HOUSE OF REPRESENTATIVES—*Wednesday, March 21, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Peace I leave with you, my peace I give unto you. Let not your heart be troubled.—John 14: 27.

O Thou who art the Creator of the world, the Sustainer of life and the Father of all men, do Thou help us as we with all humility seek to discipline ourselves that we may do, more fully and more faithfully, the work of this day. By Thy grace may we earnestly strive to bring harmony out of hostility, order out of disorder, understanding out of misunderstanding, and good will out of ill will.

Lead us, we pray Thee, to do our best to liberate our people from poverty and unemployment and to open ways to a more abundant life for all. Crown our efforts not with fame and fortune, but with the inner assurance of work well done. Keep us conscious of Thy presence and in every hour of need may we grow in grace and peace and love.

Abide with us all the day long, for in Thee do we put our trust. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 398. An act to extend and amend the Economic Stabilization Act of 1970; and

S. Con. Res. 16. Concurrent resolution to authorize certain corrections in the enrollment of S. 7.

The message also announced that the Vice President, pursuant to Public Law 86–42, appointed Mr. McGEE, chairman; Mr. MUSKIE; Mr. JOHNSTON; Mr. ABOUREZK; Mr. CLARK; Mr. BIDEN; Mr. AIKEN; Mr. JAVITS; Mr. CURTIS; Mr. STEVENS; and Mr. SAXBE to attend, on the part of the Senate, the Canada-United States interparliamentary meeting to be held in Washington, D.C., April 4–8, 1973.

LET US HONOR ALL WHO SERVED IN VIETNAM

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

Mr. MONTGOMERY. Mr. Speaker, the last known officially listed American prisoners of war—147 men—will be released this weekend in Hanoi. It is my very strong feeling that now is the time for the Congress to begin making plans to honor not only the POW's, but also those still listed as missing in action, those who lost their lives in Vietnam, those wounded and handicapped, and those young Americans who served during the Vietnam conflict.

I would hope the leadership on both sides of the aisle would support a resolution calling for a joint meeting of Congress sometime in April to be attended by a representative group of POW's, Congressional Medal of Honor winners, veterans of the Vietnam conflict, wounded veterans of Vietnam, and loved ones of the MIA's and those who lost their lives. The time has arrived for the Congress to show its appreciation.

THE STAGGERING INCREASES IN GROCERY PRICES

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

Mr. O'NEILL. Mr. Speaker, a few hours ago the Bureau of Labor Statistics announced another staggering increase in food prices.

Grocery prices paid by American housewives went up 2.3 percent in February. That is on top of a 2.5-percent increase in January, and it makes a 4.8-percent increase for the first 2 months of 1973 alone.

And what is the good news? Well, future months are supposed to bring "lower price increases," the administration says.

The administration has told us that by December, grocery prices should be 6.5 percent higher than in December 1972. That's wonderful—if we survive. Because we are embarked on a long, high trajectory toward that mark. Projecting the current rate of increase, food prices could rise 15 to 20 percent by midyear before they crest and begin to head down toward a 6.5-percent rise. I am sorry if that terminology sounds like the administration's brand of optimism.

Mr. Speaker, these outrageous fluctuations in food prices mean a burden to us all and outright misery for those who can least afford it—the poor, the elderly, all those living on fixed incomes.

The single most important factor behind this chaos in food costs is the politically motivated farm policy pursued by this administration during the presidential election year of 1972. Secretary Butz deliberately set out to show how high he could drive farm prices. He has succeeded too well. Now all of us are paying for the administration's errors in judgment and its plain political tampering with our food production system.

During the 1972 planting season, this Nation was under some of the strictest agricultural production controls it has ever experienced. The reduced crop became an outright shortage after the sale to Russia last year—at bargain prices—of almost a quarter of our grain crop.

And who benefited from that massive transaction? Big grain merchant friends of the administration who—understandably—would rather not talk about it.

This action of reducing our grain supplies made beef—as well as bread and cereals—more expensive because much grain is used to feed cattle.

A few weeks ago, Arthur Burns, Chairman of the Federal Reserve Board, suggested that the American people eat less meat and more cheese. Well, now it is too expensive to eat cheese.

Mr. Speaker, there is no way out now but to endure until the new crop which, hopefully, will be sufficient to ease food prices. In the meantime, the Nixon administration's food policies deserve the just indignation of the people.

WHO IS TO BLAME FOR THE COST OF LIVING?

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

Mr. DEVINE. Mr. Speaker, I listened with interest to the distinguished majority leader, Mr. O'NEILL, and his deploring the fact that food prices have gone up.

I think all Americans share his concern with the fact that we are having a rise in prices, but this inflation business is a worldwide problem, not just here in the United States. I suppose the distinguished majority leader will figure out some way to charge the Nixon administration with that.

The rate of inflation in this country is between 3.4 percent and 3.7 percent. It happens that in Germany and in Italy and the other industrial countries it is 6 percent, and in England it is 7.5 percent.

But what are the causes of inflation here in the United States? One cause is the fact that some people in this Congress vote for every big spending program that comes along, but they lack the courage to vote for a tax increase to pay for these programs.

I would suggest that those who deplore inflation exercise a little fiscal responsibility on the floor of the House. They may have an opportunity in the next week or 10 days when the President, as I believe he will, vetoes the vocational rehabilitation bill, which is $1 billion above the budget in the next 2 years, yet provides no means by which to pay for this.

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

Mr. DEVINE. I yield to the distinguished gentleman from New York (Mr. WYDLER).

Mr. WYDLER. Mr. Speaker, I listened to what the gentleman from Massachusetts (Mr. O'NEILL), the distinguished majority leader had to say about the rise in prices, and, of course, it is a serious problem for all Americans.

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What I was hoping to hear and what I have yet to hear is anything he is suggesting that Congress do to help this situation. The distinguished majority leader certainly took the administration to task on it, but I think the American people would like to hear him propose something constructive about what we in the Congress might do to help solve this problem of food prices.

Until we hear that I do not think we are really doing much about this problem to help the American housewife.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 53]

Ashley	Ford, William D.	Mitchell, Md.
Aspin	Fraser	Mitchell, N.Y.
Badillo	Frenzel	Mollohan
Beard	Froehlich	Moorhead, Pa.
Bell	Gray	Powell, Ohio
Bergland	Gubser	Price, Tex.
Blatnik	Harrington	Rees
Brademas	Harvey	Reid
Breaux	Hébert	Roncallo, N.Y.
Carney, Ohio	Heckler, Mass.	Rooney, N.Y.
Casey, Tex.	Holifield	Rooney, Pa.
Chisholm	Hosmer	Rosenthal
Clark	Jones, N.C.	Skubitz
Conyers	Karth	Steele
Corman	Kastenmeier	Taylor, Mo.
Cotter	Kemp	Ullman
Davis, Ga.	King	Waldie
Edwards, Calif.	Koch	Wampler
Esch	McDade	
Fish	Metcalfe	
Ford, Gerald R.	Minshall, Ohio	

The SPEAKER. On this rollcall 372 Members have recorded their presence by electronic device, a quorum.

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

SOLID WASTE DISPOSAL ACT EXTENSION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 315 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 315

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5446) to extend the Solid Waste Disposal Act, as amended, for one year. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN) pending which I yield myself such time as I may consume.

Mr. MATSUNAGA. Mr. Speaker, House Resolution 315 provides for consideration of the bill, H.R. 5446, which, as reported by unanimous voice vote from our Committee on Interstate and Foreign Commerce, would extend the Solid Waste Disposal Act for 1 year and authorize appropriations for fiscal year 1974 at the fiscal year 1973 level. The current law, which expires on June 30, 1973, authorizes appropriations in three categories:

First, the sum of $76 million to the Environmental Protection Agency for the development of new recycling and waste disposal techniques and for grants to State and local agencies for the development of areawide disposal plans;

Second, the sum of $140 million for grants to States and municipalities for the demonstration of resource recovery systems and for the construction of solid waste disposal facilities; and

Third, the sum of $22.5 million to the Department of the Interior for research and demonstration projects on the disposal of mining wastes.

Because the committee plans extensive oversight and legislative hearings on the Solid Waste Disposal Act to examine in depth the many policy issues which have arisen since the act was last amended in 1970, the 1-year extension is necessary to allow the committee's careful and responsible consideration of these issues. Adequate time is not available to the committee before June 30, 1973.

The committee also believes that in order to give uninterrupted life to the solid waste disposal programs, the funding authorization for fiscal year 1974 should be established as early in the 93d Congress as possible.

Passage of H.R. 5446 is imperative for the continued improvement of our environment. If we should allow funding of these programs to lapse until committee hearings can be held, we would be making a grave mistake. And if the President refuses to adequately fund solid waste disposal programs after Congress authorizes and appropriates for such expenditures, he will be negligent in providing for the Nation's needs. In this regard, it is to be noted that the administration, while favoring the continuation of the Solid Waste Disposal Act, budgeted only $6.2 million to carry out the various programs under that act in fiscal year 1974.

Mr. Speaker, House Resolution 315 provides an open rule with 1 hour of general debate, the time to be equally divided and controlled by the chairman and ranking minority member of the committee on Interstate and Foreign Commerce, after which the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee of the Whole House shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. Speaker, I urge the adoption of House Resolution 315 in order that H.R. 5446 may be considered.

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

Mr. Speaker, House Resolution 315 provides an open rule with 1 hour of general debate for the consideration of H.R. 5446.

The purpose of H.R. 5446 is to provide a 1-year extension of the Solid Waste Disposal Act. The present authorization expires on June 30, 1973.

The bill provides fiscal year 1974 authorizations at the same level as fiscal year 1973. The cost of this bill for fiscal year 1974 is $238,500,000.

The 1-year extension will allow the Committee on Interstate and Foreign Commerce sufficient time to hold extensive hearings before altering present programs.

The administration supports this 1-year extension of the present program.

Mr. Speaker I urge adoption of this resolution.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5446) to extend the Solid Waste Disposal Act, as amended, for 1 year.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5446, with Mr. FOLEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. NELSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would like briefly to explain the bill. It came out of the subcommittee unanimously, out of the full committee unani-

mously, and when this act was passed in 1970 there was a rollcall taken and the vote was 337 to 0, so we can see that it has universal support.

We are not here to discuss the bill because all we are asking for is an extension. I will briefly discuss what the bill has, although I do not think it is necessary at this time, because all we are asking for is a simple extension of the act as it was passed in 1970 since it expires on July 1 of this year. We would not have time to go into it comprehensively and make the changes that are probably needed, hear the witnesses, and then bring the bill up in time to get it passed.

I might say that the Senate has passed an identical bill, and sent it over to us. All we are asking is for this extension, as I say, until July 1 of 1974.

When we passed the bill in 1970, we had a Commission appointed, the National Commission on Materials Policy, to make a complete study of this subject throughout the United States and report back to the Congress by July 1 of this year. We do not have the advantage of having that report yet and will not until July 1. That is another reason why we are not attempting to pass a new bill now but simply an extension to give us time until we get the report back.

Mr. Ruckelshaus appeared before the committee and was in complete support of the bill. He recommended its passage. The money and everything in the bill is identical with the reading of the bill as it was in 1970, with the exception that we changed the dates to 1974 instead of 1973.

I will just briefly explain what the bill does. It gives a certain amount of money to the States to set up their own systems of disposal of solid waste material. Several States have their plans now in working order and several have their plans in the planning stage yet. Part of the bill also goes to help, through technical assistance, cities and communities which are planning their own solutions to their own problems, and part of the bill goes toward setting up demonstration plants across the country; research and demonstration plants.

An example of one of these cities is Cleveland which is working very well. The Federal Government through its representatives helped Cleveland to go over its whole system for collection of garbage and waste material day by day and devise ways to dispose of it more efficiently and at less cost. This is working well as one of the demonstrations.

We also have a demonstration working in St. Louis. There, one of the public utilities, I believe the St. Louis Electric Power Co., is demonstrating the use of waste material to generate electrical energy. They are converting waste material into something useful through this project.

We are trying to do these things all over the country in fact. In other projects glass is being recycled and is being used in the building of roads. We are also trying to utilize the old cars in America in useful ways. Tin and aluminum cans are being brought in to be recycled. Some of the paper I have on my desk here is recycled paper. These are concrete examples we see as to how effective the program has been. It is useful. That is the reason we are asking Congress today to extend this for 1 year.

Just by simple arithmetic we can comprehend how the amount of solid waste produced in America by the year 2000 would not leave us any place to go or any useful way of living if we did not convert it in some way. It would run into the billions of pounds per year. The problem had gotten to such a point in 1956, when we passed the original bill, that we recognized something must be done to cope with the increasing wastes in America. We have already developed additional ways of using the disposable bottles and cans and the old automobiles that are left in this country, as well as tse garbage produced in our homes.

As I say, this has been a very useful program, one that has already proven it is useful and needed, and for that reason the committee recommends passage of this bill.

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

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

Mr. ROUSSELOT. Mr. Chairman, I know that the distinguished chairman of this committee is very conscientious about making sure that the Interstate and Foreign Commerce Committee offers bills authorizing only those that are realistically close to needed appropriated dollars. I know the Appropriations Committee is very concerned about this matter. It is my understanding that the administration is planning or thinking of asking for roughly between $5 and $6 million to be actually spent in this particular program. Why is the committee asking for an authorization of $238 million? Is that not the kind of "overpromise" and "overcommitment" that we are trying to avoid?

Mr. STAGGERS. I suggest the gentleman look at the realities of the situation.

Mr. ROUSSELOT. I am trying to.

Mr. STAGGERS. If the gentleman will bear with me, the Senate has passed a simple extension. We are doing this because we are waiting for a report which will be coming in on July 1 this year from the Commission. The administration does not have control of that and neither do we. The President appointed everyone of those members with the approval of the Senate. We hope this is what the administration is waiting for. The administration and the gentleman and I know this is one of the most important methods we have today of taking care of the solid waste disposal problem.

Mr. ROUSSELOT. I do not think any of us disagree on that subject, but we are talking about the dollars actually needed.

Mr. STAGGERS. I will get to that. If we start changing this now from what it was, regardless of what the Committee on Appropriations comes up with, and I hope they will come up with more money than they did last year since the need for it is there and it has been shown by some of the examples which I stated heretofore that it is a useful thing; that it is doing good for this land; we certainly would want to, during the next year when we are going to study the problem and come back with new legislation after we have had the recommendations of the Commission which has studied this problem for 3 years, then we want to be sure it is funded enough to take care of that.

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

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

Mr. ROUSSELOT. I thank the gentleman for yielding. I do not disagree with the idea of extending this act for 1 year. I do not disagree with the wisdom of the committee in waiting for the additional studies to be completed and wanting to have additional hearings to see what is really needed. But what I do not understand and where I think we as a Congress err, is when we constantly ask in an authorizing bill for so many millions of dollars more than are actually needed, and then when the Committee on Appropriations comes along and only appropriates, say $5 or $10 million for this in the authorizing bill, and the whole House have asked for $238 million, it makes us look just plain stupid.

Mr. STAGGERS. Just a minute. I do not like that word.

Mr. ROUSSELOT. Well, all right. That is my word. As to the position it places this body, when nobody seems to actually believe that amount of $238 million is needed.

Mr. STAGGERS. We are being realistic. We do not know what they are going to ask for later and what they are going to need. We are not changing the law. All we are asking for is to extend this for 1 year.

Mr. ROUSSELOT. I said that I agree with the chairman, that the act should be extended for 1 year.

Mr. STAGGERS. Why should we start changing it?

Mr. ROUSSELOT. Why should we ask, though, for $238 million?

Mr. STAGGERS. Who is the gentleman from California to say what we are going to ask for? Does the gentleman mean to say that if we had to have it——

Mr. ROUSSELOT. We can refer to the actual dollars spent this year under this act. It is no where near $238 million.

Mr. STAGGERS. I have heard that story too many times; too late and too little.

Let us have it. If they do not need it they will not use it and it will not cost the Government anything; it will not cost the gentleman's taxpayers 1 cent more, or any place in the country.

The gentleman might call it stupid if he wants to.

Mr. ROUSSELOT. I believe that it is stupid to ask for $238 million in an authorization bill when we know in advance that we are only going to spend $5 to $6 million.

Mr. STAGGERS. We do not know that at all.

Mr. ROUSSELOT. That is the report that has been given to me as to what has been asked for in the budget.

Mr. STAGGERS. I know what is asked for, but we do not know what is going to be spent before the end of the year.

If the gentleman from California does know, he is a wiser man than I am.

Mr. ROUSSELOT. My understanding is that this is all that will be spent of this authorization.

Mr. STAGGERS. Is the gentleman speaking for the Committee on Appropriations?

Mr. ROUSSELOT. No, I certainly am not.

Mr. STAGGERS. In that case, I should not be speaking at all; not saying anything about it.

Mr. ROUSSELOT. I have never pretended to speak for the Committee on Appropriations. I am merely looking at the record of actual expenditure this last year and what the administration says it will spend this year.

Mr. STAGGERS. Is the gentleman speaking for the administration?

Mr. ROUSSELOT. No, I am asking a question of the gentleman from West Virginia (Mr. STAGGERS). He is an able legislator and man of facts.

Mr. STAGGERS. How does the gentleman know what the Committee on Appropriations is going to do?

Mr. ROUSSELOT. My understanding is——

Mr. STAGGERS. From whom?

Mr. ROUSSELOT. It was made clear that the rough amount of dollars which will be needed to institute this program will be roughly between $5 and $6 million.

Mr. STAGGERS. The gentleman understands that from whom?

Mr. ROUSSELOT. Well, if the gentleman wishes me to say, by able colleagues here on the committee, on the gentleman's subcommittee.

Mr. STAGGERS. Let me state that the appointee of the President appeared before the committee and recommended the passage of this bill as it is now.

Mr. ROUSSELOT. I understand that they primarily testified for a straight extension of the act.

Mr. STAGGERS. Yes, an extension, and not to change it, and that is all we are doing.

Mr. ROUSSELOT. But that does not mean that we cannot ask questions.

Mr. STAGGERS. That is right. I do not mind the gentleman asking questions.

Mr. ROUSSELOT. I said that it appears to me to be very stupid to ask for $238 million when only $5 to $6 million will be used.

Mr. STAGGERS. What would the gentleman do when we change the bill, when they said they wanted an extension?

Mr. ROUSSELOT. This agency is only going to spend $5 or $6 million.

Mr. STAGGERS. I am asking the gentleman a question. I want to ask, what would the gentleman do if he had been asked to extend the bill by the administration? What would he do?

Mr. ROUSSELOT. I would be happy to respond. I would extend the act for a year and include $10 or $15 million authorization, which would be more than adequate to cover any unusual contingencies.

Mr. STAGGERS. Oh, the gentleman is going that way.

Mr. ROUSSELOT. If the gentleman will yield further, it would provide the extra amount of authorization, even above what is being asked for, without a recommendation.

Mr. STAGGERS. It would not be an extension. That would be a substantive change in the bill. What we have done is just exactly extend it for 1 year.

Mr. ROUSSELOT. I thank the gentleman for yielding. I am sorry; I do not really feel I obtained an answer to my reasonable question.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Florida, the chairman of the subcommittee.

Mr. ROGERS. Mr. Chairman, I rise in support of H.R. 4292, which will provide a simple, 1-year extension of the Solid Waste Disposal Act. The funding provisions of the act expire on June 30, 1973, and it simply will be impossible for the Subcommittee on Public Health and Environment to afford ample consideration to substantive changes in the act prior to that time.

This is true for two reasons, Mr. Chairman. In the first place, there are 12 health bills under the jurisdiction of the subcommittee that expire at the end of this fiscal year. Many of these programs are the subject of intense attack from the executive branch. In fact, in some instances, the administration is seeking to dismantle these programs before the subcommittee can act to extend, revise, or terminate them. In order to protect the prerogatives of the Congress, our subcommittee must commit the next 3 months to these health programs.

Secondly, Mr. Chairman, this action is necessary because of the tardiness of a series of reports to the Congress which were to serve as aids to the subcommittee in developing new solid waste disposal legislation. One series, mandated by section 205 of the act, was to be on resource recovery. The first annual report was not released until 28 months after enactment of the law and 16 months after the report was due. It was completed by EPA last summer, forwarded to the Office of Management and Budget on August 24, 1973, held up by OMB for more than 6 months, and finally submitted to the subcommittee on February 22 of this year. The section 210 report was to have been submitted to the Congress in October of 1971. It was submitted in January of 1973. The section 212 report, due October 1972, is scheduled to be submitted to the Congress on June 30, 1973, hardly in time for the subcommittee to use its information and recommendations to develop new legislation.

The administration has submitted to the Congress both through its budget and recommended new legislation its recommendations for solid waste disposal activities. In simple terms the administration's legislative program proposes Federal guidelines for State and local solid waste disposal programs but no new money for demonstration programs. It provides that the Federal Government would provide only technical assistance for the development of new waste disposal systems.

The EPA budget for fisal year 1974 in the solid waste field is the most substantial reduction in the history of environmental legislation. It has decreased from over $30 million last year to under $6 million this year. My initial impression of the administration proposal is that it certainly needs substantial review and probably is inadequate to deal with the problem. I assure my colleagues that the Subcommittee on Public Health and Environment will consider the problems of solid waste disposal and resource recovery at length later this year.

Now, with respect to the remarks of the gentleman from California, I should like to point out to the gentleman, in conjunction with what the chairman has said, that we simply are proposing extending this bill in order to give the committee time to look and see what needs to be done.

Mr. ROUSSELOT. I want to make it clear, I do not disagree with the simple extension of this act at all.

Mr. ROGERS. I would hope the gentleman would not. He has problems in California, and he knows that funds properly invested here might even help the California situation with respect to air pollution.

Mr. ROUSSELOT. Fine.

Mr. ROGERS. The gentleman probably does not know that production of paper from secondary fibers, through recycling, instead of production from virgin wood pulp, takes about 60 percent less energy and will dump some 15 percent less pollutants into the water and 60 percent less into the air. In steel production, by using scrap, air pollution is cut 86 percent. We find this can be done in so many areas.

The gentleman comes from a State where they have one of the most severe air pollution problems in the Nation.

Mr. ROUSSELOT. I understand that.

Mr. ROGERS. I would think the gentleman would urge this committee to extend the law. Then, if we find it is necessary to come to the House, we perhaps might go over the $5 million recommended in the budget. The gentleman might support it and support it strongly, even to the amount the Administrator himself has supported by this extension.

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

Mr. ROGERS. I hope the gentleman understands the position of the committee very clearly.

Mr. ROUSSELOT. Will the gentleman yield?

Mr. ROGERS. Certainly, I yield to the gentleman from California.

Mr. ROUSSELOT. I am familiar with much of the material from which the gentleman was quoting. I have read the same article.

I am in complete agreement that this is a high priority area. We are very aware of it in California.

Of course, when we talk about air pollution, in respect to this bill that is really another covered by other acts because we are talking about solid waste disposal in the bill before us. I am not speaking as

to whether we do or do not extend the act. I favor extending the act.

I believe the gentleman from Florida might be able to help us, because it was his subcommittee which considered this bill. My question was why it is necessary to authorize $238 million when it is very likely only $5 or $6 million will actually be spent. The chairman of the committee very graciously asked me what I would do. My answer to his question is, were I on the committee I believe I would move to strike the figure $238 million and to make it $15 or $20 million, because that would be more than adequate as an excess above the $5 or $6 million that is to be spent.

Mr. ROGERS. Would the gentleman permit an interruption at that point?

Mr. ROUSSELOT. Certainly.

Mr. ROGERS. Does the gentleman know the Congress appropriated $36 million last year?

Mr. ROUSSELOT. Yes.

Mr. ROGERS. And we are now going to hold them to $15 million?

Mr. ROUSSELOT. Yes.

Mr. ROGERS. We may want to go to $36 million. We may want to go to $200 million, if we find there are breakthroughs.

Mr. ROUSSELOT. Can we not come back to the basic question?

Mr. ROGERS. This is what we want to consider.

Mr. ROUSSELOT. I know the gentleman is a very able legislator. Could we not come back to obtain that kind of increase. We are only talking about a 1-year extension.

Mr. ROGERS. This is in conformance with what the administration asked, which was just to give them a 1-year extension, until the committee can consider this.

Mr. ROUSSELOT. Let me make my point once more.

Mr. ROGERS. Yes.

Mr. ROUSSELOT. I believe the charge is made that sometimes Congress, in its deliberations and in its process of authorizing and writing programs, over asks for dollars that it is not going to spend. I believe it makes a mistake in doing it that way, and it puts added pressure, in my opinion, on the Appropriations Committee, which I do not believe is warranted. It also creates a misleading impression with the general public.

That is the only point I was trying to make.

Mr. ROGERS. I understand the gentleman. I believe the gentleman supported the bill when it was before the House previously.

Mr. ROUSSELOT. I did.

Mr. ROGERS. With all these figures in it. He could have offered amendments at that time.

Mr. ROUSSELOT. Would the gentleman from Florida disagree to an amendment that would be offered to amend the figure down in this bill, to reduce it down to $38 million as an authorization?

Mr. ROGERS. At this time I would oppose that.

Mr. ROUSSELOT. That is difficult reasoning to understand.

Mr. ROGERS. This is a very important extension. Now, we are not sure what revisions are necessary yet—we are waiting for the reports which are late coming in—and the administration may want to come in with a supplemental request as soon as the reports are in.

Mr. ROUSSELOT. I know the gentleman from Florida is a very able legislator. However, there is a tremendous difference between $5 and $6 million and $238 million. I am sure, with his able staff and his able committee, they can come up with a better estimate as to what will be needed than this figure of $238 million, which is way above $5 or $6 million.

Mr. Chairman, this is my only point.

Mr. ROGERS. Mr. Chairman, I understand the gentleman's point, and I simply say it is not valid at this time.

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

Mr. ROGERS. I yield to the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Chairman, I think the colloquy has been valuable, because many times an authorization in an act leads people to assume money to be available that really finally turns out not to be available. However, I would like to suggest that we pass this proposal in its present form for these reasons:

No. 1, it is only a 1-year extension; and No. 2, on the second page of the report, the committee states very plainly that we plan oversight on this program, and with the idea that it needs clarification to determine whether this program should continue.

Next, we have the recommendation from Mr. Ruckelshaus suggesting the 1-year extension.

Mr. Chairman, all of these things point toward what my good friend, the gentleman from California (Mr. ROUSSELOT) talked about, as to the total budget, as to his thinking that we ought to look at it a little more reasonably when making the final decisions.

Mr. Chairman, I do hope the bill passes in its present form, and I recommend its passage.

Mr. WYLIE. Mr. Chairman, will the gentleman yield,

Mr. ROGERS. I yield to the gentleman.

Mr. WYLIE. The gentleman has indicated this bill provides just a 1-year extension in authorization.

Mr. NELSEN. Yes.

Mr. WYLIE. And that was the suggestion made by the able chairman of the committee, Mr. STAGGERS.

I wonder if the gentleman would clarify something for me on funding procedures, which I do not understand.

In H.R. 5446, on the first page it says:

There are authorized to be appropriated . . . not to exceed $72,000,000 for the fiscal year ending June 30, 1972—

Which has already passed—

not to exceed $76,000,000 for the fiscal year ending June 30, 1973——

Which ends on June 30 of this year—

and not to exceed $76,000,000 for the fiscal year ending June 30, 1974.

Mr. Chairman, that refers to paragraph 2. Then the same procedure is repeated in the other two paragraphs.

May I ask the gentleman, did we authorize $72,000,000 for the fiscal year ending June 30, 1972, and if so, why do we need to have it repeated here?

Mr. NELSEN. I will yield later to the chairman of the committee, if he would in detail explain this. However, it is my understanding that the way the bill was drawn, it was just a means of feathering out the dollars that are in the authorization. It is a matter of drafting style only.

Mr. Chairman, I will defer to the chairman of the committee for a further explanation.

Mr. STAGGERS. Yes. I would say to the gentleman that this is exactly what was in the original bill, and we just repeated it for those purposes.

Mr. WYLIE. Mr. Chairman, I understand that, but those fiscal years have already passed, at least one of them has already passed, and there has been an appropriation pursuant to that authorization which has been spent.

Now, is this an add-on ratification procedure so that we can say there is this much money being authorized, and, therefore, we have to meet the full funding need through the appropriations procedure?

If this is a simple extension, why did the committee not just add one authorization for the fiscal year ending June 30, 1974?

Mr. STAGGERS. I might say this to the gentleman: We are just simply repeating the language of the law as it is now in order to make clear what has passed and what is taking place here.

Mr. Chairman, I think the explanation is that in order to make the legislative process clear, as the legislative counsel has told me, this is the way they would write the bill in order to make it clear as to what has happened.

Mr. WYLIE. Well, Mr. Chairman, as I say, I do not understand the authorization procedure. If this is a simple 1-year extension, and I go along with that, why do we need to refer to passed years? Why are authorizations for prior years included in this bill? We have already authorized money for fiscal year 1972, and money has been appropriated pursuant to the authorization for the program, beginning in 1967, as a matter of fact.

Mr. Chairman, I am not opposed to the bill.

I want the assurance, I guess, of the chairman, then, that when we note that about $41.5 million was appropriated and spent for fiscal year 1972 that we do not now by authorizing $72 million add another $30 million, which can be carried over to the present.

Mr. STAGGERS. I can assure the gentleman it does not mean that at all. The reason why we did not change it is we could not change it. We wanted to write the law as it is, because they were just asking for an extension. I can assure the gentleman it does not have anything to do with that. We wanted to write this legislation as an extension in the way the original law was written.

Mr. WYLIE. I thank the gentleman.

Mr. ROUSSELOT. Will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. ROUSSELOT. If I might ask an additional question of the chairman? Mr. Ruckelshaus asked for the extension of this legislation. Again, I wish to make it clear I agree with that concept. But did Mr. Ruckelshaus ask for a $238 million authorization?

Mr. STAGGERS. If the gentleman will yield to me, let me put it this way. He asked for a simple extension, and the amount of money is in the original bill, so we just extended it as it was for the past year.

Mr. ROUSSELOT. So the answer to the question is that he did not specifically ask for $238 million?

Mr. STAGGERS. But he asked for an extension, and when he did that I think he asked for what was given last year to be continued.

Mr. ROUSSELOT. What did we spend last year on this program?

Mr. STAGGERS. $31 million.

Mr. ROUSSELOT. $31 million. So we are roughly $200 million over authorized in this bill.

Again I wish to make the point that I think our authorizing legislation should not ask for so much additional funding when we are not even coming close to such a spending level today. That is my point.

I believe that the Congress as a whole makes itself look very ridiculous and even borders on stupidity when we authorize so much more money than that which is actually needed. That is my point.

Mr. STAGGERS. I am glad the gentleman made it clear. I believe I understood him correctly when he said that we were not stupid; and he did not believe it was the whole Congress. I disagree with him on the amount of the extension, because I know of no other procedure to follow in this instance, because when you ask for a simple extension, unless you go in and change the bill comprehensively, which would require a study of what you think is needed, then we would have to go along with what we had before. We did not undertake to conduct this study, because this is to be done for next year's authorization. We simply have a simple extension of the bill this year with the same authorization.

Mr. ROUSSELOT. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, one of the most serious environmental problems facing this Nation is that of solid waste disposal.

In 1920, this Nation had to dispose of 2.75 pounds of solid waste per person. By 1970, that figure had increased to 5.3 pounds per person while there were, of course, almost twice as many persons.

Experts tell us that by 1980 we will be faced with 8 pounds per person.

More explicitly, today's rate of solid waste production for this country is 3.5 billion tons.

Continuing and increased efforts to research and develop the means of recycle solid wastes are vital if we are to prevent the pollution of our environment. Solid wastes are now causing air pollution, water pollution and land pollution but I am convinced that we can find the ways to end these problems and convert these wastes to our benefit. This can only be done if we devote our concentrated energies to this task.

Let me take this opportunity, however, to remind the American people that their growing awareness of this problem must be coupled with growing action in response to it. This bill before us today provides Federal support for research efforts but it cannot come close to doing the job alone.

For example, the most recent estimate of the cost of removing litter is $500 million annually. One-half billion dollars each year. Every month American motorists drop an average of 1,300 pieces of litter on every mile of the Nation's vast network of primary highways, or nearly 16,000 pieces of litter per mile per year.

There is no monetary cost in saving ourselves the half-billion annual cost of littering. The answer, quite simply, is discipline. That is all it takes. Discipline on the part of all of us. Overnight we could wipe out a $500 million annual debt.

Therefore, Mr. Chairman, I strongly endorse extension of the Solid Waste Disposal Act and simultaneously urge each person to take it upon himself to help fight this problem through his own efforts.

Mr. KYROS. Mr. Chairman, I rise in strong support of H.R. 5446, which would extend for 1 year, at the current authorization rate of $238,500,000, the Solid Waste Disposal Act.

This bill was considered on February 26 by the Public Health and Environment Subcommittee, under the able leadership of Chairman PAUL ROGERS, and it was quite evident at that time that responsible and thorough consideration of the Federal Government's effort and proper role in this important field could not be accomplished before the end of the current fiscal year, when the funding authorization for this act expires. The Public Health Subcommittee intends to hold extensive hearings on this act to examine carefully the many and varied issues which have arisen since original passage of the act 3 years ago.

Mr. Chairman, the cost of sanitary landfills and other effective solid waste disposal mechanisms looms as a tremendous financial burden on many small communities throughout my State of Maine and the Nation. Our country currently produces some 256 million tons of municipal waste each year. Most of this waste is now handled by open dumping or burning, in spite of the fact that this will be in violation of most States' air quality standards within a short time.

Effective solid waste programs must be made financially practical, which they certainly are not at the present time in most of our rural areas. The Congress should have the time necessary to carefully consider this major national problem, and for that reason, I urge adoption of this 1-year extension.

Mr. PRICE of Illinois. Mr. Chairman, I support H.R. 5446, the 1-year extension of the Solid Waste Disposal Act.

This extension provides the Interstate and Foreign Commerce Committee the opportunity to undertake extensive oversight hearings on the act. Also, it maintains program continuity.

The bill before us authorizes $238.5 million for fiscal year 1974. This is the same funding level authorized in fiscal year 1973. The bill authorizes $140 million for demonstration and construction grants to States and municipalities for resource recovery systems and solid waste disposal facilities; $76 million for the Environmental Protection Agency to develop new recycling and waste disposal techniques and to award grants to State and local agencies for developing areawide waste disposal plans; and $22.5 million for the Interior Department for research and demonstration projects on the disposal of mining wastes.

The importance of this legislation should not be overlooked. Unfortunately, the administration has budgeted only $6.2 million to fund solid waste disposal programs in fiscal year 1974. I feel this action is shortsighted. This country faces a growing energy crisis. Our research efforts must be accelerated as to how recoverable materials and waste can be utilized to meet this crisis.

For example, the Environmental Protection Agency recently funded a household trash recycling program in the St. Louis metropolitan area. The program involves the Union Electric Co. in St. Louis and the Granite City Steel Co. in Illinois. The utility is purchasing trash and converting it to energy. The steel company is purchasing the scrap metal and cans to produce new steel. While this is a pilot program, it is the type of research that needs to be undertaken.

Mr. DONOHUE. Mr. Chairman, it is my very earnest belief that the House should overwhelmingly adopt the measure presently under consideration, H.R. 5446, the Solid Waste Disposal Act extension.

As you know, Mr. Chairman, this bill is specifically designed to extend the Solid Waste Disposal Act for a period of 1 year and authorizes appropriations for fiscal year 1974 at the very same funding level previously authorized for fiscal year 1973. Under the various provisions of this measure, our States and municipalities will continue to receive grants for the demonstration of resource recovery systems and for the construction of solid waste disposal facilities. The measure also provides funds for the Environmental Protection Agency to continue work on the development of new recycling and waste disposal techniques and to award grants to State and local agencies to assist them in developing areawide waste disposal plans.

Mr. Chairman, there can be no question whatever concerning the critical importance of solid waste disposal facilities for a great many areas throughout our country, including my own State of Massachusetts. I feel very certain that we all recognize the need for continuing, without any unnecessary interruption, reasonable and effective programs which substantially contribute to wholesome improvement in the quality of our environment. Since this legislative measure responsibly extends existing solid waste

disposal programs, while extensive oversight and legislative hearings carefully examine the many policy issues which have arisen since the bill was originally enacted, and since the measure represents a wholly substantial and prudent attempt to continue the fight to improve, protect, and preserve our threatened environment, I urge this House, in the overall national interest, to resoundingly approve the measure.

Mr. ANNUNZIO. Mr. Chairman, cleaning up our environment and establishing practices that will insure a healthy environment for future generations is one of our Nation's highest priorities today. We have embarked on an ambitious multibillion-dollar program to clean our waters by 1985, and progress in the fight for clean air has already been reported in a number of communities across the country. However, we are losing ground in our struggle with another, perhaps slightly less glamorous form of pollution.

I am referring to our efforts to halt environmental degradation caused by inefficient, antiquated solid waste management practices that are unnecessarily expensive and result in the loss of valuable natural resources. Unless this Congress takes decisive action soon, we will not just continue to lose ground slowly in the solid waste pollution fight—indeed, we will be in full-scale retreat.

In 1970, the Congress enacted the Resource Recovery Act—Public Law 91-512—amending the Solid Waste Disposal Act of 1965—Public Law 89-272. This legislation indicated Congress desire to see environmentally offensive solid waste disposal practices halted and the policy of resource recovery adopted. This legislation, which is just beginning to bear profitable results, will expire at the end of the current fiscal year unless we vote to extend the Solid Waste Disposal Act. It is for this reason that I rise today in support of H.R. 5446, a bill introduced by the distinguished chairman of the House Interstate and Foreign Commerce Committee, Hon. HARLEY O. STAGGERS, of West Virginia, to extend the 1965 Solid Waste Act, as amended by the 1970 Resource Recovery Act.

Already, as we debate this issue today, the administration is dismantling the programs within the Environmental Protection Agency which are designed to combat an increasingly serious solid waste problem. Even though this Congress has not yet acted, the Office for Solid Waste Management Programs, the Federal unit administering the Solid Waste Disposal Act, is being decimated as its staff is reduced from 320 to 120.

Mr. Chairman, conservative estimates place our total annual bill for collecting and disposing municipal solid wastes at $5 billion. Through the technical assistance provided by the Federal solid waste program, this figure could be significantly decreased, without any reduction in the level of collection and disposal services. In Cleveland, Ohio, waste collection costs were cut in half after a new system, designed with the aid of Federal experts, was installed.

Meanwhile, our Nation is headed toward a solid waste crisis. Already 5 billion tons of solid wastes are produced annually and per capita waste generation is increasing at a rate of 4 to 6 percent—3 times the population growth rate. Most municipal wastes are disposed of in ways harmful to the environment, primarily by open dumping. Only 1 percent of municipal wastes are now recycled. The proportion of recycled materials relative to virgin materials going into the production of new goods has been declining since World War II.

Through the Solid Waste Disposal Act, we are beginning to reverse the trend. Open dumps are being closed or converted into sanitary landfills. Air-polluting incinerators are being equipped with control devices. New technologies to separate and recycle municipal wastes into useful byproducts are being developed and demonstrated. In some cases, municipal trash and garbage is actually being converted to a low-sulfur fuel—a commodity in much demand today.

Mr. Chairman, we cannot afford to give up the solid waste fight now. What might result in some savings now will cost us much more in years to come. I urge my colleagues to support H.R. 5446.

Mr. NELSEN. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (2) of subsection (a) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended to read as follows:

"(2) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the provisions of this Act, other than section 208, not to exceed $72,000,000 for the fiscal year ending June 30, 1972, not to exceed $76,000,000 for the fiscal year ending June 30, 1973, and not to exceed $76,000,000 for the fiscal year ending June 30, 1974."

(b) Paragraph (3) of subsection (a) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended to read as follows:

"(3) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out section 208 of this Act not to exceed $80,000,000 for the fiscal year ending June 30, 1972, not to exceed $140,000,000 for the fiscal year ending June 30, 1973, and not to exceed $140,000,000 for the fiscal year ending June 30, 1974.".

(c) Subsection (b) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended by striking "and not to exceed $22,500,000 for the fiscal year ending June 30, 1973." and inserting in lieu thereof ", not to exceed $22,500,000 for the fiscal year ending June 30, 1973, and not to exceed $22,500,000 for the fiscal year ending June 30, 1974.".

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

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

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

Mr. Chairman, I, too, have some question about this bill, although I think an authorization is necessary.

I do not understand why we should be asked to authorize an expenditure of $238.5 million. I believe that is the proposal before the House, when all the evidence seems to indicate that not more than $5 or $6 million will be necessary to fund the program that is being proposed.

I would like to call the attention of the members of this committee and the Members of the House to the old saying which goes something like this:

> Nothing is easier than the expenditure of public money. It does not appear to belong to anybody. The temptation is overwhelming to bestow it on somebody.

This offers the temptation to spend much more—and I repeat—spend much more than might otherwise be prudent or provident.

So I regret that the committee comes in with an authorization for $238.5 million when all the testimony indicates a fraction of that amount will be sufficient. I regret that the committee came out with the figure it did, and I hope that next year when we get to the authorization for fiscal 1975 it will not find that a considerable amount of money has been expended that the committee did not contemplate. I would suggest, too, that the Appropriations Committee take note of the debate that has taken place here today and limit the appropriation to conform to the assurance that only a fraction of the authorization will be needed.

I would also like to say to the distinguished chairman of the Committee on Interstate and Foreign Commerce that I hope there will not be the accusation in this case that the President has impounded the difference between $6 million and $238 million; that no one will rise on the floor of the House and try to make the point that the difference between the two has been impounded by the President, and therefore charge it up to the total amount that the President has impounded.

I will yield to the gentleman from West Virginia if he would like me to yield.

Mr. STAGGERS. I thank the gentleman from Iowa for his remarks. I think they are well stated, but I think that the gentleman knows also that we are simply extending the bill from 1973 to 1974, and we used the same language and everything else, all we did was just to change the date.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FOLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 5446) to extend the Solid Waste Disposal Act, as amended, for 1 year, pursuant to House Resolution 315, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

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

The bill was ordered to be engrossed

and read a third time, and was read the third time.

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 392, nays 2, not voting 38, as follows:

[Roll No. 54]

YEAS—392

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Arends
Armstrong
Ashbrook
Ashley
Bafalis
Baker
Barrett
Beard
Bennett
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins
Conable
Conlan
Conte
Corman
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Flowers
Flynt
Foley
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanna
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Hastings
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Howard
Huber
Hudnut
Hungate
Hunt
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
Kluczynski
Kuykendall
Kyros
Landrum
Latta
Lehman
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
McClory
McCloskey
McCollister
McCormack
McEwen
McFall
McKay
McKinney
McSpadden
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Randall
Rarick
Rees
Regula
Reid
Reuss
Rhodes
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Skubitz
Slack
Smith, Iowa
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Symms
Talcott
Taylor, N.C.
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—2

Landgrebe
Rousselot

NOT VOTING—38

Aspin
Badillo
Bell
Bergland
Bingham
Carney, Ohio
Chisholm
Conyers
Cotter
Davis, Ga.
Dingell
Eilberg
Fish
Ford, Gerald R.
Ford, William D.
Gray
Harvey
Hébert
Hosmer
Hutchinson
Karth
King
Koch
Leggett
McDade
Minshall, Ohio
Moorhead, Pa.
Price, Tex.
Rangel
Roncallo, N.Y.
Rooney, N.Y.
Rooney, Pa.
Saylor
Sisk
Smith, N.Y.
Taylor, Mo.
Ullman
Wiggins

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Fish.
Mr. Hébert with Mr. Gerald R. Ford.
Mrs. Chisholm with Mr. Leggett.
Mr. Bergland with Mr. Bell.
Mr. Koch with Mr. King.
Mr. Bingham with Mr. Harvey.
Mr. Moorhead of Pennsylvania with Mr. McDade.
Mr. Badillo with Mr. Hosmer.
Mr. Dingell with Mr. Conyers.
Mr. Eilberg with Mr. Minshall of Ohio.
Mr. Gray with Mr. Price of Texas.
Mr. Rangel with Mr. William D. Ford.
Mr. Carney of Ohio with Mr. Roncallo of New York.
Mr. Cotter with Mr. Aspin.
Mr. Davis of Georgia with Mr. Smith of New York.
Mr. Karth with Mr. Taylor of Missouri.
Mr. Rooney of Pennsylvania with Mr. Hutchinson.
Mr. Sisk with Mr. Saylor.
Mr. Ullman with Mr. Wiggins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

PERSONAL EXPLANATION

Mr. SAYLOR. Mr. Speaker, I understand that the Chair has ruled that you cannot correct the voting record.

I was present and placed my card in the voting receptacle back here on the right-hand side of the aisle in the last row on rollcall No. 54. A green light flashed in front of my name, but apparently the machine did not catch it. Since one cannot correct the rollcall vote taken by electronic device, I would like to have the record show, immediately following the vote, that I was present, and that I did vote "aye."

CORRECTION OF ENROLLMENT OF S. 7, AMENDING VOCATIONAL REHABILITATION ACT

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate concurrent resolution (S. Con. Res. 16) to authorize certain corrections in the enrollment of S. 7.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 7) to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes, the Secretary of the Senate is hereby authorized and directed, in the enrollment of the said bill, to make the following corrections, namely, in the table of contents in section 1 strike out "Sec. 308. Rehabilitation Centers for Spinal Cord Injuries" and insert in lieu thereof "Sec. 308. National Centers for Spinal Cord Injuries"; in section 305(a)(2), insert "such" before "subsection" the second time it appears; in section 500(b), strike out "VI" the second time it appears and insert in lieu thereof "VII"; in section 602, strike out "the" the first time it appears; and in section 702(d), strike out "not" and insert "not" after "but".

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

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

"NOT US," SAYS VA HOSPITAL CHIEF OF REPORT

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

Mr. TALCOTT. Mr. Speaker, I believe that every Member of this House is concerned about reports that have appeared in the newspapers alleging lack of care of veterans in our Veterans' Administration hospitals throughout this land.

Although I know from personal experience that these reports are largely untrue, I think it would be of interest to the Members to read the excellent article that appeared in the Fresno Bee on March 8 concerning our VA hospital at Fresno.

This article plainly points out that many of the allegations in the Nader report and other newspaper articles are clearly unfounded and that this hospital is well run and rendering excellent care to California veterans.

Sometimes we seem to forget that the VA system is the best of any Nation, at any time and that our veterans receive the best care of any veteran in the world.

This excellent care continues to improve regardless of an occasional critical report.

"NOT US," SAYS VA HOSPITAL CHIEF OF REPORT

(By Gene Kuhn)

A House subcommittee report that Veterans Administration hospitals provide a dangerous lack of care for patients today was branded as "categorically incorrect" as far as the Fresno VA Hospital is concerned.

William F. Lee, the hospital's director, said the report, prepared for a House appropriations subcommittee, has "no application" to the Fresno hospital.

"It's absolutely not applicable so far as we're concerned," he repeated.

The report says the hospitals do not have enough nurses to provide even a safe level of care and they fall far short of the number needed for the best medical treatment.

"Many essential nursing procedures either are not performed or are not done properly, notwithstanding the dedication and efforts of nursing staffs to maintain an adequate level of performance," the report says.

The study was prepared by staff members of the subcommittee conducting hearings on the VA budget. The 41-page report was finally made available today after a copy was leaked to the Associated Press.

The report says the Nixon Administration's proposed VA budget will cause conditions to deteriorate and that a move may be under way to close some hospitals.

It also alleges the VA has attempted to conceal hospital conditions by distorting records and by falsifying the number of beds available.

Committee investigators said their conclusions were based on interviews with VA officials in Washington and officials of 14 hospitals in California, Virginia, Ohio, Florida and Massachusetts.

The California hospitals, it was learned, were in Palo Alto, Livermore and Los Angeles.

"There has been no fudging of records—no phantom records—to support this," Lee said.

"We have 275 beds authorized, we have them and there has been no change over the past four years."

The only times the hospital has not had its full complement of beds available has been during ward-by-ward remodeling work, he added. At present 12 beds are not available because of the installation of a centralized oxygen, suction and compressed air system.

Lee said the hospital's occupancy rate has been 88 per cent over the year, but in the last three months it has had a 91 per cent occupancy rate. A rate of 85 to 86 per cent is considered high, he added.

Lee said the hospital was authorized 20 additional fulltime positions two years ago, enabling it "to improve care and do an even better job in patient care than before.

"As far as we're concerned, the quantity and quality has improved."

The Fresno hospital, he said, also has been treating 30,000 outpatients annually over the past four years. This compares to 5,000 outpatients being treated 10 years ago.

"The demand is here, the need is here and we are more than able to handle it," Lee stated.

He said he has no information on next year's budget, but for the remainder of this year, at least, no cutbacks in the hospital's employment level are anticipated.

NEWSMEN'S PRIVILEGE ACT OF 1973

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

Mr. COHEN. Mr. Speaker, a number of celebrated cases involving the jailing of reporters who refused to divulge the sources of their information or the contents of confidential reports have brought national and local attention to the problem of the "newsmen's privilege" or the public's right to the free flow of information.

The Supreme Court in the Caldwell case ruled that newsmen have no general first amendment right to resist answering material questions submitted to them before grand juries. Moreover, the Court has ruled that a reporter must bear the burden of proving that the Government, in compelling his testimony, is actually engaged in harassing or intimidating activities.

Judiciary Subcommittee No. 3 has just concluded lengthy and extensive hearings on the subject of newsmen's privilege and a number of conclusions can be drawn from the testimony that has been presented.

The Caldwell case and a number of other incidents have created an atmosphere of fear in the media and in those government circles where honesty comes before loyalty. Of course, there has always been an adversary relationship between the government and the press. Journalists have been threatened, harassed, and even jailed by the Government from the time of Peter Zenger throughout American history.

But the current threat of Government domination over what should be, and must be an independent media is very real indeed. It is distinguished from the traditional government-press conflict, first, by the fact that the highest court in the land has ruled that newsmen have no first amendment rights to refuse to disclose information before grand juries; and second, by the scope of current cases in which newsmen are forced to choose between disclosing confidential information or sources and going to jail.

