 years ago with developing a fuel and energy study to deal with the shortages that were foreseen at that time and yet it has advanced no legislation that I am aware of to increase the supplies of oil, other than to legislate the Alaskan pipeline, which the majority of the committee did not favor.

It did provide a proper amount of right-of-way needed to lay the line, but it has not done anything to increase the exploration and drilling, nor has it done anything to increase the exploration and drilling for oil nor the drilling for natural gas.

So I think giving 6 months to this committee to perfect the Petroleum Allocation Act, if it can be perfected, and I do not think it can, is adequate. I think the problem is that with these kinds of controls, one control gives rise to two more problems and then two more controls give rise to four more problems, and on ad infinitum, but certainly 6 months is adequate time to make these kinds of considerations.

It is my feeling that if the March 1, 1976, date prevails, then there will be no consideration of any improvements in the Petroleum Allocation Act or sincere study made of our shortage situation in oil between now and the first of the year. Then it would only be in the first 3 months of next year with the convening of Congress in 1976 that there would be a serious study made.

I do not see why this Congress and this committee would need to have this amount of time just to bide their time and not face up to the problems that they have refused to face up to for so long.

Mr. President, I sincerely believe that this amendment is an improvement to the amendment by the distinguished chairman of the committee, the distinguished Senator from Washington.

Mr. President, I yield the floor.

Mr. HANSEN. Mr. President, let me compliment the distinguished Senator from Oklahoma once more for his knowledgeable approach to a very complex problem.

I want to quote further from Business Week magazine, the July 14 issue, to disabuse Senators concerning certain facts that I think generally are not understood.

I spoke about the drop in the number of rigs that are presently drilling in my State of Wyoming.

I spoke about the sharp drop, a drop of 293 percent, in the backlog of demand to have wells drilled. I mentioned, in commenting upon a letter from Dave True, president of True Oil of Casper, Wyo., that there has indeed been given to the industry great disincentives through the passage of the Tax Reduction Act of 1975.

Many people believe that this has affected primarily, and many think exclusively, only independents. Such is not the fact. The facts are:

Since March, when Congress killed the percentage depletion allowance and limited foreign tax credits for oil companies, the majors have announced budget cutbacks of nearly $1.1-billion. Texaco, Inc., alone reduced its capital exploration budget by $300-million, or 15%. Phillips Petroleum Co. chopped $200-million (17%), Continental Oil Co. $100-million (11%), and Gulf Oil Corp. $88-million (5%).

THE PROFITS ARE COMING DOWN

Though the demise of depletion has undeniably cut into oil company coffers, the price of new oil has meanwhile risen to nearly $13, because of President Ford's $2 import fee. The increase, skeptics point out, should be more than enough to make up for any lost incentive when depletion departed. They demand to know why $13 a bbl. is an insufficient lure, when industry profits hit extraordinary highs last year and when U.S. producers were getting $3.50 for their oil just four years ago.

The answer, say oilmen—who chafe at continued talk of big profits—is as complex as the oil business itself. "A lot of influential people in Congress insist that our 14.6% rate of return on invested capital last year was obscene," complains Warren B. Davis, Gulf's director of energy economics. Sure it's substantial. It certainly isn't niggardly. In fact, it's kind of high. But that's what we need to do the job."

Oilmen also point out that 1974's "obscene" returns were an aberration. The sudden runup in prices engineered by the Organization of Petroleum Exporting Countries dropped huge inventory profits in the companies' laps, but these illusory increases were a one-shot gain. Furthermore, after the OPEC price boost in late 1973, the "Seven Sisters" of international oil trade—Exxon, Royal Dutch/Shell, Texaco, Mobil, British Petroleum, Standard of California, and Gulf—made windfall profits on their foreign oil, until their hosts caught on late in 1974.

"The producing countries raised the prices on their oil like crazy but didn't increase our taxes so fast," explains Davis. "So they quadrupled our [foreign] profits from about 30c a bbl. to about $1.25 a bbl. during that period. But now they have jumped taxes way up, and we are down to about 20c-a-bbl. profit on Middle East oil." In contrast, Davis says, the profit on foreign production between 1960 and 1973 was between 35c and 40c a bbl.

Early 1975 results show that oil profits are coming down. According to Investors Management Sciences, Inc., net income of a representative sample of 38 oil companies dropped 26% in the first quarter of this year. Return on investment averaged 14.3%, hardly unrewarding but less than the return in office equipment manufacturing (16.7%) or drugs (16.6%), for example, and not much higher than chemicals (13.9%), tobacco (13.9%), or broadcasting (13.3%).

Still, the oil business remains a solid moneymaker. IMS says industry in general racked by the recession, had a return of only 11.4% in the first quarter.

Thus, the critics in Congress, the current talk of cutbacks in the industry's capital expenditures seems like blackmail, and they are not determined to tighten Washington's grasp on the oil industry. Freshmen congressmen, many avowedly anti-oil, are backing senior legislators who have long called for reforms. "The majors' profits have always been very, very high," huffs Representative John D. Dingell (D-Mich.), whose plan to decontrol oil prices includes a ceiling of $11.50 a bbl. on all oil after 10 years. "They are still abnormally high. Oilmen have told us that they have a desperate need for money to develop new energy sources, but instead they're putting their profits into dividends, salaries, and bonuses, and investing in totally different industries."

That is the story that I think needs better to be understood, Mr. President. The fact is that we have to recognize that the proof of the pudding is in the eating, and the decline in the search for oil, the decline in production, underscores that fact very dramatically and clearly.

The PRESIDING OFFICER. The time of the opponents has expired. The proponents have 8 minutes remaining.

Mr. STONE. Mr. President, I rise to oppose any shortening of the extension of this earlier than March 1, 1976.

In the first place, if the extension terminated toward the end of the calendar year, the Senate and, in fact, the Congress, would face the difficulty of tackling this whole problem during a period in which the Congress was trying to wind up its regular business at the end of the first session; whereas, by terminating this act on March 1, 1976, the Congress would have at least 6 weeks working time to analyze the then needs of the petroleum allocation situation.

With regard to what is likely to happen if the President vetoes the extension that the committee is asking the Senate to adopt, any minimization of

that by trying to ascribe the increase at a level of several cents a gallon and no more flies in the face of both past history and probable conditions in the future.

At a time when all of the economists seem to agree that the recession has hit a bottom, that the inflation is moderating, to consciously foment a great increase in the one commodity which is a basic ingredient of every other product—energy—makes counterproductive logic. Not only will the direct inflation caused by an increase in fuel, chemical feedstock and automobile gasoline take place, but the rippling effects through the transport, packaging, fabrication, and use of every other product will greatly rekindle inflation.

Mr. HANSEN. Will the Senator yield for a brief question at this point?

Mr. STONE. The Senator yields.

Mr. HANSEN. I would like to ask my good friend from Florida if he believes that the ripple effect of inflation is more serious than the specter of being short of fuel and increasing our dependency upon uncertain foreign sources in the light of the possibility of another embargo if we do have an outbreak of hostilities in the Middle East?

Mr. STONE. The Senator from Florida wishes to attack both evils. The Senator from Florida has introduced one bill, and the senior Senator from Florida has introduced several other bills cosponsored by the junior Senator from Florida, which would confront the cartel price situation and the cartel shortage situation produced by the foreign oil producing nations.

That is one problem. But whether you die by a gun or whether you die by a knife, you die; and the difference between the foreign cartel situation and the deregulation which otherwise would take place if this bill does not pass is that in this situation we would be doing it to ourselves, and if a deregulation of all oil products is in order—and let me say that there is a much greater case for deregulation, partial or complete, of natural gas and its by-products than there is for liquid petroleum, at least at this time—in any case, when you do this is as important as what you do; and at this moment in the business cycle, to add to the basic cost situation in this economy just when we are trying to reduce unemployment, just when we are trying to control inflation, would give not only a financial and fiscal but a psychological blow to industry and business, which is trying mightily to come off the floor. That is the point I am trying to make.

Of course, a slow deregulation is better than a fast one, but the question before the Senate now is, shall we not give ourselves a chance to analyze the regulatory situation more than simply in the latter days of the first session of this Congress?

Mr. BARTLETT. Mr. President, will the Senator yield for a yeas and nays request?

Mr. STONE. I yield.

Mr. BARTLETT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. STONE. Mr. President, I yield the floor.

Mr. JACKSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7 minutes.

Mr. JACKSON. Mr. President, I shall be very brief.

The agreement that we had in committee was a compromise from the date of August 31, 1977, to March 1, 1976. The proposed date of the Senator from Oklahoma, Mr. President, is unrealistic, to set it for December 31, knowing full well that we will have to act immediately, to vote in the midst of all the appropriation bills, and the time involved in debate will be substantial.

It is for that reason, Mr. President, that we provided an extension until after Congress reconvenes in January, with time to act before March 1. That was the reasoning behind it.

I went more than half way. We agreed in committee to cut it back a year and a half.

So I think it would be the wrong signal to turn around and say, "We are going to cut it to December 31." By doing that we would just encourage hoarding, holding back on the crude oil, so that the price goes up and we will have these enormous profits.

Let no one be confused: the value of an instant decontrol program runs into billions and billions of dollars. For example, if the law expires overnight, just the crude oil above ground, in inventory, would mean a $2 billion ripoff, with the price going up from $5.25 a barrel to over $13 a barrel.

The staff has also assessed the value of the oil in the ground, Mr. President; and if we do an analysis of the increase in the value of the oil in the ground from $5.25 to over $13 a barrel, it is an add-on of $180 billion.

Mr. President, this is old oil, and the issue basically is a very simple one: Are we going to allow the oil cartel to determine the market price of oil here, the price of gasoline, and an airplane ticket, with the jet fuel, and what the farmer pays for fertilizer—and that is already up 400 percent—I could go on down the line; every item in the economy is affected.

The utility bills, Mr. President, are such at this time and place in our history that we find that the large American utilities, many of them, are on the verge of bankruptcy because of the rise in fuel prices.

Mr. President, I would just say that it is a great struggle for some Americans, and that includes millions and millions, just to meet their heating and light bills. I am getting pathetic letters from senior citizens whose social security checks are not even enough to cover their heating and lighting bills because of the astronomical increases that have occurred as a result of an oil cartel fixing not only their prices on the world market, but, if we decontrol, fixing ours. I think we have had enough of that.

Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER (Mr. GARN). The question is on agreeing to the amendment of the Senator from Oklahoma (Mr. BARTLETT). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSTON (after having voted in the affirmative). Mr. President, on this vote I have a pair with the distinguished Senator from Rhode Island (Mr. PASTORE). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Iowa (Mr. CULVER), the Senator from Mississippi (Mr. EASTLAND), the Senator from Ohio (Mr. GLENN), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Vermont (Mr. LEAHY), and the Senator from Rhode Island (Mr. PASTORE) are necessarily absent.

I further announce that the Senator from Illinois (Mr. STEVENSON) is absent on official business.

I further announce that, if present and voting, the Senator from Ohio (Mr. GLENN), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Vermont (Mr. LEAHY) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from New Mexico (Mr. DOMENICI), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. TAFT), and the Senator from Texas (Mr. TOWER) are necessarily absent.