In addition to the potential for the government to engage in the harassment and intimidation of newsmen, there exists the danger of the government engrafting the press as an "investigatory arm." Such action, and equally important, the threat of such action, necessarily has the effect of "drying up" or eliminating a newsman's indispensable sources of information.

Unfortunately, few realize how important confidential sources are to the public's right to know what the Government and its leaders are doing. The fact is that there is a strong, direct correlation between the confidential relationship of a reporter and his source and some of the most important news stories of our time. Consider the degree of public interest involved in such stories as:

The My Lai massacre;

The Pentagon papers;

The Watts riots;

Ku Klux Klan exposés;

The Abe Fortas relationship to the Wolfson Foundation;

The Watergate bugging incident;

And countless exposés of corruption in city, state, and national governments.

In every one of these cases, the reporters' ability to bring the true facts of these issues to the public's attention has been dependent upon confidentiality of information or sources. The importance of confidentiality is underscored even more by the fact that every Pulitzer Prize won for news coverage of the Vietnam war was dependent on confidential sources.

In short, most of the revelations Americans get about corruption and misdeeds in Government, as well as some of the major policy decisions of our time, have come from someone within the Government who tells the press about these deeds or policies in confidence.

After listening to and weighing all of the testimony that has been presented to the committee, I am satisfied that it is imperative that Congress take affirmative action to insure that the Federal Government does not utilize the press as an investigative arm or subject it to harassment or intimidation.

At the same time, I recognize the need to consider the interests of the public in acquiring relevant and essential information in judicial proceedings. In sum, affirmative action is necessary to dispel the "poisoned atmosphere" generated by governmental intrusion and intimidation while safeguarding the public's right of access to facts which are relevant and necessary to a just determination in criminal and civil cases.

NEWSMEN'S PRIVILEGE ACT

To protect the ability of newsmen to ascertain the truth of Government policies and actions—an ability that is essential to a democracy and an informed citizenry—I am introducing in the House today the Newsmen's Privilege Act of 1973. This bill, which is cosponsored by my colleagues, Congressmen RAILSBACK, SMITH, SANDMAN, and COUGHLIN, grants protection for newsmen in the two areas which have the most potential for interrupting the public's access to informa-

tion—investigatory and adjudicatory proceedings.

First, we are proposing an absolute newsmen's privilege with regard to investigatory proceeedings, such as those before any Federal agency or either House of Congress or Federal grand juries. Under the act, no newsman would be required to disclose any information or the identity of any source, if the information was obtained by him in his capacity as a newsman.

This provision would shield from disclosure any information or source, confidential or otherwise, with no exceptions or qualifications, that comes to a newsman in his capacity as a reporter.

With regard to any civil or criminal proceeding in any Federal court, the Act requires that no newsman shall be required to disclose any confidential information or source unless the court finds that the party seeking the information or identity has established by clear and convincing evidence that information or source identity is:

First. Relevant to a significant issue in the case; and

Second. Cannot be obtained by alternative means.

The bill calls for a qualified privilege in this instance primarily because, for the most part, judicial proceedings are objective and non-political in nature, whereas investigative proceedings may or may not be objective and nonpolitical.

In addition to an absolute privilege for newsmen in investigative proceedings and a qualified privilege in judicial proceedings, the bill provides further protection by giving the newsman, as a matter of right, an appeal from a motion to quash a subpena. Under present Federal procedure, before a newsman can appeal on the merits of an issued subpena, he must first be found in contempt of court and appeal that order. At this point in the proceeding, the newsman is often incarcerated pending determination of his appeal. This bill permits a final determination on the merits of an issued subpena and would not force a newsman to be found in contempt of court before the merits of his claim against the subpena could be properly litigated.

Finally, the privilege created in this bill is a personal one, belonging only to the newsman. In the bill, "newsman" is broadly defined to include any female or male reporter, photographer, editor, commentator, journalist, correspondent, announcer, or other individual regularly employed in preparing news for any news service.

My colleagues and I firmly believe that the Newsmen's Privilege Act of 1973 will effectively safeguard the newsman and his source from intimidation or harassment. At the same time it will insure the public's right to know relevant and indispensable facts in criminal civil adjudicatory proceedings. In so doing, the bill if enacted, will ultimately preserve the traditional role of the press in bringing vital information to the attention of the citizenry.

In conclusion, we feel that this bill will achieve the objectives articulated by Professor Friendly.

If there is to be a newsman's privilege law, it cannot be a product of judicial decision. Protection must come from those who make laws, not those who interpret laws that may not really exist. A shield law must be precisely drawn. It should provide protection from prosecutors and others bent on fishing expeditions but at the same time be limited enough not to produce all-purpose immunity for journalists. The shield law and the guidelines by which journalists work must be structured in such a way as to provide protection for the public's need to know, but not be a sanctuary for those who because of fear, special interests, or just irresponsibility are seeking a privileged place to hide.

PRICES OF LUMBER AND PLYWOOD

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

Mr. WYATT. Mr. Speaker, rationed housing is a possibility which cannot be discounted if efforts are not undertaken to increase our Nation's supply of timber.

In response to high food prices, President Nixon announced last week that he opposes economic controls on agricultural products because that might lead to rationing. The same should be said in response to the current high prices of lumber and plywood.

Our Nation is faced by an inflationary dilemma in housing which has largely resulted from a somewhat paradoxical situation. The demand for new housing, stimulated by the Federal Government, is at record levels. In the rush to meet that demand, homebuilders are running up the prices of lumber, plywood, and other wood products. Meanwhile, the Federal Government, which controls over half of the Nation's timber supply needed for these building materials, refuses to make its surplus stockpiles of wood available to ease the crisis in lumber and plywood prices.

The phase II controls on wood products proved to be "rigid and unwise," in the President's words. They were not only unworkable but also acted as disincentives to production at a time when greater productivity was needed to meet soaring demands. There is still not enough timber, not enough building materials, and there are not enough houses to go around. And so long as this situation exists, prices will remain high. Even if controls are reinstated and rationing applied to lumber and plywood, prices would remain high because the incentive to production would be removed.

There is a better way—one which can ease current supply-demand-price pressures and prevent a similar crisis in the future. That way is for Congress and the administration to commit the funds and authority to first, offer for sale the full allowable cut of our 107 million acres of commercial Federal timberlands; second, intensify management on all our Federal forest lands; and third, provide incentive programs to increase tree growing and management on the 300 million acres of commercial timberland—60 percent of the Nation's commercial forests—owned by the other 4 million small, nonindustrial private landowners.

TRADE POLICY AND LEGISLATION

The SPEAKER pro tempore (Mr. FULTON). Under a previous order of the House, the gentleman from Arkansas (Mr. MILLS) is recognized for 60 minutes.

Mr. MILLS of Arkansas. Mr. Speaker, at no time in the postwar period has it been more urgent that the United States chart a course in foreign trade. In recent years, as new economic power realities have asserted themselves, frictions and tensions in international economic relations have arisen. There is a serious risk that efforts toward a stable, peaceful, and civilized system in the world will be threatened not by wars between old enemies, but by quarrels among old friends.

Both the European Economic Community and Japan are nearly abreast of the United States in their ability to achieve their international economic objectives. Indeed, on some key measures of international economic power both are outstripping the United States. The so-called free world economy is thus dominated by three actors of roughly equal power; and there exists a high degree of potential conflict among their economic policy goals. However, neither Europe nor Japan has yet demonstrated a political capacity to utilize its economic power constructively, partly because each is engaged in an internal evolution of historic dimensions. They are able to negate, but have yet to lead. At the same time, the United States is uncertain about the role it should play in a world it can no longer dominate but from which it cannot withdraw. The result so far is stalemate.

The present configuration of relatively equal powers, each uncertain of its own role, pursuing goals which often conflict is perhaps the most difficult from which to create a durable and stable international economic order. But a major effort must be made to do so, for the alternative could be severe economic loss and serious political breakdown.

It is clear as never before that no one country can prescribe a solution on its own. Yet, the role that the United States will play is decisive. For despite the compelling urge to turn inward and concentrate on urgent domestic problems, the task for the United States is still one of showing the way in international economic cooperation.

For the United States the approach to a solution involves three interrelated elements:

First, there must be a policy. We must know what objectives we seek and how we propose to achieve them.

Second, in our constitutional system, there must be legislation which confirms the policy and empowers the President to seek to realize it.

Third, must come negotiations which are the means by which the objectives of

policy are brought to reality by accomodation among competing interests of the negotiating countries.

A. POLICY

It is generally accepted that the international economic system must be reformed. Reform does not mean revolution; the economic system that was devised in the immediate postwar period has had much to commend it. But, the changing role of the United States in that system and the greater economic power of Western Europe and Japan have created a measure of imbalance, both in terms of monetary and trade policy, for which adjustments have to be made.

Negotiations on international monetary reform are already underway. Unlike trade issues, however, monetary negotiations involve highly technical and arcane subjects which are dominated by experts. Trade involves politics because trade issues mean the jobs and the profits of various interest groups and will, therefore involve political decisions.

In order to devise a policy for reform of the international trading system, there must; therefore, be a decision at the highest political levels in the major trading countries. This has not yet taken place.

Trade policy issues have been increasingly negotiated on an ad hoc basis by bureaucrats dug into fixed positions. It is mandatory that the major trading countries devise a grand design for the solution of existing and emerging trade problems, and to arrive at a decision on the framework for a negotiation the purpose of which is to implement such a design. The ultimate and detailed trade negotiations should be reciprocal in character and involve adherence to a set of principles that are generally accepted as fair and as promoting the maximum feasible expansion of international trade.

The achievement of these objectives may contribute somewhat to a correction of our trade and payments deficit. But we should recognize that it is neither realistic nor desirable to burden the trade negotiations excessively. The question of balance of trade or balance-of-payments disequilibrium, which will be a continuing problem notwithstanding our recent and second devaluation, must be dealt with through reform of the international monetary mechanism.

B. LEGISLATION

In order for the United States to be able to participate with maximum effectiveness in such negotiations, the President will shortly seek legislative authority from the Congress. This request should clearly and unambiguously set forth the type of authority the President needs to seek in negotiation the objectives that both he and the Congress agree are in the interests of the United States. In this respect, it is not productive for the administration in its legislation to try and anticipate every stricture which the Congress is likely to raise with regard to such legislation; that is best worked out through the normal legislative processes.

As I perceive the need today, the essential ingredients of such a legislative program should be the following:

First. Tariffs. The President should have the authority to deal with the problem of tariff discrimination which has proliferated principally around the European community. Resolving the problem of this kind of discrimination perfectly would require providing for the complete elimination of tariffs over a period of years. It is true that anything less than that will leave a margin of tariff discrimination which will most likely affect areas of major U.S. export interest. It is also true that on the whole tariffs are already very low and the elimination of most tariffs will result in less absolute tariff reduction than has taken place as a result of prior rounds of tariff negotiations. However, the question of what exceptions to full tariff elimination would be economically meaningful and essential to U.S. industry requires careful study if the executive branch were to ask for this authority.

Second. Nontariff barriers. These involve a complex array of government measures mostly under domestic statute or regulations which are more significant in their effect on trade today than are tariffs. Unlike tariffs it is extremely difficult if not impossible for the Congress to provide a prior grant of authority for negotiation of non-tariff barriers. Nevertheless the Executive needs some form of a general mandate from the Congress in order to negotiate on a meaningful basis. Whether it be with the understanding that where the negotiations require modification of U.S. statutes, the result of the negotiations must be approved by Congress on an ad referendum basis or by some other process remains to be seen. In any event that process must be facilitated by adequate and substantive consultation with the appropriate congressional committees both during the preparation for and during the actual negotiations.

Third. Agriculture. The United States enjoys a strong comparative advantage in the area of agriculture. Any future negotiations must produce a breakthrough in this important area. Where import protection is in the form of tariffs, no special authority is required. Where other devices are used and where negotiations on agriculture require some reciprocal concessions in the United States agricultural import restrictions, these can be treated in the same way as NTB's.

Fourth. Safeguards. More liberal safeguard provisions than the present ones should be provided in legislation which provides assurances to domestic industry and labor that serious injury or the threat of serious injury as a result of increased imports can be dealt with expeditiously. The period of time that such import restraint relief measures may require depends upon the amount of time required to effect an appropriate economic adjustment.

The measures that can be taken include higher duties, import quotas adjustment assistance, voluntary export restraints or some combination of the foregoing. Safeguard measures by the United States normally have been employed on a most-favored-nation basis. Flexibility should be provided to apply them against specific countries where only one or a few countries are the source of the problem. Such an approach is employed by every other major trading country.

The legislation should also provide guidance to the multilateral renegotiations of the GATT rules on the application of safeguard measures by individual countries. Too often, the safeguard measures in the form of import restrictions have been applied in an inconsistent manner and without regard to agreed-upon standards and criteria. This inevitably leads to irritations, and, at times, retaliations. An effort should be made to negotiate a safeguard code stipulating criteria for the invocation of safeguards and providing a complaint and consultation procedure under which actions can be reviewed. If safeguard actions are taken, in conformity with these rules and procedures, which would normally include provisions for planned adjustment assistance and the automatic phasing out of restrictions, it should not be necessary to permit compensatory restrictions by the affected supplying country.

Fifth. Adjustment assistance. Workers injured or threatened by injury as a result of increased imports should have available adjustment assistance benefits designed to facilitate their retraining and reemployment to other jobs. The present adjustment assistance provisions are inadequate because they fix excessively outmoded and stringent requirements for qualification for assistance and because there has been unimaginative use of the adjustment assistance provision.

Sixth. Fair trade. The Congress should strengthen its authorization and direction to the President to use, with due regard to international commitments, the leverage of import restrictions against countries that refuse to remove illegal or unreasonable import restrictions on U.S. exports and that persist in export subsidization in third country markets. We should also refrain from this unfair and self-defeating form of trade.

Seventh. Generalized tariff preferences on manufactured goods from developing countries. Both President Johnson and President Nixon committed themselves to see congressional authorization for a system of tariff preferences for developing nations. That commitment is a part of a common effort we share with other industrialized countries. An authority for the Executive to participate in this worldwide policy of giving a modest assist to the developing countries is justified, subject to the limited product exceptions and to a properly functioning safeguard mechanism on other products.

However, in my view, it would be a travesty of the principle of nondiscriminatory trade and a mockery of developing country trade aspirations for the Executive to utilize this authority while

the European community and Japan maintain rigid and niggardly quotas on preferential class imports from the developing countries. Equally, it would be a travesty of the entire principle for the United States to extend tariff preferences to countries that give discriminatory reverse preferences to the European Community or any other industrialized country. The United States does not seek this petty concession from the developing countries, and we expect that other wealthy and powerful trading countries will not continue to insist on these demands.

Eighth. Balance-of-payments measures. We have recognized painfully in the past few years the need for an array of policy tools in the trade area that can, if necessary, be brought to bear on the critical balance-of-payments problems of either a deficit or a surplus nature. A symmetrical authority for the Executive to impose an import surcharge when the United States is in deficit or to reduce the tariff level correspondingly when in surplus will provide badly needed supplementary assistance to the monetary-based adjustment process. Further, the Congress might consider authorizing the Executive to impose an import surcharge against a country in chronic balance of payments surplus that does not take the needed corrective action; this power should, of course, be used only in accordance with agreements now being negotiated in the international monetary reform effort.

Ninth. Time limits on bureaucratic delays. Finally a procedural suggestion but one of substantive importance to American labor and business is that the Congress fix reasonable but prompt limits on the time the executive branch may take in making the necessary findings and taking necessary actions on trade-related applications—whether for import relief, adjustment assistance, countervailing duties, antidumping, or national security procedures. The record is full of unconscionable delays and the Congress should act to provide this relief.

I have explained my views on trade legislation in an effort to be constructive and advance this much-needed legislation.

This must be considered in a nonpartisan manner. It is anticipated that the President will shortly propose legislation to the Congress—and I trust that it will reflect the need for urgent action to which I am confident the Ways and Means Committee will desire to respond.

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

Mr. MILLS of Arkansas. I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Speaker, I appreciate very much the gentleman from Arkansas yielding to me.

I have been privileged to be in this Chamber now for a little over 10 years, and I think that I have just heard one of the most significant, far-reaching, and important speeches that I have ever heard in this Chamber. I want to commend the chairman of the Committee on Ways and Means, the gentleman who made this speech, for his insight and foresight that he has exercised. I only regret that I learned of this speech just a few minutes before it was given, because I think every Member of Congress should have heard it.

The gentleman has courageously, and I think correctly, laid forth what should be the policy of this country, recognizing, as we do, that what we do here is much more than just an economic matter; it is a matter of how we can continue to organize this very fragile planet on which we all exist, all billion of us or 200 million of us, as far as the foreseeable future.

I want to commend the gentleman from Arkansas and pledge to him my cooperation to the best of my ability.

Mr. MILLS of Arkansas. I thank my friend, the gentleman from Florida, and state that if he will invite me back to his home district in his town in Florida, I will testify again for him.

Mr. GIBBONS. I thank the gentleman from Arkansas.

Mr. MILLS of Arkansas. I yield to my friend, the gentleman from New York (Mr. CONABLE).

Mr. CONABLE. I thank the gentleman from Arkansas for yielding.

The distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas, has given us, I believe, a comprehensive blueprint for trade which will permit a rational congressional input, and we all know how necessary that is if we are ultimately going to have a sensible and balanced package. I am going to study it with great care. As it was delivered, I felt it was an act of high statesmanship on his part—perhaps a magna carta of trade for us, and I am indeed grateful for the obvious time and careful thought that went into it.

It seems to me that although my friend, the gentleman from Florida, and I do not always agree on these things, we can join in commending the gentleman from Arkansas, the chairman of the Ways and Means Committee, for a very significant contribution. We certainly thank the gentleman and welcome him back after a period of some indisposition, and it is obvious that whatever was wrong with the gentleman it was not his head.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, I thank the gentleman for yielding. I too of course want to compliment the gentleman on a masterful statement.

I do want to take advantage of this opportunity to call the attention of my colleagues and the chairman to a situation which may be parochial but which I think is extremely important to the western part of this country and which I gather is the sort of thing the chairman feels should not exist. It is this. Japan grows oranges, the mandarin oranges, but for only 6 months out of the year. California and Arizona are seeking to export oranges to Japan for the other 6 months of the year.

We are not trying to infringe on their mandarin orange market in Japan. We want to fill the gap for the other 6 months, but Japan has flatly refused to allow us to do so. Am I correct that this is the sort of thing the chairman believes should not exist?

Mr. MILLS of Arkansas. The gentleman is correct.

Let me say, if I may, since the gentleman from California is the ranking Republican member on the Agriculture Committee, that I would like to call to the attention of the gentleman, and others on the Agriculture Committee who may be present, this problem. What the gentleman mentions is not in the jurisdiction of our committee but is in the jurisdiction of the gentleman's committee. We have certain pure food and other type food laws that apply here to the raising of food products. For example, there are certain disinfectants and pesticides and things like that which we cannot use on agricultural products, oranges or even flowers here in the United States which are intended for sale, but we do not enforce those pure food laws to the same extent with respect to the same articles coming into the United States from other countries.

It is my information, and I want to check it out, that some of the pesticides or other things we are prohibited from using in their country are freely used in some of the countries to the south of us to raise and produce the same articles on which we cannot use certain products if we intend to produce the articles for sale here. Why can we not extend our laws regarding health and safety things of that sort to provide that imports of this kind must conform to the same regulations and rules that the comparable domestic product is required to conform to?

Mr. TEAGUE of California. I believe, Mr. Speaker, we certainly should. We discussed that in the committee one time and I recall we went so far as to seriously consider it and even vote on it. If I remember, it succeeded. If my recollection is correct, we ran into difficulties with the State Department.

Mr. MILLS of Arkansas. Correct.

Mr. TEAGUE of California. I am glad to see the gentleman from New Jersey (Mr. FRELINGHUYSEN), from the Foreign Affairs Committee, is here. He may have some views on the subject. I do not want to put him on the spot.

Mr. MILLS of Arkansas. This is not a protectionist thing at all, but if the food and drug authorities think something is injurious to health if used on a domestic product, why does not the same rule apply to products coming from abroad when the same things are used on those products? Are they not just as detrimental to our health?

Mr. TEAGUE of California. Exactly. And in California when an article is to be consumed by a person in the United States, the article produced in the United States should have no stricter require-

ments placed on it than the articles coming in from other countries. The use of pesticides on olives raised in California should be no stricter than the use of pesticides on olives raised in Spain, which imports olives into this country.

Mr. MILLS of Arkansas. In a sense, so to speak, we just look to see if it has a bug on it and if it does not we let it in.

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

Mr. MILLS of Arkansas. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I compliment the gentleman from Arkansas for a very significant statement.

In response to the comments by the gentleman from California, I might say I am not planning to use this time to comment on the somewhat tangential interest of the Foreign Affairs Committee on the importing of olives or oranges, but I do think it should be underlined that this is a very critical period not only in our own economic development but also with respect to our trading partners.

In my opinion it is a time of opportunity, but it also is a time where our leadership is going to be needed. Quite obviously, a critical role must be played by Congress and the leadership role within Congress is significant.

I think for that reason that we can all be thankful for the leadership which the chairman of the Committee on Ways and Means (Mr. MILLS) is providing us. We shall read his message with a great deal of interest.

I want to compliment the gentleman from Arkansas (Mr. MILLS) again.

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

Mr. MILLS of Arkansas. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. I want to say that I, too, appreciate the remarks of the gentleman from Arkansas (Mr. MILLS).

Let me ask this question: Is it proposed to build upon the old, discredited Trade Agreements Act which played a part in getting us into the deplorable situation we are in, or are we going to go on to new and different legislation?

Mr. MILLS of Arkansas. What I am suggesting is a departure, I think, from the present legislation. It does require extending to the President more authority in this area than the Congress has heretofore extended to the President. But I am perfectly willing to do it because I recognized long ago that all the Congress can do is act unilaterally in raising or lowering tariff duties. The Congress has no negotiating agent or process. Only the President of the United States can use the power which the Congress gives him to bring about reductions in those impediments to the exports from this country into those countries which have those impediments.

Mr. GROSS. If the gentleman will recall, our former and long deceased colleague, Dick Simpson, fought valiantly to pinpoint and remove the pitfalls and shortcomings of the Trade Agreements Act, otherwise known as the Reciprocal Trade Act. In my opinion it was and is for the most part a one-way street and it was not reciprocal.

I sincerely hope that the Committee on Ways and Means will not try in any way to revive the Trade Agreements Act or breathe new life into it. I hope that whatever is proposed will be a new and fresh start.

Mr. MILLS of Arkansas. I agree with the gentleman from Iowa that certainly the result of the operation of that legislation brought about more reciprocity on our part than on the part of those who agreed to reciprocate in the past.

This approach which I am discussing today would empower the President to take opportunities which the President does not have now to discipline and to really crack down on the knuckles of those nations that engage in unfair trade practices.

Mr. GROSS. But, the poor public in this country was misled and misguided into believing that it would provide reciprocal trade agreements.

Mr. MILLS of Arkansas. Certainly it did not result in fair trade.

The gist of what I am trying to say is that we do not find relief in our present situation by retrenchment from the desire that we had in the past to enlarge upon world trade. It is only through the enlargement and our participation in the enlargement of world trade that we and the other countries of the world will find solutions internationally to these very vexing problems.

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

Mr. MILLS of Arkansas. I yield to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. I thank the distinguished chairman of the Committee on Ways and Means for yielding.

I too join my colleagues in congratulating him on a very wonderful presentation. The Subcommittee on International Finance is currently considering the bill required by the devaluation of the par value of the dollar with respect to gold and special going rates.

In fact, at 2:30, if my colleagues and the chairman will permit, we are going to hear Mr. Burns, Chairman of the Federal Reserve Board, who has consented to come back after their meeting in Europe and meet with the subcommittee.

My question is this: In hearing the testimony, everybody has more or less expressed the same thought, that trade is an indistinguishable part of this monetary thing that must be resolved. When we raise the question, the answer we get—in fact we got it this morning from Assistant Secretary Volcker—is that the President will be coming to the Congress before too long to ask for this trade package.

My question is: Since it seems to be the consensus of all of the experts and the officials that one is inseparable from the other, what does the gentleman think would be the timetable for this trade bill?

Mr. MILLS of Arkansas. I cannot tell the gentleman from Texas yet; but I do believe there is a definite relationship between what is being proposed to be done in the gentleman's committee, what was proposed in Europe, and a continuation of our capacity and ability to trade.

I would not want the gentleman's committee to feel compelled to withhold passage of the devaluation of the dollar until we could bring forth a trade package.

The two items do have an interrelationship. They should be considered together. I have urged that.

But this matter of the devaluation of the dollar has already shown in Europe a degree of renewed confidence in the dollar and a degree of stability in the dollar that was not there before devaluation was announced by the President. We are on the track back. It will take a long time.

We should act prudently and not emotionally. We should not listen to these advocates who say, "We are strong enough to live within ourselves," that we do not need to engage in world trade, and that we can develop all of the quotas and all of the impediments to their exports and prosper here by ourselves.

If we do not listen to that, and if we use better judgment and say that we are determined to act in such a way as to solve our problems through increased and enlarged world trade, we will win out and not go backward.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to my friend from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today to associate myself with the remarks of the distinguished chairman of the Ways and Means Committee (Mr. MILLS of Arkansas) which I believe were both timely and constructive.

I further believe the views expressed by the gentleman from Arkansas are consistent with those shared by a majority of the Members of Congress with respect to a competitive free trade policy for this country. I commend him for making what I believe history will record as one of the most statesmanlike and appropriate suggestions made in this session of Congress.

Since coming to this body more than 10 years ago, I have consistently and repeatedly called for "more trade—less aid"—a move away from the grandiose giveaway foreign aid programs of the past and toward a more open and competitive free trade relationship throughout the marketplaces of the world.

It is time for this Nation to place priority emphasis on economic integration abroad as we move away from confrontation and toward negotiation.

For the United States to assume a protectionist foreign trade posture at this critical juncture in our economic history, would be a disaster, in my judgment, not only for this country, but for a host of free nations throughout the world. Europe, it is being said, is more united today than at any time in modern history and the "tie that binds" in this instance is a more cohesive, more integrated, and more cooperative economic union than Western Europe has ever before put together. In the Pacific, Japan and Korea have entered into an expansionist trade policy that may, in the not too distant future set the stage for a "Common Market of the Pacific."

Coming from an agricultural area, there are extraordinary opportunities

ahead to improve our worldwide marketing potential if we but demonstrate the courage and the leadership in foreign trade.

We, who represent the west coast here in the Congress, are very concerned about what happens in the Pacific. I have joined in coauthoring legislation to study and plan for developing a coordinated system of harbors, including deep water ports, to meet what many of us on the west coast see as an expanded trade challenge in the Pacific.

I believe we must prepare for and meet this challenge through a united, bipartisan effort here in the Congress and in coordination and cooperation with the executive branch. Foreign trade guidelines can be developed through negotiations. This, I believe, is the fair, firm, and prudent approach we must take if the United States is to remain a viable economic state. Anything less, in my judgment, would be a game that we, as a nation, can ill afford to play. We do not have time for confrontation on this crucial issue here at home.

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

Mr. MILLS of Arkansas. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman.

The gentleman from Texas asked a question about the timetable.

Mr. MILLS of Arkansas. I cannot answer that.

Mr. FRELINGHUYSEN. In the gentleman's remarks he talked about urgency.

Mr. MILLS of Arkansas. I cannot answer that, but let me tell the gentleman about what I believe is the urgency. I am going to speak as frankly with my colleagues as I ever have done and as I usually do.

I do not think there is any question but that the European Common Market is not ready to sit down at the negotiating table with us or with anybody else at this time. Yet they have set a date for such a negotiation, to begin in September of 1973. They do not want to be in the position of being accused of having delayed discussions of these tremendously important trade and monetary matters. They would like to put us in the position of being able to point their finger and say, "Here again the United States is the culprit. Its representatives have asked for a conference. The President has asked the Congress for authority for his people to sit with us. They have not gotten that authority."

I believe it is quite urgent, frankly, if the President proposes to arm himself and his associates, to sit down with the European Common Market and with the other GATT countries in September to discuss effectively these urgent problems. It is important that we give him the appropriate authority and guidance prior to the commencement of these meetings.

The President, in submitting his message, is getting himself off the hook for being charged as being responsible. Then the "hot spot" is being changed, and the Congress once again is on the "hot spot." If there is no legislation such as he needs to sit with them by the time of this date, which I believe was set earlier in the year deliberately, and by design to make it impossible for us to be there, then if that is the case, and we do not act, of course, it is the Congress on the "hot spot." Then it gets down to the Ways and Means Committee. Then it gets down to the chairman of the Ways and Means Committee.

It is that simple. I believe there is a degree of urgency about it.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I am glad to yield to my friend from Maryland.

Mr. LONG of Maryland. I certainly strongly favor anything that will get us toward a far freer trade and a greater exchange of goods and services. With that I agree with the chairman.

Like most Congressmen, however, I believe we have been a little bit bitten in the past by powers we have given the President, and feel, therefore, twice shy.

It is my understanding we are not giving the President a blank check, and the Congress will have the final word on any negotiations.

Mr. MILLS of Arkansas. I definitely am not suggesting a blank check in this area or in any other area, so far as that is concerned.

I would never confer upon the President authority to act or not to act without putting standards in the bill that would determine how and under what circumstances he would use that responsibility.

Now, certainly with respect to the monetary matters, the only thing he can do is this: Either our committee or Congress gives him responsibility to go over and negotiate out these statutory nontrade barriers, with the President reporting back to the Congress—and under the Constitution I would think we would have to say that if either the other body or the House vetoed his action, his negotiations, then the matter was dead—either you do it that way or he goes over on the same basis they went over during the Johnson administration on the American selling price problem. That is all we can do.

The Europeans saw that happen once, and I do not believe they would be quite satisfied again to deal on the basis of nontrade barriers until there was some assurance by the administration that they would submit to the Congress a request that such-and-such be repealed or altered or eliminated.

Mr. LONG of Maryland. Does the gentleman mean there are things the President can negotiate that will not come back to the Congress that may take effect?

Mr. MILLS of Arkansas. If we give him the specific authority, as we have done in the past, to make adjustments in the tariffs, yes. But I am talking about nontariff barriers. The President cannot, unless he follows one of these two courses, negotiate out of existence a statute. Only the Congress can change the law.

We can allow him to do it initially by authorizing him to do it subject to approval or disapproval later on by the Congress.

Now, I do not know which way we will want to do that. I do not know which way the committee would want to go, but we can handle nontariff barriers through negotiations, and through the legislative process.

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

Mr. MILLS of Arkansas. I yield to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, I think it is unfortunate that there was not advance billing of the gentleman's special order and his remarks, because I think every Member of the House should be here to hear what the gentleman has to say.

Mr. MILLS of Arkansas. I will inform the gentleman that I am a very timid and humble individual; I do not advertise these things ahead of time.

Mr. SEIBERLING. The gentleman could afford to be, because of his tremendous statute in this House and in the country.

Mr. Speaker, I think it is not only very illuminating but very commendable that the gentleman has taken this time to start the return to leadership in our government toward solving this very, very serious problem. I happen to be a believer in the benefits that this country in world trade generally has achieved, through the achievements starting way back in the days of Franklin Roosevelt and the Reciprocal Trade Agreement.

We are now at the pinnacle of world trade, one that has never been seen before in all human history, and yet we have serious problems, as the gentleman knows, with unemployment, with imports mounting, and a change in the basic relationship between the principal trading groups in the world which require a complete reexamination of our position and our policies.

I think it is very commendable, in fact absolutely indispensable, that the gentleman has now indicated the time has come to assert some leadership and to assist the President in carrying out his part in this very, very difficult task.

Mr. Speaker, I think it is also most important that the gentleman has indicated that we are going to avoid the twin evils of, on the one hand, some rigid legislation saying, "This is it," and, on the other hand, giving the President a complete blank check.

The old saying is: "Those who fail to learn from history are doomed to repeat it."

When I think of the tragedy that followed the Smoot-Hawley tariff and the 12 million unemployed that we had following it, and the tragedy of the torpedoing of the London Economic Conference, which unfortunately our Government bore a great deal of responsibility for, and the World War II which followed that, then I think it behooves us not only to be careful, but also to move ahead courageously.

I want to say personally that I am deeply gratified that the chairman is taking this initiative.

Mr. MILLS of Arkansas. I thank the gentleman for his kind remarks.

Mr. ICHORD. Will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Missouri.

Mr. ICHORD. I want to thank the chairman of the Committee on Ways and Means for taking this time to address the House on this very important subject that so vitally affects the economic future of our Nation.

The gentleman from Arkansas has primarily dealt with our import problems in his statement. I have a delegation coming in from my own State of Missouri tomorrow, and I know that other Members of the House are having representatives come in from the lumbering industry and from the wood construction industry in general who are very much concerned about the exportation of logs primarily to the country of Japan.

As the gentleman well knows, there is a shortage of lumber in the country today. Prices have skyrocketed, and we are in a very serious situation. It appears to me that this might be a situation where the President could exercise the same authority as he did in the tanned hide situation.

Mr. MILLS of Arkansas. Bear in mind after exercising that authority with respect to hides the Congress undid it.

Mr. ICHORD. Would we have this authority in the legislation that the gentleman envisages?

Mr. MILLS of Arkansas. Well, yes, the President should have authority to take such action as is necessary with respect to exports to protect the public interest as well as to take the action necessary with respect to imports to protect the national interest.

I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I thank the chairman for yielding to me.

I wish to join my colleagues in commending the able chairman of the Committee on Ways and Means for his outstanding address to the House delivered today.

We are all deeply concerned about one of the greatest trade crises and balance-of-payments crises that this country has ever had. The able chairman today outlined a course expressing the initiative of the Congress in solving this matter and having it rest with us and not leaving it entirely to the Executive to take the whole leadership on this very challenging matter.

We are all very much gratified that he made it clear while our President, as the Chief Executive, must be, of course, the negotiating authority and must exercise his own peculiar prerogatives, yet the final responsibility as the people's representatives must rest with the Congress.

Mr. MILLS of Arkansas. We are all on the hot seat.

I thank my colleagues.

WHY IS THE CUPBOARD SO BARE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Mr. DENHOLM) is recognized for 60 minutes.

Mr. DENHOLM. Mr. Speaker, I draw on the recollection of my boyhood years when I say that Old Mother Hubbard went to her cupboard to get her poor dog a bone, and when she got there the cupboard was bare, and so the poor dog had none.

Mr. Speaker, there is much talk about farm and food prices and what is happening in our domestic and world markets today. It is significant that I was preceded this afternoon by the distinguished gentleman from Arkansas, the chairman of the Committee on Ways and Means, in his prepared text on international policy and our trade with other countries.

Mr. Speaker, the people of America have before made reasonable and wise decisions at the crossroads of crises. We shall do so again.

We shall not pursue in the future national policies that leave our cupboards bare, and neither shall we permit the hunger of the world to force our essential food and fiber to be on the top shelf of the cupboard, beyond the reach of Mother Hubbard—and particularly beyond the reach of the consumers of America.

We have a proud heritage and a history of success unequaled by the nations of the world—primarily so because our foundation of American culture is agriculture. In the beginning, 96 percent of the population of our land lived on the farms, and produced food and fiber. Today, slightly more than 4 percent of the population of this country are engaged in the production of essential food and fiber for the benefit of nearly 209 million Americans at home and millions of others around the world.

Past national policies have influenced the results experienced in current trends of agricultural economics. Price supports and production controls have produced unequalled productivity in agriculture as an industry, but without regard to the social and economic consequences thereof.

Much oversimplified, may I say, that we have pursued national policies in this country that have resulted in too many people and too much of our wealth in too few places. We have substantially driven the people from the land as we have industrialized our culture. The shift from 96 percent of our population comfortable and peacefully engaged in the production of food and fiber in the countryside of America has resulted in various degrees of frustration and madness of a drugged, penal, poor and sick element in our industrial urban society. We have at the expense of all piled family on top of family in skyscraper homes in the congestion of an endless urban environment. We have nailed psychological signs over their doors and said to them, "Be happy." We know some of them to be unhappy. Some of them have resisted in the streets in protest of such government policies, and today we read of boycotts that are leading to the grocery markets in resistance to continued increasing of prices. There is news about boycotts against the production of food—meat, cereals, grains, support prices, and then we meet here to consider what we are to do in our international trade and how we are to meet the needs and demands of the world around us.

Today I propose a solution to those problems. This Nation is in need of legislation by this Congress to insure maximum national nutrition with the highest quality and the greatest guantity of food and natural raw fiber, at the lowest possible cost to the consumers with emphasis on people, with compensation to producers for performance and production, and to achieve a balance in national economic growth and social stability by reducing or tending to reduce the cost of living by reversing the pressures of continued inflation and by providing alternatives to economic coercion of national population trends, to encourage maximum conservation in the preservation of ecological and environmental values in the optimum utilization of our human and natural resources.

We should commit ourselves—our strength and our wisdom to the task before us. The policies of the past—practiced in the future will achieve less than the same results. Billions cannot build what wrong has destroyed. The heartland of America has decayed and youth have gone away—now we witness the decay of cities within.

And so I propose, in this 93d session of the Congress, a National Nutrition, Food and Fiber Act. I will summarize it briefly today.

I propose that instead of the consumer being twice struck—once when taxes are paid to support essential prices to assure producers a meager level of equity for food and natural raw fiber too often below the cost of production and again at the retail market cost to the American consumer in acquisition of essential household requirements—that a national policy of direct subsidy to consumer cost of food and fiber be adopted and enacted for the benefit of all.

The American farm people have too long subsidized the living standards of all the rest of the people of this country. Producers cannot market below the cost of production and continue to produce the essential food required for 210 million Americans and millions more around the world. And neither can consumers endure the trend of past and present policies of national programs of failure for agriculture. Further, we seek to remove trade barriers and observe world demand for more and more food. I am certain that reasonable men will agree that America represents, a very small portion of the geographical area of the world. The American farm people have an economic comparative advantage, efficiency and productivity in the production of food and fiber among the nations of this world. The eyes of the world are upon us. The people of the world want our food—they need our trade. If we achieve a balance of trade, we have a great opportunity to do it through agriculture productivity because that is one way that we can export without deplet-

ing and exhausting our natural resources.

Under proper husbandry of our land and by proper use of our natural resources, we can produce crop after crop, harvest after harvest, and export food to foreign lands without depleting the resources of America. We cannot do so with petroleum or iron ore, or other of our natural resources of limited supply. The efficiency and productivity of food is what the whole world wants from America. It is an opportunity to open the lines of international trade and to achieve a balance of trade instead of a larger and larger deficit in the balance of trade between our Nation and others of the world.

It is the current world demand that has forced the prices of domestic retail food costs to increase. We have pursued policies for more than a quarter of a century that have compensated the producers for not performing, for not producing, when we should have been compensating them fairly, honestly, and equitably for what they did produce for the benefit of all. That should be the objective of future farm programs—and so I say we stand at the crossroads of change. It is up to us to make wise decisions as we move forward in farm policy for the future. We must not expect the people on farms and ranches of America to endure the policies of the past and then to be blamed for increased consumer cost of food and fiber of recent circumstances of economic world conditions beyond any reasonable control of the producers thereof.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. DENHOLM. I will yield to the gentleman from California.

Mr. TEAGUE of California. I find much with which to agree in the comment the gentleman has just made. The gentleman knows that he and I have disagreed on some aspects of our overall farm programs, but it seems to me that if we are going to increase our exports, we are going to have to do away with the so-called controls, set-asides, and oil banks that we have had for so many years, which I have already voted against, which have kept the American farmer from producing what he is capable of producing.

Mr. DENHOLM. Farm price supports and production controls are totally incompatible with competitive international trade agreements, whether unilateral or reciprocal. We cannot price our products out of the market, domestic or foreign, if we hope to achieve a sense of economic equity for the people of rural America. There are alternatives that will achieve far better results for farm people.

Mr. TEAGUE of California. I am very much impressed by the gentleman's expression of that point of view and thank him for having done so.

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

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

Mr. COLLIER. Just on that last point we have seen the figures recently, as I am sure the gentleman has, in terms of "pricing ourselves out of the market." It is interesting to note that in the six major industrial nations of the world the percentage of price increase in foodstuffs is much higher than in the United States. The only country which is reasonably comparable is Japan, whereas most of the Western European countries, including Great Britain, have an increase that is much higher than that in the United States. I know that the American housewife does not get any consolation out of this, but facts are facts. The increase in food prices in the United Kingdom and the major nations in Western Europe is in many instances 100 percent higher. We are talking about a 100-percent higher increase than it is in the United States, with the deplorable situation we have.

Mr. DENHOLM. That is true and I thank the gentleman from Illinois for his comment.

The consumers at home and abroad are entitled to a free competitive market, where the consumer can buy eggs, milk, bread, and meat at the free competitive market price—unaffected either in fact or psychologically by support prices to the producers of the agricultural commodities. The people in the industry of agriculture do not ask for a handout but they are entitled to equity and no less.

The producers must have a fair and equitable price for the products of their labors. Absent of that—the food each of us eat, the clothes we wear, and the future necessities of life will not only be on the high shelf—but the cupboard may be bare.

I propose a national nutrition, food, and fiber policy for the nature. It is a plan advantageous to consumers, to producers and to our country. It provides for a direct payment for production equal to the difference between the average price received by farmers at the marketplace and not less than 90 percent of parity on the first $25,000 of the annual gross sales of each farm family unit as defined in the act. It is a program based on people. It compensates performance and production in the interest of all. It provides for the flow of all production in the market at the price demand of consumers but it insures the essential level of income to producers. It opens the way to free competitive international markets for agriculture commodities and it "gets government out of the business" and some business into government. It will shift the burden of subsidy payments to all of the people and it will cost less than one-half of present programs with direct benefits to every American family.

We must rebuild rural America which has been decaying and deteriorating for years. Too many farms have been abandoned. Too many hearts have been broken. Too many shelves are empty and too many cupboards are bare.

We should forget the programs that sought price as a result of scarcity—those programs based on acres, bins and bushels without consideration for people. We must pursue national policy with emphasis on people, compensatory payments to people for performance and production. And we must rid our minds of payments for nonperformance and nonproduction in the future. I know these concepts are arbitrary, argumentative and controversial. The Congress has in the past limited payments to producers in a sum not in excess of $55,000. Those payments have included "idle" acres and "set aside" programs of nonproduction. I seek the converse of that to provide to producers a fair and equitable price for production on the first $25,000 of gross annual sales of a farm family unit and not further pursuit of the concept of the "family farm" that cannot and never has been defined in fact or in law.

A "farm family unit" can be defined in fact and in law. It may be a husband and wife or it may be a husband and wife and children. The "farm family" should have an economic incentive for efficiency of production and freedom of management in performance. And for that efficiency of performance and production in prudent management of his own affairs—the producer shall receive compensatory production payments for the difference, if any, between the average price received by farmers and not less than 90 percent of parity on the first $25,000 of gross annual sales of each farm family unit. All management and production decisions are reserved to the producer. Nothing in my proposal compels him to produce a single unit or commodity or limits his production thereof. He may at his sole discretion sell less than or more than $25,000 worth of food and fiber commodities per year. However, there is no incentive for him to overproduce unless the market price is high and if the demand is high for a particular commodity all production of that commodity will increase until the price level reflects supply in comparative relationship with consumer demand. As producers exercise self-imposed restraint as a result of management principles to avoid downprice trends for production over annual gross sales in excess of $25,000, the average market price will more closely achieve the 80-percent parity level and Government will be substantially out of the transactions of the farmers in the market.

Further, I have provided that each farm family unit shall have the option of a 2-year carryback and a 3-year carry forward provision in the act to better manage over- or under-production in any one year and thereby have an opportunity to insure against the hazards of production characteristic of the industry of agriculture.

Now, in addition to the base plan that I have explained—the farm family unit should have an opportunity to earn up to a minimum of $3,000 per year in approved practices of land and water conservation, preservation of wildlife habitat, and the development of rural recreational facilities. There are 210 million Americans that still welcome a field to hunt, a stream to fish, a meadow to relax, and a hill to see the valley below. The "big sky" is still a beautiful dream where the air is clean and the stars are bright. Certainly, a future of less can not be acceptable to men of vision of the present. A 20–20 vision is the wisdom to know America in 2020 A.D., and in that we cannot falter or, in fact, we shall fail.

Mr. YOUNG of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. DENHOLM. I am glad to yield to the gentleman from South Carolina (Mr. YOUNG).

Mr. YOUNG of South Carolina. Would the gentleman explain to me how the perishable products, such as milk, would be handled?

Mr. DENHOLM. Yes; the farmer would sell it in the market at market price. On the first $25,000 of his gross annual sales he would be eligible for the compensatory production payment equal to the difference between the average market price received by farmers and not less than 90 percent of parity on those sales.

Mr. YOUNG of South Carolina. Since I do produce milk on my farm, and we are familiar with this phase of the program, I ask this question: Is it right for the Government to completely and totally tell me on my farm what we will do with our milk?

Mr. DENHOLM. No, of course not. And that is exactly why I propose this program. The farmer would market his milk wherever he elects to in the ordinary course of his business based on his own prudent management principles. Now, when the market is high, the Government would have very little obligation for a food subsidy payment to the producer and nothing to do with how he is going to produce and sell it.

Now, if he has sold $25,000 worth of milk by October 1, under my plan, during the months of November and December he must accept the market price but he is still free to sell on the open market.

Mr. YOUNG of South Carolina. Then, do I understand the gentleman from South Dakota to say that there will be someone at the end of the field to measure the combine, to determine how many rows we have in our cornfields?

Mr. DENHOLM. No, of course not. It is totally immaterial what the farmer produces per acre or otherwise. The program is based upon cash receipts from actual production sold.

All we would be concerned with is his cash receipts for the year and the chronological dates of the sale of actual commodities produced.

For example, if beans are high enough, that is market price is over 90 percent of parity on his sales, he would not get any Government payment at all, but if the sales were 85 percent of parity on beans he would get a differential production payment of 5 percent in addition to what he received in the market.

Mr. YOUNG of South Carolina. Who would tell him what time to sell his beans?

Mr. DENHOLM. He must exercise his own judgment and he would always seek the highest possible market to preserve his base credits against uncertainty of future markets. The Government would have nothing to do with when he sold his beans or how many he produced. He could sell more beans, but if he sold over $25,000 worth of beans in any 1 year he accepted only the market price.

There is no incentive under this proposal for the farmer to overproduce. Instead of getting Government controls, we would get self-imposed control unless the market price was high. If the demand was there the farmer would not glut the market.

Mr. YOUNG of South Carolina. Is the $25,000 figure a net or gross figure?

Mr. DENHOLM. It is a gross annual sales limitation. Of course, when we refer to gross sales, we must take into consideration that this does not include a thousand pounds of a 1,000-pound steer if it was purchased when it weighed 400 pounds. The 600 pounds would be the amount actually produced for sale.

It is the gross annual sales as the result of actual production of food and fiber to be computed. Therefore, if a farmer bought a feeder steer at 400 pounds and sold it at 1,000 pounds, the 600 pounds is the gain to be reported as gross annual sales. I refer the gentleman to form 1040 F of the income tax return for that determination.

I am talking about bringing the cost of the food down in the competitive market, unaffected by the support price, and trying to achieve some sensible approach to the problem of inflation in this country.

Let me say that inflation is what precipitates a higher minimum wage, and a higher minimum wage is what precipitates a higher cost of a plow or a tractor the farmer has to use to produce food. It is a vicious circle that has been going on for a long time and no one is blameworthy but all of us are involved.

If we really want to attack the problem we will give attention to the cost of food and fiber to the consumers of this country. That is the problem for the future. It is the problem today.

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

Mr. DENHOLM. I yield to the gentleman from South Carolina.

Mr. MANN. I rather like the gentleman's philosophical approach to these problems, but I am curious about some of the enforcement problems that will arise.

For example, the gentleman mentioned a $25,000 initial amount. What would prevent the farmer, for example, from merely not reporting the sales that exceed parity and using the $25,000 of low sales?

On the other hand, what would prevent him from engaging in an arrangement with the processor or with some one else on a kickback arrangement or some other arrangement? After all, he can sell as little as he wants to, because the Government is going to pick up the difference.

Mr. DENHOLM. It would be the ordinary, typical sale. I would say that on the $25,000 gross annual sales, he would sell in the ordinary manner. A gentleman who is producing milk has to sell milk every day. It is true that fraud is always a possibility.

Every producer, of course, would have to sign a statement. If he made a false claim against the Government he would be as guilty of a violation of the law in that instance as he would be under present law.

Mr. MANN. I agree that it can be done. Perhaps, as the gentleman from South Carolina suggested, it would require a measurement of his crop so as to be able to police his sales.

Mr. DENHOLM. Of course, I do not know the circumstances of every part of the country. However, in my State, there is a county committee of farmer-elected committeemen who well know the average yield per acre in the county and about what any man is doing in production.

I do not believe farmers are dishonest. I realize there are some people on some occasions who will try to take an unfair advantage of a program. I do not think we are capable of writing any Federal law that somebody is not willing to abuse sometime and somewhere.

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

Mr. DENHOLM. I yield to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this whole subject of the farm program and food prices is so broad that I intend to take an hour next week to discuss it further.

One thing which I have been waiting for is some figures on cattle losses in the Southwest, in the panhandle of Texas, in the panhandle of Oklahoma, and in the southwest part of Kansas, which is my district, and which is one of the largest cattle feeding areas in the world. We do not have the figures on cattle losses, which would be astronomical to a city person looking to his investment, and maybe come January 1 we can no longer feed diethylstilbestrol—DES—to the cattle in the feed lot except by implant which is going to cost the consumer another 5 percent in his pocket, and those things are coming up.