I further announce that, if present and voting, the Senator from Texas (Mr. TOWER) and the Senator from Ohio (Mr. TAFT) would each vote "yea."

The result was announced—yeas 30, nays 53, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—30

Bartlett	Garn	McGee
Beall	Goldwater	Montoya
Brock	Gravel	Nunn
Buckley	Griffin	Packwood
Byrd, Harry F., Jr.	Hansen	Scott, Hugh
Chiles	Hatfield	Scott, William L.
Curtis	Helms	Stevens
Dole	Hruska	Thurmond
Fannin	Laxalt	Young
Fong	Long	
	McClure	

NAYS—53

Abourezk	Hathaway	Nelson
Allen	Hollings	Pell
Bentsen	Huddleston	Percy
Biden	Inouye	Proxmire
Brooke	Jackson	Randolph
Bumpers	Javits	Ribicoff
Burdick	Kennedy	Roth
Byrd, Robert C.	Magnuson	Schweiker
Cannon	Mansfield	Sparkman
Case	Mathias	Stafford
Church	McClellan	Stennis
Clark	McGovern	Stone
Cranston	McIntyre	Symington
Eagleton	Metcalf	Talmadge
Ford	Mondale	Tunney
Hart, Gary W.	Morgan	Weicker
Hart, Philip A.	Moss	Williams
Haskell	Muskie	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Johnston, for.

NOT VOTING—15

Baker	Eastland	Pastore
Bayh	Glenn	Pearson
Bellmon	Hartke	Stevenson
Culver	Humphrey	Taft
Domenici	Leahy	Tower

So Mr. BARTLETT's amendment was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. GRAVEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to the committee amendment.

Mr. JACKSON. Mr. President, I yield for a unanimous-consent request to the Senator from Virginia.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent——

Mr. ROBERT C. BYRD. Mr. President, we still do not have order in the Senate. Let us have order in the Senate.

The PRESIDING OFFICER. Senators will vacate the well and carry on their conversations in the cloakroom, please, so that the Senator from Virginia can be heard.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that John I. Brooks of my staff have the privileges of the floor during the debate on S. 1849.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TUNNEY. Mr. President, I have an amendment at the desk and I ask for its immediate consideration.

The ACTING PRESIDENT pro tempore (Mr. FORD). The clerk will state the amendment.

The assistant legislative clerk proceeded to read the amendment.

The ACTING PRESIDENT pro tempore. The amendment is not in order until the committee amendment is acted upon.

Mr. JACKSON. Mr. President, I thought we acted on the committee amendment.

The ACTING PRESIDENT pro tempore. No.

Mr. JACKSON. Let us vote on the committee amendment.

The ACTING PRESIDENT pro tempore. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

Now, the amendment of the Senator from California. The clerk will report the amendment.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TUNNEY. I have the floor and I yielded to the Senator from Washington.

The ACTING PRESIDENT pro tempore. The Senator will let the Chair obtain quiet in the Senate Chamber and then we will proceed accordingly.

The clerk will finish reporting the amendment.

The assistant legislative clerk read as follows:

At the end of the bill, add the following new section:

"SEC. 3. Notwithstanding any other provision of law, no program or plan for the rationing or ordering of priorities among classes of end-users of gasoline and for the assignment to end-users of gasoline of rights, and evidences of such rights, entitling them to obtain gasoline in precedence to other classes of end-users not similarly entitled shall be carried out by the Administrator of the Federal Energy Administration or any other Federal officer or employee unless such program or plan takes into account area or regional differences, or both, in the availability of public transportation, and differences in ordinary and necessary driving distances, and provides differential gasoline rations based on such differences."

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

Mr. TUNNEY. Yes.

Mr. JACKSON. I wish to reserve all points of order in connection with the pending measure. I will not make it at this time. I reserve my right to make a point of order on the ground of germaneness.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from California.

Mr. TUNNEY. Mr. President, the amendment that Senator CRANSTON and I are introducing here is to insure a policy of fairness throughout the United States, assuming that we should ever have need for rationing. One thing is very clear in that event and that is there are some parts of the United States that are much more dependent upon automobiles to move people to and from their jobs than other parts of the United States where they have rapid transit systems in place.

For instance, in California we are completely dependent upon our automobiles.

In the New York area or in, perhaps, the Boston area or in Chicago, there are rapid transit systems which can bring people to and from their jobs. There are train systems. In California we do not have commuter trains. We do not have adequate rapid transit facilities or mass transit facilities.

One of the things that very deeply disturbed me recently was when Frank Zarb, the Administrator of the Federal Energy Administration, made known the existence of a task force proposing the creation of an emergency rationing project under which every driver in the United States would be entitled to no more than 9 gallons of gasoline per week. Well, I cannot think of anything that is designed to destroy the economy of California and other States in the western part of the United States quicker than that particular rationing scheme. I do not know who they were talking to when they made that scheme up, but certainly they were not talking to anybody from my region of the country.

So what this amendment simply does is to say if you should have a rationing plan the Administrator or any other public official who was going to put the rationing plan into effect has to take into consideration regional differences, has to evaluate the availability of mass transit, as an example, as an indication of whether not we can afford nationwide to have a percentage allotment of gasoline which could seriously affect the economy of one region more seriously than another region.

It is very simple to understand, and I think that any Senator from the West would certainly understand—and by that I mean west of the Mississippi, any Senator from the South, where they do not have adequate transportation systems, would understand—the value of this particular measure.

I see my dear friend, the Senator from Rhode Island, the senior Senator from Rhode Island here. I do not know what kind of mass transit facilities they have in Rhode Island and, perhaps, 9 gallons a week would be adequate to move every citizen in Rhode Island to and from work, but I can assure the Senator that to people in California, where people commute as much as 100 miles a day with their automobiles, this would be disastrous to them, and create disastrous conditions.

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

Mr. TUNNEY. I yield.

Mr. PASTORE. I want the Senator from California to understand that the famous fight between Jack Dempsey and Gene Tunney was held in the East. We needed mass transportation at that time, and we need it today. It is not adequate. We need help, much more help than the Senator needs in California, and I hope the Senator will remember that.

Mr. HANSEN. Mr. President, will the Senator from California yield?

Mr. TUNNEY. I yield.

Mr. HANSEN. I would like to support the amendment proposed by the two distinguished Senators from California.

It seems evident to me, having examined, as I have, the per capita gas consumption by States throughout the United States, that there is eminent fairness of the concept of this amendment.

Two States, the two States, with the highest per capita consumption of gasoline are Nevada and Wyoming, and for very good reasons. We have no mass transit systems. There is very limited bus service in my State of Wyoming, and despite that right today we are being called upon to provide a far greater contribution toward the Nation's total energy than we have been called upon to furnish in the past.

We have a new electric generation plant being completed just east of Rock Springs, Wyo., and people are traveling from more than 100 miles away to drive back and forth to that job daily in order to get the job done.

We have strip mining, coal mining, taking place in Wyoming, the same situation applies there.

There is not presently the opportunity for homes and places to live in towns where these necessary jobs have to be undertaken and, as a consequence, what has been historically true continues to be true.

We do need more gasoline. The same situation applies to the State of Nevada, as my good friend from Nevada knows and understands full well.

I am hoping that we do not have need of any gasoline rationing, but if we do

need it, I think we have to understand the eminent fairness in recognizing the facts as they have been spelled out by the distinguished junior Senator from California.

Mr. TUNNEY. Another interesting thing is that the task force certainly did not suggest that we have the same heating oil allotment for Florida as we have for Alaska.

Mr. HANSEN. Indeed not.

Mr. TUNNEY. Yet they said we ought to have a 9-gallon-per-week rationing in every State in the Union, irrespective of one region's need for an automobile to get to and from work more than another region. It is absolutely preposterous.

I would like to ask my distinguished friend from Wyoming if he has had any contact with the FEA and if he was able to uncover what the task force was thinking about when they came up with that kind of ruling?

Mr. HANSEN. I must say to my good friend from California, I have not had the opportunity to inquire into their thinking.

It occurs to me, though, that maybe absent sufficient time or without time to reflect upon the importance of the data that perhaps they might have looked at, they arrived at a very simplistic solution.

I suspect that it is appealing to people to say that we will give everybody in the United States so many gallons per week. That is about as simple a solution as we could come up with, but I must say it is totally lacking in understanding and appreciation of the facts.

The facts are that the needs in the various parts of the country differ very greatly. I could not agree more than I do with my good friend from California that we have got to look at the situation. Where people live in areas served by mass transit, their needs are disproportionately less than they are in areas where the only way to get around is by automobile.

Southern California, and all of California, is a good example of what I am trying to say.

I think this amendment seems eminently fair, it is very well thought out.

The PRESIDING OFFICER. Will the Senator suspend?

Will the Senate please come to order. If Senators care to discuss legislation with colleagues and staff members, they may retire to the cloakroom.

Mr. HANSEN. I was just going to say, Mr. President, I think this amendment reflects the considered judgment that should have been displayed by the task force, but was not for reasons that I do not now know or understand.

Mr. TUNNEY. I want to thank my friend. One of the things that concerns me additionally about the task force attitude is that it represents a very significant backtracking from the position that was taken by William Simon when he was head of the FEA.

When Mr. Simon was head of it, he said that on any rationing scheme, they were going to take into consideration those areas that were more dependent on the automobile than other areas.

The task force, on the other hand, suggests in its report that every area of the country is exactly the same.

I would like to say to my distinguished friend from Rhode Island that as I recall it, my father and Jack Dempsey got to the fight by mass transit.

Mr. PASTORE. And good for them.

Will the Senator yield?

Mr. TUNNEY. Yes.

Mr. PASTORE. I think there is considerable merit in the argument that is being made by the distinguished Senator from California, but it is pretty hard to generalize in these matters.

There is no question at all about it, that people in the West and Midwest have to travel long distances. As a matter of fact, our Interstate Highway System was built, according to that philosophy.

But the fact still remains that we have in Rhode Island about 3,900 people that work at Groton, Conn., at the Electric Boat. We just cannot say that we have got mass transit.

There is no mass transit. Here are 3,900 people that have to go to work every day and have to come back from work every night, and naturally, their situation is a lot different from the people that could take a bus, let us say, like here in the District of Columbia.

I think all of this will be taken into consideration. There is discretionary power, but I think if we begin making a preference, we might be making trouble.

Mr. TUNNEY. Not make a preference, we are only asking the Administrator to take into consideration the need for automobile travel in some regions of the country as distinguished from other regions of the country, and the necessary travel that must take place using automotive transportation in certain parts of the country is different than in other regions.

So we are asking him to apply regional conceptualization to the problem, and I think it makes perfect sense.

I might say that the State of California contributes a lot more than 10 percent, maybe 12 percent or 13 percent, to GNP in this country and if we are going to destroy the economy of a State like California, every part of the country is going to feel the impact of it.

Mr. BROOKE. Will the Senator yield?

Mr. TUNNEY. Yes.