Mr. Speaker, I commend the gentleman for his presentation today and invite him to join me next week and continue the discussion of farm problems and farm prices and try to show the world, even if we cannot get the press to tell the whole story, what the problems are, and that supply and demand does seem to be a very important factor. And when they suggest that maybe they should not eat so much or something, I may go along with that suggestion if that is the immediate thing we have to do to work with on the law of supply and demand.

I know as we go along we can see the rest of the picture. I will not go into detail now, but if we take the price of meat and the wages of meatcutters 20 years ago, they have tripled, and yet the price of the steer on the farm has only gone up a few cents.

Mr. Speaker, I commend the gentleman for his work and appreciate his taking this time for this special order.

Mr. DENHOLM. I thank the gentleman. I think the gentleman from Kansas will recall our trip together in November last year when we went a long distance around the world and investigated the matters of food supply in other countries.

Mr. Speaker, I know the gentleman has full appreciation for the tremendous demand for American food production from our farms here in America and other parts of the world. I do not believe we can achieve what we want to accomplish in the world market by pursuing

policies that are similar to or even worse than what we have had in the past.

Mr. JONES of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. DENHOLM. I am delighted to yield to the gentleman from Tennessee (Mr. JONES).

Mr. JONES of Tennessee. Mr. Speaker, I thank the gentleman for yielding.

I want to extend to the gentleman my congratulations for taking this time for the purpose of discussing what I consider to be one of the greatest problems we have in America at this time.

We know as members of the Committee on Agriculture that it seems at times that the farmers of America have very, very few friends left, and I think it is commendable for one of our Members to take the time to offer an explanation to this body and to the public about the problems that they have at hand. I am glad to know we are going to have some more of this discussion next week.

Mr. Speaker, I rise in defense of a sane and rational discussion of the issue of food costs. For 2 years now this problem has been developing and as the prices rose, so did emotions. Accusations have been hurled at everyone by everyone. Hardly anybody has been spared.

Blame has been placed at various times on farmers, the administration, the grocers, the now famous but unidentified middlemen, Russians and the Chinese, even consumers themselves have been criticized for eating too much meat. Things have become so heated that I have reservations about defending farmers for the fear of having it interpreted as favoring high food prices.

On top of this emotionalism we can add politics. Yesterday, the Cost of Living Council Committee on Food released a report on food prices that is blatantly political. The administration's program to stop food price escalation is selectively and arbitrarily enforced.

The report says that price controls have been retained on food processors, wholesalers and retailers. However, wage and price controls on most other aspects of the economy were dropped when we graduated to phase III. This means that as the food processors costs for packaging, rent, labor, and utilities rise unchecked, so will the price of food.

We are told that the Government is selling all its stored grain. But we are not told, except by GAO, that grain companies were allowed to make millions of dollars at the expense of farmers and taxpayers on our sales of grain to Russia.

The Department of Agriculture recently set its milk price support level at 75 percent of parity. At this low price dairymen are going to go bankrupt. We, thereby, will lose production resources. You can be sure that milk prices will not be forced down by putting dairymen out of business. It is a fact of simple profit motive, demand and supply economics.

However, some of the statements in the Cost of Living Council's report are true. First of all, consumer wages have risen. After discounting all the price increases, there was a 6.2 percent rise in real income in 1¼ years. As income goes up so does demand for high quality cuts of meat. I am proud Americans are working themselves into higher income brackets; I want farmers to share in the wealth.

I also want to point out that farmers are consumers, too. Believe it or not, they buy their groceries in supermarkets. In my district it is not out of the ordinary for a farmer to raise nothing but cotton and soybeans. Both products are important, but neither makes a very good meal.

We have problems throughout the food industry from farmer to consumer. Changes are going to have to be made. But farmers who have historically been at the bottom of the economic ladder simply cannot take up all the slack. I believe that most people who have calmly thought the situation out realize this. But it is easy to blame the man with the least power to retaliate, and in this case it is the farmer.

I want our discussion to consider the problem in detail, leaving politics and emotional rhetoric behind.

Mr. DENHOLM. Mr. Speaker, I thank my distinguished colleague, the gentleman from Tennessee (Mr. JONES) for his remarks.

In conclusion, I would like to say that the costs of consumer goods at the present time are not directly related to the increased prices received by the farmers. There are many other intervening factors that influence consumer costs and retail prices.

It is true that farmers have in the last 6 months experienced some gains in receipts at the marketplace. That is true.

I say to you on some of those things, such as meat, particularly beefsteak, they are things that have never been subject to support prices, and so it could not be the support prices alone that have caused the increase. I think the American public and the newspaper editors and reporters ought to recognize that in no way price supports or past programs on production control have influenced the prices of meat. Meat has never been under the program of price support or production controls.

What I am talking about is an attempt to find a new solution to old problems. The problems of farm prices and food costs are not just problems for the cities or the rural areas alone, but are people of the Nation we ought to recognize them as our problems from the city and the country, regardless of our political partisan feelings, we should recognize them as being problems of America. We ought to put aside the politics of the past and face the world of the future together in an effort to do our best. It is in that spirit that I make this presentation today, and if any distinguished colleague from Kansas will take a special order next week, I will be delighted to participate therein.

I do intend to have printed in the RECORD the complete program that I have briefly sketched for you in this oral presentation today that all interested may further consider as your time may permit.

I know that it is not perfect. It is a new beginning and I welcome your comments and criticisms. I am hopeful the principle is sound and the concepts perfected with satisfaction to consumers and producers.

Mr. YOUNG of South Carolina. Will the gentleman yield?

Mr. DENHOLM. I am delighted to yield to the gentleman.

Mr. YOUNG of South Carolina. There is one thing I would like to clarify in my own mind. Would this include the beef cattle industry in your plan?

Mr. DENHOLM. It includes all commodities except berries, market garden vegetables, melons, or tree fruits, sugar beets, and sugar cane.

Mr. YOUNG of South Carolina. Will this also include poultry and eggs and pork?

Mr. DENHOLM. Yes.

Mr. YOUNG of South Carolina. All of these. Everything would be included under your plan under a controlled farm economy similar to what you have listed?

Mr. DENHOLM. It is not controlled. If the gentleman will permit me to explain that nothing is controlled in my proposal except the amount that any particular farmer or "farm family unit" as defined in the law is eligible to receive. It is the first $25,000 of the gross annual sales that is eligible for production payments equal to the difference of market price and parity. Farmers are not limited to how much they may produce. If they want to sell $100,000, it is up to them, but they will get compensatory production payments only on the first $25,000 of the gross annual sales. This is to provide an economic base for the young farmer with a wife and children who are living on the land and trying to make a living. It is not intended to enhance the economic position of the conglomerate at the expense of the American farm people and the consumers that must pay higher prices every time another harvest of farmers leave the land.

Mr. YOUNG of South Carolina. I thank the gentleman for yielding. Would the $25,000 include him if he had a dual operation on his farm; would the $25,000 include him if he grew corn on the farm? Would that be $25,000 additional, or is it a total of $25,000 altogether?

Mr. DENHOLM. It is a limitation only as to the first $25,000 of gross annual sales no matter what it includes, with the exceptions that I previously enumerated including tree fruits, vegetables, berries, melons, sugarcane, and sugar beets.

Mr. YOUNG of South Carolina. I thank the gentleman.

Mr. DENHOLM. I thank the gentleman very much.

Mr. Speaker, I submit for the RECORD a draft of my proposal as follows, to wit:

NATIONAL NUTRITION, FOOD AND FIBER ACT

The purpose of this proposal is to assure maximum national nutrition with the highest quality and greatest quantity of food and natural raw fiber at the lowest possible cost to consumers with emphasis on people, performance, and production; to achieve a balance in national economic growth and social stability by reducing or tending to reduce the cost of living by reversing the pressures of continued inflation and by providing alternatives to economic coercion of national

population trends; to encourage maximum conservation in the preservation of ecological and environmental values in the optimum utilization of human and natural resources; and for other purposes.

TITLE II

DEFINITIONS

SEC. 201. (a) FARM FAMILY UNIT.—Any person as defined by law, including a spouse and issue, head of a household, widow or widower that derives one-half or more of his or her earned annual gross income from the actual production and sales of food and fiber.

(b) Any person as defined by law, including a spouse and issue, that derives one-half or more of his or her annual gross income from the ownership of land used in the production of food and fiber under a leasehold, sharecrop, or tenancy agreement with a producer, but not to exceed an annual sum in the aggregate in excess of one-half of the computed annual aggregate total of a qualified farm family unit, as a producer or producers as defined in subsection (a) of section 201 and notwithstanding any number of such landlord-tenant relationships the owner or owners of any such land used in the production of food and fiber shall not participate in the aggregate benefits in excess of $25,000 per annum as provided for a separate farm family unit producer defined in subsection (a) hereof.

SEC. 202. (a) GROSS ANNUAL SALES.—The combined gross cash receipts first received for food and fiber actually produced by a farm family unit in any calendar year or for such other approved 12-month accounting period, including the gross cash receipts plus the compensatory differential payments, not to exceed in the aggregate a gross combined total in the sum of $25,000 per annum.

(b) The gross annual sales shall constitute the combined amount of gross receipts from sales of food and fiber actually produced plus the compensatory differential payments.

(c) DIFFERENTIAL PAYMENTS.—The computed difference between the average market price and parity as defined by law.

SEC. 203. (a) CARRYBACK OPTION.—The farm family unit as defined in subsections (a) and (b) of section 201 of this title may exercise the option of applying sales against the limits of gross annual sales for any next preceding 24-month period that product cash receipts plus compensatory differential payments were less than the allowable annual aggregate total of $25,000 for any one calendar year or such other approved 12-month accounting period and such carryback shall be first applied to the oldest accounting period at the current computed rate or rates in determining the limits thereof.

(b) CARRY FORWARD OPTION.—The farm family unit as defined in subsection (a) or (b) of section 201 of this title may exercise the option of applying sales against the limits of gross annual sales for any next succeeding 36-month period: *Provided*, That the computation of gross annual sales is first applied to the next succeeding calendar year, or such other approved 12-month accounting period, and the then computed rate or rates of the gross annual sales shall be computed at current prices received plus compensatory differential payments not to exceed in the aggregate a sum total of $25,000 per annum.

TITLE III

COST-OF-LIVING PRODUCTION PAYMENTS

SEC. 301. (a) Notwithstanding any other provisions of law, any farm family unit that markets food and fiber other than berries, market-garden vegetables, mellons or tree fruits and sugar beets or cane shall receive compensatory payments directly from the Government as a differential computed value not less often than semiannually, equal to the difference between the national average farm market price for each product sold and not less than 90 percent of parity on the first $25,000 of gross annual sales marketed in any one 12-month accounting period when the average market price received on such commodity or commodities is less than the determined value of 90 percent of parity thereon.

(b) Gross annual sales in excess of $25,000 for any 12-month period by a farm family unit shall not be eligible for the computed differential payment unless applied and computed as provided in subsections (a) and (b) of section 203 of this title.

SEC. 302. (a) Any farm family unit may exercise the option of applying sales against the limits of gross annual sales for any next preceding 24-month period that product cash receipts plus compensatory differential payments were less than the allowable annual aggregate total of $25,000 for any one calendar year or such other approved 12-month accounting period and such carryback shall be first applied to the oldest accounting period at the current computed rate or rates in determining the limits thereof.

(b) Any farm family unit may exercise the option of carrying forward product sales against the limits of gross annual sales for any next succeeding 36-month period: *Provided*, That the computation of gross annual sales is first applied to the next succeeding calendar year, or such other approved 12-month accounting period, and the then computed rate or rates of the gross annual sales shall be computed at current prices received plus compensatory differential payments not to exceed in the aggregate the sum total of $25,000 per annum in such acceptable accounting period of time.

(c) The gross annual sales limitation per farm family unit shall be adjusted not less often than annually with the rate of decrease or increase of inflation in the total national economy according to Government standards of the recorded national cost-of-living index.

TITLE IV

ADJUSTMENT PROVISIONS IN TRANSITION

SEC. 401. (a) Notwithstanding any other provisions of law, during the first five years of this Act, if the Secretary of the United States Department of Agriculture finds that the production of wheat, corn, cotton, feed grains, or any other commodity of production in any calendar year is excessive in relation to available market outlets and desirable strategic reserves, he may require a condition precedent to receiving food and fiber parity payments, that each qualified farm family unit shall restrict the acreage of those crops in excess of market demand to not less than 75 percent of the acreage planted or harvested in the immediate past three years. An acreage of cropland equal to that diverted from such production shall be set aside and used only for approved conservation, grazing, recreational, and wildlife purposes upon the condition of approved practices of husbandry as may be prescribed by the Secretary and for a compensatory payment equal to the net average income of all acres of production of the farm family unit.

SEC. 402. In any year in which the Secretary informs producers that an increase in acreage planted to any crop is needed to maintain adequate market supplies and rebuild carryover stocks to more desirable levels, the minimum fiber and food subsidy payments shall be increased by not more than than 25 percent over the level specified in section 301 of title III of this Act.

TITLE V

CONSERVATION, PRESERVATION AND RECREATION

SEC. 501. Notwithstanding any other provisions of law, each farm family unit shall be entitled to ecological and environmental improvement payments equal to a maximum of 90 per cent of the actual cost of approved practices for land and water conservation, abatement of pollution, preservation of wildlife habitat, and the development of recreational facilities, not in excess of a maximum of $3,000 per annum or in the alternative a direct payment computation equal to the immediate 3-year average per acre net income of the remaining Unit acres of production whichever is greater for actual performance of prescribed practices of ecological and environmental improvement programs.

SEC. 502. (a) The intent and purpose of a national effort of ecological and environmental improvement shall be predicated upon the national interest with emphasis on each farm family unit and community improvement.

(1) Farm family unit participation shall be compensated upon performance as prescribed by the Secretary but in no case at a rate less than a sum equal to the net average per acre income of the remaining acres of production of the farm family unit:

(i) Farm family unit participation in preservation of wildlife habitat and the development of rural recreational facilities shall be premised upon controlled public access as prescribed by the Secretary of the United States Department of Agriculture; and

(ii) The Secretary of the United States Department of Agriculture in prescribing public access to private lands shall rely upon the recommendations of the local, county, and State elected committee members of the existing Agriculture Stabilization and Conservation Service or such other elected peer group thereof.

(2) Farm family unit participation shall be emphasized and encouraged for the improvement of the community and national ecological and environmental conditions with preference practices for the farm family unit but including community and regional projects participation as may be approved by the Secretary of the United States Department of Agriculture.

TITLE VI

PRICE SUPPORT AND PRODUCTION CONTROLS REPEALED

SEC. 601. All legislation relating to price supports and production controls now in effect is hereby repealed.

SEC. 602. No regulations issued under existing Federal market orders shall be adversely affected by this Act unless deemed to be in direct conflict with the provisions hereof and in such case the provisos of this Act shall control, prevail, and supersede the provisions of such Federal market order(s) that increase or tend to increase consumer costs of food and fiber.

TITLE VII

INVESTMENT IMPROVEMENT INCENTIVE

SEC. 701. Each farm family unit possessed of a vested interest in improvements on land shall be entitled to a 7-percent investment credit against Federal income tax liability in a sum equal to the multiple factor of assessed valuations for improvements in the same manner as prescribed in the Internal Revenue Code for personal property used in the production of income.

SEC. 702. The Investment improvement incentive tax credit shall be otherwise administered consistent with and pursuant to the provisions of the Internal Revenue Code of 1954 and Acts amendatory thereto.

TITLE VIII

ACQUISITION CREDIT FOR FOOD AND FIBER PRODUCTION

SEC. 801. The Secretary of the United States Department of Agriculture shall establish and provide a system of long-term, low-interest rate credit for farm family units as defined in Section 201(a) of Title II of this Act.

(1) Acquisition credit policies shall not exceed a level rate of interest in excess of 4 per cent per annum to qualified borrowers nor exceed a term of 40 years, either or both;

(2) Policies of credit shall provide for

maximum participation of the private banking and credit systems with emphasis on the local banking credit facilities of the community in cooperation with the farm credit systems and existing agencies of the Federal Government;

(3) Participating loans with approved local banks to farm family units shall be fully guaranteed by the Government secured by black acre with recourse; and

(i) Land bank notes shall be negotiable in the commercial money market of the private sector of the national economy fully guaranteed by the Federal Government to preserve liquidity of the participating bank and banking interests and such notes secured by mortgage (s) and guaranteed by the Government shall be interchanged and acceptable by the farm credit system or exchanged in the private commercial money market to fully monetize the credit capacity of the borrower in acquisition of real property essential to the production of food and fiber and for other purposes as may be prescribed by the Secretary of the United States Department of Agriculture.

(ii) The participating bank or banks shall be paid not less often than semi-annually, the difference between the level rate of interest (4 per cent per annum) paid by the borrower on the land acquisition loan, and the current money market rate of interest from funds and authorization granted by the Secretary of the United States Treasury through the United States Department of Agriculture directly to the participating bank(s) for administration and supervision of the acquisition loans approved to the borrower as a qualified farm family unit. The Government shall have full recourse on all secured real estate mortgages so guaranteed subject only to the priority of the participating bank(s) as mortgagee and the Secretary shall reserve all rights of periodic examinations to verify the security interest of the Government without notice.

SEC. 802. The Secretary of the United States Department of Agriculture shall have the authority to prescribe criteria for eligibility, participation and qualifications of banks, borrowers, and participants with the advice and counsel of a local peer committee, such as the Agriculture Stabilization and Conservation Service committeemen or such other designated group acting therein.

SEC. 803. The Secretary of the United States Department of Agriculture is directed to issue such regulations as shall be deemed essential and necessary to administer all titles of this Act in a fair, just, objective and orderly manner.

Mr. ALEXANDER. Mr. Speaker, it is with deep concern that I join my colleagues today in this discussion of farm prices. This concern arises from two basic sources. They are implicit in my use of the phrase farm and food prices. It is elementary that the price the farmer gets for the food he or she raises and the price the consumer pays for that food are very different things.

Yet, many of today's most quoted and most critical spokesmen are failing, to acknowledge this fact. And, the farmer is taking an unjust rap in the controversy over the rising cost of food. Maybe that is, because the farmer has traditionally been the invisible man in the food chain. He or she generally goes about the business of raising food and fiber and selling it to the processor without a lot of fuss.

The processors and the retailers spread the news of their wares and their pleas with consumers to buy them across the pages of the newspapers, the radio waves, and the television screens that enter homes all across the Nation.

And, when the flack over the rising cost of food starts flying it has been a simple matter, though falsely based, to blame the farmers who generally go quietly about raising the food we eat.

It is true that the farmer only recently began to receive for his crops what he was getting 20 years ago. And, it is true that from 1965 through 1972 that food prices rose 33 percent. But, is not it about time that the critics of food prices looked at the whole picture of income and spending in this area.

For instance, from 1965 through 1972, the per capita disposable income for the Nation rose from $2,436 to $3,954, an increase of 62 percent.

Between 1951 and 1971 the prices paid to farmers for food products rose 6 percent. The wholesale food prices went up 20 percent and the retail prices went up 43 percent. During that same period the Nation's wage levels increased an average of more than 6 percent each year, for a total increase of 130 percent.

Statistics clearly show that two decades ago the consumer spent 23 percent of his after taxes income for food. In 1972, the average American spent only 15.8 percent of his income for food. In Europe, a fourth of the family income today goes for food. In Russia, it is between 45 and 50 percent; and, in Asia it is almost 80 percent.

The decrease in the percent of average American family incomes spent for food has been possible because the American farmer has worked long and hard to raise productivity. Today one farmworker produces food for 51 people. Twenty years ago one farm worker supplied food for only 16 persons.

At the farm end of the food marketing chain, the cost to the producer of all the products he purchases has risen nearly 50 percent. The farmers production costs have nearly doubled.

The cost of the actual production of food is not the only cost involved in the retail price of food to consumers. This retail price includes transportation, processing—which means butchering, canning, convenience food preparation and such, distribution, and sales promotion.

Into these operations come, as into that of actual production, the costs of labor and equipment necessary to carry them out.

The fact is that the American people are, on the average, eating more and better food than in the past decades because they have more income. As the income rises the costs in all sectors of the economy, including food production rises. The people have more income. Demand for food is greater. The food prices are higher, but the percentage of the income paid for food is lower.

My discussion today has not been meant to placate critics of food prices or to indicate that they are likely to drop. I have simply attempted to put this issue into perspective. Is it not true that the prices of all goods are rising? Is it just to expect that farmers should not participate in the rise in incomes benefiting all other segments of society? Is it fair to require that farm prices be depressed so that the increased income can be spent for luxury items?

Food is essential to life as improved medical care, housing, transportation, education, and recreation are important to rising standards of living. It is undeniable that the cost of all these things have risen. There are demands that the farmers produce more food. And, there are demands that the Government take negative actions to force this increased production. Yet, at the same time, there are demands that the Government subsidize what consumers have to pay on delivery for medical care, housing, transportation, education, and recreation.

If it is logical to use of free market incentives to encourage increased food production, is it not logical that all segments of the economy should be required to operate in the free market economy?

What we have now, though, is the contention that, on one hand, the farmers should receive no incentives from the Government to assure them that if they raise production they will not face the threat of having the bottom drop out of their income, and, on the other hand, that the Government should tightly control the prices which the farmer can command for his products.

In a market economy, the incentive to increase production is the expectation of receiving increased incomes from the investment involved. As it is, the return on investment in the agricultural sector of our economy is about 5 percent, as compared with approximately 15 percent for all manufacturing.

If harsh regulatory action is taken against the income the farmer can receive from his work and investment and no restraints are placed on the costs of his producing food and fiber, will the incentive to produce not disappear? Will it not be more logical for many farmers to put their time and money into another activity? Have we not learned any lessons from the fact that lowering the number of producers in any industry is generally followed by no, or slower, increases in productivity and by rising prices?

I have not attempted to establish myself today as a man with all the answers. At this point, I do not think anyone qualifies for that description. It has been my hope that the discussion going on in the House Chamber today, what I and others are saying, will broaden the discussion of food and farm prices to take into consideration all aspects of the issue.

The American farmer has worked hard, used his time, ingenuity, and money to help his fellow citizens achieve the highest living standard in the history of man. And, he has done it in a way that takes less of the consumers income for food than in the past. For that, the farmer deserves the thanks and appreciation of the Nation.

Mr. WOLFF. Mr. Speaker, I appreciate the concerns of my distinguished colleague from South Dakota (Mr. DENHOLM) in taking out this special order today on the subject of farm and food prices. This whole complex and very serious problem of our high food costs, which has placed such a tremendous burden on the American consumer, cannot, I think, be blamed solely on the farmers, as some would like to do.

Mr. Speaker, for the next several weeks

I will be sponsoring emergency meetings in New York with public officials and representatives from the food industry to discuss our complex food problem. At our first meeting held last week, it became increasingly clear that the major reason for our high food prices lies with shortsighted Government policies and the Government's piecemeal approach to dealing with our food problem. The "White Paper" recently released by the Cost of Living Council stated that the administration "acted even before inflation hit the supermarket shelf"; if that be the case, why, then, in January 1973 were consumers hit with an increase in food prices that was greater than any increase has been in the last 20 years? Let us look at just a few of the recent developments affecting the cost of food in this country. The much-heralded United States-Soviet wheat deal, which appropriated almost one-fourth of the U.S. grain crop, has, as most people have figured out, raised the cost of flour and bread products, and in addition, overseas feed grain sales have raised the cost of meat. The majority of our farmers did not benefit from the wheat agreement because the bulk of the profits went to agribusiness, large grain speculators, and grain brokers. The number who profited from this grain deal was significantly small in comparison to those who reaped nothing but the wheat. The smaller farmers and the American consumer were actually hurt by the agreement. This, I would decidedly call a shortsighted and self-serving action by the Federal Government. In addition, in the past year, this country has exported millions of dollars of beef to other nations, even though farmers have not been simultaneously encouraged to produce more meat to insure an adequate and reasonably priced domestic supply. By not clamping down on exports, in fact, by stimulating the outflow of food grown here, the Government has created an artificial domestic shortage that has driven food prices sky high.

The recent threat of consumer meat boycotts across the country, although they may have a very short-term effect, will in the long run produce little effect since there is a market overseas ready and able to gobble up our short meat supplies. Unless the Government encourages domestic farmers to increase productivity, unless in the interim we can place some kind of embargo on meat and other essential commodities, and until we meet American market demands adequately, I do not foresee any substantial relief for the American consumer even if, as the administration suggests, food prices are again frozen.

Mr. Speaker, the Federal Government must develop a comprehensive policy for dealing with our food problem on both a short- and long-term basis if we are not to be continually plagued by artificial shortages and high prices. I have joined with several other Members in sponsoring a resolution to establish a Select Committee on the Cost and Availability of Food, in order that the House may have a vehicle for investigating all factors influencing the cost of food and for helping to determine a policy that will insure American consumers an abundant, reasonably-priced food supply, and the American farmer a fair return on invested capital. In addition, I feel that the meetings I am sponsoring in New York will prove significant in helping to throw light on actions that can be taken now to stabilize the cost of food, and I am pleased that my colleague from South Dakota (Mr. DENHOLM) will be joining me at these meetings to share his knowledge of the farmers' interests and needs and ability to help ease this situation. I am convinced that when all parties affected by, affecting and influencing the cost of food join together, as we are now doing, we will find a solution to the food price dilemma.

A BILL TO PROVIDE FOR THE REALISTIC REGULATION OF ALL SURFACE MINING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR), is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, I cannot count the times I have appeared before this august body to discuss matters dealing with mining legislation. The number must be in the hundreds. Once more I come before you to express an opinion and draw some conclusions on the subject of mining which I believe 24 years' service in the House and on the Interior and Insular Affairs Committee permit.

There are certain points that I would like to make before getting to my main subject. In the first place, I wish it clearly understood that the legislation which I am offering is not a parochial piece of legislation. I readily admit that I represent a coal-mining district and that district lies within a State which is, and has been, famous for its production of all minerals. The measure I will discuss today is not a Pennsylvanian's bill—it is intended to be a legislative vehicle with which all Members, from all States, can easily live with. Moreover, it is intended to answer some questions—technical and otherwise—which have heretofore dogged our discussions of surface mining in the United States. The bill is designed primarily with the public's interest in mind; it was not designed to favor one industry over another, nor to favor one segment of an industry over another, nor is it possible for this bill to be the means for punishing one or more segments of a basic American industry from crimes against nature. Until recently, there were no such crimes.

I know the proposal will not satisfy everyone who has studied, debated, and discussed the surface mining and related issues. No legislation can boast of universal acceptance. The bill is offered as a potential solution to many of the vexing problems we have faced in the past few years with respect to, sometimes seemingly incompatible, national needs, aspirations, or goals.

For example, there is no question in anyone's mind that the Nation is in the throes of an energy crisis of mounting proportions. On an equal level, is the growing demand by our citizens that the environment must be protected for future generations. For a number of complex reasons, it has been argued that mining and environmental protection were mutually exclusive. I contend that we can continue to derive the benefits of our industrial society and, at the same, protect the environment.

The public is accustomed to the high standard of living that is dependent in large part on the extractive industries, but for the most part, it is unaware of the necessity of mining. The question is, can we maintain the quality of our lifestyles and improve the quality of our environment at the same time? In my opinion, we can. Except for some fringe commentary, most citizens have an abiding faith in our technical ability to have the best of both worlds. The legislation I am introducing today is directed at the goal of realistic regulation of all surface mining to protect and improve the environment while permitting and encouraging improvements in our standard of living.

SURFACE MINING AND THE LEGISLATIVE PROCESS

In the waning days of the 92d Congress, the House passed a surface mining bill which dealt solely with one solid mineral—coal. After attempts over the previous 2 years to broaden the language of that bill to include other minerals, I supported that measure as a necessary beginning point. I said at that time:

> I will tell my colleagues that H.R. 6482 (92d Congress) is not a perfect bill. It will not provide all the answers. Nor, will it be without problems in its administration. H.R. 6482 is recognition at the Federal level of an issue that has become one of national concern.

The issue, of course, is surface mining; it transcends that of just the mining of coal. The House measure of last year was a start. It was not a perfect bill as many other members of the House Committee on Interior and Insular Affairs, and others, pointed out at the time. In light of this, and the fact that the Senate did not act on similar legislation during the last session, the issue is again before the Congress.

The Senate Interior Committee has recently completed hearings on bills which are directed toward the regulations of all surface mining. Recognizing the unique situation that exists with respect to this type of legislation, the House committee has scheduled joint hearings to commence April 9 before both the Subcommittee on Mines and Mining and the Subcommittee on the Environment. I know that there are those who object to this combination of jurisdiction on the critical matters raised by the bills already introduced, but upon sober reflection, I think it is entirely proper that the pull and tug of the varying economic, social, and regional points of view be accorded this crucial issue and the joint hearings will provide just that.

THE SURFACE MINING AND RECLAMATION ACT OF 1973

Mr. Speaker, I will not delve into all the ramifications of the debate of last year with respect to surface mining; suffice it to say that we must face the is-

sue again in the 93d Congress, and in a sense, I am relieved that we have the hiatus in order that better legislative vehicles could be constructed for consideration by the membership of this House. I believe that my colleagues will see in the "Surface Mining and Reclamation Act of 1973" proposal a vehicle which answers a number of knotty problems left unresolved in the last Congress, and a proposal which meets the dual needs of protecting the environment while guaranteeing the continuation of the mining industry.

In a sentence—my bill encompasses all minerals; primary enforcement of the provisions of the act would be in the hands of the State rather than the Federal Government; and the necessary flexibility for regulation is included to account for variations in terrain and climate throughout the United States. Most Members are aware of my long-standing belief that legislation in this field must include all minerals—after all, we are talking about all surfaces—so I will not go into a lengthy discussion on that point.

I would like to make a slight discourse on the second point: Primary enforcement would be in the hands of State regulatory agencies. The point was put in sharp relief in recent testimony from the Interstate Mining Compact before the Senate Interior Committee. The compact is made up of representatives of the States of Pennsylvania, Oklahoma, North Carolina, Kentucky, West Virginia, and South Carolina. The State of Tennessee, according to late information, is about to join the compact.

Testifying for the compact, Pennsylvania's Associate Deputy Secretary for Mines and Land Protection of the Department of Environmental Resources, Walter Heine, said:

> It is this Commission's belief that the states are better equipped to handle the regulation of surface mining because of their knowledge of and sensitivity to the great diversity of terrain, climate, biologic, chemical and other physical conditions of, and the needs and aspirations of the local citizens and governments in areas where surface mining occurs. The states generally possess qualified staff and the enforcement power which is required for a truly effective surface mining regulatory program. This expertise should be utilized and expanded with federal programs grants to achieve uniformity of enforcement. General technical criteria should be required to meet federal standards and should be subjected to continual federal evaluation.

All too often in the Halls of Congress, there is an assumption that the States will not do the job required of them, thus necessitating Federal action. I believe I can convincingly prove to you that, in terms of surface mining regulation and reclamation, the States are beginning to do the job, and have been in some cases, such as in my own State, doing a credible and commendable job of regulation of the extractive industries which the Federal Government could not begin to match. Mr. Heine quietly asks the Congress to recognize this expertise and experience, but I will shout it from the well. True enough, there is a role for the Federal Government—but that role must not, should not, impede the progress that some States have already made in implementing surface mining regulation and reclamation procedures.

Mr. Speaker, the States that now comprise the Interstate Mining Compact have a combined mineral production of over $2.5 billion per year which represents approximately 22 percent of the entire mineral production of these United States exclusive of gas and petroleum. I do not think that we can lightly dismiss the experience and expertise of such States in considering Federal legislation.

PROVISIONS OF THE LEGISLATION

The bill I am introducing today constitutes, I believe, a significant improvement over the various approaches which were before the Congress in the last session. Basic to this legislation is the balance achieved between rather detailed Federal criteria and discretionary authority for the States with whom is vested primary regulatory authority. The Federal Government's authority is essentially an initial responsibility for promulgation with various review authorities over the States. This balance between Federal requirements and discretionary authority for the States was largely the result of the role played by the Pennsylvania Department of Environmental Resources, which is recognized as the leading State enforcement authority for the Nation's most stringent State surface mining and reclamation statute, most recently amended in 1971. Significantly, the legislation necessitates no new technology or equipment prior to promulgation and enforcement.

This legislation is clearly corrective rather than punitive or arbitrary. It provides very definite parameters—section 211—within which the industry has certain flexibility through the mechanism of a surface mining and reclamation permit application. The burden of proof is correctly vested with the operator, rather than the public or the State regulatory authority, and the operator bears the burden of demonstrating through the surface mining and reclamation permit application that the proposed mining and reclamation operations can and will be conducted in accordance with the requirements of this act. This legislation allows for further flexibility by recognizing at the outset that there exists "diversity of terrain, climate, biologic, chemical, and other physical conditions in areas subject to surface mining operations." It is a bill based on State experience in regulation of surface mining which is applicable to all States, not just Pennsylvania.

Federal criteria for surface mining and reclamation operations include as minimum requirements that the operator:

First, restore the land affected to a condition at least fully capable of supporting the uses which it was capable of supporting prior to any mining, provided that the operator's proposed land use following the reclamation is not deemed to be impractical or unreasonable, or inconsistent with applicable land use policies and plans;

Second, obtain the written consent of the surface landowners, if different from the applicant;

Third, limit the amount of surface excavated at any one time in conformity with the approved reclamation plan;

Fourth, minimize reaffecting the land in the future by recovering all mineral resources that can be technologically and economically extracted on the land to be affected;

Fifth, remove, segregate, and preserve topsoil, covering it with a quick-growing ground cover and maintaining a successful cover thereafter to avoid wind and water erosion;

Sixth, remove, segregate, and protect spoil materials to prevent wind and water erosion until backfilling;

Seventh, stabilize all soil, subsoil, spoil, waste, and refuse piles to prevent sliding by layering, compacting, imposing slope and height limitations and establishing, where possible, vegetative cover;

Eighth, insure that when performing surface mining on natural slopes in excess of 14 degrees from the horizontal that the applicant can affirmatively demonstrate that the proposed mining method will effectively prevent sedimentation, landslides, erosion, or acid, toxic, or mineralized water pollution and that such areas can be reclaimed as required by the act;

Ninth, backfill, compact, and regrade the area of land affected so that it is restored to its approximately original contour with all highwalls, spoil piles, and depressions to hold water eliminated, with other provisions including terracing only when the regulatory authority finds that the reasons advanced are satisfactory and that the natural slope or contour of the area to be affected is less than 14 degrees.

Tenth, plant on all affected lands a stable and self-regenerating vegetative cover approved by the regulatory authority, which, where advisable, shall be native vegetation with the operator maintaining such planting for a period of 5 years after the termination, for any reason, of the operation;

Eleventh, maintain the quality of water in surface and subsurface water systems both during and after surface mining and reclamation operations in accordance with the highest applicable water quality standards, with specific methods prescribed in the criteria and by the regulatory authority;

Twelfth, insure that water impoundments are properly designed and maintained during the mining operation so as to prevent siltation, water pollution, and ruptures during storms of "50-year frequency";

Thirteenth, insure protection of offsite areas from slides or damage with no waste accumulations located outside the approved permit area;

Fourteenth, insure that explosives are used only in accordance with existing State and Federal law and that blasting schedules be posted with advance written notice to local governments and residents;

Fifteenth, remove and otherwise dispose of all debris, structures, facilities, and equipment upon the approval of the performance bond release.

This is a partial list of the Federal criteria established by section 211 of my bill.

This legislation imposes no unreasonable deadlines. Rather than imposing a moratorium on new and expanded surface mining operations upon enactment until State programs or Federal programs are approved, this bill provides for an interim permit system for surface coal mine operations on Federal lands, Indian lands, and lands within any State. The Secretary of the Interior must first publish proposed regulations within 6 months after enactment for surface mining and reclamation operations for coal; and within 15 months after enactment for other minerals. Opportunity for public hearings are provided, and regulations must be promulgated within 60 days after the completion of hearings. The States may then submit plans for State programs after promulgation of Federal regulations and the Secretary must approve or disapprove the State programs within 4 months after submission. In the event that a State fails to submit a State program or fails to revise and resubmit a State program, the Secretary is then authorized to implement, following public hearings in that State, a Federal program for that State. There is also a provision for a Federal lands program on Federal and Indian lands. The States must be in compliance with State programs or Federal programs within 24 months after enactment in order that surface mining operations may continue.

The term of the permit is 5 years with provisions for the operator to affect smaller areas under permit through approval of bonded areas. Bond release for each bonded area may be partial with the operator first becoming eligible when at least 60 percent of the backfilling and regarding of a bonded area is complete and in accordance with the approved reclamation plan.

Public notice and opportunity for public hearings are provided prior to promulgation of Federal regulations for State programs, Federal program for a State, and Federal lands programs. Also, public notice and public hearings must be afforded prior to submission of a State program to the Secretary, prior to promulgation of a Federal program for a State, and in both cases before a prerequisite mining lands review process during review of areas for designation as unsuitable for surface mining. Prior to permit approval the operator bears the burden of public notice and the regulatory authority bears the burden of conducting public hearings where requested and justified.

This legislation provides for the designation of areas unsuitable for surface mining operations, establishing a mandatory review process of "areas of critical concern" prior to approval of State programs or eligibility for a Federal program for a State. Federal lands are also required to undergo this review process.

Special regulations are required to be promulgated for large open pit mining operations with requirements to slope remaining highwalls not to exceed 35 degrees with replacement of topsoil, revegetation, and maintenance of slopes. Where the mineral or overburden is not of a toxic or polluting nature, step terracing is permitted.

This act establishes an abandoned mine reclamation fund with an initial authorization of $100 million.

I hope that everyone will look carefully at this bill as a solution to a very pressing problem affecting almost every State in our Nation.

The text of the Surface Mining Reclamation Act of 1973 follows:

H.R. 5988

A bill to provide for the regulation of surface mining operations in the United States, to authorize the Secretary of the Interior to make grants to the States to encourage State regulation of surface mining, and for other purposes

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 "Surface Mining Reclamation Act of 1973".

TITLE I—FINDINGS, PURPOSES, AND DEFINITIONS

Sec. 101. Findings.
Sec. 102. Purpose.
Sec. 103. Definitions.

TITLE II—EXISTING AND PROSPECTIVE SURFACE MINING AND RECLAMATION OPERATIONS

Sec. 201. Grant of authority; promulgation of Federal regulations.
Sec. 202. Office of Surface Mining and Reclamation Enforcement.
Sec. 203. Surface mining operations which may be subject to this Act.
Sec. 204. State authority; State programs.
Sec. 205. Federal programs.
Sec. 206. State laws.
Sec. 207. Interim requirements after enactment and prior to approval of State program.
Sec. 208. Permits.
Sec. 209. Surface exploration permit requirements.
Sec. 210. Surface mining and reclamation permit.
Sec. 211. Criteria for surface mining and reclamation operations.
Sec. 212. Regulation of large open pit mine operations.
Sec. 213. Designation of land areas unsuitable for surface mining.
Sec. 214. Permit approval.
Sec. 215. Public notice and public hearings.
Sec. 216. Decisions of regulatory authority and appeals.
Sec. 217. Posting of bond.
Sec. 218. Bond release procedures.
Sec. 219. Suspension and revocation of permits.
Sec. 220. Inspections.
Sec. 221. Federal enforcement.
Sec. 222. Establishment of rights to bring citizens suits.
Sec. 223. Federal lands and Indian lands.
Sec. 224. Revision of permits.
Sec. 225. Public agencies, public utilities, and public corporations.

TITLE III—ABANDONED AND UNRECLAIMED MINED AREAS

Sec. 301. Abandoned Mine Reclamation Fund.
Sec. 302. Acquisition and reclamation of abandoned and unreclaimed mined areas.

TITLE IV—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

Sec. 401. Advisory committees.
Sec. 402. Grants to the States.
Sec. 403. Research and demonstration projects.
Sec. 404. Annual report.
Sec. 405. Authorization of appropriations.
Sec. 406. Other Federal laws.
Sec. 407. Severability.

TITLE I—FINDINGS, PURPOSES, AND DEFINITIONS

FINDINGS

SEC. 101. The Congress finds and declares that—

(a) extraction of minerals by surface mining operations is a significant and essential activity which contributes to the economic, social, and material well-being of the Nation:

(b) many unregulated surface mining operations result in disturbances of surface areas that burden and adversely affect commerce and the public welfare by destroying or diminishing the utility of land for commercial, industrial, residential, recreational, agricultural, and forestry purposes by causing erosion and landslides, by contributing to floods, by polluting the water, by destroying fish and wildlife habitat, by impairing natural beauty, by damaging the property of citizens, by creating hazards dangerous to life and property, by degrading the quality of life in local communities, and are not coordinated with governmental programs and efforts to conserve soil, water, and other natural resources;

(c) surface mining reclamation technology is now developed so that effective and reasonable regulation of surface mining operation by the States and by the Federal Government in accordance with the requirements of this Act is an appropriate and necessary means to prevent the adverse social, economic, and environmental effects of mining operations; and

(d) because of the diversity of terrain, climate, biologic, chemical, and other physical conditions in areas subject to surface mining operations, the primary governmental responsibility for developing, authorizing, issuing, and enforcing regulations for surface mining and reclamation operations subject to this Act should rest with the States in the proper exercise of their police power.

PURPOSE

SEC. 102. It is the purpose of this Act to—

(a) establish a nationwide program to prevent the adverse effects to society and the environment resulting from many surface mining operations;

(b) assure that the rights of surface landowners are fully protected from such operations;

(c) assure that surface mining operations are not conducted where reclamation is not feasible;

(d) assure that surface mining operations are so conducted as to prevent permanent degradation to land and water;

(e) assure that adequate measures are undertaken to reclaim surface areas as contemporaneously as possible with the surface mining operations;

(f) assist the States in developing and implementing such a program; and

(g) wherever necessary, exercise the full reach of Federal constitutional powers to insure the protection of the public interest through the effective control of surface mining operations.

DEFINITIONS

SEC. 103. For the purpose of this Act—

(a) The term "approximate original contour" means that surface configuration achieved by backfilling and grading so that the affected area is blended into the surrounding terrain in such manner that the restored area complements the drainage pattern of and is similar in appearance to the surrounding terrain, with all highwalls eliminated.

(b) The term "areas of critical concern" means an area on lands within any State where development, including mining, whether controlled and planned or uncontrolled and unplanned, could result in significant damage to important historic, cultural, environmental, economic, or esthetic values, or natural systems or processes, which are of more than local significance, or could endanger life and property as a result of natural hazards of more than local significance.

(c) The term "bonded area" means that area of land within the permit area upon

which the operator will initiate and conduct surface mining and reclamation operations.

(d) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States, or between a State and any other place outside thereof, or between points in the same State which directly or indirectly affect interstate commerce.

(e) The term "Federal land" means any land owned by the United States without regard to how the United States acquired ownership of the land and without regard to the agency having responsibility for management thereof, except Indian lands.

(f) The term "Federal lands program" is a program established by the Secretary pursuant to section 223 of this Act to regulate surface mining and reclamation operations on Federal lands and Indian lands.

(g) The term "Federal program" is a program established by the Secretary pursuant to section 205 of this Act to regulate surface mining and reclamation operations for coal or for other minerals, whichever is relevant on lands within a State in accordance with the requirements of this Act.

(h) The term "Indian lands" means all lands included within Indian reservations, or lands held by the United States in trust for Indians, including restricted allotted lands over which the Secretary exercises supervisory control.

(i) The term "land affected" or "land to be affected" or "affected area" means the area from which the mineral is removed by surface mining, and all other lands whose natural state has been or will be disturbed as a result of the surface mining activities of the operating including, but not limited to, railroads, roads, and private ways, land excavations, water impoundments, workings, refuse banks, spoil banks, culm banks, tailings, repair areas, storage areas, processing areas, shipping areas, including conveyors, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which would result from or are used in surface mining operations and which are situated appurtenant to the center of the surface mining and reclamation operations of the operator.

(j) The term "lands within any State" or "lands within such State" means all lands within a State other than Federal lands and Indian lands.

(k) The term "operator" means the person, firm, corporation, or partnership or any other business entity engaged in surface mining as a principal as distinguished from an agent or independent contractor.

(l) The term "other minerals" means clay, stone, sand, gravel, metalliferous and nonmetalliferous ores, and any other solid material or substance of commercial value excavated in solid form from natural deposits on or in the earth, exclusive of coal and those minerals which occur naturally in liquid or gaseous form.

(m) The term "permit" means a permit to conduct surface mining and reclamation operations on the area of land to be affected issued by the State regulatory authority pursuant to a State program or by the Secretary pursuant to a Federal program.

(n) The term "permit applicant" or "applicant" means a person applying for a permit.

(o) The term "permittee" means a person holding a permit.

(p) The term "person" means an individual, partnership, association, society, joint stock company, firm, company, corporation, or other business organization.

(q) The term "reclamation plan" is a plan submitted by an applicant for a permit under a State program or Federal program which sets forth a plan for reclamation of the proposed surface mining operations pursuant to sections 210 and 211 of this Act.

(r) The term "regulatory authority" means the State regulatory authority where the State is administering this Act under an approved State program or the Secretary where the Secretary is administering the Act under a Federal program.

(s) The term "Secretary" means the Secretary of the Interior or his designee.

(t) The term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam.

(u) The term "State program" is a program established by a State pursuant to section 204 of this Act to regulate surface mining and reclamation operations for coal or for other minerals, whichever is relevant on lands within a State in accord with the requirements of this Act and regulations issued by the Secretary pursuant to this Act.

(v) The term "State regulatory authority" means the department or agency in each State which has primary responsibility at the State level for administering this Act.

(w) The term "step-terracing" means the utilization of the mineral cleavage planes of nontoxic or nonpolluting mineral deposits and their overburden to develop a series of steps, with approximately vertical walls and horizontal planes, from the top of the stable portion of the highwall to the floor of the pit, taking into consideration public health and safety.

(x) The term "surface mining and reclamation operations" means surface mining operations and all activities necessary and incident to the reclamation of such operations.

(y) The term "surface mining operations" means the activities conducted on the surface of lands in connection with a surface mine, the products of which enter commerce or the operations of which directly or indirectly affect commerce, including the exploration for and the extraction of coal or other minerals from the earth or stream beds while removing strata which overlies them, lies between them, or commingles with them, including contour, strip, open pit, auger mining, exploration excavations, test borings or core samplings, dredging, quarrying, leaching, in situ, distillation or retorting and cleaning, concentrating or other processing or preparation (excluding refining and smeltering) and the loading for interstate commerce of crude materials at or near the mine site. Such activities do not include the extraction of minerals in a liquid or gaseous state by means of wells or pipes unless the process includes in situ, distillation, or retorting.

(z) The term "surface or subsurface water" means all streams, lakes, ponds, marshes, waterways, wells, springs, drainage systems, acquifers, and all other bodies or accumulations of water surface or underground, natural or artificial.

(aa) The term "terracing" means backfilling, compacting (where advisable) and grading where the steepest slope of the affected area shall not be greater than 35 degrees from the horizontal with the table portion of the restored area a flat terrace without depression to hold water and with adequate provisions for drainage, except that depressions to hold water may be allowed by the regulatory authority where retention of water is required or desirable for reclamation purposes and is consistent with the operators' approved reclamation plan.

(bb) The term "water pollution" or "pollution of water" means placing any toxic, noxious, or deleterious substances in any waters or affecting the property of any waters in a manner which renders such waters harmful or inimicable to the public health, or to animal or aquatic life, or to the use of such waters for domestic water supply or industrial, agricultural, or recreational purposes.

TITLE II—EXISTING AND PROSPECTIVE SURFACE MINING AND RECLAMATION OPERATONS

GRANT OF AUTHORITY; PROMULGATION OF FEDERAL REGULATIONS

SEC. 201. (a) Within one hundred and eighty days after the date of enactment of this Act, the Secretary in accordance with the purposes, requirements, and the procedures of this Act, shall develop and publish in the Federal Register regulations covering surface mining and reclamation operations for coal, and shall set forth in reasonable detail those actions which a State must take to develop a State program and otherwise meet the requirements of this Act.

(b) Not later than the end of the twenty-four full calendar month period following the date of the enactment of this Act, the Secretary, in accordance with the purposes and requirements of this Act and procedures set forth in this section shall develop and publish in the Federal Register regulations covering surface mining and reclamation operations for other minerals, and shall set forth in reasonable detail those actions which a State must take to develop a State program and otherwise meet the requirements of this Act.

(c) Such regulations for coal and for other minerals shall not become effective until the Secretary has first published and proposed regulations in the Federal Register and afforded interested persons and State and local governments a period of not less than forty-five days after publication to submit written comments. Except as provided in subsection (d) of this section, the Secretary shall, upon the expiration of such period and after consideration of all written comments and relevant matter presented, promulgate the regulations with such modifications as he may deem appropriate.

(d) On or before the last day of any period fixed for the submission of written comments under subsection (c) of this section, any interested person or any State and local government may file with the Secretary written objections to a proposed regulation, stating the grounds therefor and requesting a public hearing by the Secretary on such objections. Within fifteen days after the period for filing such objections has expired, the Secretary shall publish in the Federal Register a notice specifying the proposed regulation to which objections have been filed and for which a public hearing has been requested, and the date (which date shall be no later than thirty days after the date of publication of the notice pursuant to this subsection), time, and place of such public hearing wherein statements concerning the proposed regulation and objections thereto shall be received. To the extent possible, hearings pursuant to this section shall be held in the States and regions affected.

(e) Within sixty days after completion of any hearings, the Secretary shall issue a report setting forth his findings of fact and views on such objections and shall promulgate the regulations with such modifications as may be required. The regulations shall be effective thirty days after their publication in the Federal Register.

(f) Chapter 5 of title 5 of the United States Code (relating to administrative procedures) shall be applicable to the administration of this Act, except that whenever procedures provided for in this Act are in conflict with such chapter, the provisions of this Act shall prevail.

OFFICE OF SURFACE MINING AND RECLAMATION ENFORCEMENT

SEC. 202. (a) There is hereby established in the Department of the Interior the Office of Surface Mining and Reclamation Enforcement (hereinafter referred to as the "Office").