Mr. BROOKE. I certainly commend the Senator from California, but I am a little amused when he says we have all these great mass transit systems in the East.

Where are they? The Senator from Rhode Island just said they are certainly not in Rhode Island. I can say they are certainly not in Massachusetts. The Senator from New Hampshire can say they are not in New Hampshire.

Actually, we have been trying to break that Highway Trust Fund for years so we could have some mass transit systems, but they have always been able to block us and keep us from doing that.

The fact is we do not have many mass transit systems and where we do have them they are old, dilapidated, deteriorated. Actually, we just do not have the transit system to move the massive numbers of people that we have.

On the other hand, we hear out West they go 200 or 300 miles on those great highways out there just to socialize in the evening, with a great waste of gasoline.

We certainly understand the predicament, but the Senator said they do not have any mass transit system in California. Whatever happened to that multimillion dollar system that we built in San Francisco, is that still——

Mr. TUNNEY. The BART. Yes, we have BART.

Mr. BROOKE. You have that.

Mr. TUNNEY. In San Francisco, in the Bay area, we have BART, but the State of California is 1,000 miles long, has a population of 21½ million people, and BART services a tiny fraction of those people. Maybe the general population would be 2 or 3 million people serviced by BART.

When we consider the population of the State and look at southern California, which is the most populous region of our State, and the totally inadequate mass transit that we have, if we had a rationing plan that applied a gasoline allotment evenly across the country our region would be substantially hurt, to a far greater extent than a region such as Massachusetts, which has a lot better mass transit facility.

Mr. BROOKE. Is the Senator talking about a regional plan for heating oil which would be applied evenly across the country, to the Northeast, the greatest user of home heating oil, too?

Mr. TUNNEY. We should not have an even allotment of home heating oil.

Mr. BROOKE. Is the Senator proposing regional formulae for all sources of energy?

Mr. TUNNEY. No. My proposal is very narrow. It is just to a rationing scheme and the only reason I am offering it is because of the task force report that recently came out which suggests that 9 gallons a week would be appropriately applied across the board.

That represents a change of position from the one I mentioned by William Simon during the time of the boycott when he was head of the FEA and he was talking about a rationing scheme that would take into consideration the availability of job transportation in allotting gasoline to drivers.

Mr. BROOKE. But there is still much discretion left, is there not, so that this matter could be taken care of under the discretionary powers?

Mr. TUNNEY. I can understand why the Senator says it can be taken care of, but those of us who exist in the West and South, where we do not have rapid transit facilities, I think will have to support this amendment, it is just so basic and fair and obvious.

I cannot understand why anyone would not recognize the fact that some parts of the country need more gasoline to move people to and from work than other parts.

We are talking about the health of the economy of the entire country. We cannot destroy the agricultural industry in California without having a major impact upon the cost of food in Massachusetts. We are the No. 1 agricultural State in the Union. Well, it takes gasoline and it takes fuel to keep those farms going. It just seems to me to be very clear that this is an equitable amendment. We are not saying we have to give more gasoline to

California, to Wyoming, or Texas than to Massachusetts. We are simply saying we have to take into consideration what is the availability of mass transit facilities when you are making a rationing scheme. It is that simple.

Mr. HANSEN. Will the Senator from California yield for an observation?

Mr. TUNNEY. I yield.

Mr. HANSEN. I say to my friend from Massachusetts I think the great merit in this amendment is that it recognizes what has been proposed by the task force set up under FEA, which I find deplorably inadequate. I do not mean to imply for a moment that there is not some commodity in terms of the problems the country over. Undoubtedly, as the Senator from Massachusetts has pointed out, there are many areas of that State that do not have any more rapid transit than we have in Medicine Bow, Wyo. That is now seven times weekly Amtrak on the UP Railroad.

When we consider the fact that there are States which use fewer than 4 gallons of gasoline per capita per year, and there are States, such as is true in my State of Wyoming and in Nevada, where they use 16 or more gallons of gasoline per capita, that reflects upon past practices. It is that sort of thing that I think my good friend from California is addressing which should be looked at and should be examined by FEA, or by whomever it may be, before any rationing program should be implemented, if one indeed should ever be.

Mr. BROOKE. We all seek equity.

Mr. HANSEN. Right.

Mr. BROOKE. I presume that is what the Senator from California is trying to achieve by his amendment.

Mr. PASTORE. Will the Senator yield?

Mr. TUNNEY. I yield.

Mr. PASTORE. I do not find any fault with the logic or merit of the argument being made, but I find some fault with what the Senator is trying to anchor this to. He is anchoring this to the fact of mass transportation. We just do not have it. If the Senator wants to say where the distances are long for people to go to work, that would make sense to me. But to say where we have mass transportation—we just do not have it. The people in San Francisco have a lot better transportation than we have in the whole State of Rhode Island.

What are we going to do? Do we give them more gasoline in San Francisco?

Mr. TUNNEY. Not necessarily.

Mr. PASTORE. The Senator is going to go by region.

Mr. TUNNEY. We go by region, but we also hook it not only into mass transit, public transportation, but we also hook it into the differences in ordinary and necessary driving distances. We tie it also into the regional differences. That would be historical differences in use. There are a number of criteria that the amendment uses in making the Administrator determine what the allotment should be per region. Mass transit is one of the factors.

I did not mean to hook the entire amendment to mass transit. It would be an inappropriate amendment if it were just hooked to that.

Mr. BROOKE. What is the formula, if I might ask the Senator from California?

Mr. TUNNEY. These are the criteria: the Administrator of the Federal Energy Administration or any Federal officer or employee, unless such program or plan takes into account area or regional differences, or both, and the availability of public transportation and differences in ordinary and necessary driving distances and provides differential gasoline rations based on such differences.

In other words, we are asking the Administrator to take into consideration three basic criteria as he makes his judgment as to how much gasoline should be allocated to drivers in each region.

I think historical patterns are important. That is a regional difference. The availability of public transportation certainly ought to be taken into account, and differences in ordinary and necessary driving distances.

Mr. BROOKE. Will the Senator yield?

Mr. TUNNEY. I yield.

Mr. BROOKE. This is no more than a recommendation or suggestion as to what those criteria should be, and the Administrator would still have the discretion to make the decision; is that correct?

Mr. TUNNEY. Yes; he makes the decision.

Mr. BROOKE. And there is no appeal from the Administrator's decision?

Mr. TUNNEY. No more than would exist under the basic body of law.

Mr. BROOKE. The Senator is merely suggesting the Administrator should consider these three criteria prior to making the decision?

Mr. TUNNEY. Prior to making a decision. There should not be just a national plan, but there would be regional schemes. He ought to take into consideration what the differences in the regions are rather than just establishing a national plan.

Mr. BROOKE. And the national regions are east, west, north, and south, is that it?

Mr. TUNNEY. We do not indicate what those regions are. We allow him to make that determination. I think it is appropriate. I think the Administrator has a far greater degree of expertise available to him than we have here today to make a decision on how the regions ought to break down. I can only say that I know that there are some obvious locations in the country where the driving distances are much greater. We can complain about that. We can say it is a terrible thing that the transportation system in the West developed so that we relied on the automobile exclusively; it is too bad that people in the West live so far from their places of work. But the fact is that is the way the West has grown up. If we had a rationing scheme that would apply, say, 9 gallons across the board per week, my Lord, you would destroy the economy of that part of the country.

It is not only the West. I am sure the same thing is true in many parts of the South as well. And the Midwest and perhaps the East, too.

Mr. BUCKLEY. Will the Senator yield?

Mr. TUNNEY. I promised the Senator from Washington I would yield to him.

Mr. JACKSON. Mr. President, might I say to my good friend from California that I am sympathetic to the problem he has presented. We have the same thing in the State of Washington around the Seattle area. We do not have mass transit. People come from the stump ranches, great distances. If the law is to be limited to 9 gallons per week per person, obviously it is going to bring about great hardship. That is true, I believe, in many of the great urban areas of America. It is like a whole series of spokes in a wheel. There is not any one single mass transit facility.

My senior colleague, who has worked so long in this area, would agree that the problem is very, very difficult. Since the post-World War II period we have had a large, ongoing suburban development in America.

As Senator PASTORE pointed out, there is mobility. People go from Rhode Island to Connecticut to work, and vice versa. In my State they drive 50 or 60 miles one way to go to a plant, and the plants are scattered around. There is mobility. We cannot solve that problem overnight, even if we had the talents of a genius in the area of mass transit.

I am very sympathetic with the proposal of the Senator. We will be getting into the whole question of the provisions of the mandatory allocation act this fall. Hopefully, we can work out and mandate some sound principles that will be applicable.

I just want to point out that I will make a point of order because we do have a whole series of amendments here and we are trying to keep this bill germane to the specific issue which is an urgent one. That is the extension of price control authority. I would not want the Senator to feel that I am not sympathetic.

Mr. TUNNEY. I can understand full well how, as manager of the bill, the Senator feels that he has to keep off amendments that are not germane.

I hope the Senator will understand, when I appeal the ruling of the Chair, if it is against me, that I do not do it, because I want to be cantankerous.

Mr. JACKSON. I fully understand.

Mr. TUNNEY. But I do it because I feel that it is very important to the citizens of my State.

I have here an editorial from the Los Angeles Times which I ask unanimous consent to have printed in the RECORD at this point.

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

A DISASTROUS RATIONING PLAN

A Federal Energy Administration task force has drawn up a standby gasoline rationing plan that, in its present form, would be economically disastrous for the Los Angeles area.

The proposal aims at equity in the distribution of curtailed gasoline supplies in the event of a new energy emergency, like another Arab oil embargo. Equity in this case is construed as giving every licensed driver in the country the same amount of gasoline—9 gallons a week is the tentative figure—no matter where he lives or how much he has to drive.

No differential is provided for auto-dependent areas, which lack public transportation systems capable of providing feasible

alternatives to the use of private cars. The reason for this deliberate omission, according to a task force member, is the wish to avoid bureaucratic complexities in the administration of a rationing program.

That's a laudable goal, but its implications simply have not been thought through. For hundreds of thousands of drivers in Southern California and certain other metropolitan areas, the 9-gallons-a-week limitation would be entirely inadequate to provide for commuting to jobs five days a week. The unrealistic ceiling would cut not only into discretionary car use but into necessary work-related travel as well. The economic consequences would be immense, and chaotic.

The proposed "white market" to make rationing coupons freely transferable would not help much. Demand for surplus coupons in a region this size certainly would be greater than supply. Whatever unused coupons individuals might offer for sale would quickly be bought up by the affluent. There would be no equity in that kind of transfer—and no sense, either.

The task force's proposal is a massive step backward from the tentative gasoline rationing plan outlined in December, 1973, by then-federal energy chief William E. Simon. Simon's idea was to take into account the availability of public transportation in allocating gasoline to drivers. That would not have permitted much if any social and recreational driving in car-essential areas, but at least it would have gone far in assuring that work-related travel would not be halted.

The task force's plan has gone to FEA Administrator Frank G. Zarb and President Ford for their approval. Both should reject it because of its major inadequacy, and if they fail to do so Congress must act. The plan would be a disaster for Southern California. To prevent that, some possible "bureaucratic complexity" is permissible.

Mr. TUNNEY. The editorial starts off:

A Federal Energy Administration task force has drawn up a standby gasoline rationing plan that, in its present form, would be economically disastrous for the Los Angeles area.

Then they go on to say:

The task force's plan has gone to FEA Administrator Frank G. Zarb and President Ford for their approval. Both should reject it because of its major inadequacy, and if they fail to do so Congress must act. The plan would be a disaster for Southern California. To prevent that, some possible "bureaucratic complexity" is permissible.

Well, President Ford has not acted, Mr. Zarb has not acted, and they have had plenty of time to act; and that is why I am offering this amendment at this time.

I yield to the Senator from New York.

Mr. BUCKLEY. Mr. President, I would like to qualify one part of the amendment offered by the Senator from California. I think it is crucial to whether I, as well as other Senators, shall support it. That is, what is intended by the words "region" and "area"?

I ask the Senator from California, is it his intention that these words could be applied in such a way that the State of New York could be seen to constitute several areas or several regions?

In other words, are we talking about vast areas in which two or three or four States are included, or will the Administrator be directed, in effect, through the legislative history of the amendment, to consider, in effect, cities and towns area by area?

Mr. TUNNEY. It was my thought that the Administrator would track existing distribution facilities, and base the regions on those distribution facilities which are presently intact.

Mr. BUCKLEY. Therefore, in the case of a State like New York, which has a metropolitan area such as New York City that is fully serviced by mass transit, that would be treated differently from other areas of New York which are rural in character and are sparsely settled?

Mr. TUNNEY. Yes.

Mr. BUCKLEY. I thank the Senator.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. TUNNEY. I yield.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the vote on passage of the pending measure occur tomorrow morning at 10:30 a.m.; that rule XII, paragraph 3 be waived; that the Senate convene tomorrow morning at 9 a.m. instead of at 9:15, as originally stated; that immediately upon the passage of S. 1849 tomorrow the vote occur on issue No. 1 of Senate Resolution 166; and that the second rollcall vote be a 10-minute rollcall vote, it being a back-up vote.

The PRESIDING OFFICER. Is there objection?

Mr. BROCK. Mr. President, reserving the right to object, may I ask the distinguished majority whip——

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time for this colloquy not be charged against either side on the pending amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BROCK. May I ask the distinguished majority whip, why vote first on S. 1849? We will have been in 1 hour of scheduled debate on issue No. 1 on the resolution relating to New Hampshire. It would seem to me that in order to follow a logical sequence, it would be best to vote first on that and then have a short 10-minute vote on S. 1849, instead of the other way around, as the Senator has suggested.

Mr. ROBERT C. BYRD. I have no objection to that.

Mr. BROCK. If the unanimous-consent request were so modified, I would have no objection.

Mr. ROBERT C. BYRD. All right. Mr. President, let me rephrase my request.

I ask unanimous consent that the convening hour for tomorrow be 9 a.m., and that at the hour of 9:30 a.m. the Senate resume the consideration of issue No. 1 of Senate Resolution 166, the New Hampshire election dispute;

That at the hour of 10:30 a.m. the vote occur on that issue;

That immediately upon the disposition of that vote, the Senate proceed to vote on passage of S. 1849;

That paragraph 3 of rule XII be waived; and

That the second vote, it being a back-up vote, be limited to a 10-minute rollcall.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. Mr. President, reserving the right to object, I understood that there would be 3 hours of debate on the bill, plus 1 hour for each amendment. This would be cutting that considerably short.

Mr. ROBERT C. BYRD. Let me say to the Senator from Alabama that it is my understanding—and I believe this has been cleared on both sides—that debate on the bill, S. 1849, will be finished today, and that actually passage could occur today, but that a Senator from the other side of the aisle is not going to be here for the vote today, and it was understood that if the vote is laid over until tomorrow, he would be here, and the time on the bill and the amendments thereto could be yielded back.

Mr. ALLEN. I do not think I shall object, but there were two nongermane amendments, the nature of which was not identified, that were permitted on S. 1849. One of them, the amendment of the distinguished Senator from West Virginia (Mr. RANDOLPH) has already been agreed to.

Mr. ROBERT C. BYRD. The other amendment would be offered by the Senator from Ohio (Mr. TAFT). He is not here today, and it is my understanding that that amendment is being offered by another Senator.

Mr. ALLEN. Could we have the nature of the amendment identified?

Mr. ROBERT C. BYRD. Yes. If the distinguished Senator from California will continue to yield to me for that purpose, I will yield to the Senator from Arizona (Mr. FANNIN), so that he may respond to the inquiry of the Senator from Alabama.

Mr. TUNNEY. I yield.

Mr. FANNIN. Mr. President, I would say to the distinguished Senator from Alabama that the amendment of the Senator from Ohio (Mr. TAFT) pertains to price trends and related developments for coal and for other major energy sources which are not subject to direct price regulation at any level by the U.S. Government.

The amendment provides:

As soon as practicable after the date of enactment of this subparagraph and at such times thereafter as he deems appropriate, the Federal Energy Administrator, after consultation with such other persons and agencies as he deems appropriate, shall provide an assessment of the relationship between price trends and related developments for energy sources covered by this subparagraph and energy policies, including any recommendations he may have in connection with such assessment.

In other words, it is to make an assessment and recommendations after investigation, is that this amendment pertains to. It relates particularly to coal.

Mr. ALLEN. It is agreed, then, that that is the amendment covered by the unanimous-consent agreement? Is that correct?

Mr. ROBERT C. BYRD. Yes.

Mr. ALLEN. I withdraw my reservation of objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

EMERGENCY PETROLEUM ALLOCATION EXTENSION ACT OF 1975

The Senate continued with the consideration of the bill (S. 1849) to extend the Emergency Petroleum Allocation Act.

Mr. ROBERT C. BYRD. Mr. President, I thank all Senators, and I thank the distinguished Senator from California for yielding.

The PRESIDING OFFICER. The Senator from California has 2 minutes remaining.

Mr. TUNNEY. Mr. President, I should like to move the adoption of the amendment. I know the Senator from Washington has something that he is planning.

Mr. JACKSON. Mr. President, I express my sympathy for the proposed amendment offered by the Senator from California. I think he has presented a serious problem. But we do have a long series of amendments, and I regret that I will have to make a point of order, on the grounds that the amendment is not germane to the matter before the Senate.

The pending bill simply provides for an extension of the existing Petroleum Allocation Act until March 1, 1976, and unless an amendment relates directly to that it is not germane.

Mr. TUNNEY. Mr. President, may I be heard on the point of order?

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. TUNNEY. It is my understanding that the rationing authority is part of the allocation authority.

The PRESIDING OFFICER. The Chair will indulge the Senator for a short debate on this.

Mr. TUNNEY. It is just a question, I am asking the Chair, that the rationing authority is a part of the allocation authority. The rationing authority is derived from the allocation authority, and if this amendment is not germane, I cannot understand what would be germane to this bill.

Mr. JACKSON. Mr. President, may I respond to the Senator?

The PRESIDING OFFICER. The amendment is required to be germane to the bill before the Senate rather than the underlying law that the bill would amend.

Mr. JACKSON. Mr. President, just to be helpful on the substantive issue to my friend, there is no provision in the existing law, the Petroleum Allocation Act, that covers rationing as contemplated by by the Senator. Some 3 months ago, we passed a mandatory conservation bill in the Senate, which does provide, among other things in the area of conservation for end-use rationing, and that bill is over in the House of Representatives Committee on Interstate and Foreign Commerce. But there is no authority in the existing act.

The PRESIDING OFFICER. The point of order raised from the Senator from Washington is well taken. The amendment introduces new subject matter and, therefore, is not germane under the unanimous-consent agreement in the usual form.

Mr. TUNNEY. Mr. President, because I consider this matter so important, if there were a boycott, it would be quickly reported to States in the West and South.

I appeal the ruling of the Chair and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HANSEN. Yeas and nays.

The PRESIDING OFFICER. There is a sufficient second. The question is on the——

Mr. HANSEN. Mr. President, is this motion debatable?

The PRESIDING OFFICER. This motion is debatable, 15 minutes to the side.

Mr. HANSEN. Mr. President, I appreciate the fact that technically a question can be raised about the germaneness of this amendment. I think there ought to be no doubt in the minds of anyone as to the wisdom of this amendment. It is awfully easy to say, as we have heard from time to time that——

The PRESIDING OFFICER. Who yields time? Excuse me. Who yields time?

Mr. TUNNEY. I yield time to the Senator from Wyoming.

The PRESIDING OFFICER. The Chair thanks the Senator from California.

The Senator from Wyoming is recognized.

Mr. HANSEN. I say that I think it is important that we anticipate some of the things that are going to happen as we consider this bill before us. This certainly is a very valid point to consider. It does not do much good after the fact—we found that out—to be against something.

I think the Senator from California is to be complimented for having the foresight to anticipate that, if we continue to try to put together the sort of an energy policy that Congress so far has come up with, we are going to have to face all sorts of situations, and rationing will very likely be one of them.

So I hope very much that Senators will consider the fact that this is not idle talk as to something that may never happen; it is a very real prospect, and I would hope that we can vote up or down on this issue and that it will be ruled germane by the action of the Senate.

I thank my friend from California.

Mr. TUNNEY. I thank my very able and distinguished friend from Wyoming for his comments.

I say that whereas I can easily understand the position of the distinguished floor manager of this legislation, the Senator from Washington, that it is not going to have a series of nongermane amendments attached to this legislation that is before us, I just cannot help but think that in a case such as this, which is so important to so many people in this country, that we ought to be willing as a Senate to put aside procedural niceties and get to the substance of the matter.

We constantly are bending the rules to suit our fancy around here, and there is no reason why we cannot, in this particular instance, bend the rules a little to allow a worthwhile amendment to be adopted which hopefully will become the law.

I can only say that I would hate to see a situation develop where we would need rationing. I think it is everyone's hope we never will need rationing. If there should suddenly develop the need for rationing, for instance another boycott, and if the Administrator should rely upon his task force recommendation—and I presume he would rely heavily on his task force recommendations—it could be disastrous for the people of my State and for the people of a great part of this country, including Wyoming, including Texas, all throughout the West, and much of the South, and Midwest. As a matter of fact, I cannot understand why anyone would want to vote against this amendment.

I explained it as best I can. Therefore, I am prepared to go to the vote.

Mr. ALLEN addressed the Chair.

Mr. JACKSON. Mr. President, I think we can vote.

First, I yield 3 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senate will be in order. Will the Senators kindly take their seats?

Mr. ALLEN. Mr. President, I favor this amendment, and the distinguished Senator from California has said that it would favor areas in the South. But I feel that in the Senate we must have stability, order, and decorum; if the ruling of the Presiding Officer is not arbitrary and capricious, I believe that it should be upheld. Even though the amendment is an amendment I would favor under different circumstances, I feel that the Chair should be upheld in his ruling.

Mr. JACKSON. Mr. President, I thank the Senator.