(b) The Office shall have a Director who

shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level V of the Executive Schedule Pay Rates (5 U.S.C. 5315), and such other employees as may be required. The Director shall have the responsibilities provided for under this Act and such duties and responsibilities as the Secretary may assign. No existing legal authority in the Department of the Interior which has as its purpose promoting the development or use of coal or other mineral resources, shall be transferred to the Office.

(c) The Secretary, acting through the Office, shall—

(1) administer the State grant-in-aid program for the development of State programs for surface mining and reclamation operations provided for in title IV of this Act;

(2) administer the State grant-in-aid program for the purchase and reclamation of abandoned and unreclaimed mined areas pursuant to title III of this Act;

(3) administer the State grant-in-aid programs for State mining lands review and the designation of land areas unsuitable for surface mining operations pursuant to section 213 of this Act;

(4) administer the surface mining and reclamation research and demonstration project authority provided for in section 403 of this Act;

(5) develop and administer any Federal programs for regulation of surface mining and reclamation operations which may be required pursuant to this Act, including the enforcement of all Federal air and water quality standards, laws, and regulations applicable to surface mining;

(6) review State programs for regulation of surface mining and reclamation operations pursuant to this title;

(7) consult with other agencies of the Federal and State government having expertise in the control and reclamation of surface mining operations;

(8) assist the States in the development of State programs for the regulation of surface mining which meet the requirements of this Act and, at the same time, reflect local requirements and local environmental conditions;

(9) assist the States in developing objective scientific criteria and appropriate procedures and institutions for determining those areas of a State which, pursuant to section 213 of this Act should be declared unsuitable for surface mining;

(10) publish and promulgate such rules and regulations as may be necessary to carry out the purposes and provisions of this Act;

(11) make investigations or inspections necessary to insure compliance with this Act and the rules and regulations adopted pursuant thereto;

(12) conduct hearings, administer oaths, issue subpenas, and compel the attendance of witnesses and the production of written or printed materials;

(13) issue cease-and-desist orders; review and vacate or modify or approve orders and decisions;

(14) order the suspension, revocation, or withholding of any permit for failure to comply with any of the provisions of this Act or any rules and regulations adopted pursuant thereto;

(15) appoint such advisory committees as may be of assistance to the Secretary in the development of programs and policies;

(16) designate certain areas as unsuitable for surface mining; and

(17) perform such other duties as are provided by law. For the purpose of avoiding duplication, the Secretary is hereby authorized to coordinate the process of review and issuance of permits required by this Act with any Federal or State permit process required by applicable laws, rules, or regulations.

SURFACE MINING OPERATIONS WHICH MAY BE SUBJECT TO THIS ACT

SEC. 203. (a) The provisions of this Act shall apply to all surface mining operations although the regulatory authority may, where conditions warrant, except the following surface excavations from one or more provisions of this Act:

(1) Those surface excavations made in connection with mining operations carried on beneath the surface by means of shafts, tunnels, or other underground mine openings.

(2) Foundation excavations for the purpose of constructing buildings and other structures.

(3) Excavations by an agency of Federal, State, or local government or its authorized contractors for highway and railroad cuts and fills.

(4) The extraction of minerals by a landowner for his own noncommercial use from land owned or leased by him.

(5) The commercial extraction of minerals in total amounts of not more than two thousand tons of marketable minerals in any year if the total acreage affected does not exceed three acres.

(6) Archeological excavations.

(7) Such other surface mining operations which the Secretary determines to be of an infrequent nature and which involve only minor surface disturbances.

(b) In promulgating regulations to implement this section, the Secretary shall consider the nature of the class, type, or types of activity involved; the magnitude of the mining activities (in tons and acres); their potential for adverse environmental impact; and whether class, type, or types of activity are already subject to an existing regulatory system by State or local government or an agency of the Federal Government.

STATE AUTHORITY; STATE PROGRAMS

SEC. 204. (a) To be eligible to receive financial assistance provided for under titles III and IV of this Act and to be eligible to assume full control over surface mining operations for coal and other minerals on lands within any State, a State shall submit a State program in accordance with the requirements of this Act which program shall demonstrate that such State has—

(1) a State law which provides for the regulation of surface mining and reclamation operations in accordance with the requirements of this Act and the regulations issued by the Secretary pursuant to this Act;

(2) a State law which provides sanctions for violations of State laws, regulations, or conditions of permits concerning surface mining and reclamation operations which sanctions shall meet the requirements of this Act, including civil and criminal actions, forfeiture of bonds, suspension, revocation, and withholding of permits, and the issuance of cease-and-desist orders by the State regulatory authority or its inspectors;

(3) a State regulatory authority with sufficient administrative and technical personnel, adequate interdisciplinary expertise, and sufficient financial resources to enable the State to regulate surface mining and reclamation operations in accordance with the requirements of this Act;

(4) a State law which provides for the effective implementation, maintenance, and enforcement of a permit system for the regulation of surface mining and reclamation operations for coal on lands within such State;

(5) a State law which provides for the effective implementation, maintenance, and enforcement of a permit system for the regulation of surface mining and reclamation operations for other minerals on lands within such State; and

(6) established a mining lands review process in accordance with section 213 of this Act and that it is actively conducting a review of the mining lands within its boundaries in accordance with such section 213.

(b) The Secretary shall not approve any State program submitted by a State pursuant to this section until—

(1) he has solicited and publicly disclosed the views of the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the heads of other Federal agencies concerned with or having special expertise pertinent to the proposed State program; and

(2) he has provided an opportunity for a public hearing on the State program within the State.

(c) The Secretary shall within four full calendar months following the submission of any State program, approve or disapprove such State program or any portion thereof. The Secretary shall approve a State program if he determines that the State program meets the requirements of this Act.

(d) If the Secretary disapproves any proposed State program, he shall notify the State in writing of his decision and set forth in detail the reasons therefor. The State may resubmit a revised State program.

FEDERAL PROGRAMS

SEC. 205. (a) The Secretary may prepare and, subject to the provisions of this section, promulgate and implement a Federal program for a State if such State—

(1) fails to submit a State program covering surface mining and reclamation operations for coal within twelve full calendar months after the promulgation of the Federal regulations for such operations;

(2) fails to submit a State program for surface mining and reclamation operations for other minerals within twelve full calendar months after promulgation of Federal regulations for such operations; or

(3) fails to enforce its approved State program as provided for in this Act.

Promulgation and implementation of a Federal program for a State vests the Secretary with the full authority provided for in this Act for the regulation and control of surface mining and reclamation operations taking place on lands within any State not in compliance with this Act. After promulgation and implemenation of a Federal program the Secretary shall take into consideration the nature of that State's terrain, climate, biological, chemical, and other relevant physical conditions.

(b) Prior to promulgation and implementation of any proposed Federal program for a State, the Secretary shall give notice and hold a public hearing in the affected State. In no event shall the Secretary promulgate and implement a Federal program for a State if such State has failed to complete and implement its mining lands review under section 213 of this Act by designating certain land, if any, within such State as being unsuitable for all or certain types of surface mining operations.

(c) Permits issued pursuant to an approved State program which has been preempted pursuant to this Act shall be valid but reviewable under a Federal program. Immediately following promulgation of a Federal program for a State, the Secretary shall undertake to review such permits to determine that the requirements of this Act are not violated. If the Secretary determines any permit to have been granted contrary to the requirements of this Act, he shall so advise the permittee and provide him a reasonable opportunity for submission of a new application and reasonable time to conform ongoing surface mining and reclamation operations to the requirements of the Federal program.

(d) If a State submits a proposed State program to the Secretary after a Federal program has been promulgated and implemented pursuant to this section, and if the Secretary approves the State program, the Federal program shall cease to be effective after the

Secretary determines that the plan is being effectively implemented in accordance with the requirements of this Act.

(e) Upon the approval of the Secretary of a State program, administration and enforcement of all air and water quality standards, laws, or regulations applicable to surface mining may be vested in the State regulatory authority in the interests of avoiding duplication by agencies of the Federal or State government.

STATE LAWS

SEC. 206. (a) No State law or regulation in effect on the date of enactment of this Act, or which may become effective thereafter, shall be superseded by any provision of this Act or any regulation issued pursuant thereto, except insofar as such State law or regulation is inconsistent with Section 101 of this Act.

(b) Any provision of any State law or regulation in effect upon the date of enactment of this Act or which may become effective thereafter, which provides, in the Secretary's opinion, more stringent environmental controls and regulations of surface mining and reclamation operations than do the provisions of this Act or any regulation issued pursuant thereto shall not be construed to be inconsistent with this Act. Any provision of any State law or regulation in effect on the date of enactment of this Act, or which may become effective thereafter, which provides for the control and regulation of surface mining and reclamation operations for which no provision is contained in this Act shall not be construed to be inconsistent with this Act.

INTERIM REQUIREMENTS AFTER ENACTMENT AND PRIOR TO APPROVAL OF STATE PROGRAMS

SEC. 207. (a) After the date of enactment of this Act, and within twelve full calendar months after promulgation of Federal regulations for surface coal mining, no person shall open or develop any new or previously mined and abandoned site for surface coal mining operations on lands within any State, unless such person has first obtained an interim permit from the appropriate State regulatory authority. The State regulatory authority may issue such interim permits upon application made by the operator. Such application and permit shall be in accordance with the requirements of this Act.

(b) After the date of enactment of this Act and prior to the promulgation of Federal regulations for surface coal mining, no person shall open or develop any new or previously mined and abandoned site for surface coal mining operations on Federal lands or Indian lands, unless such person has first obtained an interim permit from the Secretary. The Secretary may issue such interim permits upon application made by the operator. Such application and permit shall be in accordance with the requirements of this Act.

(c) If an operator proposes to expand by more than 10 per centum the existing area of land affected in the preceding twelve months by a surface coal mine operation on lands within any State, after the date of enactment of this Act, and within twelve full calendar months after promulgation of Federal regulations for coal, an interim permit may be issued by such operator. Such application and permit shall be in accordance with the requirements of this Act.

(d) If an operator proposes to expand by more than 10 per centum the existing area of land affected in the preceding twelve months by a surface coal mine operation on Federal lands or Indian lands, after the date of enactment of this Act, and prior to the promulgation of Federal regulations for coal, an interim permit may be issued by the Secretary upon application made by such operator. Such application and permit shall be in accordance with requirements of this Act.

PERMITS

SEC. 208. (a) After the expiration of the twelve full calendar months following the date of promulgation of the Federal regulations for surface coal mining, no person shall engage in or carry out on lands within any State any surface coal mining operation, including exploratory activities, unless such person has a valid permit from the regulatory authority pursuant to an approved State program or Federal program for that State.

(b) After the expiration of the twenty-four full calendar months following the date of promulgation of Federal regulations for other minerals no person shall engage in or carry out on lands within any State any surface mining operations, including exploratory activities, for other minerals, unless such person has first obtained a permit issued by the regulatory authority pursuant to an approved State program or Federal program for that State.

(c) After the promulgation of Federal regulations under this Act, no person shall engage in or carry out on Federal lands or Indian lands any surface mining operations including exploratory activities, for any mineral covered by this Act, unless such person has first obtained a permit from the Secretary pursuant to a Federal program under this Act.

(d) Permits shall be of two types: Surface exploration, and surface mining and reclamation. The term of a surface mining and reclamation permit shall be for five years unless sooner completed, suspended, or revoked in accordance with the provisions of this Act. Suspension, revocation, or completion shall in no way relieve the operator of his obligation to comply with the reclamation requirements of his permit, this Act, or with an approved State program or Federal program under this Act.

(e) A surface mining and reclamation permit shall carry with it the right of renewal, and such renewal shall be granted after the public notice and public hearing provisions of this Act are complied with and the permittee can demonstrate compliance with the requirements of an approved State program or a Federal program for the State within which the operations are conducted, and the capability to implement the reclamation plan applicable to the operations covered by the permit. Prior to approving the renewal of any permit, the regulatory authority shall review the permit and the surface mining and reclamation operations in accordance with this Act, and may require such new conditions and requirements as are necessary to reflect changing circumstances.

SURFACE EXPLORATION PERMIT REQUIREMENTS

SEC. 209. (a) Each application for a surface exploration permit under a State or Federal program pursuant to the provisions of this Act shall be accompanied by a fee established by the regulatory authority. Such fee shall be based, as nearly as possible, upon the actual or anticipated cost on a per permit basis of reviewing administering, and enforcing such a permit issued pursuant to a State or Federal program. The application and supporting technical data shall be submitted in a manner satisfactory to the regulatory authority and shall include a description of the purpose of the proposed exploration project. The supporting technical data shall include, among other things—

(1) a general description of the existing environment;

(2) the location of the area of exploration by either metes or bounds, lot, tract, range, or section, whichever is most applicable, including a copy of the pertinent United States Geological Survey topographical map or maps with the area to be explored explicitly delineated thereon;

(3) a description of existing roads, railroads, utilities, and rights-of-way, if not shown on the topographical map;

(4) the location of all surface bodies of water, if not shown on the topographical map;

(5) aerial photographs of the area to be explored;

(6) the type of mineral to be sought;

(7) the planned approximate location of any access roads, railroads, cuts, drill holes, and necessary facilities that may be constructed in the course of exploration, all of which shall be plotted on the topographical map;

(8) the estimated time of exploration;

(9) the ownership of the surface land to be explored;

(10) the written permission of all surface landowners of any exploration activities, except where the applicant owns such exploration rights;

(11) provisions for reclamation of all land disturbed in exploration, including excavations, roads, drill holes, and the removal of necessary facilities and equipment; and

(12) such other information as the regulatory authority may require.

In the exploration of minerals closely associated with coal measure, the crop line barriers may not be breached.

(b) If an applicant is denied a surface exploration permit under this Act, or if the regulatory authority fails to act within a reasonable time, then the applicant may seek relief under the appropriate administrative procedures.

(c) Any person who conducts any surface exploration activities in connection with the surface mining of the minerals covered by this Act without first having obtained a permit to explore from the appropriate regulatory authority or shall fail to conduct such exploration activities in a manner consistent with his approved surface exploration permit, shall be fined not more than $10,000. In addition, notwithstanding any other provision of this Act, the regulatory authority upon the said conviction shall withhold the issuance of any surface mining and reclamation permit to the person so fined for a period of time not to exceed twenty-four months from the date of such fine.

SURFACE MINING AND RECLAMATION PERMIT

SEC. 210. (a) Each application for a Surface Mining and Reclamation permit pursuant to an approved State program or a Federal program under the provisions of this Act shall be accompanied by a fee as determined by the regulatory authority. Such fee shall be based as nearly as possible upon the actual or anticipated cost on a per permit basis of reviewing administering, and enforcing such permit issued pursuant to a State or Federal program.

(b) The application shall be submitted in a manner satisfactory to the regulatory authority and shall contain, among other things—

(1) the name of the applicant, and whether an individual, partnership, corporation, or other business entity;

(2) the address of the applicant;

(3) the names and addresses of the agents, subsidiaries, or independent contractors who may be engaged in surface mining activities on behalf of the applicant on the land to be affected;

(4) the names and addresses of the present owners of the surface land and subsurface minerals in the land to be affected;

(5) the names and addresses of the adjacent owners of the surface land within one thousand feet of the land to be affected;

(6) if any of the above business entities are other than a single proprietor, the names, title, and address of the principal owners, or principal officers;

(7) the name and type of operation;

(8) the anticipated starting and termination dates of the proposed operation;

(9) the location of the proposed operation as plotted on the most recent United States

Geological Survey topographic map, showing the nearest town or municipality and county in which the land to be affected is located;

(10) the number of acres of land to be affected by the proposed operation;

(11) the name of the watershed and location of the surface stream or tributary into which surface and pit drainage will be discharged;

(12) a list of all names under which the applicant previously operated a surface mining operation within the boundaries of the United States or its territories and possessions;

(13) identification of any Surface Exploration or Surface Mining and Reclamation permits held by the applicant under this Act or pursuant to an approved State program under this Act in the State in which the land to be affected is located, their permit numbers, and their dates, including whether issued by a Federal or State regulatory authority or agency;

(14) when requested by the regulatory authority, a copy of any deeds, leases, options, or interests in lands in the name of the applicant or his agents pertaining to the surface mining of any minerals covered by this Act in and on the land to be affected;

(15) when requested by the regulatory authority, a statement of all lands, interests in lands, or options on such lands held by the applicant or pending bids on interests in lands by the applicant, which lands are contiguous to the land to be affected, and any information required by this paragraph which is not on public file pursuant to appropriate laws shall be held in confidence by the regulatory authority;

(16) a statement of whether the applicant, any subsidiary, affiliate, or any partner of the applicant if a partnership, any principal officer or director if the applicant is a corporation, or any other person who has a right to control or in fact controls the management of the applicant or the selection of officers, directors, or managers of the applicant has since 1960 had a surface mining permit issued by any Federal or State authority or agency suspended or revoked or has since 1960 had forfeited a surface mining bond or security deposited in lieu of bond. If so, a brief explanation of the facts involved in each case shall be attached;

(17) when requested by the regulatory authority, the climatological factors that are peculiar to the locality of the land to be affected, including the average seasonal precipitation, the average direction and velocity of prevailing winds, and the seasonal temperature ranges; and

(18) a statement of the results of test borings or core samplings from the land to be affected, including where appropriate, the surface elevation and logs of the drill holes so that the strike and dip of the mineral beds may be determined, the nature and depth of the various strata of overburden, the location of subsurface water, if encountered, and its quality the thickness of the mineral seam found, an analysis of the chemical properties of such mineral, the sulfur content of any coal seam and a chemical analysis of potentially acid or toxic forming sections of the overburden, and a chemical analysis of the stratum lying immediately underneath the mineral to be mined.

The collection and analyses of all such information associated with the requirements of this subsection shall be conducted by a laboratory which is approved by the regulatory authority. The regulatory authority may establish rules to preserve the integrity of the sampling. All information relating to test borings and core samplings required by this paragraph shall be kept confidential and not made a matter of public record, except that if such information becomes relevant to the parties to a hearing on the grant or denial of a permit or the forfeiture or release of part or all of a bond, such information may be disclosed to such interested parties under appropriate protective provisions.

(e)(1) All such applications shall also include an accurate map or plan to an appropriate scale clearly showing the land to be affected, prepared by or under the direction and certified by a registered professional engineer or registered land surveyor. Such map or plan shall show all the boundaries of the land to be affected, its surrounding drainage area, the location and names, where known, of all roads, railroads, rights-of-way, utility lines, oil wells, gas wells, water wells, lakes, streams, rivers, creeks, springs, and other surface watercourses, the names and boundary lines of the present surface landowners on and within one thousand feet of the land to be affected, and the location of all buildings on and within one thousand feet of the land to be affected, and the purpose for which each building is used.

(2) There shall also be filed with such applications typical cross section maps or plans of the land to be affected showing pertinent elevations, including the nature and thickness of the overburden, the nature and thickness of any mineral seam above the mineral seam to be mined, the nature of the stratum immediately beneath the mineral seam to be mined, the location of the aquifers or underground water, the estimated elevation of the water table, the location of any underground mines, and a profile of the anticipated final surface contour that will be achieved pursuant to the operator's approved reclamation plan. The information pertaining to the overburden and the mineral seam required by this paragraph shall be kept confidential and not made a matter of public record, except that if such information becomes relevant to the parties to a hearing on the grant or denial of a permit or the forfeiture or release of part or all of a bond, such information may be disclosed to such interested parties under appropriate protective provisions.

(3) In addition, each application shall include a proposed mining map or plan of the area of land to be affected on an appropirate scale, prepared under the direction and certified by any registered professional engineer or registered land surveyor, clearly showing the location of all rivers, streams, creeks, lakes, ponds, water impoundments, wells, springs, and any other watercourses, all mineral croplines, existing deep and surface mining llimts, the actual area to be mined, the location of pits, if any, that may be left in accordance with the operator's approval reclamation plan, spoil areas, waste or refuse areas, topsoil preservation areas, test and drill holes and their surface elevations, barriers, if any, to control subsurface water movement, strike and dip of the mineral to be mined within the area of land to be affected, the synclines and anticlines of the mineral to be mined, the contours of the surface at sufficient intervals of elevation to accurately depict the contour of the terrain, location of all buildings having private sources of water supply within one thousand feet of the area to be affected, the location of all waste water impoundments, any settling or water treatment facilities, constructed or natural drainways, and the location of any discharges to any surface body of water on the areas of land to be affected or adjacent thereto. The maps required under paragraphs (1) and (3) of this subsection may be consolidated.

(d) Each applicant for a Surface Mining and Reclamation permit pursuant to an approved State or Federal program under the provisions of this Act shall be required to submit to the regulatory authority as part of his application the written consent of, or a waiver by, the owner or owners of the surface lands proposed to be affected by surface mining operations to enter and commence surface mining operations on such land.

(e) Either the applicant for a Surface Mining and Reclamation permit pursuant to an approved State or Federal program under the provision of this Act, or if an independent contractor is used in surface mining or reclamation operations, then such independent contractor, shall be required to submit to the regulatory authority as part of the permit application a certificate issued by an insurance company authorized to do business in the State where the mine is located, certifying that the applicant has a public liability insurance policy in force for the surface mining and reclamation operations for which such permit is sought. Such policy shall provide for personal injury and property damage protection in an amount adequate to compensate any persons damaged as a result of surface mining and reclamation operations and entitled to compensation under the applicable provisions of Federal and State law, but in any event such amount shall not be less than $100,000. Such policy shall be for the term of the permit or any renewal, including the length of any and all reclamation operations required by this Act. The regulatory authority may waive the provisions of this paragraph upon a finding that the applicant is possessed and will continue to be possessed of ability to pay personal injury or property damage claims within the requirements of this paragraph.

(f) Each Surface Mining and Reclamation permit application submitted pursuant to an approved State or Federal program under the provisions of the Act shall contain a plan for the reclamation of the land to be affected. The reclamation plan shall include in a manner satisfactory to the regulatory authority the following information as a minimum:

(1) A description of the condition and uses of the land to be affected existing at the time of application, and, if the land has a history of previous mining, the uses which preceded any mining, and a discussion of the capability of the said land to support its existing use and such other uses to which land is put in the locality, giving consideration to soil, foundation, and water characteristics, topography, and vegetative cover.

(2) A declaration of the applicant's proposed land use after reclamation, including a discussion of the utility and capacity of the reclaimed land to support such use and a variety of other uses to which land is or may be put in the locality. A record of the contacts and consultations had with the appropriate governmental jurisdictions or agencies, including all appropriate local and county land use agencies, planning commissions, and zoning boards shall also be submitted.

(3) A description of the methods to be utilized to separate topsoil, subsoil, and spoil material, when appropriate, and keep them in separate storage areas, stabilizing, protecting, and conserving such materials from wind and water erosion, and the methods to be utilized in restoring topsoil to the land affected. If conditions do not permit the separation of topsoil, a full explanation of said conditions shall be given and other soil material most capable of supporting vegetative cover shall be separated, preserved, and restored in the same manner as though it were topsoil.

(4) A statement of the consideration which has been given to insuring maximum effective recovery of the mineral resources that can be technologically and economically surface or auger mined on the land to be affected.

(5) A full description of the engineering plans and techniques proposed to be used in mining and reclamation operations and the major equipment planned to be utilized in the implementation of such plans.

(6) A plan for the control and treatment, if necessary, of all water associated with the operation both during surface mining and for

a period of five years after the operation is terminated for any reason.

(7) A plan for the prevention of any pollution or diminution of the quality and quantity of surface and subsurface water courses utilized for domestic, industrial, agricultural, or recreational purposes by landowners adjacent to the land to be affected.

(8) Consistent with the applicant's declared proposed use of the land after mining, a detailed plan for backfilling, soil stabilization, compacting (where advisable), and regrading of soil materials and restoration of topsoil.

(9) Consistent with the applicant's declared proposed land use, a complete planting and revegetation program as best calculated to permanently restore, where possible, native vegetation to the land affected. Where soil and spoil materials will be exposed for an extended period of time during mining operations and where permanent native vegetation cannot be quickly established during reclamation operations, such a program shall include provisions for the establishment of quick growing natural cover to insure soil stabilization and prevent wind and water erosion. The applicant shall, also, state the consideration given to the type of soil involved, the seasonal amount of rainfall, the prevailing winds, the availability of water, and, shall include a description of the type, quantity, and frequency of application of fertilizers, if any, and the irrigation systems and quantities of water, if any, to be used in the planting program.

(10) A plan for insuring that all debris, acid forming or toxic materials constituting a potential health or safety hazard or a source of water pollution, are treated, compacted, buried, or otherwise disposed of promptly as part of the mining cycle in a manner designed to prevent such hazard or pollution from occurring.

(11) A plan for blasting where the use of explosives is contemplated, including the type of explosive and detonating equipment, and the consideration which has been given to the prevention of onsite and offsite injury or damage to people and property.

(12) The steps to be taken to insure that the surface mining and reclamation operations comply with all applicable air and water quality laws and regulations and any applicable health and safety standards.

(13) A detailed estimated timetable for the accomplishment of each major step in the reclamation plan, and the estimated total cost to him for implementation of the reclamation plan.

(14) Such other information as the regulatory authority may require.

CRITERIA FOR SURFACE MINING AND RECLAMATION OPERATIONS

SEC. 211. (a) Each State program and each Federal program shall include provisions and regulations which at a minimum require every permittee to—

(1) restore the land affected to a condition at least fully capable of supporting the uses which it was capable of supporting prior to any mining, so long as such use or uses do not present any actual or probable hazard to public health or safety or pose any actual or probable threat of water diminution or pollution, and the permit applicants' declared proposed land use following reclamation is not deemed to be impractical or unreasonable, inconsistent with applicable land use policies and plans, involves unreasonable delay in implementation, or is violative of Federal, State, or local law;

(2) obtain the written consent of the surface landowners, if different from the applicant, for the declared proposed land use;

(3) reduce the land disturbed incident to surface mining by limiting the amount of surface excavated at any one time during mining and combining the process of reclamation with progress of mining in conformity to the operator's own timetable as approved as part of his reclamation plan;

(4) recover the mineral resources that can be technologically and economically surface or auger mined on the land to be affected so that reaffecting the land in the future through mining can be minimized;

(5) remove the topsoil from the land in a separate layer, segregate it in a separate pile, and when not planned to be restored within a short period of time to a backfilled area, plant it with a quick-growing cover and maintain a successful cover thereafter so that the topsoil is preserved from wind and water erosion, remains free of an acid or toxic material, and is in a usable condition for sustaining vegetation when restored during reclamation, except if topsoil is virtually nonexistent or is not capable of sustaining vegetation, then the operator shall remove, segregate, and preserve in a like manner a subsoil which is best able to support vegetation;

(6) remove and segregate spoil materials and protect them from wind and water erosion as effectively as possible until returned during backfilling;

(7) stabilize all soil, subsoil, spoil, waste, and refuse piles to prevent sliding by, where applicable, layering, compacting, imposing slope and height limitations and by establishing, where possible, vegetative cover;

(8) insure that when performing surface mining on natural slopes in excess of 14 degrees from the horizontal, no debris, abandoned or disabled equipment, soil, spoil material, or waste mineral matter be placed on the natural downslope below the bench or mining cut, except the regulatory authority may permit the deposition of spoil material on downslopes in excess of 14 degrees from the horizontal if the permit applicant affirmatively demonstrates, and the regulatory authority specifically finds, that the methods of mining and the reclamation plan of the applicant, when implemented, will effectively prevent sedimentation, landslides, erosion, or acid, toxic, or mineralized water pollution and that such areas can be reclaimed as required by the provisions of this Act;

(9) segregate acid-forming or toxic materials uncovered during excavation or created in connection with the mining operation and promptly bury, cover, and compact or otherwise treat such materials during the mining cycle to prevent leaching and pollution of surface or subsurface waters;

(10) insure that all debris, acid-forming or toxic materials, and materials constituting a potential health or safety hazard or source of water pollution are treated, compacted, buried, or disposed of promptly as part of the mining cycle in a manner designed to prevent such hazard or pollution from occurring.

(11) backfill, compact (where advisable), and regrade the area of land affected so that it is restored to its approximate original contour with all highwalls, spoil piles, and depressions to hold water eliminated, and with adequate provision for drainage, except where retention of water is required or desirable for reclamation purposes, lakes ponds, pits, or depressions to hold water may be created; but in no event shall the slopes to the water be greater than 19 degrees from the horizontal; and where the applicant seeks to restore the area of land affected by a plan of terracing, he shall state the reasons why backfilling to approximate original contour cannot be accomplished, in which case terracing may then be permitted only if the regulatory authority finds that the reasons advanced are satisfactory and the natural slope or contour of the area of land to be affected is less than 14 degrees, except as provided in section 212;

(12) restore the topsoil or the best available subsoil which has been segregated and preserved;

(13) plant on all affected lands a stable and self-regenerating vegetative cover approved by the regulatory authority, which, where advisable, shall be comprised of native vegetation and maintain such planting for a period of five years after the termination for any reason, of the operation, except a quick-growing temporary cover may be planted on a short-term basis which shall not exceed two years unless extended by the regulatory authority for good cause shown, but such short-term plantings shall not release the operator from his obligation to provide a stable and self-regenerating vegetative covering;

(14) maintain the quality of water in surface and subsurface water systems both during and after surface mining and reclamation operations in accordance with the highest applicable water quality standards by, where applicable—

(A) constructing drainage or diversion ditches, installing pipes and pumps, and establishing settling ponds and other treatment facilities so that surface drainage and sedimentation can be controlled and treated to acceptable standards before discharge into surface water courses, but in no event shall any water be discharged into subsurface voids;

(B) preventing the accumulation of water in the pit or mine working areas through the construction of ditches, pipes, and pumps and the treatment of such water to acceptable standards before discharge into water courses, but in no event shall any water be discharged into subsurface voids, nor shall any low wall created during surface mining be breached to allow a gravity discharge of pit water;

(C) conducting surface mining operations so as to minimize the contribution of silt to run off from the disturbed area;

(D) conducting surface mining operations to avoid intrusion upon underground water impoundments, and, where such intrusion occurs, promptly report such to the regulatory authority and suspend operations in the vicinity of the intrusion until it is adequately sealed and inspected by the regulatory authority;

(E) casing or sealing of boreholes, shafts, and wells to prevent pollution of surface and subsurface waters; and

(F) such other actions as the regulatory authority may prescribe;

(15) insure that any water impoundments are properly designed and maintained during the mining operation so as to prevent siltation, water pollution, and rupture during intense storms, and any water impoundments retained as permanent parts of the reclamation plan, are engineered for stability without maintenance, with emergency spillways, so as to prevent rupture during storms of fifty-year frequency;

(16) insure the protection of offsite areas from slides or damage occurring during the surface mining and reclamation operations and that no part of the operations or waste accumulations will be located outside the permit area and that any damage will be contained within the permit area;

(17) insure that explosives are used only in accordance with existing State and Federal law and the regulations promulgated by the regulatory authority which, at a minimum, shall provide for—

(A) advance written notice to local governments and residents who would be affected by the use of such explosives of the blasting times and the posting of such times at the entrances to the mining site;

(B) specific procedures for the protection of dwellings, other buildings, and property; and

(C) specific limitations on the type of explosives and detonating equipment, the size, the timing, and frequency of blasts, based upon the physical conditions of the site, so as to prevent injury to persons and damage to property outside of the permit area, in-

cluding underground mining operations in the same vicinity; and

(18) remove and otherwise dispose of all debris, structures, facilities, and equipment upon the approval of the performance bond release.

REGULATION OF LARGE OPEN PIT MINE OPERATIONS

SEC. 212. With respect to surface mining operations for coal and other minerals in which—

(a) the amount of overburden and mineral removed is very large in proportion to the surface area disturbed;

(b) the surface mining operations take place on the same site for an extended period of time;

(c) there is insufficient overburden or other materials to return the area to conditions approximating original contour; and

(d) there is no practicable alternative method of mining the mineral;

the regulatory authority may propose and the Secretary may promulgate alternative regulations to those provided for in section 211, which, at a minimum will—

(1) insure that mining will be planned and carried out so the slope of remaining highwalls will enable replacement of soil, revegetation, and maintenance of the slopes, except in no event shall any slope created exceed 35 degrees from the horizontal, although step-terracing may be permitted where the mineral or overburden which would be exposed in the step-terracing is not of a toxic or otherwise polluting nature;

(2) insure that water and air quality standards applicable to the area to be covered by a permit will be observed and maintained;

(3) insure that public health and safety will be protected; and

(4) provide for the maximum practicable reclamation of the area to be covered by a permit to minimize adverse environmental impacts of the mining and to optimize the social, ecological, and environmental quality of the area.

DESIGNATION OF LAND AREAS UNSUITABLE FOR SURFACE MINING

SEC. 213. (a)(1) The Secretary is authorized to make annual grants to each State for the purpose of assisting the States in the development of a State mining lands review process capable of making objective decisions based upon competent and scientifically sound data and information as to which, if any, land areas of a State are unsuitable for all or certain types of surface mining operations.

(2) An area shall be designated unsuitable for surface mining operations if—

(A) reclamation pursuant to the requirements of this Act is not physically or economically possible;

(B) surface mining operations in a particular area would be incompatible with Federal, State, or local plans to achieve essential governmental objectives; or

(C) the area is an area of critical concern.

(3) To be eligible for grants under this section and to qualify its State program for approval by the Secretary under section 204 of this Act, the State must demonstrate it has developed a mining lands review process which includes—

(A) a State agency responsible for mining lands review;

(B) a data base and inventory system which will permit proper evaluation of the capacity of different land areas of the State to support and permit reclamation of surface mining operations;

(C) a method or methods for implementing decisions concerning the designation of lands unsuitable for surface mining; and

(D) proper notice requirements, opportunities for public participation and public hearings, and measures to protect the legal interests of affected surface and mineral owners in all aspects of the mining lands review process.

(4) Grants made pursuant to this section shall not exceed 80 per centum of the cost of developing and managing a State mining lands review process in the first and second years, and 60 per centum thereafter.

(5) In making grants pursuant to this section, the Secretary shall consider the present and projected levels of surface mining operations, the need for areawide planning, and the size of the State.

(6) For each of first three fiscal years following the enactment of this act there is authorized to be appropriated to the Secretary for grants to the States not more than $25,000,000 annually to carry out the purposes of this section; and for each fiscal year thereafter, there are authorized to be appropriated such sums as are necessary and appropriate to carry out the purposes of this section.

(7) Any interested citizen shall have the right to petition the State regulatory authority to seek exclusion of an area from surface mining according to the criteria set forth in (a)(2) and (a)(3) of this section. Whenever such petition contains allegations of facts with supporting affidavits which would tend to establish the unsuitability of an area for surface mining, the petitioners shall be granted a hearing within a reasonable time and a finding with reasons therefor upon the matter of their petition.

(8) Determinations of the unsuitability of land for surface mining, as provided for in this section, shall be integrated as closely as possible with present and future land use planning and regulation processes at the Federal, State, and local levels.

(b) The Secretary is authorized and directed to conduct a review of the Federal lands and to determine, pursuant to the criteria set forth in subsection (a)(2), whether there are areas on Federal lands which are unsuitable for all or certain types of surface mining operations. When the Secretary determines an area on Federal lands to be unsuitable for surface mining operations he shall withdraw such area or he shall condition any mineral or mineral entries in a manner so as to limit surface mining operations on such area.

PERMIT APPROVAL

SEC. 214. (a) Prior to approval of a surface mining and reclamation permit, or a revision or renewal thereof, pursuant to an approved State program or Federal program under the provisions of this Act, the regulatory authority shall find—

(1) that the application is complete;

(2) that reclamation can be carried out consistent with the purposes of this Act or with any approved State program or Federal program;

(3) that the land affected does not lie within three hundred feet from the outside property line of any occupied dwelling, unless waived by the owner thereof, nor within three hundred feet of any public building, school, church, community or institutional building, public park, or cemetery; nor shall the land be affected lie within one hundred feet of the outside right-of-way line of any public road, except that the regulatory authority may permit such roads to be relocated, if the interests of the public and the landowners affected thereby will be protected;

(4) that the operation will not constitute a health or safety hazard to private or public structures, lands or waters, or people;

(5) that the applicant's method of mining and reclamation plan, when implemented, will effectively prevent sedimentation landslides, erosion or acid, toxic, or mineralized water pollution of surface or subsurface water courses, or that surface mining activities will not cause the destruction of underground water courses;

(6) that mining will not irreparably harm, destroy, or materially impair any areas of critical environmental concern; and

(7) that no lake, river, stream, creek, or watercourse will be moved, interrupted, or destroyed during the mining or reclamation process except that watercourses may be relocated where consistent with the operator approved reclamation plan; and that no mining or reclamation activities will be conducted within one hundred feet of any lake, river, stream, or creek during the mining and reclamation process, except that reclamation activities may be permitted within one hundred feet of such bodies of water where it will improve an existing water pollution problem or restore a previously mined but unreclaimed area.

(b) The regulatory authority shall not issue any new Surface Mining Permit or renew or revise any existing Surface Mining Permit of any operator if it finds, after investigation, that the applicant for permit or renewal or revision of permit has failed and continues to fail to comply with any of the provisions of this Act.

PUBLIC NOTICE AND PUBLIC HEARINGS

SEC. 215. (a) Within thirty-five days after the applicant has submitted his application for a surface mining and reclamation permit, or revision or renewal of an existing permit, pursuant to the provisions of this Act or an approved State program, he shall submit to the regulatory authority a copy of his advertisement of the ownership, precise location, and boundaries of the land to be affected. Such advertisement shall be placed in a newspaper of general circulation in the locality of the proposed surface mine at least once a week for four successive weeks. Within thirty-five days after the applicant has submitted his application, he shall also submit copies of letters which he has sent to various local government bodies, planning agencies, and sewage and water treatment authorities, or water companies in the locality in which the proposed surface mining will take place notifying them of his intention to surface mine a particularly described tract of land and indicating the application's permit number.

(b) Any interested citizen or the officer or head of any Federal, State, or local governmental agency or authority shall have the right to file written objections to the proposed surface mining with the regulatory authority within thirty days after the last publication of the above notice. If written objections are filed and a hearing requested, the regulatory authority shall then hold a public hearing in the locality of the proposed mining within a reasonable time of the receipt of such objections. The date, time, and location of such public hearing shall be advised by the regulatory authority in a newspaper of general circulation in the locality for seven days. At this public hearing, the applicant for a permit shall have the burden of establishing that his application is in compliance with the applicable State and Federal laws.

(c) For the purpose of such hearing, the regulatory authority may administer oaths, subpena witnesses, or written or printed, materials, compel attendance of the witnesses, or production of the materials, and take evidence including but not limited to site inspections of the land to be affected and other surface mining operations carried on by the applicant in the general vicinity of the proposed operation. A verbatim transcript and complete record of each public hearing shall be ordered by the regulatory authority.

DECISIONS OF REGULATORY AUTHORITY AND APPEALS

SEC. 216. (a) The regulatory authority shall notify the applicant for a permit within a reasonable time after its submission whether the application has been approved or disapproved taking into account time needed

for proper investigation of the site, complexity of the permit application, and time spent on compliance with the public notice and public hearing provisions of this Act or on an approved State program. If no written objections have been filed and no public hearings are to be held, and the application is approved under this Act or an approved State program, the permit shall be issued. If the application is disapproved, specific reasons therefor must be set forth in the notification. Within thirty days after the applicant is notified that the permit or any portion thereof has been denied, the applicant may request a hearing on the reasons for the said disapproval. A public hearing shall be held within thirty days of the request and such hearing shall be conducted in accord with the public hearing provisions of this Act or an approved State program. Within thirty days after the hearing, the regulatory authority shall issue and furnish the applicant with the written decision of the regulatory authority granting or denying the permit in whole or in part and stating the reasons therefor.

(b) Any applicant or any interested citizen who has participated in the administrative proceedings as an objector, and who is aggrieved by the decision of the regulatory authority, or if the regulatory authority fails to act within a reasonable period of time, shall have the right of appeal for review by a court of competent jurisdiction in accordance with State or Federal law.

POSTING OF BOND

SEC. 217. (a) After a surface mining and reclamation permit application has been approved but before such a permit is issued, the applicant shall file with the regulatory authority, on a form prescribed and furnished by the regulatory authority, a bond for performance payable, as appropriate, to the United States or to the State, under an approved State program, and conditioned that the operator shall faithfully perform all the requirements of this Act. The bond shall cover that area of land within the permit area upon which the operator will initiate and conduct surface mining and reclamation operations. As succeeding increments of surface mining and reclamation operations are to be initiated and conducted within the permit area, the permittee shall file with the regulatory authority an additional bond or bonds to cover such increments in accordance with this section. The amount of the bond required for each bonded area shall depend upon the reclamation requirements of the approved permit and shall be determined by the regulatory authority. The amount of the bond shall be sufficient to assure the completion of the reclamation plan if the work had to be performed by a third party in the event of forfeiture; in no case shall the bond be less than $10,000. Liability under the bond shall be for the duration of the surface mining and reclamation operation and for a period of five years thereafter, unless sooner released as hereinafter provided in this Act. The bond shall be executed by the operator and a corporate surety licensed to do business in the State where such operation is located, except that the operator may elect to deposit cash, negotiable bonds of the United States Government or such State, or negotiable certificates of deposit of any bank organized or transacting business in the United States. The cash deposit or market value of such securities shall be equal to or greater than the amount of the bond required for the bonded area.

(b) Cash or securities so deposited shall be deposited upon the same terms as the terms upon which surety bonds may be deposited. If one or more negotiable certificates of deposit are deposited with the regulatory authority in lieu of the surety bond, he shall require the bank which issued any certificate to pledge securities of the aggregate market value to the amount of such certificate or certificates, which is in excess of the amount insured by the Federal Deposit Insurance Corporation. Such securities shall be security for the repayment of such negotiable certificate of deposit.

(c) Upon the receipt of the deposit of cash or securities, the regulatory authority shall immediately place the deposit with, as appropriate, the Secretary of the Treasury or a similar State authority under an approved State program, who shall receive and hold the deposit in safekeeping in the name of the United States, or the appropriate State under an approved State program, in trust for the purpose for which the deposit was made. The operator making the deposit may from time to time demand and receive from the Secretary of the Treasury or the aforesaid State regulatory authority, on written order of the regulatory authority the whole or any portion of the deposit if other acceptable securities of at least the same value are deposited in lieu thereof. The operator may demand of the Secretary of the Treasury, or the aforesaid State authority, and receive the interest and income from the securities as they become due and payable. When deposited securities mature or are called the operator may request that the Secretary of the Treasury or the aforesaid State authority convert the securities into other acceptable securities by the operator, and the Secretary of the Treasury or the aforesaid State authority shall so do.

(d) The amount of the bond or deposit required shall be increased by the regulatory authority from time to time as affected land acreages are increased or where the cost of future reclamation obviously increases.

BOND RELEASE PROCEDURES

SEC. 218. (a) When the operator completes the backfilling and regrading of a bonded area in accordance with his approved reclamation plan, he may report the completion to the regulatory authority, and request the release of 60 per centum of the bond or collateral. The request shall state—

(1) the location of the land affected, the number of acres backfilled and regraded, and the approximate dates of the reclamation work;

(2) the permit number;

(3) the amount of the bond;

(4) a detailed description of the type of reclamation activities performed; and

(5) a detailed description of the results achieved as they relate to the operator's approved reclamation plan.

(b) Upon receipt of the notification and request and within one hundred days thereafter, the regulatory authority shall make an inspection and evaluation of the reclamation work involved. Such evaluation shall consider, among other things, the degree of difficulty to complete the remaining backfilling and regrading, whether pollution of surface and subsurface water is occurring, the probability of continuance or future occurrence of such pollution, and the estimated cost of abating such pollution. If the regulatory authority finds that the reclamation meets the requirements of this Act, he shall so notify the operator and the Secretary of the Treasury or the appropriate State authority and release that portion of the bond requested. The Secretary of the Treasury or the appropriate State authority shall then return to the operator the amount of cash or securities constituting that portion of the bond so released. If the regulatory authority does not approve of the reclamation performed by the operator, he shall so notify the operator by registered mail within one hundred days after the request is filed. The notice shall state the reasons for unacceptability and shall recommend actions to remedy the failure.

(c) When the operator has completed successfully all surface mining and reclamation activities, he may file a request as herein-before provided for release of the bond. Upon receipt of the notification and request and within a reasonable time thereafter, the regulatory authority shall make an inspection and evaluation of the reclamation work. If the regulatory authority finds that the reclamation meets the requirements of this Act, he shall so notify the surety company, the operator, and the Secretary of the Treasury or the appropriate State authority and release that portion of the bond requested. The Secretary of the Treasury or the appropriate State authority shall then return to the operator the amount of the cash or securities constituting that portion of the bond so released. If the regulatory authority does not approve of the reclamation performed by the operator, he shall so notify the operator by registered mail within a reasonable time after the request is filed. The notice shall state the reasons for unacceptability and shall recommend actions to remedy the failure.

(d) Within thirty-five days after any application for bond release has been filed with the regulatory authority, the operator shall submit a copy of an advertisement placed on five successive days in a newspaper of general circulation in the locality of the surface mining operation. Such advertisement shall be considered part of any bond release application and shall contain a notification of the location of the land affected, the number of acres, the permit number and the date approved, the amount of the bond filed and the portion sought to be released, and the type of reclamation work performed. In addition, as part of any bond release application, the applicant shall also submit copies of letters which he has sent to various local governmental bodies, planning agencies, and sewage and water treatment authorities, or water companies in the locality in which the surface mining and reclamation activities took place, notifying them of his intention to seek release from the bond.

(e) Any interested citizen of the area, or the officer or head of any Federal, State, or local governmental agency shall have the right to file written objections to the proposed release from bond to the regulatory authority within fifteen days after the last publication of the above notice. If written objections are filed, and a hearing requested, the regulatory authority shall inform all the interested parties, then hold a public hearing in the locality of the surface mining proposed for bond release within twenty days of the request of such objections. The date, time, and location of such public hearings shall be advertised by the regulatory authority in a newspaper of general circulation in the locality for five days. At this public hearing, the protestant shall have the burden of establishing that the permittee's request is not in compliance with applicable State or Federal law.

(f) For the purpose of such hearing the regulatory authority shall have the authority and is hereby empowered to administer oaths, subpena witnesses, or written or printed materials, compel the attendance of witnesses, or production of the materials, and take evidence including but not limited to inspections of the land affected and other surface mining operations carried on by the applicant in the general vicinity. A verbatim transcript and a complete record of each public hearing shall be ordered by the regulatory authority.

(g) The regulatory authority shall make its decision on the bond release request not more than sixty days after the record of the hearings is transcribed.

(h) Any applicant or interested citizen who has participated in the administrative proceedings as an objector and who is aggrieved by the decision of the regulatory authority or if the regulatory authority fails to act within a reasonable period of time, shall have the right of appeal to a court of

competent jurisdiction in accordance with applicable State or Federal law.

SUSPENSION AND REVOCATION OF PERMITS

SEC. 219. (a) Once granted, a permit may not be suspended or revoked unless—

(1) the regulatory authority gives the permittee prior notice of violation of the provisions of the permit, the State program or Federal program, of this Act and affords a reasonable period of time or not less than fifteen days or more than one year within which to take corrective action, except if any mining operation is causing pollution from acid drainage or other toxic materials or is endangering a public water supply, or is a hazard to public health and safety, the permit shall be suspended and the operation ceased and no supersedeas bond may be granted as long as such conditions exist; and

(2) the regulatory authority determines after a public hearing, if requested by the permittee, that the permittee remains in violation.

The regulatory authority must issue and furnish the permittee a written decision either affirming or rescinding the suspension and stating the reasons therefor. The permittee shall have the right to appeal such decision of the regulatory authority to a court of competent jurisdiction in accordance with State or Federal law.

INSPECTION

SEC. 220. (a) The Secretary shall cause to be made such inspections of any surface mining and reclamation operations as are necessary to evaluate the administration of approved State programs, or to develop or enforce any Federal program, and for such purposes authorized representatives of the Secretary shall have a reasonable right of entry to any surface mining and reclamation operations.

(b) For the purpose of developing or assisting in the development, administration, and enforcement of any approved State or Federal program under this Act or in the administration and enforcement of any permit under this Act, or of determining whether any person is in violation of any requirement of any such State or Federal program or any other requirement of this Act—

(1) the regulatory authority shall require any permittee to (A) establish and maintain appropriate records, (B) make reports, (C) install, use, and maintain any necessary monitoring equipment, and (D) provide such other information relative to surface mining and reclamation operations as the regulatory authority deems reasonable and necessary; and

(2) the authorized representatives of the regulatory authority, upon presentation of appropriate credentials (A) shall have the right of entry to, upon, or through any surface mining and reclamation operations or any premises in which any records required to be maintained under paragraph (1) of this subsection are located; and (B) may at reasonable times, and without unreasonable delay, have access to any copy any records, inspect any monitoring equipment or method of operation required under this Act.

(c) The inspections by the regulatory authority shall (1) occur on an irregular basis averaging not less than one inspection per month for the surface mining and reclamation operations for coal covered by each permit and semiannually for surface mining and reclamation operations for other minerals covered by each permit; (2) occur without prior notice to the permittee or his agents or employees; and (3) include the filing of inspection reports adequate to carry out the purposes of this Act.

(d) Notices of pending applications and location maps shall be filed with appropriate officials in each county or other appropriate subdivision of the State in which surface mining and reclamation operations under such permits will be conducted.

(e) Each permittee shall conspicuously maintain at the entrances to the surface mining and reclamation operations a clearly visible sign which sets forth the name, business address, and phone number of the permittee and the permit number of the surface mining and reclamation operations.

(f) Any records, reports, or information obtained under this section by the regulatory authority which are not within the exceptions of the Freedom of Information Act (5 U.S.C. 552) shall be available to the public.

FEDERAL ENFORCEMENT

SEC. 221. (a) Whenever, on the basis of any information available to him, the Secretary finds that any person is in violation of any requirement of this Act or any permit condition required by this Act, the Secretary shall notify the State regulatory authority in the State in which such violation exists. If such State authority fails within ten days after notification to take appropriate action to cause said violation to be corrected or to show good cause for such failure, the Secretary shall issue an order requiring such person to comply with the provision or permit condition.

(b) When, on the basis of Federal inspection, the Secretary determines that any person is in violation of any requirement of this Act or any permit condition required by this Act, the Secretary or his inspectors may immediately order a cessation of surface mining and reclamation operations or the portion thereof relevant to the violation and provide such person a reasonable time to correct the violation. Such person shall be entitled to a hearing concerning such an order of cessation within three days of the issuance of the order. If such person shall fail to obey the order so issued, the Secretary shall immediately institute civil or criminal actions in accordance with this Act.

(c) Whenever the Secretary finds that violations of an approved State program appear to result from a failure of the State to enforce such State program effectively, he shall so notify the State. If the Secretary finds that such failure extends beyond the thirtieth day after such notice, he shall give public notice of such finding. During the period beginning with such public notice and ending when such State satisfies the Secretary that it will enforce such State program, the Secretary shall enforce any permit condition required under this Act with respect to any person by issuing an order to comply with such permit condition or by bringing a civil or criminal action, or both, pursuant to this section.

(d) Any order issued under this section shall take effect immediately. A copy of any order issued under this section shall be sent to the State regulatory authority in the State in which the violation occurs. Each order shall set forth with reasonable specificity the nature of the violation and establish a reasonable time for compliance, taking into account the seriousness of the violation, any irreparable harmful effects upon the environment, and any good faith efforts to comply with applicable requirements. In any case in which an order or notice under this section is issued to a corporation, a copy of such order shall be issued to appropriate corporate officers.

(e) At the request of the Secretary, the Attorney General may institute a civil action in a district court of the United States for a restraining order or injunction or other appropriate remedy to enforce the purposes and the provisions of this Act and the regulations adopted hereunder.

(f) (1) If any person shall fail to comply with any Federal program, any provision of this Act, or any permit condition required by this Act, for a period of fifteen days after notice of such failure, such person shall be liable for a civil penalty of not more than $1,000 for each and every day of the continuance of such failure. The Secretary may assess and collect any such penalty after a public hearing.

(2) Any person who violates a Federal program, any provision of this Act, or any permit condition required by this Act, or makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act, or who falsifies, tampers with, or renders inaccurate any monitoring device or method to be maintained under this Act, shall be fined not more than $10,000, or imprisonment for not longer than six months, or both.

(g) Wherever a corporation or other entity violates a Federal program, any provision of this Act, or any permit condition required by this Act, any director, officer, or agent of such corporation or entity who authorized, ordered, or carried out such violation shall be subject to the same fines or imprisonment as provided for under subsection (f) of this section.

(h) The penalties prescribed in this section shall be in addition to any other remedies afforded by this Act or by any other law or regulation.

ESTABLISHMENT OF RIGHTS TO BRING CITIZENS SUITS

SEC. 222. (a) Except as provided in subsection (b) of this section, any person may commence a civil action on his own behalf—

(1) against any person including—

(A) the United States, and

(B) any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution who is alleged to be in violation of the provisions of this Act or the regulation promulgated thereunder, or order issued by the Secretary or an appropriate State regulatory authority; or

(2) against the Secretary or the appropriate State regulatory authority where there is alleged a failure of the Secretary or the appropriate State regulatory authority to perform any act or duty under this Act which is not discretionary with the Secretary or with the appropriate State regulatory authority.

(b) No action may be commenced—

(1) under subsection (a) (1) of this section—

(A) prior to sixty days after the plaintiff has given notice of the violation (i) to the Secretary, (ii) to the State in which the violation occurs, and (iii) to any alleged violator of the provisions, regulations or order, or

(B) if the Secretary or the State has commenced and is diligently prosecuting a civil action in a court of the United States or a State to require compliance with the provisions of this Act or the regulations thereunder, or the order, but in any such action in a court of the United States any person may intervene as a matter of right;

(2) under subsection (a) (2) of this section prior to sixty days after the plaintiff has given notice of such action to the Secretary, in such a manner as the Secretary shall by regulation prescribe, or to the appropriate State regulatory authority, except that such action may be brought immediately after such notification in the case where the violation or order or lack of order complained of constitutes an imminent threat to the health or safety of the plaintiff or would immediately affect a valid legal interest of the plaintiff.

(c) (1) Any action respecting a violation of this Act or the regulations thereunder may be brought only in the judicial district in which the surface mining operation complained of is located.

(2) In such action under this section, the Secretary, or the State regulatory authority, if not a party, may intervene as a matter of right.

(d) The court, in issuing any final order in any action brought pursuant to subsection (a) of this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

(e) Nothing in this section shall restrict any right which any person (or class of persons) may have under this or any statute or common law to seek enforcement of any of the provisions of this Act and the regulations thereunder, or to seek any other relief (including relief against the Secretary or the appropriate State regulatory authority).

FEDERAL LANDS AND INDIAN LANDS

SEC. 223. (a) The Secretary shall promulgate and implement a Federal lands program which shall be applicable to all surface mining and reclamation operations taking place pursuant to any Federal law on any Federal land and Indian lands. The Federal lands program shall, at a minimum, incorporate all of the requirements of this Act and shall take into consideration the diverse physical, climatological, and other unique characteristics of the Federal and Indian lands in question.

(b) The requirements of this Act and the Federal lands program shall be incorporated by reference or otherwise in any Federal mineral lease, permit, or contract issued by the Secretary which may involve surface mining and reclamation operations. Incorporation of such requirements shall not, however, limit in any way the authority of the Secretary to subsequently issue new regulations, revise the Federal lands program to deal with changing conditions or changed technology, and to require the lease, permit, or contract holder to conform any surface mining and reclamation operations to the requirements of this Act and the regulations issued pursuant to this Act.

(c) The Federal lands program shall contain regulations applicable to all Federal departments and agencies which require that—

(1) where the Federal Government, its departments, agencies, or authorities, does not own the surface of the land but owns the subsurface minerals, no such Federal department, agency, or authority shall sell, assign, lease, mine, or otherwise dispose of any federally owned minerals on such lands unless the department or agency has first obtained the written consent of the appropriate surface landowner or landowners to the present or future extraction of such minerals by means of surface mining; and

(2) no Federal department, agency, or authority shall purchase or otherwise obtain any coal from any supplier which coal has been extracted by means of surface mining on lands owned by any person who has not given his written consent to the extraction of such coal by surface mining.

(d) The Secretary may enter into agreements with a State or with a number of States to provide for a joint Federal-State program covering a permit or permits for surface mining and reclamation operations on land areas which contains lands within any State and Federal Indian lands which are interspersed or checkerboarded and which should, for conservation and administrative purposes, be regulated as a single-management unit. To implement a joint Federal-State program the Secretary may enter into agreements with the States, may delegate authority to the States, or may accept a delegation of authority from the States for the purpose of avoiding duality of administration of a single permit for surface mining and reclamation operation. Such agreements shall, at a minimum, incorporate all of the requirements of this Act.

(e) Except as specifically provided in subsection (d), this section shall not be construed as authorizing the Secretary to delegate to the States any authority or jurisdiction to regulate or administer surface mining and reclamation operations or other activities taking place on the Federal or Indian lands or to delegate to the States trustee responsibilities toward Indians and Indian lands.

REVISION OF PERMITS

SEC. 224. (a)(1) During the term of the permit the permittee may submit an application, together with a revised reclamation plan, to the regulatory authority for a revision of the permit.

(2) An application for a revision of the permit shall not be approved unless the regulatory authority is fully satisfied that reclamation as required pursuant to this Act, can and will be accomplished under the revised reclamation plan. The revision shall be approved or disapproved within a period of time established by the State or Federal program. The regulatory authority shall establish guidelines for a determination of the scale or extent of a revision request for which all permit application information requirements and procedures, including notice and hearings, shall apply, except that any revisions which propose a substantial change in the intended future use of the land or significant alterations in the reclamation plan shall, at a minimum, be subject to notice and hearing requirements.

(3) Any extensions to the area covered by the permit except incidental boundary revisions must be made by applications for a new permit.

(b) No transfer, assignment, or sale of the rights granted under any permit issued pursuant to this Act shall be made.

PUBLIC AGENCIES, PUBLIC UTILITIES, AND PUBLIC CORPORATIONS

SEC. 225. Any agency, unit, or instrumentality of Federal, State, or local government, including any publicly owned utility or publicly owned corporation of Federal, State, or local government which proposes to engage in surface mining operations which are subject to the requirements of this Act shall comply with the provisions of title II of this Act.

TITLE III—ABANDONED AND UNRECLAIMED MINED AREAS

ABANDONED MINE RECLAMATION FUND

SEC. 301. (a) There is hereby created in the Treasury of the United States a fund to be known as the Abandoned Mine Reclamation Fund (hereinafter referred to as the "fund").

(b) There is authorized to be appropriated to the fund initially the sum of $100,000,000 and such other sums as the Congress may thereafter authorize to be appropriated.

(c) The following other moneys shall be deposited in the fund:

(1) Moneys derived from the sale, lease, or rental of land reclaimed pursuant to this title.

(2) Moneys derived from any user charge imposed on or for land reclaimed pursuant to this title, after expenditures for maintenance have been deducted.

(3) Miscellaneous receipts including fines, fees and bond forfeitures accruing to the Secretary through the administration of this Act which are not otherwise encumbered.

(d) Moneys in the fund subject to annual appropriation by the Congress, may be expended by the Secretary for the purposes of this title.

ACQUISITION AND RECLAMATION OF ABANDONED AND UNRECLAIMED MINED AREAS

SEC. 302. (a) The Congress hereby declares that the acquisition of any interest in land or mineral rights in order to construct, operate, or manage reclamation facilities and projects constitutes acquisition for a public use or purpose, notwithstanding that the Secretary plans to hold the interest in land or mineral rights so acquired as an open space or for recreation, or to resell the land following completion of the reclamation facility or project.

(b) The Secretary may acquire by purchase, donation, or otherwise, land or any interest therein which has been affected by surface mining and has not been reclaimed to its approximate original condition. Prior to making any acquisition of land under this section, the Secretary shall make a thorough study with respect to those tracts of land which are available for acquisition under this section and based upon those findings he shall select lands for purchase according to the priorities established in subsection (i). Title to all lands or interests therein acquired shall be taken in the name of the United States, but no deed shall be accepted or purchase price paid until the validity of the title is approved by the Attorney General. The price paid for land under this section shall take into account the unrestored condition of the land.

(c) For the purposes of this title, when the Secretary seeks to acquire an interest in land or mineral rights, and cannot negotiate an agreement with the owner of such interest or right he shall request the Attorney General to file a condemnation suit and take interest or right, following a tender of just compensation as awarded by a jury to such persons. When the Secretary determines that time is of the essence because of the likelihood of continuing or increasingly harmful effects upon the environment which would substantially increase the cost or magnitude of reclamation or of continuing or increasingly serious threats to life, safety, or health, or to property, the Secretary may take such interest or rights immediately upon payment by the United States either to such person or into a court of competent jurisdiction of such amount as the Secretary shall estimate to be the fair market value of such interest or rights; except that the Secretary shall also pay to such person any further amount that may be subsequently awarded by a jury, with interest from the date of the taking.

(d) For the purposes of this title, when the Secretary takes action to acquire an interest in land and cannot determine which person or persons hold title to such interest or rights, the Secretary shall request the Attorney General to file a condemnation suit, and give notice, and may take such interest or rights immediately upon payment into court of such amount as the Secretary shall estimate to be the fair market value of such interest or rights. If a person or persons establishes title to such interest or rights within six years from the time of their taking, the court shall transfer the payment to such person or persons and the Secretary shall pay any further amount that may be agreed to pursuant to negotiations or awarded by a jury subsequent to the time of taking. If no person or persons establish title to the interest or rights within six years from the time of such taking, the payment shall revert to the Secretary and be deposited in the Fund.

(e) States are encouraged to acquire abandoned and unreclaimed mined lands within their boundaries and to donate such lands to the Secretary to be reclaimed under appropriate Federal regulations. The Secretary is authorized to make grants on a matching basis to States in such amounts as he deems appropriate for the purpose of carrying out the provisions of this title but in no event shall any grant exceed 90 per centum of the cost of acquisition of the lands for which the grant is made. When a State has made any such land available to the Federal Government under this title, such State shall have a preference right to purchase such lands after reclamation at fair

market value less the State portion of the original acquisition price.

(f) The Secretary shall prepare specifications for the reclamation of lands acquired under this title. In preparing specifications, the Secretary shall utilize the specialized knowledge or experience of any Federal department or agency which can assist him in the development or implementation of the reclamation program required under this title.

(g) In selecting lands to be acquired pursuant to this title and in formulating regulations for the making of grants to the States to acquire lands pursuant to this title, the Secretary shall give priority (1) to lands which, in their unreclaimed state, he deems to have the greatest adverse effect on the environment or constitute the greatest threat to life, health, or safety and (2) to lands which he deems suitable for public recreational use. The Secretary shall direct that the latter lands, once acquired, shall be reclaimed and put to use for recreational purposes. Revenue derived from such lands, once reclaimed and put to recreational use, shall be used first to insure proper maintenance of such lands and facilities thereon, and any remaining moneys shall be deposited in the Fund.

(h) Where land reclaimed pursuant to this title is deemed to be suitable for industrial, commercial, residential, or private recreational development, the Secretary may sell such land pursuant to the applicable provisions of Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et. seq.).

(i) In selecting lands to be acquired pursuant to this title and in formulating regulations for the making of grants to the States to acquire lands pursuant to this title, the Secretary shall give priority (1) to lands which, in their unreclaimed state, he deems to have the greatest adverse effect on the environment or constitute the greatest threat to life, health, or safety and (2) to lands which he deems suitable for public recreational use. The Secretary shall direct that the latter lands, once acquired, shall be reclaimed and put to use for recreational purposes. Revenue derived from such lands, once reclaimed and put to recreational use, shall be used first to insure proper maintenance of such lands and facilities thereon, and any remaining moneys shall be deposited in the fund.

(j) Where land reclaimed pursuant to this title is deemed to be suitable for industrial, commercial, residential, or private recreational development, the Secretary may sell such land pursuant to the provisions applicable provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et. seq.).

(k) The Secretary shall hold a public hearing with the appropriate notice, in the county or counties or the appropriate subdivisions of the State in which lands acquired to be reclaimed pursuant to this title are located. The hearing shall be held at a time which shall afford local citizens and governments the maximum opportunity to participate in the decision concerning the use of the lands once reclaimed.

TITLE IV—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

ADVISORY COMMITTEES

SEC. 401. (a) The Secretary shall appoint a national advisory committee for surface mining and reclamation operations for coal and a national advisory committee for surface mining and reclamation operations for other minerals. Each advisory committee shall consist of not more than seven members and shall have a balanced representation of Federal, State, and local officials, persons qualified by experience of affiliation to present the viewpoint of operators of surface mining operations subject to this Act, consumers, and persons qualified by experience or affiliation to present the viewpoint of conservation and other public interest groups, to advise him in carrying out the provisions of this Act. The Secretary shall designate the chairman of each advisory committee.

(b) Members of each advisory committee other than employees of Federal, State, and local governments, while performing advisory committee business, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime. While serving away from their homes or regular places of business, members may be paid travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons intermittently employed.

GRANTS TO THE STATES

SEC. 402. (a) The Secretary is authorized to make annual grants to any State for the purpose of assisting such State in developing, administering, and enforcing State programs under this Act. Such grants shall not exceed 80 per centum of the total costs incurred during the first year; 70 per centum of the total costs incurred during the second and third years; and 60 per centum each year thereafter.

(b) The Secretary is authorized to cooperate with and provide assistance to any State for the purpose of assisting it in the development, administration, and enforcement of its State programs. Such cooperation and assistance shall include—

(1) technical assistance and training, including provision of necessary curricular and instruction materials, in the development, administration and enforcement of the State programs; and

(2) assistance in preparing and maintaining a continuing inventory of surface mining and reclamation operations for each State for the purposes of evaluating the effectiveness of the State programs. Such assistance shall include all Federal departments and agencies making available data relevant to surface mining and reclamation operations and to the development, administration, and enforcement of State programs concerning such operations.

RESEARCH AND DEMONSTRATION PROJECTS

SEC. 403. (a) The Secretary is authorized to conduct and promote the coordination and acceleration of research, studies, surveys, experiments, and training in carrying out the provisions of this Act. In conducting the activities authorized by this section, the Secretary may enter into contracts with, and make grants to qualified institutions, agencies, organizations, and persons.

(b) The Secretary is authorized to enter into contracts with, and make grants to, the States and their political subdivisions, and other public institutions, agencies, organizations, and persons to carry out demonstration projects involving the reclamation of lands which have been disturbed by surface mining operations.

(c) There are authorized to be appropriated to the Secretary $5,000,000 annually for the purposes of this section.

ANNUAL REPORT

SEC. 404. The Secretary shall submit annually to the President and the Congress a report concerning activities conducted by him, the Federal Government, and the States pursuant to this Act. Among other matters, the Secretary shall include in such report recommendations for additional administrative or legislative action as he deems necessary and desirable to accomplish the purposes of this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 405. There is authorized to be appropriated to the Secretary for administration of this Act and for the purposes of section 228 for the fiscal year ending June 30, 1973, the sum of $10,000,000; for each of the next two succeeding fiscal years, the sum of $20,000,000; and $30,000,000 for each fiscal year thereafter.

OTHER FEDERAL LAWS

SEC. 406. (a) Nothing in this Act shall be construed as superseding, amending, modifying, or repealing existing State or Federal law relating to mine health and safety, and air and water quality, except as specifically provided by this Act.

(b) Nothing in this Act shall affect in any way the authority of the Secretary or the head of other Federal agencies under other provisions of law to include in any lease, license, permit, contract, or other instrument such conditions as may be appropriate to regulate surface mining and reclamation operations on lands under their jurisdiction.

(c) To the greatest extent practicable each Federal agency shall cooperate with the Secretary and the States in carrying out the provisions of this Act.

SEVERABILITY

SEC. 407. If any provision of this Act or the applicability thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

IN FAVOR OF A STRONG FISHING INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. TREEN) is recognized for 5 minutes.

Mr. TREEN. Mr. Speaker, as a member of the Merchant Marine and Fisheries Committee, I have become increasingly aware of the great potential of our American commercial fishing industry—and of the inadequate attention which government has paid to developing that potential.

I am not one of those who believes that every worthwhile cause must have a lot of the taxpayers' dollars thrown at it, and I have observed with dismay the tendency of some industries to pay more attention to procuring Federal support than to running competitive enterprises. I do feel, however, that when a domestic industry has legitimate interests which may be affected by negotiations between the United States and other governments, those interests ought to be protected. American citizens engaged in international commerce have a right to look to their Government to mitigate the adverse effects of actions by other nations. And the Federal Government can be instrumental in helping the States to coordinate programs designed to encourage a strong fishing industry.

Mr. Speaker, we have known for some time the almost unlimited possibilities offered by the sea as a source of food for the world's growing population. It has been estimated that the present annual world catch, which has doubled in the last 10 years, could be trebled again without depleting future world resources.

What is lacking is the technology and the industrial muscle to realize the full potential of these resources. Where technological advances have been made, it has frequently resulted from the efforts

and the scientific expertise of Americans. But all too frequently it has been the commercial fisheries of other nations—Peru, Japan, the Soviet Union, Communist China and others—who have capitalized on the American discoveries, with the enthusiastic and magnificent backing of their governments. The United States has dropped to seventh in worldwide production of fish products, yet our consumption has increased along with our balance-of-payments deficit.

Mr. Speaker, I am proud to call the attention of my colleagues to a concurrent resolution which has been introduced in the Senate by Senator EASTLAND, and which I have introduced in the House. It does not supplant the specific legislation which I have introduced and will be introducing to address some of the problems I have mentioned; nor does it endorse a hand-out approach to this or any other industry. It does, however, formally establish a national policy in favor of a strong fishing industry. This will raise to the level of official policy that which has always been in line with the national interest: the recognition of our commercial fisheries as an indispensable national resource, which can play a key role in solving international economic problems, and whose just interests must be a factor in our domestic and foreign policies.

The text of the resolution is as follows:

H. CON. RES. 157

Whereas the position of the United States in world fisheries has declined from first to seventh place among the major fishing nations;

Whereas there has been a continuing decline in domestic production of food fish and shellfish for the last five years;

Whereas our domestic fishing fleet in many areas has become obsolete and inefficient;

Whereas intensive foreign fishing along our coasts has brought about declines in stocks of a number of species with resulting economic hardship to local domestic fishermen dependent upon such stocks;

Whereas rising costs and extremely high insurance rates have made fishing uneconomic in some areas even when stocks of fish and shellfish are at normal levels;

Whereas assistance to fishermen is very limited as contrasted to Federal aid to industrial, commercial, and agricultural interests;

Whereas United States fishermen cannot successfully compete against imported fish products in the market because a number of foreign fishing countries subsidize their fishing industry to a greater extent;

Whereas some 60 per centum of the seafood requirements of the United States is being supplied by imports;

Whereas the United States fisheries and fishing industry is a valuable natural resource supplying employment and income to thousands of people in all of our coastal States;

Whereas our fisheries are beset with almost unsurmountable production and economic problems; and

Whereas certain of our coastal stocks of fish are being decimated by foreign fishing fleets: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the policy of the Congress that our fishing industry be afforded all support necessary to have it strengthened, and all steps be taken to provide adequate protection for our coastal fisheries against excessive foreign fishing.

SEC. 2. The Congress also recognizes, encourages, and intends to support the key responsibilities of the several States for conservation and scientific management of fisheries resources within United States territorial waters; and in this context the Congress particularly commends Federal programs designed to improve coordinated protection, enhancement, and scientific management of all United States fisheries, both coastal and distant, including presently successful Federal aid programs under the Commercial Fisneries, Research and Development Act of 1964, and the newly developing Federal-State fisheries management programs.

CRIME LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, last week President Nixon presented the Congress with a broad package of crime legislation. It includes a far ranging revision of the entire Federal criminal code. It calls for reinstatement of the death penalty in certain limited instances, stiffer penalties for drug offenses, and curtailment of probation and suspended sentences. It is, in general, a stronger, tougher position on the problem of crime.

We have done so much in this country to protect the individual from government, from society as a whole. This is as it should be, and certainly the constitutional rights of all Americans should continue to be protected to the fullest extent.

But we must also do more to protect the individual who is a victim or a potential victim of crime. We must protect our society from the criminal who has no regard for the law and no concern for fellow human beings.

Certainly Congress will want to debate these proposals in depth, but this consideration should take place without delay. There are few issues which concern my constituents as much as the threat of crime. They know, as every Member of Congress knows, that freedom from fear is one of the essential human freedoms, and that freedom from fear is not possible when the threat of crime waits around the next corner.

I have introduced a bill which would allow the States to enact the death penalty and a bill which would increase, tighten, and toughen the penalties for using a firearm in the commission of a crime. I urge the Congress to take up these bills and the President's proposals at the earliest possible time so that work can begin to protect our citizens from the constant threat of crime.

Finally, Mr. Speaker, any program calling for stiffer penalties should also call for prison reform. It does no good to put more criminals in prison if the system itself returns a more hardened criminal to society when his sentence is completed. More emphasis must be put on rehabilitation. Most of this work must be done in State prisons over which we have no control. But we can provide the leadership. We can chart a course which the States, hopefully, will follow. I hope the Judiciary Committee will give serious consideration to this matter.

GAO REPORT GIVES LEGAL SERVICES HIGH MARKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BIESTER) is recognized for 5 minutes.

Mr. BIESTER. Mr. Speaker, over the past several months and since the announcement of the dismantling of the Office of Economic Opportunity, many charges have been directed at the Legal Services program by those critical of certain aspects of its operation.

It is reassuring to me that the General Accounting Office, in its report made public today, has substantiated the opinion held by many of us in Congress that Legal Services has made a sound contribution to the day-to-day legal needs of the poor.

The objection had been raised that Legal Services lawyers concentrate on advancing law-reform cases, such as class actions and test-case litigation, to the detriment of individual-client cases.

The GAO report, based on a study over several months with a view of projects and evaluation reports, indicates that the contrary is the case. Legal Services attorneys are, in fact, so overburdened with meeting the basic legal needs of the poor that they have little time to direct toward reforming laws discriminating against the poor. The large bulk of their workload is simple representation and advice without litigation. About one-quarter result in court action and less than 1 percent go to the appeals stage.

The report indicates that much more can be accomplished in righting unjust laws through law-reform activities rather than individual-client cases. However, the Legal Services program must not lose sight of the basic responsibility it has to provide the poor with a place to turn in time of legal difficulties. Along these lines, it is encouraging to note that the work being done by Legal Services is being done in a competent manner. Clients are generally satisfied with the representation they receive and judges report the attorneys generally well prepared. The won-lost record of the attorneys—72 percent won, 12 percent lost, with the remainder settled out of court—further attests to the competence, and success, of Legal Services attorneys.

I believe the study by GAO clarifies what has long been understood by observers of the Legal Services operation: As presently conceived and structured, Legal Services is unable to assume all the responsibilities it logically and practically should. Based on the GAO evaluation, this problem has resulted, in part, from the lack of sufficient program objectives and direction from OEO.

These deficiencies in the scope and implementation of the Legal Services program had been recognized earlier. The solution is not further to restrict or

hamper activities—for instance, as some suggest, by eliminating funding of back-up centers providing indispensable research and guidance in test-case efforts—but rather to adapt it to meet the widespread and basic needs it has so effectively revealed over the few years it has existed. Many of these improvements in the structuring and functioning of Legal Services have been incorporated into legislation establishing a National Legal Services Corporation. As a cosponsor of such legislation in the 92d Congress, and again in the 93d, I commend the efforts of my colleagues, the gentleman from Washington (Mr. MEEDS) and the gentleman from Wisconsin (Mr. STEIGER), for their leadership on behalf of this legislation.

Mr. Speaker, it is my hope that the report from GAO will help dispel many of the objections which have been leveled against Legal Services. We can insure that this commitment to legal representation for the poor will continue if we acknowledge the creditable job it has already done and build upon this by addressing ourselves to those improvements that will allow it to do even better.

NEW SOCIAL SERVICES REGULATIONS: MORE WELFARE AND LESS WORKFARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, on February 16, 1973, the Department of Health, Education, and Welfare published the proposed New Social Services Regulations in the Federal Register. If implemented, this will be the most regressive step in social legislation that I have ever seen.

These regulations are so restrictive that they would eliminate completely existing programs which provide child protective services, emergency care, day care, homemaker services, services to unmarried mothers and camping programs for children throughout each State.

It means that the working mother, generally considered to be the most successful part of the child care program in both economic and social terms, is in jeopardy of being eliminated from the program.

Because under the new regulations, a working mother whose income exceeds 133 percent of State welfare payments—the poverty level—is no longer eligible for the day care services; she must remove her children from the title IV program of the Social Security Act. For a mother with three children, the poverty level is $4,000 a year. Therefore, if she earns more than $4,000, she can no longer receive child care service. So the mother must either pay about half her salary for tuition child care or quit her job. Obviously, she cannot afford to pay that much tuition, which in some States, like Massachusetts, is as much as $80 per month per child. Her only alternative is to quit her job and go back on welfare.

But the absurdity and illogic of proposed regulations become apparent when the mother goes back on welfare. She now becomes eligible to again receive title IV child care. And she can find another job, while her child returns to a day care center until her income exceeds the poverty level. Then the cycle repeats itself.

Families or working mothers with marginal income just above the poverty level cannot afford to pay for more than minimal subsistence. Paying for day care services is beyond the means of these families. The proposed regulations would result in thousands of families who have been working and independent to become dependent on welfare again.

Mr. Speaker, it seems incredulous to me that this administration which wants more workfare and less welfare could propose such regulations which would result only in creating a greater dependency on welfare.

The situation is so illogical that it defies credibility. Yet, this is what the administration proposes.

Let us look at how these new regulations would affect my own State of Massachusetts. If they are left to stand, the Commonwealth will lose 35 million potential Federal dollars for fiscal year 1973. With the elimination of both the donated funds and Federal matching funds, Massachusetts will lose a total of $12 million in social services which have been authorized for fiscal year 1974.

Worse than that, the proposed regulations in Massachusetts alone, would wipe out day care for 900 children or about one-fourth of the State's total number of facilities. In Boston, more than 15 percent of the day care budget would be slashed. To make up for these funds the State would have to raise State taxes, or it could simply turn its back on the handicapped, the poor, the young, to whom the State is committed to serve. Neither alternative is very palatable to the citizens of Massachusetts.

A wide range of programs involving services to the elderly, the mentally retarded and others with special needs are likely to be terminated or drastically reduced unless legislative action is taken. The Massachusetts Department of Welfare estimates that $20 million for services in the community to 31,000 emotionally disturbed children, including the severely handicapped and retarded as well as others who are victims of abuse and neglect, are about to go down the drain as a result of the proposed new regulations.

It means a discontinuation of services to more than 70,000 people in Massachusetts, mainly the elderly and children.

I firmly believe that these proposed regulations are clearly regressive and would set the country back decades in the area of social progress. It is imperative that these social services continue and that the present regulations remain in effect.

Mr. Speaker, these new regulations would impose incalculable hardships on families, children, the aged, and the handicapped. It would be callous. More than that it would be cruel and inhuman to implement these regressive regulations which would all but decimate the nationwide efforts to combat welfare dependency and a wide range of other social ills.

INTRODUCTION OF THE NATIONAL CHILD ABUSE PREVENTION ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BIAGGI) is recognized for 10 minutes.

Mr. BIAGGI. Mr. Speaker, tens of thousands of innocent children in this country are willfully burned, poisoned, sexually assaulted, beaten, or killed each year by parents and guardians entrusted with their care. An estimated 700 to 800 die each year as a result of such maltreatment—that is a rate of more than two deaths every day. In fact, more children die each year at the hands of abusing and neglectful parents than from any childhood disease known to man.

New York City serves as an excellent example. The research of Dr. Vincent Fontana, chairman of the city's task force on child abuse and neglect, indicates that at least 50 children perish in New York City each year as a result of parental maltreatment ranging from starvation to suffocation with plastic bags. Over 10,000 cases of abuse were reported here last year, and this, of course, represents only the top of the iceberg.

And what defense does the child have against brutal, senseless abuse? Do we offer him easy access to relief in the courts? Do we conduct programs of widespread public education designed to prevent the relentless spread of this scandalous practice? Do we at least devise an adequate, coordinated system of reporting and treatment procedures aimed at restoring the battered child to physical, if not psychological, health? If the answer to any of these questions were yes, abuse and neglect might not be the No. 1 killer of children in America today.

Mr. Speaker, there is not one State in the Union which can claim to have established a successful, comprehensive program of casefinding, treatment, training, informational referral, and prevention in the child abuse field. And there are several States whose basic reporting laws—requiring doctors, nurses, coroners, and other appropriate professionals to report to local authorities any obvious or suspected case of abuse—must be termed pitifully inadequate and virtually unenforced. A further example of the current inadequacy of State programs is the widespread estimate among experts in the field that one out of every two battered children dies after being returned to his parents.

The problem, then, is perfectly clear cut: Annually, countless thousands of defenseless children are being beaten or killed with cruel regularity, while no lobby walks the Halls of Congress in their interest, while no coordinated body of statutes exists on the State level to assure equal protection and while not one mention of the words "child abuse" or "neglect" is to be found in the entire corpus of Federal law.

It is in response to this worsening crisis that I am introducing the National Child Abuse Prevention Act of 1973. This

legislation is the product of over 5 months of research and consultation with experts in the field, drawn from hospitals and universities in New York, New England, Washington, D.C., Denver, the west coast, and Hawaii.

The National Child Abuse Prevention Act offers to the States $60 million in grants over a period of 3 years. Any State wishing to qualify for a portion of these funds must submit to the Secretary of HEW a comprehensive plan for child abuse treatment and prevention which includes:

Adequate reporting laws—either on the books or pending in the legislature—which meet the standards specified in this bill;

Programs designed to train professionals in the appropriate techniques of child abuse treatment and prevention;

Public education projects which would serve to inform citizens of the high incidence of child abuse and neglect, as well as indicating the procedures for reporting suspected cases of maltreatment to the appropriate social service and law enforcement officials;

The establishment of a central registry to coordinate on a statewide level all information relating to convictions and other court actions within the jurisdiction.

The bill also creates a National Child Abuse Data Bank within HEW. This central agency will receive and evaluate confidential reports from every State in the Nation, with a view toward determining the actual incidence of abuse and neglect throughout the country and those trends in treatment and prevention which could serve as a rational basis for developing program standards and criteria in the future.

Mr. Speaker, passage of this legislation could represent a most significant step toward coordinating the confusing jumble of ineffective State laws and programs now in existence. The National Child Abuse Prevention Act must be seen as the first dose of a long-term remedy for a vicious disease afflicting far too great a number of our children. Myself, Senator HUMPHREY, Dr. Vincent Fontana, and our other consultants in the field intend, with the introduction of this bill, to begin coordinating the first nationwide attack against the root causes of the child abuse scandal. We are convinced that only a comprehensive funding scheme on a national scale will suffice to provide the defenseless youth of this country with the most basic protection against senseless violence and death.

The National Child Abuse Prevention Act of 1973 reads as follows:

H.R. 5914

A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of grants to States for the development of child abuse and neglect prevention programs in the areas of treatment, training, case reporting, public education, and information gathering and referral

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Elementary and Secondary Education Act of 1965 is amended by adding at the conclusion thereof a new title, to be referred to as the "National Child Abuse Prevention Act of 1973":

TITLE X—CHILD ABUSE

"SEC. 1001. The Secretary of Health, Education and Welfare (hereinafter referred to as the 'Secretary') is authorized to make grants to designated State agencies for the purpose of assisting the States and their political subdivisions in developing and carrying out child abuse and neglect treatment and prevention programs as provided in this title.

"SEC. 1002. For purposes of this title—

"(1) the term 'State' means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam; and

"(2) the term 'designated State agency' means an agency or instrumentality of a State which has been designated by the chief executive of such State as responsible for carrying out this Title in such State, and which has the legal and administrative powers necessary to develop, submit, and carry out (itself or through arrangements with other public or private agencies and instrumentalities) a State child abuse prevention plan: and

"(3) the term 'child abuse' has such meaning as may be given it by or under applicable State or local laws; except that in any case it shall include the physical or mental injury, severe abuse, or maltreatment of a child under the age of 18 by a person who is responsible for the child's household, occurring under circumstances which indicate that the child's health or welfare is harmed or threatened thereby, as determined in accordance with regulations prescribed by the Secretary.

"SEC. 1003. (a) There are authorized to be appropriated such sums, not exceeding $60,000,000 in the aggregate, as may be necessary to carry out this Act. There are authorized to be appropriated $20 million for the fiscal year beginning July 1, 1973 and $20 million for each of the two succeeding fiscal years.

"(b) Sums made available under subsection (a) shall be used by the Secretary for making grants to designated State agencies which have submitted, and had approved by the Secretary, State child abuse prevention plans fulfilling the conditions of section 1004.

"(c) The Secretary may allocate the sums made available under subsection (a) among the several States on the basis of their respective need for assistance in preventing and otherwise dealing with child abuse and their respective ability to utilize such assistance effectively.

"SEC. 1004. In order for the designated State agency of a State to qualify for assistance under this Title, such State must have in effect a child abuse prevention plan which embodies a program for effectively treating and preventing child abuse and neglect in the State. Such child abuse and neglect treatment prevention plan shall not be limited to the following criteria and standards but will be required to:

"(1) demonstrate (A) that there are in effect throughout the State adequate State or local child abuse laws and related laws providing for the care and welfare of children, or that the State has initiated and is carrying out a legislative program designed to place adequate child and (B) that such laws are being or will be effectively enforced:

"(2) provide (under the child abuse laws referred to in paragraph (1) or otherwise) for the reporting of instances of child abuse, and for effectively dealing therewith through appropriate subsequent action and proceedings, in a manner complying with all of the conditions and requirements of section 1005;

(3) demonstrate that there are in effect throughout the State, in connection with the enforcement of the laws referred to in paragraph (1) and the conduct of the activities described in paragraph (2), such administrative procedures, such personnel trained in child abuse and neglect treatment or prevention, such training procedures, such institutional and other facilities (public and private), such provisions for obtaining any required State, local and private funds, and such related programs and services as may be necessary or appropriate to assure that the State and its political subdivisions (through the program embodied in the plan and otherwise, with Federal funds made available under this Title) will be able to deal effectively with (and will in fact deal effectively with) child abuse and neglect in the State;

"(4) provide that the designated State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(5) provide for dissemination of information to the general public with respect to the problems of child abuse and neglect, and the facilities and methods available to combat child abuse and neglect; and

"(6) contain such other provisions as the Secretary may require to ensure that the plan and the program embodied therein will to the maximum extent feasible achieve the objective of preventing or eliminating child abuse.

"SEC. 1005. (a) (1) As a condition of the approval of any State child abuse and neglect treatment and prevention plan, such plan shall provide for and require the reporting of cases of child abuse or neglect ocurring in the State, with appropriate proceedings and other activities to deal with cases of child abuse or neglect so reported in the manner specified in this section.

"(2) In any case in which a doctor, nurse, schoolteacher, social workers, welfare worker, medical examiner, or coroner finds or has reason to suspect, on the basis of a child's physical or mental condition or on the basis of other evidence, that such child is or has been the victim of (or is threatened with) child abuse, he shall promptly submit a full report thereof to the police, social service administration, or judicial authority designated in the State plan.

"(3) Any doctor, nurse, schoolteacher, social worker, welfare worker, medical examiner, or coroner who knowingly and willfully fails to report a case of child abuse or suspected child abuse as required by subsection (a) shall be guilty of a misdemeanor.

"(4) Any doctor, nurse, schoolteacher, social worker, welfare worker, medical examiner, or coroner who in good faith submits a report under subsection (a) or participates in the making of such a report shall have immunity from any civil or criminal liability which might otherwise be incurred or imposed on acconut of his submitting or participating in the making of such report.

"(b) (1) If the individual making a report with respect to any child under subsection (a) determines that an emergency is involved, he may (subject to paragraph (2) hold the child in temporary custody of another person or agency, pending action based on such report, in order to protect the child's health and welfare and prevent further abuse.

"(2) Unless applicable State or local law specifically provides otherwise, no child shall be held in or transferred to temporary custody under paragraph (1) except under an order issued by a court of competent jurisdiction pursuant to a petition filed by the individual making such report. Any such order shall include a finding by the court that the person or agency in whose custody the child would be placed is competent to care for such child during whatever period is specified in the order.

"(3) Any report made under subsection (a), and any petition filed or order issued under paragraph (2) of this subsection, with respect to a child who is alleged to be the victim of child abuse, may include and apply to any other child or children living

in the same household and under the same care if it is shown that such other child or children may be or become the victim of similar abuse.

"(c)(1) The police, social service administration, or judicial authority to which a report of child abuse or suspected child abuse is submitted under subsection (a) shall promptly investigate the matters involved and, if it determines that child abuse has probably occurred or is threatened, shall take the necessary steps to bring the matter before a court of competent jurisdiction for appropriate action in order to protect the child's health and welfare, and prevent further abuse of the child. The court shall have power to appoint one or more legal representatives for the child, consider in evidence the results of any medical examinations (including color photographs showing the injuries received), require psychiatric examinations of the parents or other persons charged with the abuse, and expedite any appeal which may be filed by the child's legal representative.

"SEC. 1006. The police, social service administration, or judicial authority to which a report of child abuse or suspected child abuse is submitted as described in section 1005(a) shall immediately refer such report to the designated State agency, which (after depositing a copy in its files in the interest of developing and maintaining a coordinated and accessible central registry for use in carrying out its child abuse and neglect treatment prevention program) shall in turn submit such report to the Secretary for use by the Social and Rehabilitation Service in the Department of Health, Education and Welfare. The information contained in all such reports so submitted to the Secretary shall be kept strictly confidential within the Department of Health, Education and Welfare, but summaries which cannot result in the identification of individuals with particular cases shall be prepared and published in order to inform interested persons with respect to national trends.

"SEC. 1007. The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this title.

HOUSE SELECT COMMITTEE ON THE COST AND AVAILABILITY OF FOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROSENTHAL) is recognized for 5 minutes.

Mr. ROSENTHAL. Mr. Speaker, Mr. MATSUNAGA and I, together with 53 cosponsors, are today introducing a House resolution which would create a Select Committee on the Cost and Availability of Food. This committee, which would be bipartisan in nature, would exist only during the 93d Congress and would conduct a comprehensive investigation of all factors influencing and pertaining to the high cost of food to the American consumer. At the conclusion of its study, it would make specific findings, conclusions, and recommendations to the Congress and the President on ways to prevent high food prices in the future.

Mr. Speaker, the establishment of special House committees should only be undertaken in the most extraordinary of circumstances. I submit that the American consumer is now confronted by a national food price emergency which justifies the creation of a Select Committee on the Cost and Availability of Food. Food prices today in many major commodity areas—particularly meat—are the highest in our history. No amount of rhetoric by apologists for the food industry and no statistical sleight of hand and assurances of normalcy by the administration can alter the fact that millions of housewives can no longer feed their families three nutritious meals, 7 days a week.

The incredibly high prices of food and the failure of the Federal Government to deal with the problem are a classic and tragic example of the powerlessness of consumers in the marketplace and before the Government. As a reaction to skyrocketing meat and other food prices, consumers across the country are now engaged in boycotts and other direct action to bring prices down—and the ranks of the protesters are growing even more quickly than the price of food.

But, Mr. Speaker, even the protesters know that their boycotts can have a permanent effect on food prices only if Government undertakes a major reform of the Nation's food marketing system. It is a system that is archaic and inefficient. It is a system that victimizes small family farmers just as often as it victimizes consumers. Accordingly, Congress must—once and for all—dig out the facts about high food prices and separate the myth from the reality as to the causes of and cures for these prices.

The select committee would seek to define the various important factors influencing the availability and cost of food and the behavior and structure of the food industry. It would make findings and recommendations regarding the efficiency of the food industry; farm-wholesale-retail price spreads; the needs of consumers and farmers and the effect on prices of U.S. trade policies and Government purchases and regulation of food. The committee might be patterned after and pursue the objectives of the National Commission on Food Marketing—established in 1964 by President Johnson and on which I served—whose many excellent but unheeded recommendations require reinvestigation and updating.

Based on my service on the Food Marketing Commission and recent discussions with experts in this area, I am convinced that there is a permanent solution to the food price dilemma and that we can, at one and the same time, provide consumers with an adequate supply of food at reasonable prices and still allow farmers to earn a fair return on their invested capital. It is my view that a meaningful solution can best be developed and implemented by a special House panel for the following reasons:

The job of investigating high food prices and recommending long-range solutions requires a concentration of effort and single-mindedness of purpose that is unlikely to be achieved by any existing House committee;

Findings, recommendations and conclusions by a congressional panel stand the best chance of being translated quickly into remedial and salutary legislation;

Members of Congress represent the full spectrum of views on the causes of and cures for high food prices and stand closest to the concerns of the American buying public;

The administration has demonstrated its unwillingness or inability to deal with this crisis and has a long record of ignoring the recommendations of its own study groups;

A congressional panel could assume this responsibility without the bureaucratic entanglements and costs often associated with an administrative advisory group.

There already exists, on the public record, a wealth of material on how to resolve the present dilemma, but additional in-depth investigation is necessary. That vital task would best be accomplished by a congressional unit with a broader-based orientation or constituency than is offered by any of the existing committees of the House. A select House committee—which would operate only during the 93d Congress—could, I am convinced, do a responsible job for the consumers and agricultural interests alike and reflect great credit on the House as an institution that is capable of moving swiftly and effectively.

Mr. Speaker, a copy of the resolution follows:

H. RES. 321

Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer

Whereas retail food prices have risen 33% during the past 8 years and 16% during the past four years;

Whereas farm prices in February 1973 were 22% higher than in February 1972;

Whereas livestock prices rose 11.5% from January to February, to a level 27.4% above February 1972;

Whereas, in the combined category of meats, poultry and fish, wholesale prices in February were 5.4% above January and 17.3% above February 1972;

Whereas government economists are now predicting an increase in retail food prices for 1973 in excess of 6.5%—the largest annual increase in 22 years;

Whereas federal regulation and management of the nation's food marketing system has failed, on a continuing and systematic basis, to provide consumers with food at reasonable prices and farmers with a fair return on invested capital;

Whereas government trade policies and purchases of food influence the cost of food to consumers;

Whereas it is in the long range best interests of both consumers and farmers for there to be an abundant, wholesome and reasonably-priced food supply; and

Whereas the rate of increase in retail food prices disrupts the fair and efficient functioning of our market system and is unacceptable to and a hardship on the American consumer: Now, therefore, be it

Resolved, That there is hereby created a select committee, to be known as the Select Committee on the Cost and Availability of Food, to be composed of 12 Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as Chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation of all matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer. Such investigation shall include, but shall not be limited to,

The production, processing, marketing, merchandising, advertising, labeling, and retailing of food products for sale to the consumer;

The profits, price spreads, productivity,

market structure, and competition in all segments of the food industry;

The trade policies, practices, regulation, services, and organization of government at the Federal level and, to the extent they effect interstate commerce, at the state and local levels, affecting, influencing, and pertaining to the cost and availability of food to the consumer.

No proposed legislation shall be referred to the committee, and the committee shall not have legislative jurisdiction.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or had adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such findings, conclusions and recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Mr. EDWARDS of California. Mr. Speaker, it is ironic that a nation as wealthy, as technologically sophisticated, and as socially advanced as our own should be facing an emergency with respect to the most basic of human needs—the cost and availability of food. While we sell huge quantities of wheat and agricultural products to other nations, balancing trade deficits, spreading international good will and bolstering the domestic economy, wholesale prices on basic food commodities have risen dramatically in the last year with flour up 37 percent, eggs up 47 percent, broilers up 52 percent, steers up 64 percent, corn up 33 percent, and wheat up 64 percent. It is projected that the American consumer will be paying 6.5 percent more for food in 1973, than in 1972.

At a time when we have just ended a long, drawn-out war once justified on the grounds that we could afford both "guns and butter," we are now being told to pull in our belts and to eat meatless meals. These recent, tremendous increases in the price of food strikes at all levels of society, hitting the poor, the aged, and those on fixed incomes particularly hard.

In light of this critical situation, I support the establishment of a Select Committee on the Cost and Availability of Food. We can no longer ignore or attempt to deal piecemeal with a problem of this scope and intensity. A select committee can give this problem the attention and focus it deserves.

Mr. VAN DEERLIN. Mr. Speaker, our colleagues, Messrs. ROSENTHAL and MATSUNAGA, deserve the support of all of us for their proposal to establish a Select Committee on the Cost and Availability of Food.

Creation of this panel could well be the decisive first step in a successful campaign against runaway food prices. The consumers of America would no doubt be pleased that at last somebody somewhere in Government was really doing something substantial to protect their interests.

As the resolution which our colleagues are offering this afternoon notes, previous Federal attempts at regulating the food marketing system have "failed to provide consumers with food at reasonable prices and farmers with a fair return on invested capital."

Today, of course, the problem is more acute than ever, with farm product and wholesale food prices rising at an ever more alarming rate. The proposed committee would have necessarily broad authority to look into "all matters affecting, influencing and pertaining to the cost and availability" of food and food products. Before going out of existence at the end of next year, the committee would be expected to submit recommendations to the House, including proposals for remedial legislation.

I doubt that any easy solutions will be found. We should bear in mind that the 3.2-percent increase in food costs during February coming on the heels of a 2.7-percent boost in January translates into an annual rate approaching 36 percent. In itself, this might be enough to drive many people into searching for a food substitute. But some commodities are already being priced up at an even steeper rate, such as broilers, steers, and wheat—all up more than 50 percent over the past 12 months.

Ultimately, the only realistic answer could be a mandatory freeze of at least selected commodities. Some, I might add, would go a good deal further than that. Last week, for example, the officers of district No. 3, of the International Union of Electrical, Radio and Machine Workers, AFL–CIO, urged Congress to consider enactment of a 90-day freeze on all food prices, followed by a system of controls.

I am not yet prepared to go as far as recommended by these leaders of the IUEW. Yet I sympathize entirely with their sense of frustration and anger over the distress of union members unable to keep up with spiraling food costs.

The Rosenthal-Matsunaga plan will at least start us on the road toward some answers, however hard, to this pressing human dilemma.

Mrs. SCHROEDER. Mr. Speaker, to characterize the continuing problem of rocketing food prices as a national emergency—while certainly true—falls short of adequately describing the plight of the individual consumer. We are quite literally faced in Denver—as elsewhere throughout the country—with people who are unable to buy the groceries they need to provide adequate meals for themselves and their families. The letters we have received are frightening—almost reminiscent of the runaway inflation of Europe in the 1930's:

Elsie C. Ballard of Denver writes:

Every item in our local chain store food market was raised in price this past weekend. For example, boneless roast $1.73 lb to $1.93, whole fryers $.28 lb to $.33, package of cheese $.60 to $.65.

And from Maxwell Thomas of Denver:

The following is simply a reminder of the cost increases in the food I buy. They are only a sample. In May 1971 regular ground beef (the cheapest grade) went from 48¢ to 59¢ a lb. On Feb. 18th, 1973 I bought a pound of the same grade at 72¢ a lb., on Feb. 22nd a pound of the same was 79¢—the good Lord knows what it will be this week. In 1972 powdered milk was about 10¢ a quart, it is now about 14¢. We have been asked to substitute cheese for meat—imitation cheese has gone from 59¢ to 69¢ in the past year—any higher and what do we substitute?

Now, there is no question that the problem is complex. We are told that it is a matter of supply and demand, aggravated by the world food market situation and dollar devaluation. If such is the case, there is certainly room for a review and reform of the Nation's entire food marketing system. The Select Committee on the Cost and Availability of Food proposed today is a start.