I think the Senate must decide whether or not we want to make a real effort to do something about the first issue, and the first issue is whether or not we are going to permit the decontrol of all oil prices on August 31.

We have acted upon earlier, the matter relating to rationing. It is not in the Petroleum Allocation Act that we are extending. It would be a tragedy if we go off on another bent, with which I am very favorable, and it would be a great mistake to defeat the whole thrust of our effort here, which is to prevent prices rising from $5.25 a barrel to $13 a barrel overnight. That is the issue before the Senate.

The amendment will completely throw us off the track, and the Senators ought to know it, when this event might well happen on the 31st day of August.

So I think we all understand the issue, and I am prepared to yield back the remainder of my time, if we can have an immediate vote.

The PRESIDING OFFICER. Is all time yielded back?

Mr. JACKSON. Mr. President, I move to table the appeal from the ruling of the Chair. It would be easier to vote that way.

I ask for the yeas and nays.

Mr. MAGNUSON. The yeas and nays have been ordered.

The PRESIDING OFFICER. Will the Senator from California yield back his time?

Mr. TUNNEY. I yield back my time. Is it in order to move to table?

The PRESIDING OFFICER. The motion to table is in order and nondebatable.

Mr. MAGNUSON. The vote is on.

Mr. JACKSON. I ask for the yeas and nays on the motion to table.

Mr. TUNNEY. I want a record vote on the basic issue.

Mr. JACKSON. Yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Mississippi (Mr. EASTLAND), the Senator from Ohio (Mr. GLENN), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Vermont (Mr. LEAHY), and the Senator from Wisconsin (Mr. NELSON) are necessarily absent.

I further announce that the Senator from Illinois (Mr. STEVENSON) is absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Kansas (Mr. DOLE), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. TAFT), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The yeas and nays resulted—yeas 68, nays 14, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—68

Abourezk	Hart, Gary W.	Moss
Allen	Hart, Philip A.	Muskie
Bartlett	Haskell	Nunn
Beall	Hatfield	Pastore
Bentsen	Hathaway	Pell
Biden	Helms	Percy
Brock	Hollings	Proxmire
Buckley	Huddleston	Ribicoff
Bumpers	Inouye	Schweiker
Burdick	Jackson	Scott, Hugh
Byrd, Harry F., Jr.	Javits	Scott, William L.
Byrd, Robert C.	Johnston	Sparkman
Case	Laxalt	Stafford
Chiles	Long	Stennis
Church	Magnuson	Stevens
Clark	Mathias	Stone
Culver	McClellan	Symington
Curtis	McClure	Talmadge
Eagleton	McIntyre	Thurmond
Fong	Metcalf	Weicker
Ford	Mondale	Williams
Garn	Montoya	Young
Griffin	Morgan	

NAYS—14

Brooke	Hansen	Packwood
Cannon	Hruska	Randolph
Cranston	Mansfield	Roth
Fannin	McGee	Tunney
Gravel	McGovern	

NOT VOTING—17

Baker	Glenn	Nelson
Bayh	Goldwater	Pearson
Bellmon	Hartke	Stevenson
Dole	Humphrey	Taft
Domenici	Kennedy	Tower
Eastland	Leahy	

The PRESIDING OFFICER (Mr. STONE). The motion to lay on the table the appeal from the ruling of the Chair on the point of order is agreed to. The decision of the Chair stands as the judgment of the Senate.

The bill is open for further amendment.

AMENDMENT NO. 669

Mr. FANNIN. Mr. President, the Senator from Ohio (Mr. TAFT) has an amendment at the desk, amendment No. 669.

The PRESIDING OFFICER. Will the Senator suspend? The Senate will please be in order. The Senators will please take their seats and suspend their conversations or go to the cloakroom so the Senators can hear the Senator from Arizona.

The Senator from Arizona.

Mr. FANNIN. Mr. President, the Senator from Ohio (Mr. TAFT) unfortunately is necessarily absent. Senator TAFT had introduced an amendment to the bill which basically would require the Federal Energy Administration to include information about coal price trends in its quarterly information reports and to do an immediate assessment of the ramifications of present coal prices for national energy policy.

This amendment has already been passed by the Senate as an amendment to S. 409, the bill to extend the life of the Council on Wage and Price Stability. Since an amendment to S. 1849 has already been accepted which would extend the life of the statute altered by the Taft amendment, the Energy Supply and Environmental Coordination Act of 1974, the Taft amendment is a fitting amendment to this bill.

I call up the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona (Mr. FANNIN) on behalf of the Senator from Ohio (Mr. TAFT) proposes the following amendment:

At the appropriate place in the bill, insert the following new section:

SEC. . Section 11(c)(2) of the Energy Supply and Environmental Coordination Act of 1974 is amended by adding the following new subparagraph:

"(E) Price trends and related developments for coal and for other major energy sources which are not subject to direct price regulation at any level by the United States Government. As soon as practicable after the date of enactment of this subparagraph and at such times thereafter as he deems appropriate, the Federal Energy Administrator, after consultation with such other persons and agencies as he deems appropriate, shall provide an assessment of the relationship between price trends and related developments for energy sources covered by this subparagraph and energy policies, including any recommendations he may have in connection with such assessment.".

Mr. FANNIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by Mr. TAFT on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR TAFT

This amendment is very simple. It requires the Federal Energy Administration to include, in its quarterly energy information reports, information on pricing and related developments in the coal industry and any other major energy industries not subject to Federal price regulation. It also requires an assessment and report as soon as practicable on the relationship between these price-related developments and national energy policies, including any recommendations the administrator of FEA may wish to make.

This amendment already has been passed unanimously by the Senate as part of S. 409, the bill to extend the life of the council on wage and price stability. However, I feel that it is also an appropriate amendment to S. 1849 for several reasons. First, the fate of both S. 409 and this amendment in particular is still uncertain. Second, the amendment may be jeopardized unduly as part of S. 409 because that bill is not being considered by committees which worked upon the statute to be amended, the Energy Supply and Environmental Coordination Act of 1974. Third, its subject matter obviously is integrally related to the crucial crude oil price ramifications of S. 1849. Fourth, as a result of the Randolph Amendment S. 1849 would extend for six months the Energy Supply and Environmental Coordination Act of 1974. Thus, S. 1849 already deals with the basic statute which this amendment alters.

Largely because both crude oil and natural gas prices have been subject to a degree of Federal price controls, prices in these industries have been carefully monitored. Exhaustive analyses have been done concerning the relationship of these prices to our national energy policy and goals. Unfortunately, probably because it is a major energy source not subject to any such controls, to a large extent the coal industry and pricing developments within it have escaped this scrutiny. The drastic recent price increases in that industry, resulting partly from the artificially high OPEC oil prices, are a good indication that this lack of attention has not been warranted.

I feel it is about time we remedied this situation. Because of the abundance of coal in America, particularly in Ohio and other states of the Midwest, it is bound to play a major continuing role in the national energy picture and expanded production is crucial. As we try to assess what actions and policies are desirable in the energy field, it is important that we understand what is happening to coal prices. Regular and continuing analyses are particularly important in view of major complicating factors, such as the effect of any strip mining legislation.

But there is another reason, more pressing at the moment, why we must correct this situation immediately. Consumers from my state and many others are beset by staggering increases in their electricity bills. They want to know what is happening and why, and they deserve answers.

This amendment will promote a new understanding of the electric utility situation. Electric utilities now account for about 70 percent of the coal market. Almost 40 percent of the electricity generated in the United States in 1973 was based on coal. Obviously, the average increase between September, 1973, and September, 1974, of almost 200 percent in coal spot market prices and about 45 percent in contract prices could have had a direct relationship to many consumers' skyrocketing electricity bills. They deserve a continuing monitoring of coal prices, and an analysis now to assess and evaluate the price increases which have already occurred.

This Amendment does not try to bias in any way the recommendations FEA may make after it reviews the coal price situation. It is designed solely to correct the present lack of attention to coal pricing and other energy pricing developments, relative to prices in the energy industries subjected to direct government controls.

Mr. FANNIN. All this provides for is an assessment and a recommendation after investigation, a stipulation so far as the Federal Energy Administration is concerned.

I ask the distinguished Senator from Washington for his approval.

Mr. JACKSON. Mr. President, I am prepared to accept the amendment and take it to conference.

I yield back the remainder of my time.

Mr. FANNIN. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

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

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

Mr. JACKSON. Mr. President, I ask for yeas and nays on passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. JACKSON. Mr. President, I believe that under the unanimous-consent agreement the vote on this bill will occur at 10:45 a.m., and all Senators should be so advised.

The PRESIDING OFFICER. That is correct.

Mr. JACKSON. It will follow immediately the vote on cloture, and it will be——

Mr. MANSFIELD. No, no.

The PRESIDING OFFICER. The vote on issue 1.

Mr. JACKSON. I mean then the vote on the Hatfield amendment. It is the other way around.

Mr. MANSFIELD. Mr. President, will the Chair, for the information of the Senate, tell us the situation on the voting tomorrow just to make certain.

The PRESIDING OFFICER. At 10:30 the first rollcall vote, the yeas and nays, will occur on lines 7 through 12 of Senate Resolution 166, the New Hampshire election dispute, to be followed immediately, back to back, by the final vote on the bill presently before us.

Mr. JACKSON. Which will be a 10-minute vote.

The PRESIDING OFFICER. Ten minute rollcall vote.

Mr. MANSFIELD. Fine.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLURE. Mr. President, the Emergency Petroleum Allocation Act can be more accurately described as the "Oil Importers Relief Act." Under the guise of allocating oil supplies, this is legislation which rewards those who increase their imports of foreign oil and which penalizes those who have developed domestic oil resources. Under the guise of "protecting the independence," we have a system of regulations which requires independent refiners to pay major oil companies for the so-called "entitlement" to process domestic oil—oil which in some cases could not be processed by major oil company refineries. Under the guise of "protecting" the consumer, we have created a subsidy system whereby consumers outside of the Northeast pay part of the fuel costs for the Northeast consumers. In plain language, the act—which is proposed to be extended—is a political giveaway program which, like all Federal welfare programs, takes away from some in order to give to others. In this case, the welfare recipients are the foreign oil importers, the major oil companies who "sell entitlements," and the Northeast consumers. The major victim, however, is not the domestic producer, the independent refiner who has to "buy entitlements," or the consumer outside the Northeast. The major victim is the United States.

Our efforts to decrease U.S. dependence on foreign oil are being undermined by this act. The implications for the economy, and for our foreign policy are obvious.

Mr. President, when the Administrator of the Federal Energy Administration testified before the Senate Committee on Interior and Insular Affairs, he stated:

> The EPAA (Emergency Petroleum Allocation Act) also creates such inflexibility in FEA's price control program that considerable disincentives to increased domestic production are created.

He went on to say:

> Moreover, certain FEA allocation programs which are directly or indirectly mandated by EPAA tend to frustrate the goal of reducing our dependence on foreign oil.

Mr. President, it is time to end this "Project Dependence" policy of the Senate. I urge defeat of this extension.

So that my colleagues can more completely analyze the amount of dollar subsidy involved in the EPAA, I ask that data on costs be printed in the RECORD.

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

NET VALUE OF ENTITLEMENTS BY REGION, FEBRUARY AND MARCH 1975

[In millions of dollars]

Region	February	March	5 mos., November through March
Northeast	[1] 26.5	38.3	159.3
Pacific Coast	−11.2	3.8	−14.0
Other areas	−15.3	−42.0	−145.2

[1] Includes $754,663 in adjustments for product importers from previous months. The entire amount of adjustments in product importers' entitlements in February benefited the Northeast.

Mr. McCLURE. Mr. President, my State of Idaho, for example, pays an annualized cost of over $1 million, due to entitlements. States such as New Jersey and New York benefit from the entitlements program—New Jersey, over $2 million, and New York, almost a quarter of a million dollars.

In addition, we should look closely at the list of entitlements, to see exactly which companies benefit and which lose. I ask unanimous consent that the entitlements lists for March and April, 1975, be printed in the RECORD.

The term "Required to Sell" is misleading. This so-called "requirement" is a major benefit, allowing companies such as Amerada-Hess, Standard of California, and Ashland Oil to force their competitors to subsidize the cost of their imported oil.

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

ENTITLEMENTS FOR ALLOCATION OF OLD OIL

ENTITLEMENT POSITION

Reporting firm, short name	Old oil adjusted receipts	Issued	Required to buy	Required to sell
MARCH 1975				
A-Johnson	0	98,633	0	98,633
Allied	43,816	40,504	3,312	0
Amer-Petrofina	1,497,587	1,833,943	0	336,356
Amerada-Hess	3,850,285	6,418,488	0	2,568,203
Amoco	11,761,300	8,987,493	2,773,807	0
Apco	332,273	465,821	0	133,548
Arco	5,985,458	6,092,224	0	106,766
Arizona	40,816	60,523	0	19,707
Asamera	11,172	19,546	0	8,374
Ashland	2,493,037	3,627,952	0	1,134,915
Bay	27,195	122,919	0	95,724
Bayou	29,556	38,419	0	8,863
Beacon	344,532	296,953	47,579	0
C&H	1,860	1,592	268	0
Calumet	0	19,808	0	19,808
Canal	53,625	44,799	8,826	0
Caribou	71,643	69,174	2,469	0
Champlin	2,161,064	1,558,033	603,031	0
Charter	751,829	971,371	0	219,542
Citgo	3,884,118	2,854,502	1,029,616	0
Claiborne	90,074	48,016	42,058	0
Clark	653,874	929,750	0	275,876
Coastal	1,782,889	1,267,804	515,085	0
Conooc	4,299,167	3,580,944	718,223	0
Corco	0	1,204,677	0	1,204,677
CRA-Farmland	555,966	490,487	65,479	0
Cross	10,975	39,529	0	28,554
Crown	755,002	865,291	0	110,289
Crystal-Oil	92,659	67,058	0	159,717
Crystal-Ref	24,296	32,243	0	7,947
Delta	554,850	573,258	0	18,408
Diamond	683,507	528,639	154,868	0
Dorchester	4,323	7,513	0	3,190
Eddy	34,810	39,913	0	5,103
Edginton-Oil	453,932	175,054	278,878	0
Edgington-Oxn	8,318	13,844	0	5,526
Evangeline	42,195	27,682	14,513	0
Exxon	10,192,395	10,930,470	0	738,075
Farmers-Un	134,758	390,925	0	256,167
Fletcher	259,624	197,642	61,982	0
Flint	10,789	8,431	2,358	0
Gary	1,481	75,759	0	74,278
Getty	461,782	890,945	0	429,163
Giant	4,228	6,356	0	2,128

ENTITLEMENTS FOR ALLOCATION OF OLD OIL—Continued

ENTITLEMENT POSITION—Continued

Reporting firm, short name	Old oil adjusted receipts	Issued	Required to buy	Required to sel
Gladieux	92, 842	128, 804	0	35, 962
Golden-Eagle	208, 808	118, 440	900, 368	0
Gaum	0	180, 225	0	180, 225
Gulf	10, 841, 712	8, 984, 591	1, 857, 121	0
Gulf-Sts	21, 954	21, 767	187	0
Hiri	−17, 456	395, 268	0	412, 724
Howell	942, 953	569, 217	373, 736	0
Hunt	214, 964	152, 208	62, 756	0
Indiana-Farm	139, 287	234, 177	0	94, 890
J&W	42, 768	47, 301	0	4, 533
Kentucky	1, 312	5, 926	0	4, 614
Kerr-McGee	2, 383, 241	1, 658, 065	725, 176	0
Koch	516, 789	1, 184, 910	0	668, 121
Lagloria	559, 010	370, 325	188, 685	0
Lakeside	3, 537	36, 541	0	33, 004
Laketon	42, 901	105, 679	0	62, 778
Little-Amer	236, 347	236, 447	0	100
Macmillan	69, 020	172, 176	0	103, 156
Marathon	3, 165, 462	3, 090, 706	74, 756	0
Marion	82, 905	147, 155	0	64, 250
Mid-Amer	8, 030	38, 364	0	30, 334
Mid-Tex	47, 155	59, 550	0	12, 295
Midland	130, 951	117, 065	13, 886	0
Mobil	8, 124, 871	7, 379, 070	745, 801	0
Mohawk	472, 703	488, 264	0	15, 561
Monsanto	264, 608	266, 978	0	2, 370
Morrison	3, 654	8, 360	0	4, 706
Mountaineer	2, 239	3, 440	0	1, 201
Murphy	1, 220, 338	1, 041, 109	179, 229	0
N-Amer-Petro	52, 355	60, 939	0	8, 584
Natl-Coop	658, 437	642, 837	15, 600	0
Navajo	413, 663	387, 596	26, 067	0
New-Engl-Petro	0	681, 951	0	681, 951
Newhall	50, 042	88, 418	0	38, 376
Norco	15, 380	19, 310	0	3, 930
Northland	0	275	0	275
OKC	361, 213	307, 820	53, 393	0
Pasco	920, 665	672, 944	247, 721	0
Pennzoil	616, 170	573, 592	42, 578	0
Phillips	3, 538, 942	4, 121, 338	0	582, 396
Pioneer	11, 262	10, 972	290	0
Pleateu	93, 244	69, 493	23, 751	0
Pride	395, 077	372, 953	22, 124	0
Quaker-St	9, 757	233, 368	0	223, 611
Road-Oil	0	18, 387	0	1, 838
Rock-Island	488, 677	388, 938	99, 739	0
Saber-Tex	−3, 854	0	0	3, 854
Sabre-Cal	7, 753	17, 963	0	10, 210
Sage-Creek	4, 831	4, 933	0	102
San-Joaquin	209, 576	201, 663	7, 913	0
Seminole	0	35, 265	0	35, 265
Shell	11, 017, 756	10, 317, 601	700, 155	0
Skelly	904, 495	837, 649	66, 846	0
So-Hampton	99, 846	95, 368	4, 478	0
Socal	8, 679, 000	8, 860, 033	0	181, 033
Sohio	3, 323, 045	3, 977, 934	0	654, 889
Somerste	0	38, 156	0	38, 156
Sound	58, 733	3, 876	54, 857	0
Southland	362, 436	356, 115	6, 321	0
Sunland	8, 495	102, 327	0	93, 832
Sunoco	6, 022, 438	5, 989, 092	33, 346	0
Tenneco	1, 149, 889	1, 158, 920	0	9, 031
Tesoro	1, 023, 474	708, 451	315, 023	0
Texaco	11, 212, 099	11, 390, 278	0	178, 179
Texas-Asph	1, 008	21, 169	0	20, 161
Texas-City	871, 608	886, 656	0	15, 048
The-Refinery	81, 583	161, 087	0	79, 504
Thriftway	21, 308	29, 592	0	8, 284
Thunderbird	138, 696	155, 278	0	16, 582
Tonkawa	23, 764	56, 066	0	32, 302
Toro	459, 462	455, 033	4, 429	0
Total-Leonard	107, 746	491, 773	0	384, 027
Union-Oil	6, 604, 214	5, 090, 005	1, 513, 309	0
Union-Texas	168, 707	127, 665	41, 042	0
Untd-Ind	0	9, 655	0	9, 655
Untd-Ref	226, 954	484, 166	0	257, 194
US-Oil	53, 032	101, 835	0	48, 803
Vickers	310, 000	384, 252	0	24, 252
Vulcan	0	31, 897	0	31, 897
Warrior	45, 926	34, 075	11, 851	0
West-Coast	−65, 467	43, 141	0	108, 608
Western	−8, 054	117, 078	0	125, 132
Winston	71, 735	207, 483	0	135, 748
Wireback	0	1, 004	0	1, 004
Witco	129, 558	159, 273	0	29, 715
Yetter	0	997	0	997
Total	145, 037, 323	145, 037, 323	13, 924, 886	13, 924, 886
APRIL 1975				
A-Johnson	78, 150	155, 071	0	76, 917
Allied	70, 589	74, 422	0	3, 833
Amer-Petrofina	1, 686, 034	1, 917, 471	0	231, 437
Amerada-Hess	2, 198, 139	4, 903, 966	0	2, 705, 827
Amoco	10, 777, 564	10, 535, 607	241, 957	0
Apco	310, 002	427, 672	0	117, 670
Arco	5, 499, 471	6, 083, 340	0	583, 869
Arizona	39, 576	81, 217	0	41, 641
Asmera	4, 711	19, 718	0	15, 007
Ashland	2, 384, 976	3, 218, 435	0	853, 459
Bay	24, 564	77, 422	0	52, 858
Bayou	36, 876	43, 995	0	7, 119
Beacon	281, 514	245, 972	35, 542	0
C. & H	1, 901	1, 950	0	49
Calumet	0	52, 717	0	32, 717
Canal	61, 822	50, 995	10, 827	0
Caribou	66, 122	73, 188	0	7, 066
Champlin	2, 668, 846	1, 696, 008	972, 838	0
Charter	961, 758	973, 226	0	11, 468
Citgo	4, 092, 573	2, 976, 341	1, 116, 232	0
Claiborne	79, 902	84, 875	31, 027	0
Clark	913, 247	1, 006, 677	0	93, 430
Coastal	1, 489, 230	1, 274, 928	214, 302	0
Conoco	4, 142, 101	3, 825, 760	316, 341	0
Corco	0	1, 132, 609	0	1, 132, 609
Cra-Farmland	464, 760	760, 289	0	295, 529
Cross	12, 536	54, 590	0	42, 054
Crown	762, 200	867, 958	0	105, 758
Crystal-Oil	132, 012	182, 995	0	50, 983
Crystal-Ref	21, 740	30, 951	0	9, 211
Delta	605, 178	553, 410	51, 768	0
Diamond	646, 848	651, 754	0	4, 906
Dorchester	1, 527	8, 654	0	10, 181
Eddy	41, 593	40, 500	1, 9093	0
Edgington-Oil	617, 373	211, 774	405, 599	0
Edgington-Oxn	7, 413	14, 279	0	6, 866
Evangeline	42, 027	31, 012	11, 015	0
Exxon	13, 385, 189	11, 605, 012	1, 778, 177	0
Farmers-Un	219, 470	234, 443	0	14, 973
Fletcher	283, 874	165, 372	118, 502	0
Flint	11, 701	10, 913	788	0
Gary	1, 684	66, 134	0	64, 450
Getty	513, 072	811, 117	0	298, 045
Giant	19, 104	25, 584	0	6, 480
Gladieux	76, 689	125, 026	0	48, 337
Golden-Eagle	191, 214	185, 980	5, 234	0
Guam	0	354, 446	0	354, 446
Gulf	11, 142, 389	9, 604, 266	1, 538, 123	0
Gult-Sts	11, 055	3, 196	5, 859	0
Hiri	0	334, 187	0	334, 187
Howell	834, 426	419, 032	415, 394	0
Hunt	123, 135	204, 100	0	80, 965
Indiana-Farm	152, 801	241, 019	0	88, 218
J. & W	49, 436	64, 805	0	15, 364
Kentucky	1, 879	5, 868	0	3, 989
Kerr-McGee	2, 542, 013	1, 767, 592	774, 421	0
Koch	671, 013	1, 085, 796	0	414, 783
Lagloria	546, 293	390, 489	155, 804	0
Lakeside	11, 951	27, 055	0	15, 104
Laketon	59, 932	81, 559	0	21, 627
Little-Amer	209, 909	248, 854	0	38, 945
Macmillan	159, 262	176, 320	0	17, 058
Marathon	3, 761, 102	3, 296, 083	465, 019	0
Marion	77, 160	238, 994	0	161, 834
Mid-Amer	5, 756	35, 845	0	30, 089
Midland	150, 432	179, 615	0	29, 185
Mobil	8, 223, 435	7, 612, 009	611, 426	0
Mohawk	549, 255	490, 637	58, 618	0
Monsanto	317, 220	280, 725	36, 495	0
Morrison	2, 895	7, 205	0	4, 310
Mountaineer	2, 113	3, 853	0	1, 740
Murphy	1, 176, 540	1, 056, 885	119, 655	0
N-Amer-Petro	88, 019	61, 290	26, 729	0
Nail-Co-op	609, 151	561, 952	47, 199	0
Navajo	354, 715	275, 541	79, 174	0
New-Engl-Petro	0	723, 357	0	723, 357
Newhall	74, 040	120, 730	0	46, 690
Pennzoil	539, 594	625, 826	0	86, 232
Phillips	2, 932, 280	4, 245, 734	0	1, 313, 454
Pioneer	8, 413	12, 291	0	3, 878
Placid	398, 726	321, 757	76, 969	0
Plateau	105, 466	86, 568	18, 828	0
Pride	318, 572	502, 392	0	183, 820
Quaker-St	9, 633	260, 380	0	250, 474
Road-Oil	0	2, 471	0	2, 471
Rock-Island	422, 925	381, 779	41, 146	0
Saber-Tex	94, 196	98, 595	0	4, 399
Sabre-Cal	4, 788	18, 386	0	13, 598
Sage-Creek	5, 495	5, 446	49	0
San-Joaquin	195, 316	186, 073	9, 243	0
Seminole	0	40, 340	0	40, 340
Shell	13, 287, 410	10, 620, 664	2, 666, 746	0
Skelly	864, 429	904, 742	0	40, 313
So-Hampton	53, 438	74, 490	0	21, 052
Socal	8, 256, 000	9, 057, 676	0	801, 676
Sohio	2, 878, 764	3, 560, 394	0	661, 630
Somerset	0	40, 371	0	40, 371
Southland	323, 328	311, 600	11, 728	0
Sunland	203, 499	201, 547	1, 952	0
Sunoco	3, 093, 359	3, 351, 946	0	258, 587
Tenneco	1, 033, 788	1, 135, 668	0	101, 880
Tesoro	1, 128, 516	781, 720	346, 796	0
Texaco	12, 630, 351	13, 487, 212	0	856, 861
Texas-Asph	1, 840	24, 040	0	22, 200
Texas-City	911, 197	918, 968	0	7, 791
The Refinery	171, 794	267, 718	0	95, 924
Thriftway	24, 324	45, 612	0	21, 288
Thunderbird	156, 098	143, 642	12, 456	0
Tonkawa	28, 527	50, 653	0	22, 126
Total-Leonard	183, 501	404, 304	0	220, 803
Union-Oil	7, 099, 594	5, 174, 721	1, 924, 875	0
Union-Texas	257, 509	146, 308	111, 201	0
Untd-Ref	249, 278	481, 728	0	232, 450
US-Oil	190, 320	148, 628	41, 696	0
Vickers	327, 833	424, 083	0	96, 250
Vulcan	0	25, 955	0	25, 955
Warrior	33, 579	31, 459	2, 120	0
West-Coast	60, 454	1, 317	59, 137	0
Western	12, 041	56, 014	0	43, 973
Winston	54, 118	210, 566	0	156, 448
Wireback	0	1, 440	0	1, 440
Wilco	159, 394	213, 951	0	54, 557
Yetter	0	1, 013	0	1, 013
Total	148, 558, 842	148, 558, 842	14, 970, 170	14, 970, 170