But there are too many people who cannot wait. Immediate short-term relief is necessary. If it takes a consumer meat boycott, if it takes an immediate price freeze, if it takes the repeal of import quotas, then lets get on with it. The consumer can no longer bear this burden. I cannot agree more with the Denver citizen who recently wrote, "In the meantime a person has to live."

Mr. WOLFF. Mr. Speaker, as a cosponsor of the resolution to establish a Select Committee on the Cost and Availability of Food, I would like to commend my able colleagues from New York (Mr. ROSENTHAL) and from Hawaii (Mr. MATSUNAGA) for reserving this time today to discuss a vitally important problem which affects and concerns all of us—the rising cost of food. I find it incomprehensible that, with the resources this country has, we cannot insure an adequate supply of food at reasonable prices. In the past 8 years, the American consumer has been hit with a 33-percent increase in the cost of food, and in the past year, with an increase greater than any for the past 20 years. The Federal Government simply has not shouldered its responsibility to see that the American people have the food supplies they need at prices they can afford. The select committee that we are proposing can provide the vehicle for focusing the immediate attention of the House on the need to combat rising food costs and can help to determine a comprehensive Federal policy for dealing with this problem on both a short- and long-term basis. There is no question as to the critical importance of this issue; the American people have reached the limits of their patience and of their pocketbooks and are rightly demanding action on every front.

Mr. Speaker, this Monday I had the opportunity to sponsor an emergency meeting in New York between tri-State public officials and representatives from the food industry to discuss the high costs of food and the means for relief. I was convinced at this meeting that the

major responsibility for reducing food costs, providing relief for both the consumer and the industry, rests with the Federal Government. A transcript of this meeting is being prepared, and I will be submitting it for the RECORD. The Select Committee on the Cost and Availability of Food would be authorized to study all aspects affecting and influencing the cost and availability of food, whether that be the flow of food grown here to other countries, the market structure and competition within the food industry or Government regulation of productivity, and this is the kind of intensive investigation we need if we are to develop a policy for insuring an abundant, wholesome, reasonably priced supply of food.

Mr. HOWARD. Mr. Speaker, I am pleased today to join with the gentleman from New York (Mr. ROSENTHAL) in discussing the need for a congressional inquiry into the spiraling cost of food.

I have cosponsored Mr. ROSENTHAL's legislation today which would establish a Select Committee on the Cost and Availability of Food. I think the need for an in-depth look into this question is apparent, and the establishment of this select committee, which would exist only during the 93d Congress, would be a major step in helping us to develop some solutions to this problem.

Everywhere I go, througout the Third Congressional District of New Jersey, people are talking with justified alarm about the spiraling cost of food.

The continuing problem of ever-increasing food prices is hurting everyone. In my district, for instance, one woman has taken up babysitting to help the family food budget—but she is still unable to provide meat for the table. Many others are planning to participate in a national boycott of meat in an effort to force the prices down. More painful still are the reports I receive from senior citizens who are only eating two meals each day, because their limited incomes cannot stretch enough to meet these increased prices for food.

During the past 8 years, retail food prices have risen by 33 percent. In January 1973, a typical American family's annual food bill jumped by 2.7 percent, the largest increase since the Government began keeping records in 1947.

These are but a few of the reasons I am joining Mr. ROSENTHAL in sponsoring this legislation.

Two recent editorials in newspapers in the Third Congressional District of New Jersey point out just how critical this problem has become. For the benefit of my colleagues, I am placing these editorials in the RECORD. One is from the Long Branch Daily Record, and the other is from the Colonial News, of Freehold N.J.

The editorial follows:

[From the Long Branch (N.J.) Daily Record, Mar. 16, 1973]

THOSE RISING FOOD COSTS

The Trenton Diocese, which embraces all of Monmouth and Ocean Counties, as well as Mercer County, is the only diocese in New Jersey which is observing meatless Fridays during the Lenten season.

Other dioceses are observing meatless days only on Ash Wednesday and Good Friday.

However there may be a great many meatless days in Monmouth County and in the rest of the nation, but it will have nothing to do with the observance of penitential rites.

Thursday's edition of the Record described the plight of an Atlantic Highlands housewife, who has taken up babysitting to supplement her income but who still is unable to provide meat for the table.

She organized a group of her friends to picket food markets in the area, starting yesterday, to urge housewives to boycott the meat counters in their department stores.

Her effort may have some effect on some of the stores, but just plain arithmetic has been enough to have started a boycott of meat by a great many families.

The cost of meat broke the $1 barrier years ago and now it is threatening to break the $2 barrier. Even chicken, which is a favorite food for serious dieters, is at a record price level.

The Cost of Living Council reviewed a staff report on ways and means to freeze livestock and meat prices at a meeting on March 6, but even then, such a move would have brought little relief. For families to make ends meet on their food budgets, a rollback in prices is needed and that is becoming an economic impossibility.

A supermarket association reports that meat purchases were off about ten per cent last week and when this week's figures are tallied, it is likely that the decrease in meat purchases may be even more.

Price controls are unlikely during the President's Phase III program. A decrease in the purchase of meat is the only factor which can put downward pressure on wholesale and farm prices.

There are two answers to the food price crisis, a leveling off of meat consumption or an increase in the supply of meat through imports. Both are based on the economic law of supply and demand, the only sound basis for governing prices.

But the problem becomes even more complex in the face of the fact that President Nixon lifted embargoes on meat imports from Australia and other countries last year.

Unfortunately the meat-exporting countries had found other markets when the ban was first imposed.

The rising cost of food is having an effect on restaurant dining, where the costs of meat, combined with the overhead costs which accompany operation of a business, are making the price of meat courses expensive.

Housewives have a legitimate protest when living costs rise faster than their paychecks but the real victims of an expanding economy are pensioners, widows and others who are living on fixed incomes. They face not only the problem of food costs but increases in rents and other factors in the cost of living index.

However, there are some bright spots on the economic horizon. Many Monmouth County communities are reporting decreases in the municipal purposes tax because of the benefits gained through revenue sharing.

At the same time, the municipalities are able to absorb some of the jobless corps into jobs in police departments and local agencies.

Welfare will take on a new look if Congress can be made to see the light with more incentives for dole clients to accept gainful employment.

If the tax burden can be reduced to a liveable level, the pocketbooks which are feeling the pinch in rising costs may be a little fuller.

There is no easy answer to a comfortable economy for all levels of society.

And there are many hidden factors at work which are placing a burden upon the entire nation, such as the attack upon the dollar by European nations, a long-time unfavorable balance of trade which was hidden by an artificial legislated economy and the retaliatory measures taken by foreign countries against the barrier of the tariff.

We are suffering through a rising cost of living, but figures indicate a decrease in the jobless rate, measures are being taken by the Administration to make the dollar competitive on the foreign market and the hope of the future is in a leveling off of the economy into a stable and effective trading power.

There have been many hours of economic darkness in the history of the U.S. but each as been followed by the dawn of a new era.

For those who suffered through the depression of the early '30s, hardship is nothing new. The only difference is that few people are laughing their way though economic stress as they did in the '30s.

[From the Colonial News, N.J., Mar. 14, 1973]

EVERYONE'S TALKING ABOUT FOOD PRICE CURBS

The rise in food prices is one of the most critical problems facing the United States of America, but recent dialogue on the subject in Washington unfortunately has taken a comic opera turn.

There was, for example, the wild thrust by Secretary of Agriculture Earl Butz the other day. Mr. Butz insisted even before the figures were published that the press would distort figures showing an unusually high rise in the price of food during January by multiplying the monthly figure by 12 to get an inordinately high annual total. Under pressure, Washington spokesmen were forced to admit ruefully the following day that they themselves sometimes extrapolate figures they consider favorable for 12-month totals.

In much the same category as Mr. Butz' outburst was the Marie Antoinette-like suggestion by Federal Reserve Board Chairman Arthur Burns that if housewives are outraged about the high prices of meat "let them eat cheese" one day a week. It might save a little on the food budget, but eating cheese is hardly the cure for inflation at the marketplace. On still another front George Meany, president of the AFL-CIO, advocated strict government controls of food prices, down to raw agricultural products. Ironically, labor opposes wage and price controls generally and the history of controls on food products is one of black marketeering and profiteering.

The widespread concern over the price of food is well taken. What the housewife pays at the marketplace has a direct relationship to the success or the failure of Phase III economic controls, the size of the wage contracts that will be negotiated by more than 5 million American workers in 1973—and perhaps even on our relations with the Soviet Union and Communist China whose purchases of American food have an effect on its prices.

The Administration has taken some positive steps to curb rising grocery prices. It has eliminated export subsidies, permitted more imports of meat and released idled land for farming. Unfortunately, these measures take time to become effective.

On a longer range scale, the Administration also is on solid ground. It is moving to reduce the federal tinkering with the economics of farming and food prices through such things as withdrawing from the direct subsidy and land management programs, and by refusing to spend money on outdated farm agencies and fuctions. If the President succeeds in these efforts, the United States will have taken a large step toward more competition in the marketplace—the surest formula known for maintaining quality and lowering prices.

If the housewife wants to give the Administration support, after she complains to her local store about the price of food, she might write to her congressman, suggesting that

she is fed up with paying twice for the high price of food—once at the grocery counter and again when she pays taxes for farm subsidies.

STATEMENT ON SELECT COMMITTEE ON THE COST AND AVAILABILITY OF FOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HELSTOSKI) is recognized for 5 minutes.

Mr. HELSTOSKI. Mr. Speaker, I am certain that every Member here is painfully aware of the rising cost of food in our Nation. The incredible increases in retail food prices in the last 4 years alone has caused an uproar in the supermarket checkout line and helpless frustration on the part of many families. We have introduced today legislation to roll back prices and to freeze prices on food, which is necessary, albeit temporary action.

Americans actually know very little about the delivery system that brings them their daily bread. I believe that this lack of knowledge is part of the reason we cannot buy as economically as we would like, and why many Americans feel helpless and frustrated when they try to influence their food costs. There has never been even an investigation of the aspects influencing cost and availability of food.

The proposed Select Committee on the Cost and Availability of Food could fill in this knowledge gap and, therefore, Mr. Speaker, I strongly endorse the formation of this select committee which will, for the first time, provide some of the answers in one place to the questions on rising food costs.

PHASE III FAILS: A NEW APPROACH IS NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, today the administration has announced a 0.8-percent increase in the Consumer Price Index for the month of February—the largest monthly increase in 22 years and includes food costs. I believe the Congress will take positive action at this time to change this course of spiraling prices. I am, therefore, introducing legislation today that may assist the Banking and Currency Committee in finding a solution to this problem as the committee commences its hearing next Monday on the administration's request to extend the life of the Economic Stabilization Act of 1970.

This bill not only renews the anti-inflationary powers created in the Stabilization Act of 1970 for 1 year as the President has requested, but it goes much farther than that. It also requires a return to the essentials of the phase II price and wage controls.

It is already clear that phase III has failed to control inflation. In the 1 month after the January abandonment of phase II, the wholesale price index rose nearly 2 percent and appears to be rising as rapidly since then. This is at the annual rate of nearly 24 percent.

An important part of this increase is farm prices which are dominated by the free market and are strongly influenced by the crop failures abroad and dollar devaluation at home. Farm prices and the consequent rise in food prices are hard to control without rationing, except as production is expanded.

Industrial prices are quite a different matter. They were successfully controlled under phase II. In the year before the dropping of phase II, industrial prices rose only 3½ percent. Most of this rise was due to price increases for such raw materials as cotton, hides, lumber, and such metals as lead, zinc, and scrap steel, for which neither management nor labor can be held responsible.

Under phase III, the industrial price index has been rising at the dangerous annual rate of 13 percent, 4 times the rate of the previous year. Yet there are ample supplies of unemployed manpower and unused industrial capacity available to expand output.

The main purpose of this bill is to require that the price-wage controls of phase II be reinstated in an improved and less burdensome form.

The bill sets up a Price-Wage Board, gives it basic price and wage guidelines from which it can depart only when necessary to avoid undue hardship, undue inequity, or undue impedence of economic growth.

The basic price guideline is the maintenance of the dollars and cents profit margin per unit of output. Under this guideline, a firm can increase its profits by producing and selling more, but not by raising its price by more than the increase in its costs.

The basic pay guideline is an increase in wage or salary rates not greater than the trend in national productivity plus the increase in living costs in the preceding year. The Price-Wage Board is required to announce a figure for this percentage increase.

The Board is given leeway in applying these two basic guidelines but the principles are essentially those of phase II.

The bill also requires prenotification for very large firms or big pay contracts, current notification for large firms or pay contracts, and no notification for others, but compliance with the regulations of the Board. These are essentially the provisions of phase II though the scope of prenotification is narrowed down so as to include only 500 of the biggest firms, and current notification to around 1,000 firms.

The $3.50 hourly exclusion adopted in the Senate-approved bill to extend the Economic Stabilization Act is included so that the provisions of the bill do not apply to pay increases to the extent that thye do not raise the straight-time hourly rate of $3.50.

The bill also sets forth the 4-percent unemployment interim goal.

For rents, interest, and matters other than prices and pay, the bill follows the 1970 act except that the rent control authority of the President would come into play only where petitioned by a local authority that presents persuasive evidence of a tight rental market.

We must recognize that such reporting and restraint in pricing puts a serious burden on management and restraint on labor in the interest of limiting inflation. It does not compare with the burden placed on all of us by rapid inflation.

Mr. Speaker, I am inserting the text of this legislation at this point in the RECORD:

H.R. 5910

A bill to amend the Economic Stabilization Act of 1970 to establish a temporary Price-Wage Board, to provide temporary guidelines for the creation of price and pay rate stabilization standards, and for other purposes

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

SECTION 1. This Act may be cited as the "Employment and Inflation Act of 1973".

SEC 2. Section 202 of the Economic Stabilization Act of 1970 (12 U.S.C. 1904 note) is amended to read as follows:

"§ 202. Findings and purpose

"(a) The Congress finds that—

"(1) in order to achieve full employment with the minimum of inflation, stabilize the economy, improve the Nation's competitive position in world trade and protect the purchasing power of the dollar, it is necessary to attain and maintain a full employment budget, attain and maintain a full employment stock of money, limit administrative inflation arising from the excessive use of market power by either management or labor, rebuild the supplies of farm products, and in other ways resist inflation;

"(2) inflation arising from excessive general demand can be controlled by prudent fiscal and monetary policy, and general demand is not now excessive;

"(3) when, as at present, there is excessive unemployment, an expansion in general demand can be expected to lift highly competitive prices; in the more concentrated industries which have idle capacity it can be expected to result in an expansion of production and employment; and it can be expected to produce both production and price increases where concentration is intermediate;

"(4) the world supply of farm products is abnormally low because of crop failures in Russia, India, and Australia, so that farm prices which would appropriately have risen somewhat with recovery are abnormally high while stockpiles are abnormally low; both of which conditions can, in time, be corrected by expanding farm production;

"(5) the general level of interest rates results from the interaction of the supply and demand for loanable funds, and the demand would be reduced if Federal Government borrowing were reduced, thus releasing loanable funds to the private sector, while the supply should be increased through monetary expansion to support full employment which would increase the supply of loanable funds, and the pressure on such funds would be reduced further if the investment tax credit were temporarily suspended; and

"(6) the major inflation problem today is to minimize administrative inflation which can occur in the more concentrated industries and can be avoided if producers, in general, expand their profits by increasing production and sales without increasing their profit margins and if rates of pay, in general, rise only in proportion to the trend of national productivity and the increases in living costs.

"(b) It is, therefore, the purpose of this Act to—

"(1) so control administrative inflation that fiscal and monetary measures can bring about full employment without an excessive rise in prices, rates of pay, interest rates, or rents;

"(2) adopt 4 per centum unemployment as the interim goal for the end of calendar year 1973;

"(3) adopt 3.8 per centum unemployment as the interim goal for the end of calendar year 1974;

"(4) have the authority conferred by this Act exercised with full consideration and emphasis on the maintenance and furtherance of the American system of competitive enterprise, including collective bargaining; and

"(5) have the authority conferred by this Act exercised with reasonable flexibiltiy in order to avoid excessive hardship, inequity, or impedance of economic growth."

SEC. 3. Section 203 of the Economic Stabilization Act of 1970 is amended to read as follows:

"§ 203. Price-Wage Board

"(a) There is established the Price-Wage Board (hereinafter in this title referred to as the 'Board').

"(b) The Board shall be composed of five members, appointed by the President by and with the advice and consent of the Senate, as follows:

"(1) A chairman and vice chairman with broad experience in government operation.

"(2) Three members with experience in the fields of business, labor, and consumer affairs, respectively.

A vacancy in the Board shall be filled in the manner in which the original appointment was made.

"(c) Not more than three members of the Board appointed shall be of the same political party.

"(d)(1) Except as provided in paragraph (2), members of the Board shall be appointed for terms of one year.

"(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

"(e) Members of the Board other than the Chairman shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for level IV of the Executive Schedule (5 U.S.C. 5315). The Chairman shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for level III of the Executive Schedule (5 U.S.C. 5314).

"(f) Three members of the Board shall constitute a quorum but a lesser number may hold hearings.

"(g) The Board shall meet at the call of the Chairman or a majority of its members."

SEC. 4. Section 204 of the Economic Stabilization Act of 1970 is amended to read as follows:

"§ 204. Authority to stabilize prices and rates of pay

"Except as provided by section 206, the Board is authorized and directed to issue orders and regulations, accompanied by a statement of reasons for such orders and regulations, to stabilize prices and rates of pay at levels not less than those prevailing on January 10, 1973, in a manner consistent with standards and guidelines issued under section 205 and with section 207, except that prices may be stabilized at levels below those prevailing on such date if it is necessary to carry out the purpose of this title.

SEC. 5. The Economic Stabilization Act of 1970 is amended by redesignating sections 205 through 220 as sections 210 through 225, respectively, and by inserting immediately after section 204 the following new sections:

"§ 205. Standards and guidelines for price and pay adjustments

"The Board shall issue standards and guidelines for noninflationary price and pay adjustments as follows:

"(1)(A) The basic guideline for price adjustments shall be the maintenance of the dollars and cents profit margin per unit of output of any firm for any product or product category which prevailed for such firm during such fiscal years as the Board may designate.

"(B) Subsidiary standards and guidelines for price adjustments shall provide for modifying the basic guideline, as the Board may find necessary, to avoid undue hardship, inequity, or impedance of economic growth.

"(2)(A) The basic guideline for pay adjustments shall be an increase in the pay for any position or category of positions prevailing on January 10, 1973, to the extent of the trend of increase in national productivity and the rise in living costs during the most recent year for which data is available, the total of any such adjustment to be specified by the Board as an allowable percentage increase.

"(B) Subsidiary standards and guidelines for pay adjustments shall provide for modifying the basic guidelines, as the Board may find necessary, to avoid undue hardship, inequity, or impedance of economic growth.

"§ 206. Exceptions with respect to price and pay adjustments

"In exercising the authority conferred upon it under this title, the Board shall—

"(1) make such exceptions as are necessary to foster orderly economic growth and to prevent gross inequities, hardships, serious market disruptions, domestic shortages of raw materials, localized shortages of labor, and windfall profits;

"(2) not limit any pay adjustment scheduled to take effect after January 10, 1973, to a level below that which has been agreed to in a contract which (A) related to such pay, and (B) was executed prior to January 11, 1973, unless it determines that the increase provided in such contract is unreasonably inconsistent with the standards and guidelines for pay adjustments issued under section 205; or

"(3) not preclude the payment of any adjustment in pay—

"(A) in any manner to any individual whose earnings are substandard or who is a member of the working poor, until such time as his earnings are no longer substandard or he is no longer a member of the working poor; and the Board shall prescribe regulations defining, for purposes of this subparagraph, the term 'substandard earnings,' but in no case shall such term be defined to mean earnings less than those resulting from a pay rate which yields $3.50 per hour;

"(B) required under the Fair Labor Standards Act of 1938 or effected as a result of enforcement action under such Act;

"(C) required in order to comply with compensation determinations made by any agency in the executive branch of the Government pursuant to law for work (i) performed under contracts with, or to be performed with financial assistance from, the United States or the District of Columbia, or any agency or instrumentality thereof, or (ii) performed by aliens who are immigrants or who have been temporarily admitted to the United States pursuant to the Immigration and Nationality Act; or

"(D) paid in conjunction with existing or newly established employee incentive programs which are designed to reflect directly increases in employee productivity.

"§ 207. Application by the Board of standards and guidelines it issues under this title, including retroactive application

"(a)(1) For purposes of this title, with respect to price standards or guidelines, the term—

"(A) 'firm in category I' means any person who—

"(i) owns or controls assets of at least $500,000,000 at the end of its most recently completed fiscal year for which data is available;

"(ii) controls sales of at least $500,000,000 for its most recently completed fiscal year for which data is available;

"(iii) employs at least 20,000 individuals; or

"(iv) supplies or controls persons who supply at least 15 per centum of any market of substantial dollar volume.

"(B) 'firm in category II' means any person who is not a firm in category I and who—

"(i) owns or controls assets of at least $100,000,000 at the end of its most recently completed fiscal year for which data is available;

"(ii) controls sales of at least $100,000,000 for its most recently completed fiscal year for which data is available; or

"(iii) employs at least 2000 individuals.

"(C) 'firm in category III' means any person who is not a firm in category I or a firm in category II.

"(2) For purposes of this title, with respect to pay standards or guidelines, the term—

"(A) 'a category I pay adjustment' means any pay adjustment which applies to or affects at least 10,000 employees.

"(B) 'a category II pay adjustment' means any pay adjustment which applies to or affects at least 2,000 employees but less than 10,000 employees.

"(C) 'a category III pay adjustment' means any pay adjustment which applies to or affects less than 2,000 employees.

"(3) Notwithstanding section 211(a), if necessary in order to carry out the purposes of this title, the Board may, on the record and after opportunity for a hearing, transfer any firm from category III into a category II or from category II into category I. The Board may not, in any manner, transfer a firm in category III into category I.

"(b)(1) Any firm in category I which intends to adjust any price on or after the effective date of the Employment and Inflation Act of 1973 shall notify the Board by certified mail of such intended price adjustment at least thirty calendar days before such adjustment is to become effective. As a part of such notification, such firm shall justify, in writing, such price adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. Such price adjustment may be made unless the Board, within thirty calendar days after notification of such price adjustment, disapproves all or part of such adjustment. Upon petition by such firm and where undue hardship would result, the Board may waive the thirty-day notice requirement.

"(2) Any firm in category II which intends to adjust any price shall notify the Board by certified mail of such price adjustment no later than the calendar date on which all or any part of the price adjustment becomes effective. As a part of such notification, such firm shall justify such price adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. The Board may retroactively adjust any such price adjustment in conformity with standards and guidelines issued by it under section 205.

"(3) Any firm in category III shall volun-

tarily adhere to the standards and guidelines issued by the Board under section 205 concerning prices or any appropriate exception under section 206.

"(c) Any firm in category I or category II which increased any price on or after January 11, 1973, and prior to the effective date of the Employment and Inflation Act of 1973, shall, unless such price adjustment is rescinded within ten calendar days after such effective date, immediately notify the Board by certified mail of such price adjustment. As part of such notification, such firm shall justify, in writing, such price adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. The Board may retroactively adjust any such price adjustment in conformity with standards and guidelines issued by it under section 205.

"(d)(1) Any firm which intends to make a category I pay adjustment which is to become effective on or after the effective date of the Employment and Inflation Act of 1973 shall notify the Board by certified mail of such intended pay adjustment at least thirty calendar days before such adjustment is to become effective. As a part of such notification, such firm shall justify, in writing, such pay adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. Such pay adjustment may be made unless the Board, within thirty calendar days after notification of such pay adjustment, disapproves all or part of such adjustment. Upon petition by such firm and where undue hardship would result, the Board may waive the thirty-day notice requirement.

"(2) Any firm which intends to make a category II pay adjustment shall notify the Board by certified mail of such pay adjustment no later than the calendar date on which all or part of such adjustment becomes effective. As a part of such notification, such firm shall justify such pay adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. The Board may retroactively adjust any such pay adjustment in conformity with standards and guidelines issued by it under section 205.

"(3) Any category III pay adjustment shall voluntarily adhere to the standards and guidelines issued by the Board under section 205 concerning pay, taking into account exceptions provided for under section 206.

"(e) Any firm which made any category I or category II pay adjustment which became effective on or after January 11, 1973, and prior to the effective date of the Employment and Inflation Act of 1973, shall, unless such pay adjustment is rescinded within ten days after such effective date, immediately notify the Board by certified mail of such pay adjustment. As part of such notification, such firm shall justify, in writing, such pay adjustment in terms of appropriate standards and guidelines issued by the Board under section 205 or any appropriate exception under section 206. The Board may retroactively adjust any such pay adjustment in conformity with standards and guidelines issued by it under section 205.

"(f) For purposes of this section, in the case of transmission by certified mail, notification occurs at the time specified in the certification.

"(g) For the purpose of complying with subsection (b)(1) or (2) or subsection (c), any firm in category I or category II may report any price adjustment, or intended price adjustment, as the case may be, by product or for any grouping of products. If the firm elects to report any price adjustment for a grouping of products, such grouping must be consistent with rules issued by the Board and—

"(1) shall not combine substantially different types of products;

"(2) shall not include products of more than one legal entity; and

"(3) is subject to disapproval by the Board.

"§ 208. Definitions; miscellaneous provisions

"(a) For the purposes of this title, the term—

"(1) 'pay' means wage or salary, and includes fringe benefits (including insurance and stock options), but does not include contributions by any employer pursuant to a compensation adjustment for—

"(A) any pension, profit sharing, or annuity and savings plan which meets the requirements of section 401(a), 404(a)(2), or 403(b) of the Internal Revenue Code of 1954;

"(B) any group insurance plan; or

"(C) any disability and health plan; unless the Board determines that the contributions made by any such employer are unreasonably inconsistent with the standards and guidelines for price and pay adjustments issued under section 205.

"(2) 'firm' means any individual or any corporation, association, partnership, company, joint stock company, society, or any other organization.

"(b) Rules, regulations, and orders issued under this title shall call for generally comparable sacrifices by business and labor as well as other segments of the economy.

"(c) Rules, regulations, and orders issued under this title shall, insofar as practicable, be designed to encourage labor-management cooperation for the purpose of achieving increased productivity, and the Executive Director of the National Commission on Productivity shall when appropriate be consulted in the formulation of policies, rules, regulations, orders, and amendments under this title.

"(d) No State or portion thereof shall be exempted from any application of this title with respect to rents solely by virtue of the fact that it regulates rents by State or local law, regulation, or policy.

"§ 209. Presidential authority

"(a) The President is authorized to issue such orders and regulations as he deems appropriate, accompanied by a statement of reasons for such orders and regulations, to stabilize rents, interest rates, corporate dividends, and similar transfers at levels not less than those prevailing on May 25, 1970, in order to carry out the purpose of this title.

"(b) In carrying out the authority vested in him by subsection (a), the President shall issue standards to serve as a guide for determining levels of rents, interest rates, corporate dividends, and similar transfers which are consistent with the purpose of this title and orderly economic growth. Such standards shall—

"(1) be generally fair and equitable;

"(2) provide for the making of such general exceptions and variations as are necessary to foster orderly economic growth and to prevent gross inequities, hardships, serious market disruptions, domestic shortages of raw materials, localized shortages of labor, and windfall profits;

"(3) take into account changes in productivity and the cost of living, as well as such other factors consistent with the purposes of this title as are appropriate;

"(4) reduce interest rates by encouraging an expansion in the monetary stock which is sufficient to achieve full employment so that a full employment budget would be in balance, thus eliminating Federal Government borrowing; and

"(5) provide for the requiring of appropriate reductions in rents in any political subdivision of any State whenever—

"(A) such political subdivision petitions, in writing, to the President to provide for appropriate reductions in rents;

"(B) the vacancy rate in residential rental units in such political subdivision is 5.5 per centum or less, or there is other substantial evidence of a tight rental market in such political subdivision; and

"(C) warranted after consideration of lower costs, labor shortages, and other pertinent factors.

"(c) The President shall use powers granted to him under existing law to resist increases in farm and food prices by reducing limitations on agricultural production imposed under existing laws of the United States until carry-over stocks are restored to normal levels, with due consideration for restoring such limitations when conditions are more normal.

"(d)(1) The President may delegate the performance of any function under this section to such officers, departments, and agencies of the United States as he deems appropriate, or to boards (other than the Board), commissions, and similar entities composed in whole or in part of members appointed to represent different sectors of the economy and the general public. Members of such boards, commissions, and similar entities shall be appointed by the President by and with the advice and consent of the Senate, except that the foregoing requirement with respect to Senate confirmation does not apply to any member of the Cost of Living Council who is serving, pursuant to appointment by the President, on such council on the effective date of the Employment and Inflation Act of 1973, and who continues to serve, pursuant to such appointment, on such council after such date.

"(2) Where such boards, commissions, and similar entities are composed in part of members who serve on less than a full-time basis, legal authority shall be placed in their chairmen who shall be employees of the United States and who shall act only in accordance with the majority vote of members. Nothing in section 203, 205, 207, 208, or 209 of title 18, United States Code, shall be deemed to apply to any member of any such board, commission, or similar entity who serves on less than a full-time basis because of membership on such board, commission, or entity.

SEC. 6. The first sentence of section 211 of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by inserting "or the chairman of the Board" immediately after "under this title".

SEC. 7. (a) The first sentence of section 212(b) of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by inserting ", including the Board," immediately after "under this title".

(b) Section 212(c) of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by inserting ", and the Board," immediately after "the President or his delegate".

SEC. 8. The first sentence of section 214 of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by inserting "or to the Board or its duly authorized agent" immediately after "under this title" the first time it appears therein.

SEC. 9. Section 215(a) of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by inserting ", or adversely affected or aggrieved," immediately after "suffering legal wrong".

SEC. 10. Section 217 of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended by adding at the end thereof the following new subsection:

"(h)(1) The Board shall have a Director who shall be appointed by the Board and paid at the rate of basic pay in effect for level III of the Executive Schedule (5 U.S.C. 5314).

"(2) The staff of the Board shall be appointed by the Director.

"(3) Upon request of the Board, the head of any Federal agency is authorized to de-

tail, on a reimbursable basis, any of the personnel of such agency to the Board to assist it in carrying out its duties under this title."

SEC. 11. Section 223 of the Economic Stabilization Act of 1970, as redesignated by section 4 of this Act, is amended to read as follows:

"§ 223. Expiration

"Unless extended for not more than one year by a concurrent resolution of Congress, the authority to issue and enforce orders, rules, and regulations under this title expires at midnight April 30, 1974, but such expiration shall not affect any action or pending proceedings, civil or criminal, not finally determined on such date, nor any action or proceeding based upon any act committed on or prior to such date."

SEC. 12. The amendments made by this Act shall take effect upon the date of its enactment or on May 1, 1973, whichever occurs later.

GOVERNMENT WASTE AND NATIONAL PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LEHMAN) is recognized for 5 minutes.

Mr. LEHMAN. Mr. Speaker, we do not have to cut back our social programs to meet the administration's spending ceiling. We do not have to increase our taxes to control the Federal budget. And we do not have to give up our hope of providing a high standard of health care, education, housing, and economic opportunity for all of our people as we fulfill our duty to fiscal responsibility.

The necessary money is there if we look for it. It has been allotted to the many wasteful programs which were completely overlooked by the President in his proposed budget.

In recent days I have asked a number of very specific questions about waste in the President's budget:

First, in this generation of peace, why are funds for the operation of our thousands of military bases around the world being increased by over a billion dollars?

Second, why in peacetime are funds for weapons procurement being increased by another billion dollars?

Third, why is there yet a third billion-dollar increase in the military budget for research and construction?

Fourth, why should certain NASA programs be increased by $600 million over their fiscal year 1972 level?

Fifth, why do the ship-construction interests merit a $36 million increase in their special subsidy?

Sixth, why does the President need an expensively staffed Office of Telecommunications Policy which spends over $3 million a year to attack our broadcast media?

Seventh, why should we continue to spend $159,000 each year to support a national board for the promotion of rifle practice?

Eighth, why do we encourage the use of tobacco by funding the expenses of the USDA's National Tobacco Marketing Study Committee while at the same time restrict the advertising of this product because of its hazard to our health?

Ninth, why are we still scheduled to spend $3.5 million in 1974 to terminate an SST program ended by Congress in 1971?

Tenth, why does the State Department need an average of 194 people for each of the 117 countries, large, and small, where we now have ambassadors?

Eleventh, and why does the U.S. Navy require twice as many "supergrades" as the Air Force and 55 percent more than the Army?

As we answer these questions, we will be able to find almost $4 billion in funds which could be used for the reordering of our national priorities.

In these proposed expenditures, there is enough waste to fund the $863 million which the President plans to cut from health care in such areas as medical research, professional training, and mental health.

There is enough waste to make up the $570 million cut in education from programs which include graduate fellowships, student loans, adult education, and aid to public libraries.

We can find enough money to restore the $305 million which was cut from housing loans.

And there is enough to prevent the termination of $328 million for OEO aid to community action programs.

We must take a good hard look at the escalating costs of the military and space programs which the President refuses to control.

We must make a thorough review of the many special interest subsidies and offices and boards and committees and never-ending programs which the President has overlooked.

And finally we must begin to look very closely at our top-heavy Federal bureaucracy. As a member of the Subcommittee on Manpower and Civil Service, I hope to find out if we really need the great number of highly paid executives who now swell the Federal payroll.

If we want to truly represent the wishes of the American people for a government which is both fiscally responsible and which helps to improve the quality of our lives, then we must take those steps necessary to reduce government waste and to use what we save for the realinement of our national priorities.

TRADE LEGISLATION TALK, CONSULTATIONS, RUMORS, AND SPECULATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I was very interested to read in the front page of Friday's newspapers that the administration is coming along with its much-discussed, often-promised-yet-never-delivered trade bill.

I think it is interesting that a member of the committee with jurisdiction in this area, such as myself on the Ways and Means Committee, has to find out what is going on in the front pages of the morning papers. I was especially interested to find out that the White House is engaged in in-depth consultation with the Hill on these matters. I am not so naive to think that they would include the principal sponsor of what can only be considered an anathema to the White House, the Burke-Hartke bill, in these deliberations. I just hope that others are finally getting the benefit of the administration's thinking, and that eventually the whole Congress will be informed as to what is going on.

In this connection, I think it is worth noting where Congress stands in the White House's revised order of priorities these days. The newspapers for the past several weeks have been carrying reports of high level briefings of foreign governments by the administration on the proposed trade legislation. While I have already indicated I understand White House reluctance to include the sponsors of the Burke-Hartke bill in its preliminary discussions, I did think that the members of the Ways and Means Committee might have been included in the brefings before Secretary General Brezhnev of the U.S.S.R., or even President Pompidou of France, for that matter; yet it all is part of a distinguishable pattern of behavior in recent months. Increasingly, Congress is being presented with agreements and understandings with foreign governments in the manner of so many faits accomplis.

I would just like to serve notice that what we are talking about in trade legislation, and not a foreign treaty, and I would only warn the White House and its advisers that I, for one, intend to see to it that the administration's proposed legislation is treated as it should be—as a proposal and nothing more. In this connection, obviously the more I understand about the administration's logic in putting its recommendations together, the better I will be able to consider them.

One final comment. This pattern of prior consultation with foreign governments in advance of Congress is nothing new with trade in this administration. The only copy of the much-discussed Flanigan report that I was able to review came through my contacts with a certain foreign embassy in this city. I think it is a pretty sad state of affairs when Members of Congress have to do their background reading in the libraries of some foreign embassies in an effort to find out what the U.S. Government is thinking.

My main point in all of this is quite serious. This recent performance of the administration where trade is concerned would seem to indicate that this country's government still has its priorities mixed up. It is the sensitivities and feelings of foreign governments that seem to be shaping our trade policies, not the legitimate concerns and well-being of the American workers about to lose their jobs or the small businessmen about to go under beneath the avalanche of cheap foreign imports. Of course, foreign governments have a considerable stake in the trade policies of this Nation and their views deserve consideration. However, to watch this Government operate one gets the impression their views are dictating this Nation's policies. That is why we are in the mess we are in. That is why nothing has been done to meet the deepening trade crisis to date. By the time the administration comes to the Hill to discuss foreign trade it sounds more like a lobbyist for foreign interests than the representative of America's working people.

One has become accustomed to the State Department representing foreign interests and lobbying very hard against the Burke-Hartke bill, advising that unemployment among the shoe, textile, and electronic workers may be the price we have to pay for good relations with Japan or Taiwan. But I thought we had some government agencies looking out for the domestic well-being.

TO AMEND THE NATIONAL ENVIRONMENTAL POLICY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MURPHY) is recognized for 5 minutes.

Mr. MURPHY of New York. Mr. Speaker, I introduce today a bill which would amend the National Environmental Policy Act in order to make this act more effective.

NEPA has created a procedural nightmare. As a result of this emphasis on procedural matters, to the exclusion of substantive issues, government and industry, as well as large segments of the general public, find themselves unable to plan or function in a systematic workable manner. The procedural requirements which the courts have construed NEPA to impose have spun a web which is effectively strangling many admittedly necessary projects throughout the Nation.

Industry and businessmen desire a clean, healthy environment as keenly as any environmental group. However, the environment is only one of many factors that must be weighed in the delicate balancing act that comprises the decisionmaking process. It is not urged that the environment is any less important in this process than questions of cost, safety, productivity, or material progress. But neither is it more important.

Above all, any institutional structure designed to protect the environment must be realistic and workable.

Stated briefly, my goal is to amend NEPA so that it presents a procedurally workable system. To substantially dilute or radically change NEPA is not the aim. NEPA modifications must be achieved with language that preserves the objective of the act, but which nevertheless manages to overhaul its nightmarish tangle of procedures.

It is believed that a workable system would be possible if NEPA were amended in the following respects:

NEPA presently treats three separate and distinct processes in the same manner: Federal legislation, federally conducted projects, and projects privately implemented but which require Federal approval. Obviously, each of these situations carries with it its own set of problems which lend themselves to different solutions. NEPA must be modified to make it clear that these are three different situations.

NEPA requires an analysis of "alternatives to the proposed action." This language has been construed by the courts in a most unrealistic fashion. NEPA should be modified to make it clear that the "alternatives" to which the act refers are those which are realistic within reasonable parameters of time, cost-benefits and capability of implementation.

NEPA should be modified to make it clear that a new comprehensive environmental impact statement is not required for each implementation of individual acts in a series of acts comprising an overall program. For instance, once a comprehensive environmental impact statement is prepared on a program for offshore leases, a new comprehensive statement should not be required for issuance of drilling permits, construction of pipelines or other acts involved with implementation of the program. Moreover, in an instance where additional lease sales are to be made as a part of this program, the agency should be permitted to issue a supplemental statement limited to the peculiar characteristics of the tracts involved and to significant changes in circumstances which may have occurred since issuance of the comprehensive environmental impact statement.

NEPA should also be modified to eliminate the duplication and overlap which presently exist. Where the same environmental factors have previously been analyzed in an environmental impact statement, and where the agency finds that circumstances have not significantly changed since such analysis was made, the agency should be able to rely upon the previous analysis. For instance, before leasing offshore tracts, the Department of Interior must consider the "alternative" of increased oil import quotas, and in so doing must consult with other interested agencies. If it is subsequently proposed to amend the oil import quota program, it should certainly not be necessary for any agency—presumably, one which was consulted initially—to conduct a full-scale environmental study of the "alternative" of increasing offshore leases. The agency dealing with the proposed change in the oil import quota program should simply be able to adopt the previously prepared statement.

NEPA presently requires that an environmental impact statement is required of all Federal agencies. This language should be modified to make it clear that an agency would not be required to prepare a statement when the overall project has already been the subject of a statement prepared by the agency exercising principal jurisdiction over the matter. For instance, the Army Corps of Engineers should not be required to prepare an impact statement on one part of a project; that is, a river crossing—when the entire project; that is, a pipeline—has previously been evaluated and approved by the FPC—which would, of course, have consulted with the corps in preparing the initial statement.

An environmental impact statement should not be required to the extent that the proposed action is to be implemented in accordance with regulations of a Federal department or agency which have been found to meet the policies and purposes of the act.

This bill which I introduce today was designed to overcome the above-mentioned procedural defects in NEPA. I include a section-by-section analysis:

SECTION-BY-SECTION ANALYSIS

Section 2: This section reaffirms the objectives of NEPA and that the purpose of the Amendments of 1973 is merely to clarify and to spell out the necessary procedural requirements so as to make the administration of NEPA more effective.

Section 3: A minor change is proposed in subparagraph (3) substituting the words "without undue" for the word "without". The present standard is unattainable.

Section 4: The requirement of a standard of "fullest extent possible" as unreasonable and the proposed use of "practicable" together with the phrase "consistent with other essential conditions of national policy" is more realistic and consistent with the intent of NEPA as stated in Section 101(b). Technical provision was added to reflect the restructuring of Section 102. The content of paragraphs (c) and (d) of Section 102 has been included in new Section 103, and unchanged paragraphs in Section 102 have been relettered accordingly.

Section 5: The existing Section 103 of NEPA was self-executing and has terminated. In the interests of simplifying draftsmanship. it is being deleted and a new Section 103 dealing with procedures is inserted.

New Section 103 contains the essence of subsections (c) and (d) of Section 102 of the original Act. The purpose of new Section 103 is to spell out a separate and different procedure for each type of action now covered by a single procedure in Section 102(2)(c).

Subsection (a) sets forth the general requirements and standards for Environmental Impact Statements.

Subsection (b) deals with proposed legislation and the development of the Environmental Impact Statement for such legislation.

Subsection (c) sets forth procedures to be followed in connection with a proposed Federal action which is to be implemented by a Federal department or agency. This deals with such things as off-shore leases, highways, dams, etc. It will be noted that subparagraph (2) seeks to define the types of "alternatives" that must be considered; subparagraph (3) seeks to eliminate duplication of Environmental Impact Statements where several substantially identical actions are proposed within the same geographic area; subparagraph (4) seeks to eliminate repetitive Environmental Impact Statements in situations such as off-shore leasing; subparagraph (5) eliminates the need for Environmental Impact Statements in those situations covered by environmental regulations such as Federal Power Commission Order 407; subparagraph (6) eliminates the duplication of effort by agencies playing a secondary part in a proposed action.

Subsection (d) relates to Federal actions which a person, such as a pipeline company, is seeking Federal authorization (i.e., a certificate of public convenience and necessity) for a private project, such as a pipeline. It will be noted that subparagraph (1) is designed to overrule the *Greene County Planning Board* decision and to provide for the threshold determination as to whether there is involved a major Federal action significantly affecting the quality of the human environment; subparagraph (2) limits the alternatives that must be considered; subparagraph (3) seeks to eliminate duplication of Environmental Impact Statements where several substantially identical actions are proposed within the same geographic area; subparagraph (4) seeks to eliminate repetitive Environmental Impact Statements where the proposed action is to be implemented pursuant to environmental guidelines; subparagraph (5) eliminates repetitive consideration of environmental matters by Federal agencies having secondary jurisdic-

tion over a proposed action; subparagraph (6) seeks to eliminate the need for discussion in Environmental Impact Statements of matters adequately covered by State or local law.

Section 6. The purpose of this new Section 106 is to prevent delays when an agency action is challenged on environmental grounds. In those cases where no other time limit is provided by an agency's existing statutory authority, the section establishes a 30-day period within which petitions for review or motions for interlocutory relief must be made.

FEDERAL ASSISTANCE NEEDED FOR RECENT DISASTER IN SOUTH CAROLINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 30 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, I rise today because I am distressed about a situation that is currently causing a grave problem in my State of South Carolina. It has been more than a month now since a record snowfall swept our State, causing widespread damage and destruction. Our Governor has asked for help from a Federal agency, the Office of Emergency Planning, and has also asked for a declaration for portions of the State as disaster areas.

The snow came about 6 weeks ago on the 9th and 10th of February. The help from the OEP still has not come.

While South Carolina poultrymen, tobacco farmers, manufacturers, businessmen small and large, and others have continued to suffer daily losses, the people at the Office of Emergency Planning are still saying they are "considering it."

Now, just to shed a little bit of light on the record, it only took them about 12 hours—12 hours—to consider and send help to Texas following a tornado. Yet it has been more than 30 days since the worst snowstorm since the Civil War swept South Carolina. The damage estimate is set conservatively at $35 million—and it probably will continue to rise.

Now, I want to know just what in the world there is to consider. There is certainly a need in South Carolina. Private industry recognizes it. I would like to quote from a letter from the Campbell Soup Co., which is in Sumter County, which says:

> We will reimburse our growers for 20 percent of the estimated rebuilding costs. In addition, we are prepared to loan to those groups who have an immediate financial need up to $1,000 on an interest-free basis to cover living expenses. We hope this will serve as an impetus to get them back into business.

I would also point out that the letter concludes with the following sentence:

> The need to secure Federal assistance in the form of low-interest loans to the growers is still vital.

"Vital" is the way that it is described by this industry.

Vital. And at this time not one soul in the Office of Emergency Planning has considered it enough to make a decision.

So, Mr. Speaker, they say they have an "overview" of the entire situation. Yes, they did that. They flew around for a couple of hours in Government helicopters and looked down at the damage from 2,000 feet up.

Well, that does not cut it. They have to get down on the ground to see the tobacco warehouses which have collapsed from the weight of the snow and ice. They have not seen the poultry coops wrecked and the flocks decimated by the greatest accumulation of snow since they have been keeping records in our State.

They have not seen the property damage to hundreds of businesses and thousands of citizens in the Palmetto State.

They are only considering what they saw in their overview of the situation.

As we look at the lack of action in our State and the quick action in the State of Texas, we sort of feel is it too bad that Mr. Connally does not live in South Carolina?

Since the OEP is a branch of the White House, I can only assume that the administration is helping them to consider South Carolina's request for assistance.

The Governor has determined a need for assistance. Private industry has determined a need for assistance, and after making my own survey, I assure the Members there is a definite need, a critical need, for Federal assistance. It is more than the State and private industry can shoulder alone.

I can also add that if the administration does not see fit to act soon with some relief, then the bankruptcy courts will have to act. The time for excuses is past, Mr. Speaker, the time for passing the buck is past; the time for considering is past; the time for action is now, today. No amount of considering will replace the roofs of tobacco warehouses and poultry coops, and the losses that our people bear. No amount of considering will repair the homes and businesses of South Carolinians who have suffered in this disaster. I shall continue to use all my powers as a Member of this body, and I seek the help of the rest of the South Carolina delegation and the other Members of this Congress, who could suffer like disasters, in an effort to cut through the redtape and get something done.

I call upon this administration, if they care enough, to help us in our struggle for relief.

I yield back the balance of my time.

THE PRESIDENT'S MESSAGE ON CRIME IS NEEDED

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, Americans who believe in law and order should welcome the President's recent message on crime. In his speech, he outlined plans for a massive attack on what is probably the most difficult and complex problem confronting the Nation. The details of Mr. Nixon's proposals require careful examination but Congress should move promptly to enact the necessary legislation.

I feel that he is right in seeking a reinstatement of the death penalty and stiffer and mandatory sentences for drug pushers. A plan for revision of existing Federal criminal statutes is long overdue. Congress will want to study carefully the proposal for block grants to State and local police forces. It may offer improvements to present Federal assistance programs on crime control. Congress should also inquire carefully into the need for more Federal participation in such crime prevention areas as technical assistance, manpower training and for aid to correctional institutions across the Nation.

Mr. Speaker, the problem of crime is one which impacts on every American. The Federal Government is charged, as the President noted, with the status of domestic tranquility. While most crime is of a local nature and in violation of State or local laws, the fact remains that serious crime is on the increase and it is the duty of the Federal authorities to provide assistance to local police to help combat crime.

I was especially pleased to note the President's concern over the role of the courts in the matter of crime. He said, quite correctly, that very often it is the court which turns a hardened criminal back onto the streets to once again feed off the law abiding people of the land. Certainly there is a need to plug this hole. The U.S. Supreme Court has made it very difficult to convict criminals. Soft judges, who show more concern about the criminal than they do about his victim, are responsible for many hardened criminals being free today to continue to prey on society.

The call for a crackdown on drug traffickers should have enthusiastic support. They are a plague on society and they should be dealt with harshly. The courts should be given little if any discretion in imposing sentences. These steps should be accompanied by a thorough-going program of education on the dangers of drugs to individuals, particularly the young.

There will, of course, be controversy on the reinstatement of the death penalty. I consider it clear that the death penalty serves as a deterrent to serious crime. The President is only seeking the reinstatement of the death penalty for certain Federal crimes such as aircraft hijacking, treason, and espionage. It is to be hoped the States will adopt similar constitutionally acceptable language to deal with other crimes such as murder. Here Florida has provided an excellent example for other States to follow.

Although we cannot hope for eradication of crime, the fact remains that stricter law enforcement and a tougher attitude by the courts toward criminals can help to curb crime. Congress should not delay the enactment of additional laws to reduce and deter crime. But this in itself will not be sufficient. There also is a requirement for less indifference on the part of the public to the growing spectre of crime. Too many people simply ignore crime and hope it does not come to them. Police officials need the help of the public.

LESS IS MORE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, while comedians are making jokes about selling the family jewels and refinancing the house in order to pay for a steak dinner, the average housewife in this country faces the very real prospect of financial disaster if she tries to feed her family well. It simply is not funny any more.

When steak costs a minimum of $1.89 a pound it is time to stop laughing.

When you cannot buy a loaf of bread for less than 30 cents, it is time to ask some very serious questions.

When a family of four needs upward of $50 a week just to get the bare nutritional essentials, it is time that we dig in our heels and say, "Stop."

All the press conferences and releases in the world will not lower the prices we are paying for food. It does not help to hear that things may be bad but that they might be worse. The White House and Cost of Living Council will not make steak cheaper here by telling us how expensive it is somewhere else.