SPECIAL HEALTH REVENUE SHARING ACT OF 1975—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on S. 66 and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. STAFFORD). The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 66) to amend title VIII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training and to revise and extend programs of health revenue sharing and health services having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 11, 1975, at p. 22385.)

Mr. KENNEDY. Mr. President, since this has already been printed in the House of Representatives, I ask unanimous consent that the printing requirement be waived. I understand this is a routine request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I am pleased to report that the Senate/House conferees have reached an agreement on the provisions of S. 66, the Nurse Training and Health Revenue Sharing and Health Services Act of 1975. Indeed, the Senate version of S. 66, which passed this body on April 10 by a vote of 77 to 14, and the House version of the bill, which passed unanimously on June 5, were very nearly identical except with respect to authorization levels for the programs involved.

Mr. President, the Senate conferees have accepted the House authorization levels with only a minor adjustment in the area of nurse training, and one with respect to family planning. The effect of these authorization figures is to reduce the cost of the bill by almost $500 million. The original Senate-passed bill would have authorized a total of $2.5 billion. This conference report authorizes just over $2 million—and it includes $46 million for the national health service corps which was not even included in the original Senate bill.

Mr. President, this bill extends for 2 years, fiscal year 1976 and fiscal year 1977, support to existing, established DHEW programs whose legislative authority has already expired. It continues support for some 600 community mental health centers across the country, over 100 neighborhood health centers, scores of migrant health projects, and a variety of State public health programs. It also extends critical funding to our nation's schools of nursing and to the physicians and other health professionals who are sent into our Nation's rural communities by the National Health Service Corps. Over 96 percent of all the funds authorized in this bill extend such existing established programs as these. Less than 4 percent of these dollars, some $73 million, are devoted to "new programs" such as start-up grants for home health services, diagnostic and blood separation centers for hemophilia sufferers, rape prevention and control, and hypertension screening.

The Senate/House conferees have reviewed each of the existing programs extended by S. 66 from a perspective of what minimum authorizations are required to keep vital program efforts moving in these difficult economic times. Last December, the President pocket-vetoed the Nurse Training Act of 1974 and the Health Revenue Sharing and the Health Services Act of 1974. Those two measures, which were identical in substance with the measure I bring before the Senate today, had far higher authorization levels and would have been far more costly. In fact, they would have authorized nearly $500 million more than this conference report authorizes. In an effort to compromise with the President, and to enable him to sign this measure into law, the Senate conferees have accepted these lower authorization levels. We have cut them to the very bone. The authorization levels that are included in this measure are barely adequate to keep these existing programs functioning.

I am very hopeful that the President will accept this compromise and sign S. 66 into law. The programs that are funded here serve mostly Americans who are poor or living on fixed incomes. They are the Americans who are already most disastrously affected by inflation and unemployment in our society. During the summit conference on the economy last fall, delegate after delegate in the health area emphasized how cuts to health programs would result in doubling the burden of Americans who are already suffering the most from our economic problems. They urged that these programs, in fact, be expanded. Our compromise proposal to the President would permit the programs to continue essentially at their fiscal year 1975 levels of operation, with minimal new commitments. These authorizations have been so delayed that it has become a matter of life and death for the programs. I urge the President to sign this bill.

Of course, this bill is only authorizing legislation. It does not appropriate funds. Our committee has long insisted that an authorization figure represents our best estimates of the need and the practical potential in a particular program area. It does not represent what must be appropriated—that can only be determined in the appropriation and budget processes where the overall picture is apparent, and where trade-offs have to be made between programs. What we are bringing today in these authorization figures is an estimate of what minimal funding levels would keep these programs alive and functioning during these hard economic times. If the administration wishes to debate any of these numbers further, I hope they will do it in the context of the appropriations process.

Mr. President, the details of S. 66 and other provisions are enumerated in the conference report and statement of managers. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

AUTHORITY TO FILE CONFERENCE REPORT ON H.R. 4035 BY MIDNIGHT TONIGHT

Mr. JACKSON. Mr. President, I ask unanimous consent that the conference report on H.R. 4035 relating to energy policy, may be filed by midnight tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO FILE REPORT ON S. 1513

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the Committee on Public Works be allowed until midnight tonight to file the report on S. 1513, the Regional Development Act of 1975, together with additional views.

The PRESIDING OFFICER. Without objection, it is so ordered.

EASING THE IMPACT OF CLANDESTINE GRAIN DEALS

Mr. JACKSON. Mr. President, last week, the staff of the Permanent Subcommittee on Investigations confirmed that the Soviets were negotiating with grain exporters over several million tons of grain, some or all of which could come from this year's American grain harvest.

Following our confirmation of these negotiations, the Agriculture Department said that there had been discussions by American companies with the Soviets on purchasing 10 million tons of grain.

I remain concerned that a foreign nation can buy large amounts of American grain products without the knowledge of American farmers and consumers. I do not believe that we can continue to do business this way—especially since the catastrophic experiences resulting from the Russian grain deal of 1972.

Today, I sent telegrams to both the Secretaries of the Department of State and the Department of Agriculture aimed at developing information that would ease the impact of clandestine grain deals.

I have asked Secretary Kissinger to report to the Permanent Subcommittee on Investigations how much the Soviets will be buying as a result of his discussions with them. I also asked if there exists any understanding between our country and the Russians as to the total purchases of grain to be made by the Soviet Union.

I have asked Secretary Butz to make public daily instead of weekly sales of grain in excess of 100,000 tons to foreign nations.

We must protect our farmers and consumers from the disadvantages they would suffer from a major grain buy accomplished without their timely knowledge.

Mr. President, I ask unanimous consent to have printed in the RECORD at this time the telegrams to Secretaries Kissinger and Butz.

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

JULY 14, 1975.

Hon. HENRY A. KISSINGER,
Secretary of State,
Department of State,
Washington, D.C.

There has been and continues to be speculation over the quantity of grain the Soviets will be buying from the International Grain Market. The Agriculture Department has estimated that weather conditions will result in a Soviet grain shortfall of possibly as much as 20 million tons.