The Federal Government is currently spending billions of dollars a year to control and monitor all phases of food production. How well are the dollars spent on the farm subsidy program being used? Is this program being run for the benefit of the consumer as well as the farmer? How well is the Department of Agriculture planning crop production to take into account both domestic needs and foreign sales?

Hundreds of millions of dollars go into the compilation and publication of wholesale and consumer price indices. This is the most expensive, most extensive system in the world, with a wealth of information at its beck and call. With all these facts and figures at its disposal, why cannot the White House give us positive answers instead of platitudes? This is ludicrous. If the answers are not there, why have they not been looking for? Is any of the money spent on this massive recordkeeping program being used to find out why prices have kept rising month after month?

The President and his advisers tell us eat fish and cheese instead of meat. Have they noticed that lately these foods are nearly as expensive as meat? That never in history have the prices of fish and cheese been higher than they are now? What is being done to make fish more plentiful and cheaper? Are this Nation's fisheries being managed efficiently? Are they as modern as they should be to keep up with the demand?

We are told by the President's consumer adviser too simply eat less if we want to save money on food bills. This is like Marie Antoinette telling the starving people of France to eat cake when they had no bread. I would like to know how a woman can tell her husband and her children that the President wants them to eat less for the good of the country?

The situation is intolerable. The White House has procrastinated and played Pollyanna long enough. It is time for the Congress to do something so that the average consumer in America can be assured of having enough to eat at reasonable prices.

President Nixon thinks the last election gave him a mandate. I think he is seriously misinterpreting the mood of the country. He is not free to prescribe a sugar-coated placebo of rhetoric when the American consumer comes to him with a legitimate grievance. If he has a true mandate from the people, it means that he is expected to act in their best interests. The people expect him too take positive action on food prices, not to tell them about what he will not do. The President is not doing anything. The consumer has done all that he or she can do. It is now up to the Congress to do something for the people that put us here.

It is about time we learned why prices are going up so fast, and just where the extra money is going. It is about time we worked out a system of price controls and applied them. It is about time that we guaranteed to the people of this country enough food that is nutritionally valuable at prices they can afford. We do not have the information to do this now, but we have the right to it. After all, the money is coming out of our pockets. It is only logical that we know where it is going.

TO END RECORDKEEPING ON SALE OF .22 AMMUNITION

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am today reintroducing a bill which is intended to remove the remaining recordkeeping restrictions on the sale of .22 caliber rimfire ammunition. These restrictions were imposed as a part of the 1968 gun control law and a great many law-abiding sportsmen and businessmen want to see them removed. In this I am joined by 73 Members of the House whose names appear below.

Subsequent to the passage of the 1968 gun control law, restrictions on sale of other rifle ammunition and shotgun ammunition have been eliminated by act of Congress but the sale of .22 caliber ammunition still requires reporting and recordkeeping by dealers. There has been general dissatisfaction with many features of the present gun control law. Law-abiding citizens simply resent the type of regulation which it requires. Criminals ignore the law and this the general populace realizes. At the time the bill was approved by Congress, it was the lesser of the evils which had been proposed as gun control legislation. This, however, has not made it palatable to the public.

Possibly the most aggravating single feature of the present act is the restrictions on the sale of .22 caliber ammunition. It is part of the pattern of our outdoor heritage in America that marksmanship training should begin at home or in clubs under proper supervision. It is through this type of training that restraint and good sportsmanship in the proper use of weapons is best taught.

The propriety of passing this bill will be questioned by some who feel that it will then be easier for the criminal element to obtain ammunition. It is true that .22-caliber ammunition is used in some of the "Saturday-night specials," the pistols which are blamed in many of the crimes involving weapons. Now let me point to the fact that it is also inescapably true that States and cities which have the most stringent antigun laws—including Washington, D.C.—are continuing to experience a very serious crime problem. It is also interesting to note that in Bermuda where the Governor and his aide were recently assassinated, all weapons have to be licensed and few are thought to be in private hands. Antigun laws will not stop the criminal. Failure to pass this bill will not stop the criminal.

I am one of those who has spoken for the passage of a sound and effective bill to take the little handguns known as the "Saturday-night specials" out of circulation. Many of the cosponsors of this bill feel as I do. We want crime control for criminals, not harassment for law-abiding citizens.

The .22 caliber weapons are among those most generally used by law-abiding sportsmen, and particularly younger people. It should be very clear that the removal of the restrictions on the sale of .22 caliber ammunition will be welcomed by law-abiding sportsmen and in particular by young people who are just being taught the pleasures that come with the proper use of firearms. This action also will be welcomed by businessmen who have been steadily harassed by the recordkeeping restrictions required by the present law.

You will recall that this bill passed the House in the 91st Congress but action on it was not completed by the Senate. An identical bill was reported by the Ways and Means Committee last year but was not considered by the House. The proviso to remove restrictions on the sale of .22 caliber ammunition was included in the Bayh bill on handguns which passed the Senate but was not taken up in the House. Certainly it is time to complete action on this very simple measure.

Cosponsors of the bill are: Mr. ULLMAN, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. FISHER, Mr. NICHOLS, Mr. ALEXANDER, Mr. ZION, Mr. HARSHA, Mr. LEGGETT, Mr. MELCHER, Mr. BEVILL, Mr. FRENZEL, Mr. MONTGOMERY, Mr. STEIGER of Arizona, Mr. ROBINSON, Mr. DENHOLM, Mr. GOODLING, Mr. MOLLOHAN, Mr. ANDREWS of North Dakota, Mr. PETTIS, Mr. BURLESON of Texas, Mr. HALEY, Mr. KING, Mr. MAYNE, Mr. MYERS, Mr. ESHLEMAN, Mr. HUTCHINSON, Mr. MATHIS, Mr. RARICK, Mr. QUIE, Mr. CHARLES WILSON of California, Mr. BROOMFIELD, Mr. MALLARY, Mr. FISH, Mr. FOLEY, Mr. BROTZMAN, Mr. CLEVELAND, Mr. BURLISON of Missouri, Mr. BLACKBURN, Mr. HANSEN of Idaho, Mr. BOWEN, Mr. DICKINSON, Mr. RUNNELS, Mr. DAVIS of South Carolina, Mr. DINGELL, Mr. MCCLOSKEY, Mr. MATHIAS, Mr. RHODES, Mr. ARCHER, Mr. KEMP, Mr. WAGGONNER, Mr. O HARA, Mr. WALSH, Mr. LUJAN, Mr. MOSS, Mr. KETCHUM, Mr. WAMPLER, Mr. SCHERLE, Mr. CAMP, Mr. WYLIE, Mr. MC-

CORMACK, Mr. MCEWEN, Mr. DENNIS, Mr. MILLER, Mr. FLOWERS, Mr. MIZELL, Mr. DAVIS of Georgia, Mr. SNYDER, Mr. ROUSSELOT, Mr. SYMMS, Mr. ROY, Mr. FOUNTAIN, and Mr. OWENS.

"911" A FEDERAL POLICY

(Mr. ROUSH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROUSH. Mr. Speaker, I am today reintroducing a bill that I have introduced earlier in this session to provide funds through the Federal Communications Commission to help local communities implement the "911" emergency telephone number. Twenty-one congressmen join me in cosponsoring this bill today.

And, Mr. Speaker, I am especially pleased to announce that the administration has today proclaimed Presidential support for the nationwide adoption of "911."

Prior to the news conference making this announcement, I attended a meeting in which Dr. Clay Whitehead, Director of the Office of Telecommunications Policy in the White House, announced the Presidential support and the creation of a Federal Information Center in the Department of Commerce in Washington, D.C. to provide information to State, local, and municipal governments interested in "911."

The meeting was attended also by Police Chief Jerry Wilson, representatives of A.T. & T., the U.S. Independent Telephone Association, the U.S. Conference of Mayors, the International Association of Fire Chiefs, and the International Association of Chiefs of Police.

The legislation we are introducing today clearly concurs with the intent of the national policy statement: namely to encourage the adoption of a single, nationwide emergency telephone number; and to encourage local communities to take steps to bring this about.

This bill goes a step further to provide financial assistance to cities which might easily afford the basic technical equipment change-over necessary to establish "911," but cannot afford the communications renovations often equally necessary to make it work effectively.

I am in thorough agreement with Dr. Whitehead's statement of the primary purpose of "911" telephone emergency service, which is, in his words, to enable citizens to obtain law enforcement, medical, fire, rescue, and other emergency services as quickly and efficiently as possible by calling the same telephone number anywhere in the Nation."

The key benefits to "911" cited by Dr. Whitehead and Chief Wilson: "one easy number to remember; a quick number to dial; a quicker response time to emergencies" are the critical benefits, the ones that I have been emphasizing since I began this crusade to secure a single, nationwide, emergency number in 1967. They are also the benefits that are proving themselves in reports from cities operating now on "911."

Once again, I would like to express my pleasure at the administration's endorsement of an idea some of us have been working on for 7 years. We have seen progress in that time. Now almost 22,000,000 Americans are enjoying "911" service in roughly 300 communities. But that is still a long way from the goal of the Congressmen sponsoring this legislation today, a goal the administration joins us in: bringing "911" emergency telephone service to all cities in the United States.

GRAND CANYON PARK

(Mr. UDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. UDALL. Mr. Speaker, yesterday I introduced a bill, H.R. 5900, aimed at preserving the Grand Canyon as one of nature's most magnificent scenic wonders. The park not only is vital to the State of Arizona but as part of the system of national parks, it is an important natural resource for the entire country.

The bill will insure that our descendants will be as awed by the majestic breathtaking vistas of the canyon as we are today. The time to act is now—in another generation the drive to exploit our wilderness areas may damage the canyon beyond repair. We must not let that happen.

An identical bill was simultaneously introduced in the Senate by the distinguished junior Senator from Arizona, BARRY GOLDWATER, who has taken the lead in drafting the language in this bill. Without his intensive and effective efforts, there would be little chance of action on this legislation.

The bill, which bears the thoughtful imprint of Senator GOLDWATER's deep concern, takes into consideration the various—and sometimes conflicting—interests of conservationists, ranchers, wildlife groups, and the Indian tribes living in the area.

The grazing of livestock, range improvement, hunting, and fishing, would continue but other activities which might have an adverse effect on the park, such as mining and road construction, would be restricted.

The bill would nearly double the size of the park—from 673,575 acres to nearly 1.2 million acres—and creates a "zone of influence" on adjacent land where any development or activity detrimental to the environment would be prohibited.

The "zone of influence" would be under the control of the Secretary of the Interior who would have wide authority to set standards for the area.

Other key provisions are:

Extension of the park from Lees Ferry to Grand Wash Cliffs, and long-sought objective of conservation groups.

Placing of all land under one authority, the Park Service, instead of the present divided control between the Marble Canyon National Monument and the Glen Canyon National Recreation Area.

Gives authority to the Secretary of the Interior to issue rules controlling the use of air space above and below the canyon's rim.

Creates a Grand Canyon Wilderness Area of 512,000 acres as specified in President Nixon's wilderness plan for the Grand Canyon complex announced last September.

As presently written, the bill expands the Havasupai Indian Reservation from a comparatively small enclave of a few hundred acres to about 169,000 acres including 41,000 acres from the existing park. This provision is one of the more controversial in the bill because it might lead to the opening of the parks to private interests as well as reopening long-dormant Indian land claims

But the bill also specifically provides for protection of existing legal rights of Indian tribes in and around the canyon by stating that no lands or interests can be transferred or acquired from any tribe against the will of its governing body.

In introducing this bill, I am most concerned with moving public discussion along, rather than waiting for perfect legislative language. This bill will act as a lightening rod, attracting some criticism and a lot of careful examination of the difficult issues which have bogged down canyon legislation for years.

I know, for example, that many conservationists will sincerely dispute the part of the bill deleting lands from the national park system for the benefit of the Havasupai Tribe. With them, I recognize that the lands involved in the deletion are considered by many to be among the best in the park.

One of the options the Congress will want to review is the possibility of purchasing available private lands for the Havasupai, as many of the plateau land in which they have expressed a continuing interest is now in private hands and reportedly up for sale.

Mr. Speaker, I insert the text of the bill in the RECORD following these remarks:

H.R. 5900

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 "Grand Canyon National Park Enlargement Act."

DECLARATION OF POLICY

SEC. 2. It is the object of this Act to provide for the recognition by Congress that the entire Grand Canyon, from Lees Ferry to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance. Congress therefore recognizes the need for, and in this Act provides for, the further protection and interpretation of the Grand Canyon in accordance with its true significance.

ENLARGEMENT OF GRAND CANYON NATIONAL PARK BOUNDARIES

SEC. 3. (a) In order to add to the Grand Canyon National Park certain prime portions of the canyon area possessing unique natural, scientific and scenic values, the Grand Canyon National Park shall comprise, subject to any valid existing rights under the Navajo Boundary Act of 1934, all those lands, waters, and interests therein, constituting approximately 1,163,765 acres, located within the boundaries as depicted on the drawing entitled "Boundary Map, Grand Canyon National Park," numbered 113-20,000-G and dated February, 1973, a copy of which shall be on file and available for public in-

spection in the offices of the National Park Service, Department of the Interior.

(b) For purposes of this Act, the Grand Canyon National Monument and the Marble Canyon National Monument are abolished, and any lands formerly included within such monuments and not included within the Grand Canyon National Park or the Havasupai Indian Reservation, as enlarged by the Act, may be utilized by the Secretary for exchanges for lands to be incorporated into such park by or under this Act. Lands not used for such exchange purposes shall be administered by the Secretary in accordance with the laws applicable to the public lands of the United States and section 6. The combined total acreage of such park as enlarged by subsection (a) and this subsection shall not exceed 1,200,000 acres.

ACQUISITION OF LANDS BY DONATION OR EXCHANGE

SEC. 4. (a) Within the boundaries of the Grand Canyon National Park, as enlarged by this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange; but not by condemnation.

(b) Federal lands within the boundaries of such park are hereby transferred to the jurisdiction of the Secretary for the purposes of this Act.

PROHIBITION AGAINST TAKING OF STATE OR INDIAN LANDS

SEC. 5. Notwithstanding any other provision of this Act, (1) no land or interest in land owned by the State of Arizona or any political subdivision thereof may be acquired by the Secretary under this Act except with the concurrence of such owner, and (2) no land or interest in land, which is held in trust for any Indian tribe or nation, may be transferred to the United States under this Act or for purposes of this Act except with the concurrence of such Indian tribe.

GRAND CANYON ZONE OF INFLUENCE

SEC. 6. (a) (1) In order to more effectively protect the scenic and ecological integrity of the Grand Canyon, the Secretary shall establish a Grand Canyon Zone of Influence, which shall consist of such area, adjacent to or near the Grand Canyon National Park, as enlarged by this Act, as he shall, from time to time, define by publication in the Federal Register and within which he determines that a coordinated protective management of the environs is necessary or appropriate to protect against certain activities which may have an adverse influence on the Grand Canyon National Park, as enlarged by this Act, or any portion thereof.

(2) The authority granted to the Secretary by paragraph (1) shall not be applicable to lands held in trust for any Indian tribe or nation, except with the concurrence of such Indian tribe or nation.

(b) On any Federal lands within the Grand Canyon Zone of Influence, defined by the Secretary pursuant to subsection (a),

(A) disturbance of vegetation shall be allowed only for purposes of prescribed burning, scientific investigation, and spot development for interpretation, wildlife management, and grazing and grazing-related range-improvement;

(B) the development of new roads and any other new construction shall be confined to that which is necessary for proper management, as determined jointly by the Secretary and the head of the agency exercising jurisdiction over the lands following public hearings;

(C) hunting and fishing shall continue to be permitted in accordance with applicable laws;

(D) no permit, license, or lease for prospecting, development, or other utilization of mineral resources shall be granted, and Federal lands, waters, and interests therein are hereby withdrawn from location, entry, and patent under the United States mining laws for such period as such area is defined as being within the Grand Canyon Zone of Influence; and

(E) grazing of livestock shall continue to be permitted.

(c) (1) Where non-Federal lands within the Grand Canyon Zone of Influence are within the boundaries of a national forest, the Secretary of Agriculture is authorized to acquire the same or any interest therein by purchase, exchange, or donation, but not by condemnation. No land or interest in land owned by the State of Arizona or any political subdivision thereof or any land or interest in land held in trust for any Indian tribe or nation may be acquired except with the concurrence of such State, political subdivision, or Indian tribe or nation. Property acquired pursuant to this paragraph within a national forest shall be administered as a part thereof, subject to the provisions of this section.

(2) Where non-Federal lands within the Grand Canyon Zone of influence are surrounded by public lands of the United States administered by the Secretary through the Bureau of Land Management, the Secretary may acquire any such non-Federal lands or interests therein for inclusion within the Grand Canyon Zone of Influence in the same manner and subject to the same conditions as set forth in sections 4 and 5. Property acquired pursuant to this paragraph shall be administered in accordance with the laws applicable to the public lands of the United States, subject to the provisions of this section.

(d) Within the Grand Canyon Zone of Influence the Secretary shall negotiate cooperative agreements with other public bodies in accordance with section 7 relative to the protection of the Canyon and park environs and to the development and operation of unified interpretative programs and facilities.

COOPERATIVE AGREEMENTS FOR UNIFIED INTERPRETATION OF GRAND CANYON

SEC. 7. In the administration of the Grand Canyon National Park, as enlarged by this Act, the Secretary is authorized and directed to enter into cooperative agreements with other Federal, State, and local public departments and agencies and with interested Indian tribes providing for the protection and Interpretation of the Grand Canyon in its entirety. Such agreements shall include, but not be limited to, authority for the Secretary to develop and operate interpretative facilities and programs on lands and waters outside of the boundaries of such park, with the concurrence of the owner or administrator thereof, to the end that there will be a unified interpretation of the entire Grand Canyon.

DEVELOPMENT OF INDIAN RECREATIONAL AND TOURIST PROGRAMS

SEC. 8. (a) (1) The Secretary is authorized to enter into agreements with any Indian tribe or nation having lands within or near the Grand Canyon National Park, as enlarged by this Act, relating to the planning, development, or use of such lands or related waters, for recreational, historical, or cultural purposes with a view to ensuring that any such program will be operated by or for the benefit of the members of the respective Indian tribe or nation.

(2) In carrying out the purposes of this section, the Secretary is authorized to provide to the Indian tribe or nation concerned financial assistance through contracts, grants or loans (including assistance relating to planning, designing, and operation of facilities), advice, construction supervision, and training of personnel in regard to any program established under this section.

(b) Lands held in trust for the Navajo Nation which are located within one mile east of the East Rim of Marble Canyon should not be further developed for tourism, recreation or other purposes under this section or otherwise without the written approval of the Secretary, provided however that this subsection shall not be construed as a restriction upon any valid existing uses by the Navajo Nation.

(c) No development shall be made under this section or otherwise in the shoreline adjacent to or within the Hualapai Indian Reservation except with the concurrence of the Hualapai Tribe. The Hualapai Tribe shall have the exclusive right to develop the shoreline within the Reservation, except that no such development may occur within one mile back from the South Bank of the Colorado River without the written approval of the Secretary.

PRESERVATION OF EXISTING GRAZING RIGHTS

SEC. 9. Where any Federal lands within the Grand Canyon National Park, as enlarged by this Act, are legally occupied or utilized on the effective date of this Act for grazing purposes, pursuant to a Federal lease, permit, or license, the Secretary shall permit the persons holding such grazing privileges to continue in the exercise thereof for a period ending on December 31 following ten years from the effective date of this Act, or for the life of the existing permittee, whichever is longer.

AIRCRAFT REGULATION

SEC. 10. Whenever the Secretary has reason to believe that any aircraft or helicopter activity or operation may be occurring or about to occur within the Grand Canyon National Park, as enlarged by this Act, including the air space below the rims of the canyon, which is likely to cause an injury to the health, welfare, or safety of visitors to the park or to cause a significant adverse effect on the natural quiet and experience of the park, the Secretary shall, in conjunction with the Federal Aviation Agency, or the Environmental Protection Agency pursuant to the Noise Control Act of 1972, or both, submit to the responsible agency or agencies such complaints, information, or recommendations for rules and regulations or other actions as he believes appropriate to protect the public health, welfare, and safety or the natural environment within the park.

PRESERVATION OF EXISTING RECLAMATION PROVISIONS

SEC. 11. Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of section 7 of the Act entitled "An Act to establish the Grand Canyon National Park in the State of Arizona," approved February 26, 1919 (40 Stat. 1175, 1178), and section 605 of the Colorado River Basin Project Act, approved September 30, 1968 (82 Stat. 885, 901).

HAVASUPAI INDIAN RESERVATION ENLARGED

SEC. 12. (a) To assist the Havasupai Indians in implementing their desire for a greater land base and an opportunity to control their own social and economic life, the Havasupai Indian Reservation shall, as of the date of enactment of this Act, consist of the existing Reservations and the area within the boundaries designated for transfer to the Reservation as depicted on the map referred to in section 8 of this Act, consisting of approximately 169,000 acres in the aggregate. The equitable title to the lands and interests in lands within that portion of the Reservation so added by this Act is hereby conveyed to the Havasupai Tribe, and such lands and interests in lands, are hereby declared to be held by the United States in trust for the Havasupai Tribe of Indians in the same manner and to the same extent as other land held in trust for the Tribe.

(b) In no event shall the water or water resources within the Havasupai Indian Reservation be transported outside of the Reser-

vation as enlarged by this Act; nor shall the Secretary permit any use of the water resources of Havasu Creek which he determines will cause a significant adverse effect upon the scenic qualities of the Creek and the falls thereof, or the environmental quality of the area, subject to any existing water rights of the Havasupai Tribe.

(c) No development within such enlarged Havasupai Indian Reservation, including but not limited to, provision for any transportation system or road into the Grand Canyon and the construction of any pipeline system, shall be made without the written approval of the Secretary. Whenever the Secretary determines that any proposed development might affect any cultural resources within such enlarged Reservation, he may, in his discretion, require that detailed archeological surveys or salvage excavations, or both, shall be made before any such development may occur.

(d) The Executive Order dated March 31, 1882, setting aside certain lands for the use and occupancy of the Yavai-Suppai Indians is hereby declared to be of no further force and effect, and section 3 of the Act of February 26, 1919 (44 Stat. 1177; 16 U.S.C. 223) is hereby repealed.

THE GRAND CANYON WILDERNESS

SEC. 13. (a) In accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), certain lands in the Grand Canyon National Park and Grand Canyon and Marble Canyon National Monument (other than any lands which are transferred by section 12 to the Havasupai Indian Reservation), which comprise about five hundred twelve thousand eight hundred acres, designated "Wilderness," and which are depicted on the map entitled "Wilderness Plan, Grand Canyon Complex," numbered EPD–WSC–113–20008–B and dated August 1972, which shall be known as the Grand Canyon Wilderness, are hereby designated as wilderness, and shall be administered by the Secretary in accordance with the provisions of the Wilderness Act. The lands which comprise about eighty-six thousand one hundred and fifty-six acres, designated on such map as "Potential Wilderness Additions," are, effective upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, hereby designated wilderness: *Provided*, That within the wilderness area designated by this section, the Secretary (1) may pursue a program of prescribed burning, as he deems necessary, in order to preserve the area in its natural condition, (2) may undertake whatever activity he deems necessary in order to investigate, stabilize, and interpret, for the benefit of persons visiting that area, sites of archeological interest.

(b) A map and description of the boundaries of the areas designated in this section shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.

(c) As soon as practicable after this Act takes effect, a map of the wilderness area designated by this section and a description of its boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such map and description shall have the same force and effect as if included in this section: *Provided, however*, That correction of clerical and typographical errors in such maps and descriptions may be made.

(d) The area designated by this section as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

AUTHORIZATION OF APPROPRIATIONS

SEC. 14. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) Any funds available for the Marble Canyon National Monument, the Grand Canyon National Monument, or that portion of the Lake Mead Recreation Area included within the Grand Canyon National Park, as enlarged by this Act, shall remain available until expended for purposes of such park.

LET US CELEBRATE VETERANS' DAY AND MEMORIAL DAY ON THEIR HISTORIC DATES

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am pleased to join with my friend and colleague, Representative JAMES H. QUILLEN, and others, today in sponsoring legislation to amend title V of the United States Code with respect to the observance of Memorial Day and Veterans' Day. The purpose of introducing this bill is to restore tradition and to emphasize the patriotic significance of these days. For years the Nation celebrated Veterans' Day on November 11 and Memorial Day on May 30. These two holidays are firmly fixed in the minds of veterans and other American citizens, and for the generation now living they will remain days of inspiration and reverence.

Armistice Day, November 11, and Memorial Day, May 30, are more than just days set aside by the Congress to pay tribute to a subject, or to provide a holiday for observance for recreation. They carry a message of especial significance.

Armistice Day, November 11, represents the observance of the signing of the armistice at the close of World War I. This day on the calendar acknowleges victory over an enemy, a day when the lights literally went on again all over the world. It represents the day hostilities ceased after more than 4 years of mortal conflict between the Allied and Axis Powers, in which more casualties resulted in one battle than in any previous battle in the history of warfare. Armistice Day is observed on November 11 by all nations that participated in the war of 1914–18 except the United States of America. We observed it for a half century even though the name was changed to Veterans Day. Finally Armistice Day was officially abolished altogether by an act of Congress and another day selected as Veterans Day. This has not changed the thinking of our citizens who remember Armistice Day. Some States refused to go along with the change; others are taking State action to restore November 11 as the day to observe for its special meaning.

The year 1971 is an example. That year October 25 was selected as Veterans Day. It had little meaning and observances were sparsely attended. However, November 11 was observed by about two-thirds of the States of the Union by veterans' organizations as Veterans Day. The changed date is not yet accepted by a great many individuals and organizations as the true Veterans or Armistice Day.

Now let us go back in history to the beginning of the observance of Memorial Day. The first such observances were, of course, by families and friends of Confederate dead. The significance of a day to be observed as a memorial to those who made the supreme sacrifice spread to other parts of the Nation. In the small town of Grafton, W. Va., soon after the close of the War Between the States, May 30 was set aside for a day of memory. Not long afterward, there was an official proclamation of May 30 as Memorial Day. The spirit of remembrance of our honored dead has become so engrafted into our thinking that when we think of Memorial Day, May 30 instantly comes to mind. An observance which has been instilled in our thinking for more than a hundred years should not be lightly set aside through the arbitrary selection of another date as Memorial Day.

The veterans of America, those who have given of their time and many of whom have given of their bodies in the protection of this Nation, feel that the traditional observance of Memorial Day is of more importance than picking a day to suit commercial interests.

The veterans and other patriotic citizens of these United States feel that they have been deprived by statute of days of observance which have throughout the years contributed to the esprit de corps of our uniformed services and to the great traditions of America. Patriotism is necessary to our national life. Patriotism is associated with Memorial Day and with Veterans Day as we knew them in their beginning. They have been dealt lightly with by arbitrary selection of other dates and I consider it a highly inappropriate thing to do.

A CONGRESSIONAL PRESENCE IN THE FIGHT AGAINST CRIME

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, hundreds of telegrams were forwarded to me by citizens concerned that the House of Representatives was contemplating the abolition of its Crime Committee and with it an end to a 4-year congressional presence in the fight against crime in America.

As you know a compromise agreement was reached which will allow the Crime Committee to phase out its activities by the end of June and hold a final series of hearings on street crime.

Our initial investigations have revealed that there are programs working in various communities across the Nation that appear to be having an impact on reducing the frequency of crimes com-

mitted against persons and property. These examples will be the focus of our hearings with a suggestion that other cities and towns consider adopting or modifying them.

Incredible as it may seem, ignorance or a fear to try a program that someone else has developed are major obstacles in the fight against crime. We hope that our hearings will serve as a bridge between communities.

As we begin to prepare for a final series of what I am confident will be productive hearings, I would like to assure the hundreds of persons who wrote to me in the past few weeks that neither I nor the other members of the Crime Committee intend to abandon the efforts of the past 4 years.

We will cooperate with the House Judiciary Committee in all respects as it takes up the crime fight and we will prod both that committee and any other committee of the Congress in behalf of the millions of Americans who demand a Federal presence in the fight against crime.

Submitted below is a partial list of individuals or the offices of individuals who speak for millions of their fellow citizens in commending the House for the work of its Crime Committee these past 4 years. Also included are a number of letters which join others placed earlier in the RECORD:

Wires and letters that have come to Congressman Claude Pepper's Congressional Office supporting the Select Committee on Crime include those from the following:

11 Governors—Florida; New York; South Carolina; Kentucky; Alaska; Hawaii; North Dakota; Oregon; Massachusetts; Pennsylvania and Puerto Rico.

16 Attorneys General—Florida; New York; California; Rhode Island; South Dakota; Louisiana; Mississippi; Alaska; New Mexico; Idaho; Kentucky; Nebraska; Montana; North Carolina; West Virginia and Wisconsin.

24 Mayors or City Managers—Oakland, Calif.; Denver Colo.; Oklahoma City, Okla.; New Orleans, La.; Shreveport, La.; Miami, Fla.; Hartford, Conn.; City of Hartford, Connecticut; City of Sacramento, California; Tallahassee, Fla.; Memphis, Tenn.; Baton Rouge, La.; Hialeah, Fla.; Providence, R.I.; Detroit, Mich.; Milwaukee, Wis.; Lincoln, Nebr.; Knoxville, Tenn.; York, Pa.; New Haven, Conn.; Pontiac, Mich.; South Bend, Ind., Kansas City, Mo.; Omaha, Nebr., and Kansas City, Kan.

12 Police Chiefs or Associations—Cook County (Chicago) Illinois; Los Angeles, Calif.; Oakland, Calif.; New England State Police Association; New Jersey State Police; Miami Beach, Fla.; San Francisco, Calif.; Baton Rouge, La.; North Miami, Fla.; American Federation of Police; Fraternal Order of Police, and New York State Police.

30 Citizen Crime Associations—National League of Cities; United States Conference of Mayors; National Council on Crime and Delinquency; National Association of Citizen Crime Commissions; Kiwanis International; Atlanta Crime Commission; Miami Crime Commission; New Orleans Crime Commission; Philadelphia Crime Commission; New England Crime Commission; New York Crime Commission; Georgia Crime Commission; Arizona Crime Commission; Kansas City Crime Commission; Mississippi Coast Crime Commission; Fort Worth (Texas) Crime Commission; Chicago Crime Commission; State of New York Commission on Investigations; New York Waterfront Commission; Oklahoma Narcotics and Dangerous Drugs Control Commission; New England Organized Crime Intelligence System; Connecticut Planning Commission on Criminal Administration; Ohio (State) Racing Commission; New Mexico Council on Crime and Delinquency; Georgia Council on Crime and Delinquency; Washington (State) Council on Crime and Delinquency; Iowa Council on Crime and Delinquency; Florida Medical Association; Connecticut Conference of Mayors and Municipalities, and Texas Council on Crime and Delinquency.

16 District Attorneys—New York County District Attorney; Massachusetts District Attorneys Association; Contra Costa County, Calif.; Bronx, N.Y.; Miami, Fla.; Albuquerque, N.M.; Jacksonville, Fla.; Nassau County, N.Y.; Los Angeles, Calif.; Ardmore, Okla.; Queens, N.Y.; Norfolk, Mass, the 12th Judicial Circuit of Florida, and Harris County (Houston) Texas.

9 School Superintendents—Los Angeles, Calif.; Oakland, Calif.; Charleston, S.C.; Lincoln, Nebr.; Anaheim, Calif.; San Francisco, Calif.; Houston, Tex., and Shawnee Mission (Kansas) Public Schools.

3 Judges—Kansas City, Missouri 16th Judicial Circuit; Florida 6th Judicial Circuit and Juvenile Court of Hamilton County, Tennessee.

8 Senior Citizen Groups—Greater New York; Northeastern Ohio; District of Columbia; North Miami Beach, Fla.; McDonald, Ohio; Youngstown, Ohio; Peoria, Ill.; Miami Beach Retirees, and International UAW Retired Workers.

10 Unions—Teamsters International; National Maritime Union; UAW in Grand Rapids, Mich.; Air Line Employees; Air Line Pilots; Transport Workers; American Insurance Association; United Rubber Workers; International Association of Machinists; and International Retail Clerks Association.

Also:

WTTW Channel 11 Public Television in Chicago, Illinois.

Abe Beame, City Comptroller, New York City.

The Florida Cabinet.

Art Linkletter.

Frank Hogan, District Attorney, New York County.

Maurice Nadjari, Special State Prosecutor, State of New York.

National Council of Jewish Women.

National Education Association.

National Parents and Teachers Association.

Nathan B. Eddy, Consultant, National Institutes of Health, National Research Council, et al.

Marvin E. Wolfgang, Director, Center for Studies in Criminolgy and Criminal Law, University of Pennsylvania.

Prosecuting Attorneys Association of Michigan.

Institute of Correctional Administration.

William D. Leeke, Immediate Past President, Association of State Correctional Administrators, and Director, South Carolina Department of Corrections.

Russell G. Oswald, Commissioner of Correctional Services, State of New York.

Chicago Parents and Teachers Association.

Illinois Drug Abuse Program.

James F. Ahren, Director, Insurance Crime Prevention Institute.

Arthur Goldstein, Chairman, Huntington Narcotics Guidance Council.

Robert Amastas, Drug Counselor, Massachusetts Teacher of the Year.

Robert W. Warren, President, National Association of Attorneys General, and Attorney General, State of Wisconsin.

Charles W. Bowser, Director, Philadelphia Urban Coalition.

Wes H. Bartlett, Immediate Past President, Kiwanis International.

Dr. William J. Dean, President, Florida Medical Association.

Carol S. Vance, President, National District Attorneys Association.

BUFFALO, N.Y.

Hon. CLAUDE PEPPER,
Chairman, House Select Committee on Crime.

DEAR MR. PEPPER: I have learned with alarm of the possible demise of your invaluable committee, and I hope that I am not too late in sending this letter to assure you that I am most anxious that its important work be continued.

In this day of divisiveness and concern with "law and order," it is even more important that our concern with drugs, organized crime etc. is not being swept under the rug, in order to reassure the average citizen that our elected legislators are trying to make America an honest, safe place to live.

I am especially alarmed that your exposing the conditions in penal institutions would be curtailed. Part of the "law and order," and I think a vital part, that people are yearning for, will surely be achieved when we stop turning out ex-prisoners filled with hatred because of the inhumane treatment accorded them in our prisons: ex-prisoners unable to make judgements as a result of the extra punishment reserved for those who betray an independent thought, and the lack of any remotely useful work-training programs, as well as the little indecencies which become major inhumanities when one is confined to a tiny cell aware that the smallest critical reaction can result in one's loss of all earned "good-time" through the arbitrary report of a guard, a report which will affect one's possibility of parole.

I hope that when your current report dealing with penal institutions is complete, you will be so kind as to send me a copy. Thank you.

I am sending a letter to Rep. Charles Rangel also, and a copy of this one to my own representative, Rep. Thaddeus J. Dulski.

I sincerely hope that the House Select Committee on Crime will be continued. If there is anything else I can do to help, please let me know.

Sincerely,

DORIS P. EDWARDS.

Representative CARL ALBERT,
Congressional Office Building,
Washington, D.C.:

Strongly urge continuation of House Crime Committee under Chairmanship of Representative Claude Pepper.

Regards.

M. LEWIS HALL, Jr.

SARATOGA, CALIF.

Congressman CLAUDE PEPPER: Following message sent to Hon. Carl Albert: Strongly support passage H.R. 205. Need is extremely urgent.

EDWIN G. STAFFORD.

MIAMI SHORES, FLA.

Congressman CLAUDE PEPPER,
U.S. Congress,
Washington, D.C.

DEAR CONGRESSMAN CLAUDE PEPPER: The Select Committee on Crime, of which you are the chairman, has done a fine job so far. Please consider this letter as an endorsement of your project so that you can have an extension of time to continue your investigations and recommendations regarding crime in the streets.

Very truly yours,

MS. SONIA REYNE.

Hon. CARL ALBERT,
House of Representatives,
Washington, D.C.

DEAR SIR: As Pastor of a congregation which ministers to thousands from all walks of life I am fully cognizant of and involved

in the problem of crime and narcotics in our community and America.

I am fully aware of the need to continue the House Select Committee on Crime and therefore urge your support of House Resolution 205.

Thank you for your consideration.

Sincerely,

Pastor ELWOOD K. HEALY.

MIAMI, FLA.

Hon. CARL ALBERT,
Speaker of the House.

SIR: The people I have spoken to and I, are very disturbed and apprehensive about the rumored decision of the House which you so honorably chair, to terminate the functions of the House Crime Committee.

With all due respect, you know as well as we down here in Florida, that Mr. Claude Pepper, the Chairman of said Committee is one of the most respected, trusted, and honorable men that we have had the honor to send to Congress to represent us.

In this day and age, it takes time to right things that have been wrong for a long time and Mr. Pepper has been gradually doing that. But he needs a little more time to get things working right.

We beg of you to exert your influence with your colleagues to extend this needed time so Mr. Pepper can accomplish what he so gallantly has set out to do. Please help him to help the people.

Respectfully yours,

MANUEL RAMOS.

NASHVILLE, TENN.

Hon. CARL ALBERT,
House of Representatives.

DEAR MR. SPEAKER: We urge you to back the House Select Committee on Crime chaired by Rep. Claude Pepper. It is committees like Mr. Pepper's that are not afraid to expose crime, to make public the facts of syndicate operations, etc., which help restore citizen's respect for our congressional system.

If you let those few fail, who try to do their jobs honestly, then our system fails. So we implore you to buffet the pressures directed at burying this committee and use your influence to back Mr. Pepper.

Sincerely,

SONYA P. JOHNSON.
R. EUGENE JOHNSON.

HIALEAH, FLA.

Hon. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. ALBERT: I am writing to urge in the strongest terms the extension of term of Congressman Pepper's House Select Committee on Crime, and for you to use your influence in the Rules Committee to do so.

As first (and three times) Chairman of the Hialeah Housing Authority, I am indebted to Mr. Pepper for having vigorously supported legislation that advanced housing projects for the elderly and for low income workers of our City (including many Key paramedics in our two Hospitals). Senior Citizens speak of him only with enthusiasm; I know him as a tireless crusader.

As a practicing physician of 35 years experience, I am alarmed that this experienced Committee, diligent and peripatetic in its hearings thru crime areas of our Country, is to be abolished for political reasons. Juvenile crime—particularly narcotics addiction—is the real "cancer" we doctors face every day. I know, for my office was vandalized for narcotics this past New Year's Eve, (and the care of my patients disrupted for a month while I increased security measures, awaited replacement drugs, etc.).

If the impetus of this valuable Committee is wasted and its Chairman—spearhead, the most active statesman in or from Florida, is blunted, I and much of the nation will be disappointed at your leadership, Mr. Speaker!

Sincerely,

CHARLES W. HOFFMAN, Jr., M.D.

Hon. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. ALBERT: As a taxpayer, I am interested in economy in government like millions of others. However, it is hard for me to comprehend the elimination of the House Crime Committee, chaired by Representative Claude Pepper.

James L. Kilpatrick of the Washington Star Syndicate sums up my feelings of what an outstanding job the House Crime Committee has done since its formation.

I am sure your Rules Committee will see the merit of retaining this worthwhile committee so that it can continue its fine work.

Sincerely,

JOHN I. SMITH.

CORAL GABLES, FLA.

Congressman CLAUDE PEPPER,
House of Representatives:

The following is a message that was sent to House Speaker Carl Albert: We urge you to continue and support Congressman Pepper's crime committee. The results of his efforts are courageous and can only bring back the trust in Government that the people do not have now. If it is allowed to die crime in your own house will continue.

Respectfully,

ROSE ALTERMAN, ABE and JEAN SALUK, ADELE MANN, JOHN and ARLENE ALTERMAN.

CHICAGO, ILL.

Representative CLAUDE PEPPER,
Capitol Hill, D.C.:

Urge passage of House Resolution 205. We educators need the support of Government.

PENNY MEISLER.

MT. VERNON, N.Y.

Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I have been reading with concern that the House Committee on Crime, which you chair, is about to be abolished and its role being absorbed by the Judiciary Committee.

Since this Special Committee has done such fine work, I think it will be detrimental to the county if it were abolished. In fact, I think its powers should be broadened to investigate such things as the reported political usage of the Federal Bureau of Investigation by its Director, L. Patrick Gray. The spread of organized crime into pornography and sports, and so forth.

I would also like to know why our streets cannot be made safer despite the promises of our law-and-order administration. Please keep up the good work and not allow those who are against your select Committee to abolish it.

Thank You.

JOHN PRIMAVERA.

HAMMONTON, N.J.

Hon. CARL ALBERT: You are wrong to "kill" the Select Committee on Crime. You play right into the hands of criminals by such action. The Select Committee on Crime has performed an invaluable service to the United States. The Select Committee on Crime should be made a permanent standing committee.

Sincerely yours,

FRANK RODIO, Jr.

BROOKLYN, N.Y.

Congressman FRANK BRASCO,
U.S. House of Representatives.

DEAR FRANK: I want to object strenuously to any attempt to transfer the jurisdiction of your Select Committee on Crime to Judiciary.

Your Committee, under Chairman Pepper, has done a spendid job in spotlighting 1973 problems as they present themselves in major American cities. With its emphasis on drugs, youth, prisons and organized crime, your Committee is, at least, current.

The hearings and reports with recommendations (most of which I have received through your courtesy) show an astonishing thoroughness, thoughtfulness and reasoned quality.

The conduct of your Committee has been exemplary.

I am disturbed and distressed by this attempt at abolition. I hope, and trust, that you will fight with your usual tenacity and strength.

Best regards,

Sincerely,

BARRY R. GOLBIN.

MODEL REGULATIONS—SOCIAL SERVICE PROGRAMS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the action taken today by the Democratic Caucus of the House of Representatives in adopting the resolution which requests the Ways and Means Committee to report promptly House Joint Resolution 434 to the floor for consideration by the full House is, I am confident, welcomed by millions of Americans who have so strongly protested the new social service regulations that are about to be promulgated by the Department of Health, Education, and Welfare.

I was pleased to join with my colleagues, PHIL BURTON, DON EDWARDS, DON FRASER, THOMAS REES, OGDEN REID, FRANK THOMPSON, FRED ROONEY, JAMES CORMAN, and JOHN CULVER in urging the special caucus to consider this resolution on social service funding; and our 71 other colleagues who have sponsored House Joint Resolution 434, initiated by OGDEN REID, which would enable State and local governments to continue existing social service programs subject only to the limitations expressly enacted in the 92d Congress—the $2.5 billion ceiling limitation.

This action by the Democratic Caucus is a clear indication of the determination of the Congress to restore the division of powers provided by the U.S. Constitution which requires the President to execute the laws in accordance with the intent of the Congress. I am confident the Congress will promptly act on this resolution so that these vitally needed services for children, mothers, the retarded, the aged, and the drug addict may be continued.

BIG THICKET NATIONAL BIOLOGICAL RESERVE

(Mr. ECKHARDT asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. ECKHARDT. Mr. Speaker, today I have introduced legislation which will preserve part of the Big Thicket in east Texas.

The Big Thicket region, frequently referred to as the "ecological crossroads" of North America, is succumbing to the hungry bite of lumbermen's saws and land developers' bulldozers.

My bill will preserve 100,000 acres of the region as a Big Thicket National Biological Reserve for the enjoyment and edification of ours and future generations. It is my hope that this Congress, unlike its predecessors which failed to create a national park as originally proposed by the distinguished former Senator from Texas, Ralph Yarborough, will act to preserve a portion of this uniquely beautiful and historic area.

Following is a section-by-section analysis of the bill and the bill:

SECTION-BY-SECTION ANALYSIS OF ECKHARDT BILL TO CREATE A 100,000-ACRE BIG THICKET NATIONAL BIOLOGICAL RESERVE

SECTION 1

The first section of the bill authorizes the Secretary of the Interior to establish a Big Thicket National Biological Reserve in Tyler, Hardin, Jasper, Polk, Liberty, Jefferson and Orange counties in eastern Texas.

SECTION 2

The areas to be included in the Reserve are designated in Section 2. They are:

Big Sandy Unit—19,716 acres.
Turkey Creek Unit—14,800 acres.
Neches River Unit—34,412 acres.
Lance Rosier Unit—25,000 acres.
Beech Creek Unit—4,856 acres.
Hickory Creek Savannah Unit—668 acres.
Loblolly Unit—548 acres.

SECTION 3 (A)

Section 3(a) describes the manner in which the Secretary of the Department of Interior may acquire property for the Reserve. The acquisitions may be made through purchase or exchange. In addition, the Secretary may accept donations of property or of funds to be used for the purchase of the property.

SECTION 3 (B)

Section 3(b) provides a means by which the Secretary can discourage the destruction of the ecological interests and resources of the land prior to its acquisition for the Reserve. In purchasing land for the Reserve, the Secretary is directed to give priority to purchases of land which may be threatened by such ecologically destructive acts as clear cutting. That is the "stick," but there is also a "carrot." He is authorized to place down the scale of priority in purchase lands put to uses "not inconsistent with the purpose of this Act." Thus, where discreet harvesting of pine, without the destruction of hardwood would not despoil the land for ecological or recreational purposes, he could afford landowners time to obtain maximum timber yields not inimical to ecological and recreational values before the land would be acquired.

The section further makes it clear that by clear cutting the owner will not gain both the advantage of selling timber and despoiling the land for "Reserve" purposes so as to keep it out of the Reserve. If he could do so, he could realize the timber yield and hold the land until pine seedlings develop into a pine plantation in place of the mixed pine and hardwood forest.

If he clear cuts after April 1, 1973, or engages in other destructive acts, this is to be the land in first priority for acquisition for Reserve uses for building, recreation, etc., and it will be acquired at purchase prices determined after consideration of the diminution of value due to cutting. Such decrease in purchase price may be vastly greater than the amount realized by the owner from his timber harvest, because the standing timber would in many, if not most cases, have enhanced the value of the land for residential or Reserve use in a far greater amount than the value of the timber. For instance, a tree sold for pulp wood may net $20 but its replacement, or the damage occasioned by its being felled, might be $1,000. Such section removes all incentive for destructive cutting and indeed discourages this practice, since the land may be acquired anyway and at lower values.

SECTION 4

Section 4 provides for the administration of the Reserve by the Secretary of the Interior. It assures that individuals will have access to the unique natural areas of the Reserve by providing for the construction and maintenance of roads and trails through the Reserve. No concessions are to be permitted within the Reserve, and housing shall be kept to a minimum.

SECTION 5

Section 5 will permit homeowners within the boundary of the Reserve to remain on their property for a 25-year or life tenancy period. The land must be used for noncommercial, residential purposes, and if the Secretary finds that the land is being used for other purposes, the Secretary may terminate the tenancy. If the homeowner feels that the Secretary's termination is not based upon correct factual information, the homeowner can appeal the Secretary's determination in a federal district court. The Secretary's determination will be overturned if acquisition was not in accordance with the Act or if he acted on factual determinations unsupported by substantial evidence.

SECTIONS 6 AND 7

These sections require the Secretary to make recommendations to the President regarding the suitability of areas within the Reserve for preservation as a wilderness area.

SECTION 8

Appropriations necessary to implement the legislation are authorized by Section 8.

H.R. 5941

A bill to authorize establishment of the Big Thicket National Biological Reserve in the State of Texas and for other purposes

Be it enacted by the Senate and House of Representatives assembled, That in order to preserve for the education, inspiration and recreation of present and future generations, certain unique natural areas in Tyler, Hardin, Jasper, Polk, Liberty, Jefferson and Orange Counties, Texas, and to interpret therein the outstanding scientific values and ecological associations within the Neches River, Village Creek, Big Sandy Creek, Little Pine Island Bayou, Pine Island Bayou, Black Creek, Turkey Creek and Menard Creek watersheds, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to establish the Big Thicket National Biological Reserve (hereinafter referred to as the "Reserve"). The boundary of the Reserve shall be as generally depicted on the drawing entitled "Big Thicket National Biological Reserve, Texas," dated March, 1973 and numbered NBR-BT-91021. Copies of the drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Boundaries of the Reserve and approximate acreages are indicated in Section 2. However, the Secretary may make minor revisions in the boundary of the Reserve from time to time, but in no event shall the boundary encompass less than one hundred thousand acres.

DESCRIPTION OF THE RESERVE

SEC. 2. The Reserve shall consist of the following units:

BIG SANDY UNIT—Nineteen thousand, seven hundred and sixteen acres. This unit shall consist of the Big Sandy Section, the Big Sandy Stream Course and the Menard Creek Stream Course, extending southward approximately four miles from the southern boundary of the Big Sandy Section.

TURKEY CREEK UNIT—Fourteen thousand, eight hundred acres. This unit shall consist of the Turkey Creek Section which extends southward from Highway 1943 to FM Road 420 just south of the confluence of Turkey Creek and Village Creek, and the Village Creek Stream Course, along both sides of Village Creek to its confluence with the Neches River.

NECHES RIVER UNIT—Thirty four thousand, four hundred and twelve acres. This unit shall consist of Joe's Lake Section; Jack Gore Baygall, Deserter's Island and Neches Bottom Section; the Beaumont Section; and the Neches River Stream Course extending from the B. A. Steinhagen Lake to Beaumont.

LANCE ROSIER UNIT—Twenty-five thousand acres. This unit shall consist of the Saratoga Triangle Section, of twenty thousand acres; the Little Pine Island Bayou Stream Course, consisting of twenty-one hundred acres, extending along Little Pine Island Bayou to its confluence with Pine Island Bayou; and the Pine Island Bayou Stream Course, consisting of 2,900 acres, extending from State Highway 105 to the Beaumont Section.

BEECH CREEK UNIT—Four thousand, eight hundred and fifty-six acres.

HICKORY CREEK SAVANNAH UNIT—Six hundred and sixty-eight acres.

LOBLOLLY UNIT—Five hundred and forty-eight acres.

ACQUISITION OF PROPERTY BY SECRETARY

SEC. 3. (a) Within the boundary of the Reserve, the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Property owned by the State of Texas or political subdivisions thereof may be acquired only by donation. Federal property within the boundary may be transferred to the jurisdiction of the Secretary without consideration for purposes of the Reserve, with the concurrence of the head of the agency having administrative jurisdiction thereover.