Please provide the permanent subcommittee on investigations by noon tomorrow a report answering the following questions:

(1) How much grain are the Russians seeking in the International Grain Market and how much from the United States?

(2) What is the breakdown of the above with regard to feed grains and grains for human consumption?

(3) Does the United States have an agreement with the Soviet Union under which the Soviet Union will specify to our Government the total amount of grain they intend to purchase?

(4) If so, does our Government intend to make that figure public?

(5) If such an agreement as to quantity does exist, will we permit the Soviet Union to purchase amounts in excess of such quantity

HENRY M. JACKSON,
Chairman, Permanent
Subcommittee on Investigations.

JULY 14, 1975.

Hon. EARL L. BUTZ,
Department of Agriculture,
Washington, D.C.

With the Russians in the market for grain again, I believe we could take some steps to protect our farmers and consumers from the disadvantages they would suffer from a major grain buy accomplished without their timely knowledge.

I suggest that through this period of speculation over the magnitude of sales to foreign nations, that the Agriculture Department publicly report daily, instead of each Thursday, whether there have been grain sales in excess of 100,000 tons. A more timely reporting of the activities with regard to sales would strengthen our grain markets and be of great advantage to producers.

I would appreciate your consideration and response to my suggestion for daily reporting of such sales.

HENRY M. JACKSON,
Chairman, Permanent
Subcommittee on Investigations.

Mr. HANSEN. Mr. President, will the distinguished Senator from Washington yield for a question?

Mr. JACKSON. Certainly.

Mr. HANSEN. Mr. President, I am certain that a great many Americans will agree with the distinguished chairman of the Committee on Interior and Insular Affairs that there is need for the sort of information he has requested. I think it ought to be observed that last year, as I understand, or 2 years ago, whenever it was——

Mr. JACKSON. 1972.

Mr. HANSEN. In 1972, when the grain deal was consummated that recurs as a subject of continuing interest, there was not at that time any mechanism—and this is my question to my good friend from Washington—at that time there was not any mechanism whereby the Government officially had any way of knowing what individually might have been agreed upon between the various grain dealers of this country and any other buyers; is that correct?

Mr. JACKSON. The Senator is correct. In fact, Secretary Butz testified that whereas the largest grain sale in the history of the world occurred on or about July 15, 1972, he did not find out about it until in September of that year.

As a result of investigations, Mr. President, the Department put into effect new regulations at our request, which require that where grain sales occur involving 100,000 tons or more, the grain companies must report those transactions to the department within 24 hours.

I have made a further request of the grain companies and the Department that the grain companies also report their anticipated sales. Unless all of these facts, Mr. President, are out in the public domain, and unless he knows that there are these huge sales coming up, the farmer may be selling his grain and other related crops at an inequitable price. He ought to know as precisely as he can what the volume of sales will be, so he can make a decision as to what he is going to sell his product for.

Likewise, this kind of information will present a runaway situation which could be harmful to the American consumers, all of which occurred in 1972 because of the lack of proper procedures.

That is the reason for my comments here this afternoon, and for the suggested approach.

Mr. HANSEN. I think the Senator from Washington has provided some very important information for Senators this afternoon in detailing what the procedures were and what they are now as they have been changed and amended.

I must say that as to reporting anticipated sales, that probably gets a little bit hairy or tricky, because it is like an old friend of mine who took his cattle to market, and when he came back from Omaha a couple of weeks later, I asked him how he did, and he said, "Well, I didn't get quite as much as I expected to, but I really did not expect to, anyway."

Mr. JACKSON. My friend will agree that the important thing here is full disclosure, so that there is no insider information.

Mr. HANSEN. Yes, indeed I do agree with that.

Mr. JACKSON. The danger of corruption and insider information, and its impact on the American farmer and the American consumer, could be devastating.

Mr. HANSEN. I am certain that many would join with me, and hopefully the Senator from Washington would, in believing that there may indeed be very good reason for substantial grain sales to foreign countries this year, not alone to minimize the devastation that otherwise would result insofar as people are concerned from drought in other parts of the world, but as well to handle what could very well be a bumper crop.

I understand the prospects for crops are not as good as they were 3 or 4 weeks ago. I think some part of the north central part of the United States, North Dakota and Minnesota, have had some devastating floods, which I understand may have damaged their wheat crop there very substantially. Early reports were that it could have been damaged to the extent of as much as $1.5 billion, but it may be that there has been some reappraisal of that amount.

Nevertheless, I guess we have a very good prospect for a bumper corn crop; is that not true?

Mr. JACKSON. That is my understanding, Mr. President; and likewise in the area of wheat, we have, of course——

Mr. HANSEN. Are the prospects good in Washington?

Mr. JACKSON. The prospcts are good in Washington. The grain crop, I think, as a whole, looks much better than a year ago, and obviously we, in accordance with our tradition in these areas, want to export as much as we can consistent with our own needs and requirements.

Mr. HANSEN. We would hope this information could be made available for striking a better balance.

Mr. JACKSON. That is right. And last time, in 1972, the Russians knew more about the American grain market than did the Department of Agriculture, because they had sent agents over here months in advance. They mastered the marketplace, and so they were able to pull a coup. They bought much of their grain at $1.60, which was not a fair price, in the light of the purchases they were about to make, and the price went up to $6, and they were the beneficiaries. We now know that they later sold some of the grain that they bought from us for $1.60 for some $5.50 or $6 a bushel.

I wonder who are the capitalists and who are the Marxists?

Mr. HANSEN. I say to my good friend from Washington that despite the fact that what he says is exactly true, I for one would not want to change our marketing system for that of the Russians.

Mr. JACKSON. Oh, the Senator knows I agree completely. I am just trying to protect the marketplace.

Mr. HANSEN. I agree with my good friend from Washington. The fact is that under the Russian economic system they were able, because the purchases were made by the government, to put them all together and to add them up, which our Government was unable to do, having to rely as it did then and will not have to so much in the future on reports that may be late coming in; and as a consequence, it was a fact that at that time the Russians knew better what the overall market situation was in the United States than did the Government of the United States. I am sure that the Senator agrees with me completely.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after Mr. SYMINGTON'S order is consummated to-

morrow, there be a period for the transaction of routine morning business, not to extend beyond the hour of 9:30 a.m., with statements limited therein to 3 minutes each, and for the purpose only of the introduction of bills, resolutions, memorials, petitions, and statements into the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 9 a.m. tomorrow.

After the two leaders or their designees have been recognized under the standing order, Mr. SYMINGTON will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business not to extend beyond the hour of 9:30 a.m., with statements limited therein to 3 minutes each. At 9:30 a.m., the Senate will resume consideration of Senate Resolution 166. The pending question will be on the adoption of issue No. 1, lines 7 through 12, with a rollcall vote to occur on that issue at the hour of 10:30 a.m. Immediately upon the disposition of that vote the Senate will vote on final passage of S. 1849. That will be a rollcall vote, limited to 10 minutes.

Following that vote, it is not clear at this point as to whether or not the Senate will resume consideration of Senate Resolution 166 or will proceed to the consideration of S. 1883. The general understanding was, I believe, as of last week, that through Tuesday not to exceed 2 hours would be spent on the New Hampshire dispute each day.

ORDER FOR CONSIDERATION OF S. 1883

I think it would be within the spirit and intent of that order if I should ask unanimous consent that at no later than 11 a.m. tomorrow the Senate would proceed to the consideration of S. 1883, a bill to conserve gasoline by directing the Secretary of Transportation to establish and enforce mandatory fuel economy performance standards for new automobiles and light duty trucks, and other purposes, it being stated on last week that as of Tuesday of this week the Senate leadership would intend to proceed on S. 1883 if S. 1849 has not been disposed of.

Mr. McCLURE. Will the Senator yield at that point?

Mr. ROBERT C. BYRD. Yes.

Mr. McCLURE. I do not have any very clear understanding from Senator HATFIELD concerning the 1 hour that might be allocated to the debate of the New Hampshire contest. I wonder if it might be stated that at no later than 1 hour following the completion of the rollcall vote on the Emergency Allocation Act that we would then proceed to S. 1883 so that in the event the Senator from Oregon would desire to pursue the debate on the New Hampshire election contest at that time, the time would be allocated and available for him.

Mr. ROBERT C. BYRD. Yes. I am glad the distinguished Senator commented as he has because I made an error in computing the time. I thought I was allowing an hour after the final vote but, indeed, I was not.

I will change my request to provide that at no later than the hour of 12 noon the Senate will proceed to the consideration of S. 1883, which would allow for 1 hour following the second rollcall vote. I again thank the distinguished Senator. That was my intent, but I certainly was not phrasing my request in accordance with it.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ROBERT C. BYRD. So, Mr. President, rollcall votes may occur during tomorrow afternoon. There will be two back-to-back rollcall votes as I have already indicated, the first to begin at 10:30 a.m. and the second to follow immediately. During the afternoon, rollcall votes may occur on amendments to S. 1883 and on final passage thereof, depending upon the progress made. There is a time agrement on that bill of 4 hours for general debate and 1 hour on any amendment in the first degree and one-half hour on any amendment in the second degree. So at least two rollcall votes will occur tomorrow, and in all likelihood additional ones will occur.

RECESS UNTIL 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until the hour of 9 a.m. tomorrow morning.

The motion was agreed to; and at 6:26 p.m. the Senate recessed until tomorrow, Tuesday, July 15, 1975, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 14 (legislative day of July 11), 1975:

IN THE AIR FORCE

The following officers under the provisions of title 10, United States Code, section 8066 to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. George G. Loving, Jr., [redacted] FR (major general, regular Air Force), U.S. Air Force.

Maj. Gen. Robert T. Marsh, [redacted] FR (brigadier general, regular Air Force), U.S. Air Force.

IN THE NAVY

Vice Adm. Stansfield Turner, U.S. Navy, having been designated for commands and other duties of great importance and responsibility commensurate with the grade of admiral within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of admiral while so serving.

HOUSE OF REPRESENTATIVES—*Monday, July 14, 1975*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God is able to provide you in abundance for every good work.—II Corinthians 9: 8.

We thank Thee, our Father, for Thy goodness to us and for the moving of Thy Spirit leading us toward the fellowship and the freedom that faithful people find in Thee.

Touch Thou our hearts that we may give as well as receive, that we may forgive as well as be forgiven, that we may seek to heal as well as to be healed and that we may endeavor to love as well as to be loved.

Touch Thou our hands that the work we do may give strength and peace, may offer courage and confidence and may bring joy and life to all who come within the circle of our influence.

In this moment of prayer and for this day and every day unite our hearts and our hands in our service to Thee and to our country; for Thy name's sake, 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. Sparrow, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5709. An act to extend until September 30, 1977, the provisions of the Offshore Shrimp Fisheries Act of 1973 relating to the shrimp fishing agreement between the United States and Brazil, and for other purposes; and

H.R. 5710. An act to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal year 1976 and for the transition period following such fiscal year, and for other purposes.

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

H.R. 83. An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe;

H.R. 5447. An act to amend the act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder; and