(b) The Secretary shall take such steps as he deems necessary in order to preserve the ecological and recreational interests and fish and wildlife resources of the lands described in Section 2 of this Act. Any action inimical to such interests and resources is hereinafter referred to as waste. In such connection he shall purchase land in an order of preference commensurate with the threat of waste of such lands respecting such interests and resources giving first consideration to the prevention of any clear cutting or of any waste having the effect of despoiling the lands described in Section 2 prior to their acquisition for the Reserve. In the acquisition of open lands to be used in the Reserve for such things as buildings, recreational facilities, ball parks, archery ranges, canoe storage, and like usages, the Secretary shall give priority in acquisition to those lands which have been so subject to waste after April 1, 1973; and the Secretary may give consideration, in decreasing priority in his order of acquisition, to the extent to which the use of the land is not inconsistent with the purpose of this Act and the values sought to be protected in the Reserve. In all offers of purchase and in all condemnation proceedings, the Secretary shall take due account of the diminution of the value of the land occasioned by such waste as described herein.

ADMINISTRATION OF THE RESERVE

SEC. 4. In order to provide access to the unique natural areas within the Reserve and

to fully provide for the interpretation of its ecology, the Secretary is authorized to construct and maintain scenic trails, bridle paths, and bicycle paths within the units of the Reserve, including access roads to the boundary of the Reserve where necessary. The Secretary shall keep housing within the boundaries of the Reserve to a minimum, authorizing only that which is required for housing of National Parks personnel and for interpretive centers and necessary administrative facilities. No concessions shall be permitted within the boundaries of the Reserve. For the purposes of this section, the Secretary may acquire lands and interests therein outside the boundary of and by the methods authorized in Section 3 of this Act. The facilities herein authorized shall be designed, constructed, and operated so as to avoid permanent adverse effects on the ecology of the reserve and adjacent areas and they will include rights-of-way of sufficient area to assure protection of the scenic quality of the road. The facilities authorized herein shall be administered as a part of the Reserve, subject to such special regulations as the Secretary may deem necessary to carry out the purposes of this section.

RIGHTS OF OWNERS OF IMPROVED PROPERTY

SEC. 5. (a)(1) Any owner of improved property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purpose of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(2) The term "improved property", as used in subsection (a), means a detached, noncommercial residential dwelling, the construction of which was begun before June 1, 1972, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretay shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(3) Whenever an owner of property elects to retain a right of use and occupancy as provided for in the Act, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

COURT REVIEW

(b)(1) Any owner, his heirs, or assigns, of any right granted under section 5(a) adversely affected by a determination of the Secretary under section 5(a) may obtain review of such determination in the District Court of the Eastern District of Texas, or in the United States district court for the district in which he resides, by filing in such court within 90 days following the receipt of the notification of termination a written petition praying that the determination be set aside. If the determination by the Secretary is not in accordance with this Act or if he has acted upon factual determinations which are not supported by substantial evidence, the court shall set aside the determination.

(2) The commencement of proceedings under this subsection shall operate as a stay of the determination of the Secretary. Upon a showing that irreparable harm may be done to the Reserve pending the final judicial determination, the court having jurisdiction of the principal case shall have jurisdiction to grant such injunctive relief as may be appropriate.

REPORT UNDER WILDERNESS ACT

SEC. 6. Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the Reserve and shall report to the President in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)) his recommendation as to the suitability or non-suitability of any area within the Reserve for preservation as a wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

ADMINISTRATION UNDER ACT OF 1916

SEC. 7. The Secretary shall administer the Reserve in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2-4).

AUTHORIZATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

PROGRESS REPORT ON THE F-111: "THE PLANE THAT COULDN'T FLY"

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, last year when the Defense budget was being considered on the House floor there was considerable discussion about the action of our Armed Services Committee in adding funds for the procurement of 12 additional F-111's, primarily to keep alive the production line for an aircraft which is the only new, fully operational military aircraft this country has developed in some years.

At that time our beloved colleague, the gentleman from Iowa (Mr. GROSS), engaged in a sardonic colloquy with members of the committee over the wisdom of including funds to continue the production line for an airplane that had, over its lifetime, been plagued with so much political controversy as well as a number of operational difficulties. In the dramatic way which he always uses and which is of course as familiar to all of us, the gentleman from Iowa referred to the F-111 as "the plane that couldn't fly."

Of course the answer is that the F-111 not only can fly and does fly but has been flying with increasing impressiveness in recent months. The problems which the F-111 encountered as "the plane that couldn't fly" were dramatized in the media far beyond those which afflict any newly developed aircraft, simply because of the political controversy that had swirled for such a long time around the head of the old TFX, and the efforts of former Defense Secretary McNamara to develop this interservice airplane in spite of the opposition of so many members of the uniformed services.

These problems may have seemed to suggest to some that the F-111 really had some difficulty getting off the ground; but the truth is that it has been operational for some time and has won the respect and affection of almost every pilot who ever had the opportunity to fly it, including, incidentally, the distinguished retired Air Force Reserve major general in the other body, the Senator from Arizona, Mr. GOLDWATER.

The acid test of the ability of the F-111 came last fall during the December bombing operations over North Vietnam that today are generally recognized as having brought about the peace settlement which now is in the process of being carried out. The record of the F-111 in Vietnam was little short of phenomenal, with only 6 aircraft lost during the entire 1972 deployment, and only 2 aircraft lost during the heavy and intensive December bombing, compared to 16 B-52's lost during that same period. In fact, because of the poor weather over North Vietnam in December the F-111 was the only plane that was able to fly in over Hanoi at low altitude and in the day time regardless of the weather. And once the threat of SAM's to the B-52's was recognized the F-111's were sent in for SAM suppression and the results as far as further B-52 losses were concerned were again phenomenal.

Mr. Speaker, of course the F-111 can fly, and the record in Vietnam demonstrates that it is a very significant addition to our military arsenal. What is particularly disturbing to me, however, is that having developed such a remarkable plane, admittedly at a considerable cost, and admittedly after having overcome a number of significant difficulties, we should now be seriously planning to stop building it. Stop building a plane that far exceeds in capability anything we now have in our inventory? Does it really make sense to spend all of our money on developing new planes, with unproven capabilities likely to involve even more fantastic overruns, and with operational dates still far in the future, when we have the F-111 right at hand, and fully operational?

Mr. Speaker, the F-111 is the first new plane we have developed in almost a generation. It will be a long time before we will have the B-1, the F-15, or the F-14 operating at the level the F-111 now operates at. How foolish to put all of our money into future development alone, and consign the aircraft we have to the ashcan, all because of the controversy that once surrounded it in the past and because some important people in the Air Force think that a plane that you cannot get up and walk around in is really no plane at all. These are the big bomber boys, the 1973 counterparts of the battleship admirals of the 1940's.

Mr. Speaker, I hope this House won't be so shortsighted this year as to allow this remarkable new technological development to be thrown away in preference to retreading our old B-52's over once more and sinking additional billions into the B-1 of a very indefinite future.

The account of the remarkable performance of the F-111 in Southeast Asia was published in the Armed Forces Journal for March of this year. Under leave to extend my remarks I insert it in the RECORD with the hope that, contrary to its introductory headline, the F-111 will not go "unfunded in fiscal year 1974":

F-111's PROVE WORTH IN SOUTHEAST ASIA

"Whispering Death" is the latest nickname given to the F-111, the controversial TFX once so bereft of friends that it used to be called "Little Orphan Annie." The "Whispering Death" nickname came from the North Vietnamese to identify the plane they couldn't see coming during last fall's Linebacker II bombing operations over North Vietnam.

For the third year in a row, no F-111s are funded in the President's FY 74 budget just presented to Congress. None were included in the FY 72 or FY 73 budgets, but Congress directed that 12 aircraft be funded each year to keep the F-111 line open at the huge USAF Plant 4 facility run by General Dynamics at Fort Worth, Texas. Congress last year also included $30 million for longlead components "for a possible buy" of F-111s in FY 74, in response to an August request by former Secretary of Defense Melvin R. Laird. These funds were to have been obligated in January or February, but apparently have been impounded by DoD and USAF.

Under present contracts, the F-111 production line will close in December of 1974, when the 550th aircraft will be delivered. These include 23 test planes, 2 Navy, 24 for Australia now being modified for final delivery this spring, 76 for SAC, and 425 for Tactical Air Command and U.S. Air Force in Europe. All of the planes except 40 for TAC and USAFE had been built as of 1 January.

Original F-111 programming called for 14 TAC and seven SAC wings, but this was later cut to six, then four TAC wings and two SAC wings. However, USAF will still be shy of the full four wing TAC F-111 force if production stops with the FY 73 12-aircraft buy.

Normal USAF planning factors call for a buy of 70-75% more aircraft than are authorized for squadron U.E.'s ("unit equipment" or operational aircraft). For the F-15, for instance, about 510 aircraft will be bought to support 288 U.S. planes. The 222 non-U.E. planes are for combat crew readiness training, attrition replacement, and maintenance float. For the F-4E, 737 planes are being bought to support 432 aircraft at squadron level, while 377 A-7s were funded to support 216 U.E. aircraft. Compared with these non-U.E. buys of 77%, 71%, and 75%, respectively, TAC's F-111 force of 288 aircraft has an allowance of only about 43%, with only 425 aircraft being bought in all.

Only FY 74 F-111 funding is for research and development of EF-111A electronic warfare support system. This is not a new aircraft, but a podded jammer configuration which General Dynamics has been working on at Fort Worth largely with company funds.

Without follow-on buy, normal attrition would cause TAC F-111 force to drop to only three effective wings in 1979, two in 1981, and one in 1982. Aircraft, for which there is no follow-on would probably phase out in 1983.

Failure to flesh out TAC's four F-111 wings by keeping production alive in FY 74 is all the more ironic given the aircraft's unheralded but impressive record in Southeast Asia. Late last September, USAF deployed two squadrons (48 aircraft) from 474th Tactical Fighter Wing at Nellis AFB, Nev., to Thailand to replace three squadrons comprising 72 F-4s. Within 33 hours after the 474th left Nellis, F-111s were in combat 55 miles northwest of Hanoi, flying alone at low altitude in the monsoon season.

The 474th, commanded by Colonel William R. Nelson, flew its aircraft around the clock using two crews per plane. Notwithstanding doubling up of crews to generate two missions per aircraft each day, F-111s operated with 400 *fewer* people than the squadrons they replaced. These savings resulted because F-111s operated without "Iron Hand" electronic countermeasure escort aircraft, without C-121s to vector them, and without the 13 KC-135 refueling tankers needed to support earlier F-4 strikes. By one comparison, flight of four F-111s delivered bomb loads over North Vietnam equivalent to 20 F-4s at savings in annual operating cost of more than $24.3 million, even excluding cost of tanker support.

On 8 November, F-111s flew 20 strikes over North Vietnam in weather so bad that no other aircraft were able to operate. By the time Vietnamese peace accords were signed in Paris, F-111s had flown over 3,000 combat missions. Aircraft now are expected to remain in SEA (and may end up earning another nickname, "The Peacekeeper").

USAF silence on F-111's track-record in combat may be broken in near future. At AFJ press time, DoD had tentatively approved plans for 474th wing commander Dick Nelson to return to the United States and brief Pentagon press corps at DoD's "11 o'clock follies." Nelson recently was nominated for promotion to brigadier general (February AFJ).

AFJ flew with Nelson's wing at Nellis last April (See "I Like My Job: An F-111 Crew Shows Why," May AFJ) and noted:

"Had the aircraft . . . been in Southeast Asia when North Vietnam poured through the DMZ on 31 March, Defense Secretary Melvin R. Laird might not have spent such long weekend hours in the National Military Command Center sweating out the biggest Vietnam crisis since Tet, 1968.

"In the first three days of the North Vietnamese offensive, bad weather limited tactical air strike sorties to an average of only 23 a day near the DMZ, one-seventh the number of strikes flown daily as weather cleared on 3, 4, and 5 April and one twenty-third the daily attack sorties being flown in all of South Vietnam as this issue went to press. From 31 March through 2 April, the only 'all-weather' system that could put the heat on North Vietnam troops heading for Hue, Dong Ha, and Quang Tri Province were a few Navy A-6s.

"The airplane American taxpayers have spent a fortune building for just such all-weather and night interdiction work—the F-111—wasn't there.

"The plane turns out to be a fortune well spent, even in the view of one of its bitterest, most outspoken critics. Put the F-111 where the heat is and the odds of blunting another North Vietnamese invasion or avoiding another July 1950 Korean War near-disaster are bound to change in our favor. Put another way: if your son got tagged with flying a strike near Hanoi, you'd want him to make it in the plane Tactical Air Command let AFJ fly three weeks ago. . . .

"Talking with the TAC pilots and crews who fly and maintain the controversial TFX does a lot to soften the impact of years-long criticism of the plane's cost overruns, schedule slippages, and early, well publicized performance problems. *Flying* with them, you end up damned glad that the Air Force and General Dynamics stuck by their guns and brought the F-111 into being. Doing so was no small miracle."

The F-111's record in Southeast Asia should not have been a surprise to the North Vietnamese. An earlier F-111 article (July 1971) by then Pentagon editor George Weiss provided ample warning of "Whispering Death": it was entitled "Turkey or Tiger? The F-111: The Swing-Wing May Surprise You Yet." Apparently no one in Hanoi subscribes to AFJ.

GENERAL LEAVE

Mr. DAVIS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the special order given today by the gentleman from New York (Mr. ROSENTHAL) and I make the same request in behalf of the gentleman from South Dakota (Mr. DENHOLM).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KETCHUM (at the request of Mr. GERALD R. FORD), for Thursday, March 22, on account of official business.

Mr. COTTER (at the request of Mr. MCFALL) for today, on account of attendance at funeral services for the late U.S. Senator Benton.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CONLAN) and to revise and extend their remarks and include extraneous matter:)

Mr. TREEN, for 5 minutes, today.

Mrs. HECKLER of Massachusetts, for 10 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. BIESTER, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of Oklahoma) and to revise and extend their remarks and include extraneous matter:)

Mr. O'NEILL, for 5 minutes, today.

Mr. BIAGGI, for 10 minutes, today.

Mr. ROSENTHAL, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. HELSTOSKI, for 5 minutes, today.

Mr. MCFALL, for 5 minutes, today.

Mr. LEHMAN, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 15 minutes, today.

Mr. MURPHY of New York, for 5 minutes, today.

Mr. DAVIS of South Carolina, for 30 minutes, today.

Ms. ABZUG, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ROUSH in two instances.

Mr. BOLAND.

Mr. SAYLOR, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $2,040.

(The following Members (at the re-

quest of Mr. CONLAN) and to include extraneous matter:)

Mr. ANDERSON of Illinois in two instances.

Mr. FORSYTHE.

Mr. ESCH.

Mr. STEIGER of Wisconsin.

Mr. DERWINSKI.

Mr. CARTER in three instances.

Mr. DU PONT.

Mr. WYMAN in two instances.

Mr. ASHBROOK in three instances.

Mr. MARTIN of Nebraska.

Mr. ZWACH.

Mr. BROOMFIELD in five instances.

Mr. KEATING.

Mr. BEARD.

Mr. ABDNOR.

Mr. HUNT.

Mr. MARTIN of North Carolina.

(The following Members (at the request of Mr. KEATING), and to include extraneous matter:)

Mr. MCKINNEY.

Mr. BELL in two instances.

Mr. GOLDWATER.

Mr. KEATING in three instances.

Mr. CLANCY.

Mr. SHRIVER in two instances.

Mr. DELLENBACK.

(The following Members (at the request of Mr. JONES of Oklahoma) and to include extraneous matter:)

Mr. STARK in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. CULVER in six instances.

Mr. O'NEILL.

Mr. STOKES.

Mr. HANNA in five instances.

Mr. BOLAND.

Mr. PEPPER.

Mr. REID in three instances.

Mr. ZABLOCKI in three instances.

Mr. RONCALIO of Wyoming in two instances.

Mr. ROSTENKOWSKI in two instances.

(The following Members (at the request of Mr. DAVIS of South Carolina), and to include extraneous matter:)

Mr. WOLFF in four instances.

Mr. KARTH in two instances.

Mr. DANIELSON.

Mr. JONES of Tennessee in six instances.

Mr. BENNETT in two instances.

Mr. WON PAT.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 398. An act to extend and amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on March 20, 1973, present to the President, for his approval, a bill of the House of the following title:

H.R. 4278. An act to amend the National School Lunch Act to assure that Federal financial assistance to the child nutrition programs is maintained at the level budgeted for fiscal year ending June 30, 1973.

ADJOURNMENT

Mr. DAVIS of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Thursday, March 22, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

620. A letter from the Acting Assistant Secretary of Defense (Comptroller), transmitting a report of the value of property, supplies, and commodities provided by the Berlin Magistrate, and under German Offset Agreement, for the first two quarters of fiscal year 1973, pursuant to section 720 of Public Law 92-570; to the Committee on Appropriations.

621. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5064 of title 10, United States Code, to remove the requirement that the Director and Assistant Director of Budget and Reports be officers in the line of the Navy; to the Committee on Armed Services.

622. A letter from the Acting Assistant Secretary of Defense (Comptroller), transmitting a list of contract award dates for the period March 15 to June 15, 1973, pursuant to section 506 of Public Law 92-156; to the Committee on Armed Services.

623. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for the period July to December, 1972, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

624. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend title V of the Housing Act of 1949 to expressly authorize the collection of taxes and insurance from rural housing borrowers, to authorize fees and charges to be available for administrative expenses, and for other purposes; to the Committee on Banking and Currency.

625. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for operation of those projects, and for other purposes; to the Commitee on Government Operations.

626. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

627. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for financing the economic development of Indians and Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

628. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

629. A letter from the Acting Secretary of the Interior, transmitting a draft proposed legislation to provide for the assumption of the control and operation by Indian tribes and communities of certain programs and services provided for them by the Federal Government, and for other purposes; to the Committee on Interior and Insular Affairs.

630. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend certain laws relating to Indians; to the Committee on Interior and Insular Affairs.

631. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed grant to Desert Research Institute, Boulder City, Nev., for a research project entitled "Mineral Recovery from Geothermal Brines," pursuant to subsections (a) and (d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

632. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 273, *The Creek Nation, Plaintiff*, v. *The United States of America, Defendant*, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

633. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to consolidate and extend the authorizations for appropriations for assistance to medical libraries, to repeal provisions for assistance for construction of facilities and for grants for training in medical library sciences, and for other purposes; to the Committee on Interstate and Foreign Commerce.

634. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to grant relief to payees and special indorsees of fraudulently negotiated checks drawn on designated depositaries of the United States by extending the availability of the check forgery insurance fund, and for other purposes; to the Committee on the Judiciary.

635. A letter from the Attorney General, transmitting a draft of proposed legislation to establish rational criteria for the mandatory imposition of the sentence of death, and for other purposes; to the Committee on the Judiciary.

636. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits, for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by Government employees in or for Indian communities, and for other purposes; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 3180. A bill to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes; with amendment (Rept. No. 93-88). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 5293. A bill authorizing continuing appropriations for the Peace Corps; with amendment (Rept. 93-89). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois (for himself and Mr. MADIGAN):

H.R. 5908. A bill to preserve the free flow of news to the public through the news media; to the Committee on the Judiciary.

By Mr. BAKER (for himself, Mr. BURGENER, Mr. COLLINS, Mr. DAVIS of Georgia, Mr. DERWINSKI, Mr. DOWNING, and Mr. SCHUSTER):

H.R. 5909. A bill to amend the Federal Aviation Act of 1958 in order to provide criminal penalties for kidnaping by seizing an aircraft and to provide for an air transportation security force; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 5910. A bill to amend the Economic Stabilization Act of 1970 to establish a temporary Price-Wage Board, to provide temporary guidelines for the creation of price and pay rate stabilization standards, and for other purposes; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 5911. A bill to amend the Immigration and Nationality Act to make additional immigrants visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. BEARD:

H.R. 5912. A bill to amend title 18 of the United States Code to increase certain penalties for gun control offenses and to allow the United States to obtain appellate review of certain sentences relating to gun control offenses; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 5913. A bill to amend chapter 67 of title 10, United States Code, to grant eligibility for retired pay to reservists serving in an inactive status before August 16, 1945, and for other purposes; to the Committee on Armed Services.

By Mr. BIAGGI:

H.R. 5914. A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of grants to States for the development of child abuse and neglect prevention programs in the areas of treatment, training, case reporting, public education, and information gathering and referral; to the Committee on Education and Labor.

By Mr. BINGHAM (for himself and Ms. HOLTZMAN):

H.R. 5915. A bill to amend the Social Security Act to make certain that recipients of aid or assistance under the various Federal-State public assistance and medicaid programs (and recipients of assistance or benefits under the veterans' pension and compensation programs and certain other Federal and federally assisted programs) will not have the amount of such aid, assistance, or benefits reduced because of increases in monthly social security benefits; to the Committee on Ways and Means.

By Mr. BREAUX:

H.R. 5916. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. BROOMFIELD:

H.R. 5917. A bill to discourage the use of leg-hold or steel jaw traps on animals in the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 5918. A bill to improve and implement procedures for fiscal controls in the U.S. Government, and for other purposes; to the Committee on Rules.

By Mr. BROWN of Michigan:

H.R. 5919. A bill to amend the Urban Mass Transportation Act of 1964; to the Committee on Banking and Currency.

H.R. 5920. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of North Carolina:

H.R. 5921. A bill to provide for the comprehensive development of correctional manpower training and employment, and for other purposes; to the Committee on Education and Labor.

H.R. 5922. A bill to amend title 38 of the United States Code increasing income limitations relating to payment of disability and death pension, and dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of North Carolina (for himself, Mr. ROONEY of Pennsylvania, Mr. GILMAN, and Mr. MARAZITI):

H.R. 5923. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.R. 5924. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY of Texas (for himself, Mr. BLATNIK, Mr. CONLAN, Mr. DRINAN, Mr. FOUNTAIN, Mr. MAYNE, and Mr. WALSH):

H.R. 5925. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. CHAPPELL (for himself, Mr. SIKES, and Mr. ROGERS):

H.R. 5926. A bill to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and for other purposes; to the Committee on Banking and Currency.

By Mr. DON H. CLAUSEN:

H.R. 5927. A bill to establish improved nationwide standards of mail service, require annual authorization of public service appropriations to the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COHEN (for himself, Mr. SMITH of New York, Mr. SANDMAN, Mr. RAILSBACK, and Mr. COUGHLIN):

H.R. 5928. A bill to provide a privilege for newsmen against the compelled disclosure of certain information and sources of information; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 5929. A bill to authorize a program of research and development of alternative propulsion systems for automotive vehicles in commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CRONIN:

H.R. 5930. A bill to amend the Controlled Substances Act to require life imprisonment for certain persons convicted of illegally dealing in dangerous narcotic drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 5931. A bill to increase and extend the authorization for appropriations for the Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 5932. A bill to authorize further appropriations for the Office of Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DORN (for himself and Mr. HAMMERSCHMIDT) (by request):

H.R. 5933. A bill to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

H.R. 5934. A bill to amend chapter 39 of title 38, United States Code, to provide the same eligibility criteria for automobiles and adaptive equipment for Vietnam era veterans as are applicable to veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 5935. A bill to amend title 38 of the United States Code in order to authorize an agreement with the Republic of the Philippines providing for hospital care and medical services to be furnished Commonwealth Army veterans and new Philippine Scouts for service-connected disabilities, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5936. A bill to amend title 38 of the United States Code to require that certain veterans receiving hospital care from the Veterans' administration for nonservice-connected disabilities be charged for such care to the extent that they have health insurance or similar contracts with respect to such care; to prohibit the future exclusion of such coverage from insurance policies or contracts; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5937. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents; to the Committee on Veterans' Affairs.

By Mr. DULSKI:

H.R. 5938. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

H.R. 5939. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax to a taxpayer who pays the tuition and certain related items of a student at an institution of higher education, where the taxpayer and the student agree to repay the credit (with interest) to the Untied States after the education is completed; to the Committee on Ways and Means.

By Mr. DU PONT:

H.R. 5940. A bill to promote public health and welfare by expanding and improving the family planning services and population sciences research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself, Ms. JORDAN, Mr. FISHER, Mr. MILFORD, Mr. WRIGHT, and Mr. COLLINS):

H.R. 5941. A bill to authorize establishment of the Big Thicket National Biological Reserve in the State of Texas and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H.R. 5942. A bill to amend the Communications Act of 1934 to provide that renewal licenses for the operation of a broadcasting station may be issued for a term of 5 years and to establish certain standards for the consideration of applications for renewal of broadcasting licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 5943. A bill to amend the law authorizing the President to extend certain privileges to representatives of member states on the Council of the Organization of American States; to the Committee on Foreign Affairs.

By Mr. FINDLEY:

H.R. 5944. A bill to promote the foreign policy and trade interests of the United States by providing authority to negotiate commercial agreements with countries hav-

ing nonmarket economies and for other purposes; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 5945. A bill to amend title IV of the Social Security Act to allow a State in its discretion to such extent as it deems appropriate, to use the dual signature method of making payments of aid to families with dependent children under its approved State plan; to the Committee on Ways and Means.

By Mr. FREY (for himself, Mr. ARENDS, Mr. GERALD R. FORD, Mr. HASTINGS, Mr. HORTON, Mr. KEATING, Mr. KYROS, Mr. RHODES, and Mr. BOB WILSON):

H.R. 5946. A bill to assure the imposition of appropriate penalties for persons convicted of offenses involving heroin or morphine, to provide emergency procedures to govern the pretrial and posttrial release of persons charged with offenses involving heroin or morphine, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA:

H.R. 5947. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5948. A bill to amend the Public Health Service Act to establish a national program of health research fellowships and traineeships to assure the continued excellence of biomedical research in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA (for himself and Mr. CHAPPELL):

H.R. 5949. A bill to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations; to the Committee on Banking and Currency.

By Mr. GAYDOS:

H.R. 5950. A bill to provide for the development of a uniform system of quality grades for consumer food products; to the Committee on Agriculture.

H.R. 5951. A bill to amend the Economic Stabilization Act of 1970, to stabilize the retail prices of meat for a period of 45 days at the November 1972 retail levels, and to require the President to submit to the Congress a plan for insuring an adequate meat supply for U.S. consumers, reasonable meat prices, and a fair return on invested capital to farmers, food processors, and food retailers; to the Committee on Banking and Currency.

H.R. 5952. A bill to amend the Intergovernmental Cooperation Act of 1968 to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of Government, by providing Federal cooperation and assistance in the establishment and strengthening of State and local offices of consumer protection; to the Committee on Government Operations.

H.R. 5953. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on all foods to disclose each of their ingredients; to the Committee on Interstate and Foreign Commerce.

H.R. 5954. A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5955. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of packaged consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5956. A bill to amend the Fair Packaging and Labeling Act to require certain labeling to assist the consumer in purchases of packaged perishable or semiperishable foods; to the Committee on Interstate and Foreign Commerce.

H.R. 5957. A bill to require that durable consumer products be labeled as to durability and performance life; to the Committee on Interstate and Foreign Commerce.

H.R. 5958. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5959. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on certain package goods to contain the name and place of business of the manufacturer, packer, and distributor; to the Committee on Interstate and Foreign Commerce.

By Mr. GINN:

H.R. 5960. A bill providing for a feasibility study of certain highways for the purpose of including such highways in the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. GONZALEZ:

H.R. 5961. A bill to provide for uniform and full disclosure of information with respect to the computation and payment of interest on certain savings deposits; to the Committee on Banking and Currency.

By Mr. GUDE (for himself and Mr. STARK):

H.R. 5962. A bill to amend the Economic Stabilization Act of 1970, to direct the President to establish a Rent Control Board which through the establishment of a cost justification formula, will control the level of rent with respect to residential real property, and for other purposes; to the Committee on Banking and Currency.

By Mr. GUDE (for himself and Mr. MOLLOHAN):

H.R. 5963. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the case of certain legislative officers and employees; to the Committee on Ways and Means.

By Mr. HAMILTON (for himself, Mr. BEVILL, Mr. CASEY of Texas, Mr. CLARK, Mr. COUGHLIN, Mr. DAVIS of Georgia, Mr. DENT, Mr. DINGELL, Mr. ESHLEMAN, Mr. FISH, Mr. GOODLING, Mr. JOHNSON of Pennsylvania, Mr. MYERS, Mr. RARICK, Mr. SNYDER, Mr. THOMSON of Wisconsin, and Mr. ZION):

H.R. 5964. A bill to amend certain provisions of Federal law relating to explosives; to the Committee on the Judiciary.

By Mr. HARRINGTON:

H.R. 5965. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

H.R. 5966. A bill to improve the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. KEATING (for himself, Mr. LANDGREBE, Mr. BAFALIS, Mr. RANGEL, and Mrs. BURKE of California):

H.R. 5967. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH:

H.R. 5968. A bill to amend the Export Administration Act of 1969, to protect the domestic economy from the excessive drain of scarce materials and commodities and to reduce the serious inflationary impact of abnormal foreign demand; to the Committee on Banking and Currency.

By Mr. LANDGREBE:

H.R. 5969. A bill to terminate the authorization of the Lafayette Dam and Reservoir, Wabash River, Ind.; to the Committee on Public Works.

By Mr. LUJAN:

H.R. 5970. A bill to amend the act entitled "An Act granting land to the city of Albuquerque for public purposes", approved June 9, 1906; to the Committee on Interior and Insular Affairs.

By Mr. MARAZITI:

H.R. 5971. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5972. A bill to amend the social security law to provide medicare benefits for those persons who require permanent or long term hyperalimentation treatment or intestinal transplants; to the Committee on Ways and Means.

By Mr. McCLORY (for himself, Mr. DON H. CLAUSEN, Mr. ROY, and Mr. FRELINGHUYSEN):

H.R. 5973. A bill to establish a program for the United States to convert to the metric system; to the Committee on Science and Astronautics.

By Mr. MURPHY of New York:

H.R. 5974. A bill to prescribe procedures so as to make administration of the National Environmental Policy Act of 1969 more effective; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York (for himself, Mr. FORSYTHE, Mr. ASHLEY, Mr. GROVER, Mr. BREAUX, Mr. LEGGETT, Mr. METCALFE, Mr. STUDDS, Mr. DINGELL, Mr. TREEN, Mr. SARBANES, Mr. MAILLIARD, Mr. RUPPE, Mr. SNYDER, Mr. STEELE, and Mr. YOUNG of South Carolina):

H.R. 5975. A bill to implement the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969; to the Committee on Merchant Marine and Fisheries.

By Mr. NIX:

H.R. 5976. A bill to provide a penalty for the robbery or attempted robbery of any narcotic drug from any pharmacy; to the Committee on the Judiciary.

H.R. 5977. A bill to amend the National Science Foundation Act of 1950 in order to establish a framework of national science policy and to focus the Nation's scientific talent and resources on its priority problems, and for other purposes; to the Committee on Science and Astronautics.

By Mr. O'HARA (for himself, Mr. DELLENBACK, Mr. BADILLO, Mr. BINGHAM, Mr. BUCHANAN, Mr. BURTON, Mr. DE LUGO, Mr. DENT, Mr. FISHER, Mr. WILLIAM D. FORD, Mr. FORSYTHE, Mr. FRASER, Mr. GIAIMO, Mr. HANSEN of Idaho, Mr. HAWKINS, Mr. HECHLER of West Virginia, and Mr. HORTON):

H.R. 5978. A bill to amend the Higher Education Act of 1965 to protect the freedom of student-athletes and their coaches to participate as representatives of the United States in amateur international athletic events, and for other purposes; to the Committee on Education and Labor.

By Mr. O'HARA (for himself, Mr. DELLENBACK, Mr. MATHIAS of California, Mr. MICHEL, Mr. MOAKLEY, Mr. MOSS, Mr. NEDZI, Mr. PEPPER, Mr. PODELL, Mr. REES, Mr. TIERNAN, Mr. VANDER JAGT, Mr. WARE, and Mr. WON PAT):

H.R. 5979. A bill to amend the Higher Education Act of 1965 to protect the freedom of student-athletes and their coaches to participate as representatives of the United States in amateur international athletic

events, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself and Mr. MOAKLEY):

H.R. 5980. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 of compensation paid to law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. QUILLEN (for himself, Mr. ARENDS, Mr. BAKER, Mr. WAMPLER, Mr. SIKES, Mr. MAYNE, Mr. JONES of North Carolina, Mr. DERWINSKI, Mr. DULSKI, Mr. MOAKLEY, Mr. WON PAT, Mr. BENNETT, Mr. RHODES, Mr. CAMP, Mr. HUBER, Mr. FINDLEY, Mr. WRIGHT, Mr. HUTCHINSON, Mr. YATRON, Mr. ANDREWS of North Dakota, Mr. HANSEN of Idaho, Mr. FREY, Mr. CHARLES H. WILSON of California, Mr. MICHEL, and Mr. HELSTOSKI):

H.R. 5981. A bill to amend title 5 of the United States Code with respect to the observance of Memorial Day and Veterans Day; to the Committee on the Judiciary.

By Mr. QUILLEN (for himself, Mr. DAVIS of South Carolina, Mr. DEL CLAWSON, Mr. MOLLOHAN, Mr. FISHER, Mr. KEMP, Mr. STEPHENS, Mr. THONE, Mr. BURKE of Massachusetts, Mr. KETCHUM, and Mr. BAFALIS):

H.R. 5982. A bill to amend title 5 of the United States Code with respect to the observance of Memorial Day and Veterans Day; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. MOSS):

H.R. 5983. A bill to amend the Freedom of Information Act to require the disclosure of information, upon request, to Congress by the executive branch; to the Committee on Government Operations.

By Mr. ROBERTS:

H.R. 5984. A bill to authorize the coinage of 50-cent pieces to commemorate the life of Hon. Sam Rayburn and to assist in the support of the Sam Rayburn Library; to the Committee on Banking and Currency.

By Mr. ROE:

H.R. 5985. A bill to amend the Federal Food, Drug, and Cosmetic Act to regulate the advertising and distribution of organically grown and processed foods; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALIO of Wyoming (for himself, Ms. ABZUG, Mr. BINGHAM, Mr. BROWN of California, Mr. CONABLE, Mr. HARRINGTON, Mr. REUSS, Mr. RHODES, Mr. ROE, Mr. VIGORITO, and Mr. WON PAT):

H.R. 5986. A bill to amend the Fish and Wildlife Act of 1956, to protect game and wildlife resources by prohibiting the use of lead shot for hunting in marshes and other aquatic areas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROUSH (for himself, Mr. BROWN of California, Mr. CLEVELAND, Mr. DANIELSON, Mr. DAVIS of Georgia, Mr. DENT, Mr. ESCH, Mr. WILLIAM D. FORD, Mr. HAMILTON, Mr. HINSHAW, Mr. LEHMAN, Mr. MCCORMACK, Mr. MOSHER, Mr. MOSS, Mr. PEPPER, Mr. PRICE of Illinois, Mr. RONCALLO of New York, Mr. ROE, Mr. SYMINGTON, Mr. TIERNAN, Mr. VANIK, and Mr. WON PAT):

H.R. 5987. A bill to amend the Communications Act of 1934 to provide grants to States and units of local government for the establishment, equipping, and operation of emergency communications facilities to make the national emergency telephone number 911 available throughout the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR (for himself and Mr. DENT):

H.R. 5988. A bill to provide for the regulation of surface mining operations in the United States, to authorize the Secretary of the Interior to make grants to States to encourage State regulation of surface mining, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHNEEBELI (for himself, Mr. ULLMAN, Mr. BURKE of Massachusetts, Mrs. GRIFFITHS, Mr. CHAMBERLAIN, Mr. ROSTENKOWSKI, Mr. LANDRUM, Mr. VANIK, Mr. CLANCY, Mr. FULTON, Mr. BURLESON of Texas, Mr. ARCHER, Mr. CORMAN, Mr. PETTIS, Mr. GREEN of Pennsylvania, Mr. CAREY of New York, Mr. CONABLE, Mr. WAGGONNER, Mr. BROYHILL of Virginia, Mr. BROTZMAN, Mr. KARTH, and Mr. DUNCAN):

H.R. 5989. A bill to clarify the exempt status of joint activities of educational organizations under the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SIKES (for himself, Mr. COCHRAN, Mr. KYROS, Mr. HAMMERSCHMIDT, Mr. MANN, Mr. BRINKLEY, and Mr. GINN):

H.R. 5990. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resources protection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES (for himself, Mr. ULLMAN, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. FISHER, Mr. NICHOLS, Mr. ALEXANDER, Mr. ZION, Mr. HARSHA, Mr. LEGGETT, Mr. MELCHER, Mr. BEVILL, Mr. FRENZEL, Mr. MONTGOMERY, Mr. STEIGER of Arizona, Mr. ROBINSON of Virginia, Mr. DENHOLM, Mr. GOODLING, Mr. MOLLOHAN, Mr. ANDREWS of North Dakota, Mr. PETTIS, Mr. BURLESON of Texas, Mr. HALEY, Mr. KING, and Mr. MAYNE):

H.R. 5991. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SIKES (for himself, Mr. ULLMAN, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. MYERS, Mr. ESHLEMAN, Mr. HUTCHINSON, Mr. MATHIS of Georgia, Mr. RARICK, Mr. QUIE, Mr. CHARLES H. WILSON of California, Mr. BROOMFIELD, Mr. MALLARY, Mr. FISH, Mr. FOLEY, Mr. BROTZMAN, Mr. CLEVELAND, Mr. BURLISON of Missouri, Mr. BLACKBURN, Mr. HANSEN of Idaho, Mr. BOWEN, Mr. DICKINSON, Mr. RUNNELS, Mr. DAVIS of South Carolina, and Mr. DINGELL):

H.R. 5992. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SIKES (for himself, Mr. ULLMAN, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. MCCLOSKEY, Mr. MATHIAS of California, Mr. RHODES, Mr. ARCHER, Mr. KEMP, Mr. WAGGONNER, Mr. O'HARA, Mr. WALSH, Mr. LUJAN, Mr. MOSS, Mr. KETCHUM, Mr. WAMPLER, Mr. SCHERLE, Mr. CAMP, Mr. WYLIE, Mr. MCCORMACK, Mr. MCEWEN, Mr. DENNIS, Mr. MILLER, Mr. FLOWERS, and Mr. MIZELL):

H.R. 5993. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SIKES (for himself, Mr. ULLMAN, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. DAVIS of Georgia, Mr. SNYDER, Mr. ROUSSELOT, Mr. SYMMS, Mr. ROY, Mr. FOUNTAIN, and Mr. OWENS):

H.R. 5994. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SMITH of Iowa:

H.R. 5995. A bill to assist institutions in educating Vietnam era veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STEIGER of Wisconsin:

H.R. 5996. A bill to amend the Occupational Safety and Health Act of 1970 to provide additional assistance to small employers; to the Committee on Education and Labor.

By Mr. STUBBLEFIELD:

H.R. 5997. A bill to amend the Federal Meat Inspection Act, as amended, by exempting salt-cured smoked meat; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 5998. A bill to amend section 3101 of title 38, United States Code, to provide that proceeds of any policy of U.S. Government life insurance, national service life insurance, or servicemen's group life insurance shall not be included in the computation of the gross value of the insured's estate for Federal estate tax or State inheritance tax purposes; to the Committee on Ways and Means.

By Mr. THONE:

H.R. 5999. A bill to improve and implement procedures for fiscal controls in the U.S. Government, and for other purposes; to the Committee on Rules.

H.R. 6000. A bill to amend the Internal Revenue Code of 1954 to provide for a reduced rate of tax for gasoline which contains grain alcohol and no lead; to the Committee on Ways and Means.

By Mr. UDALL (for himself and Mr. MATSUNAGA):

H.R. 6001. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITE:

H.R. 6002. A bill to include certain officers and employees of the Department of Agriculture performing functions under the laws administered by that Department within the provisions of section 1114 of title 18 of the United States Code, relating to homicides of Federal officers in the discharge of their duties; to the Committee on the Judiciary.

By Mr. WILLIAMS (for himself, Mr. WHITEHURST, and Mr. DOWNING):

H.R. 6003. A bill to establish the American Revolution Bicentennial Administration and for other purposes; to the Committee on the Judiciary.

My Mr. WOLFF:

H.R. 6004. A bill to provide payments to States for public elementary and secondary education and to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 6005. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRONIN:

H.J. Res. 448. Joint resolution relating to the war power of Congress; to the Committee on Foreign Affairs.

By Mr. DINGELL (for himself and Mr. STARK):

H.J. Res. 449. Joint resolution to establish the Tule Elk National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Maryland:

H.J. Res. 450. Joint resolution authorizing the President to proclaim September 12, 1974,

as "Battle of North Point Memorial Day"; to the Committee on the Judiciary.

By Mr. LONG of Maryland (for himself, Mr. HELSTOSKI, and Mr. HENDERSON):

H.J. Res. 451. Joint resolution prohibiting U.S. rehabilitation and reconstruction aid to the Republic of Vietnam, the Democratic Republic of Vietnam, or any other country in Indochina until certain conditions have been met, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCLORY:

H.J. Res. 452. Joint resolution to authorize the President to proclaim the last Friday of April as "National Arbor Day"; to the Committee on the Judiciary.

By Mr. MARAZITI:

H.J. Res. 453. Joint resolution to improve mail services in the Post Office Department; to the Committee on Rules.

By Mr. ROBERTS (for himself, Mr. BURLESON of Texas, Mr. WHITE, and Mr. MILFORD):

H.J. Res. 454. Joint resolution proposing an amendment to the Constitution of the United States to prohibit certain congressional appropriations; to the Committee on the Judiciary.

By Mr. FUQUA:

H. Con. Res. 159. Concurrent resolution expressing the sense of the House of Representatives objecting to the eligibility of the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic for membership in the United Nations; to the Committee on Foreign Affairs.

By Mr. GUBSER (for himself, Mr. EDWARDS of California, Mr. ZION, Mr. VEYSEY, Mr. MOORHEAD of California, Mr. FISHER, Mr. HASTINGS, Mr. MEEDS, Mr. BROWN of Ohio, Mr. McCORMACK, Mr. DULSKI, Mr. SHRIVER, Mrs. GREEN of Oregon, and Mr. MOAKLEY):

H. Con. Res. 160. Concurrent resolution expressing the sense of the Congress that the Federal Government should increase the amount of timber offered for sale for domestic use; to the Committee on Agriculture.

By Mr. GUBSER (for himself, Mr. FOUNTAIN, Mr. HINSHAW, Mr. BURGENER, Mr. FROEHLICH, Mr. STEELE, Mr. CLEVELAND, Mr. KETCHUM, Mr. HICKS, Mr. MOLLOHAN, Mr. WON PAT, Mr. LEGGETT, Mr. J. WILLIAM STANTON, and Mr. LOTT):

H. Con. Res. 161. Concurrent resolution expressing the sense of the Congress that the Federal Government should increase the amount of timber offered for sale for domestic use; to the Committee on Agriculture.

By Mr. JONES of Oklahoma:

H. Res. 318. Resolution for the creation of congressional senior citizen internships; to the Committee on House Administration.

By Mr. ROSENTHAL (for himself, Mr. MATSUNAGA, Ms. ABZUG, Mr. ADDABBO, Mr. ASHLEY, Mr. BADILLO, Mr. BERGLAND, Mr. BRASCO, Mr. BROWN of California, Mrs. BURKE of California, Mr. BURTON, Mr. CARNEY of Ohio, Mrs. CHISHOLM, Mr. CONYERS, Mr. COTTER, Mr. DOMINICK V. DANIELS, Mr. DENHOLM, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. WILLIAM D. FORD, Mr. FORSYTHE, Mr. FULTON, and Mrs. GRASSO):

H. Res. 319. Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer; to the Committee on Rules.

By Mr. MATSUNAGA (for himself, Mr. ROSENTHAL, Mr. GUDE, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mrs. HOLT, Mr. HOWARD, Mr. KOCH, Mr. LENT, Mr. McCORMACK, Mr. MAZZOLI, Mr. MOAKLEY, Mr. PIKE, Mr. PODELL, Mr. RANGEL, Mr. REUSS, Mr. ROE, Mr. RONCALLO of New York, Mr. ROSE, Mr. ROYBAL, Mr. SARBANES, and Mrs. SCHROEDER):

H. Res. 320. Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer; to the Committee on Rules.

By Mr. ROSENTHAL (for himself, Mr. MATSUNAGA, Mr. STUDDS, Mr. VAN DEERLIN, Mr. WOLFF, Mr. WON PAT, Mr. YATES, Mr. YATRON, and Mr. ADAMS):

H. Res. 321. Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

100. The SPEAKER presented a memorial of the Legislature of the State of Idaho relative to overtime payment for overtime work during harvesting periods; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 6006. A bill for the relief of Miroslawa J. Wierszoch; to the Committee on the Judiciary.

By Mr. YOUNG of Texas:

H.R. 6007. A bill for the relief of Swift-Train Co.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

71. By the SPEAKER: Petition of the Taecho Land Development Association, Kyongnam, Korea, relative to the settlement of a claim by the Taecho Irrigation Association against the United States; to the Committee on Foreign Affairs.

72. Also, petition of Milton Mayer, New York, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

REAP AND FISCAL RESPONSIBILITIES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. KEMP. Mr. Speaker, the rural environmental assistance program seems to have survived the administration's valiant struggle to achieve economy in Government. REAP may have survived for another year unless this Congress faces some clear fiscal facts and sustains the expected Presidential veto.

Many of my colleagues seem to be laboring under the misconception that REAP is universally popular. It is incumbent upon each of us in this chamber to weigh seriously the need for subsidies which accrue to the recipients of REAP. Several fundamental questions should be resolved: First, Does REAP still address the problems at which the original legislation was intended? Second, Do the recipients themselves deem the legislation worthy of continuation? Third, Is the legislation fiscally responsible?

In answering these questions, let me recommend for your education some enlightening material. Bill Anderson, writing in the March 8 Chicago Tribune, revealed one of the more flagrant uses of Federal subsidies which are presently available under REAP. As neighbors of nearby Fauquier County, Va., no doubt we are all particularly intrigued by subsidies accruing to "poor" farmers in that "underprivileged" area.

Second, I wish to call to your attention a letter from the New York Farm Bureau, which represents 15,000 farm families in New York State. Lastly, I recommend, for your edification, a letter from a dairy farmer in my district who understands better than some Members of this body what best contributes to the well-being of Americans in the agricultural sector of our economy:

U.S. BOUNTY AIDS 252 "RICH" FARMS

(By Bill Anderson)

WARRENTON, Va.—This is where people come for the Gold Cup, an annual horse race on a huge estate in Fauquier County, a place near the Appalachian Trial and National Forests set in the rolling hills of the Blue Ridge Mountains.

There are about 600 farms in this large county, and most of them are larger than Chicago's Loop. The air is clean and fresh, and there is nothing here that remotely resembles poverty or the old dust bowl farming portrayed in "The Grapes of Wrath."

Yet, there are 252 farms in Fauquier County that will be greener this spring because the federal government spent $65,000 on them last year in a program that grew out of the plight of farmers during the dust bowl days. The federal dollars were part of a spending program of the Rural Environmental Assistance Program [REAP], currently the object of what amounts to a pilot fight between the executive and the legislative branches of the government.

The father of REAP was born in 1936 as a conservation program funded at $374 million. In the early days, the money went for soil saving projects of small farmers, water development, and tree planting. There are literally thousands of acres of land in the United States that are green today as a result of the program.

By 1944, as times changed, the program became strictly conservation. Spending con-

tinued at the rate of about 200 million dollars a year until 1970, when the executive branch began to run into budget problems. On Dec. 22, 1972, the Nixon administration terminated the funding [except for prior commitments] after it dropped to the $140 million level.

In essence, a large number of congressmen said: "You can't do this to us." The Washington Post, a newspaper highly critical of the Nixon administration, has given extensive coverage to the REAP issue. One story was headlined, "As Ye Sow, So Shall Ye REAP."

Since Fauquier County is only an hour and a half by auto from Washington, the Post has considerable influence in the county—as well as among prominent, politically-connected residents who live here. About 50 of the 252 farms receiving money from REAP last year are owned by people who live in Washington.

One of these places is owned by Mrs. Joseph W. Barr, wife of the former secretary of the treasury. Since 1968, Mrs. Barr has received $1,408 from the federal treasury to spend on her estate. The money spent on the 364-acre holding was for fertilizing, applying lime, and planting blue grass.

Mrs. Katharine Graham, publisher of the Post and owner of a 347-acre estate near Rectortown, has also been a federal recipient. Records provided to Jim Coates, a reporter for this column, showed that Mrs. Graham received $976 since 1968, a figure somewhat less than the average payment.

Mrs. Francis Gilbert, executive director of the Agriculture Stabilization and Conservation Service, which administers the program on a local level, said that the money for Mrs. Graham's estate was used for a variety of projects. In 1968, there was a federal allotment of $158 for the Graham estate for vegetation cover on 18 acres. Other money over the years went for thistle spraying and additional ground-covering projects.

"Whether you're rich or poor," Mrs. Gilbert said, "you'll still get rained on—and, no matter how prominent you are, your soil will wash away if there is no grass." The local director said the establishment of permanent vegetative cover was one of the most popular in the county. All together, REAP offers 16 grant categories ranging from animal-waste storage and diversion facilities to strip-cropping—a term used in connection with land contouring to avoid erosion.

Mrs. Gilbert explained, as did officials of REAP, that the programs are traditionally handled at the local levels in order to insure maximum benefits. The federal tax dollars are distributed first to the states and then down to the county levels. At the county level, three farmers are elected by the other farmers of the county to make the final disposition of the money.

The largest amount which was spent on a farm in Fauquier County last year was about $2,500. The average amount here last year was $260, slightly lower than the national average per grant. Next year there will be no money unless Congress is successful in overriding the administration's cutback.

NEW YORK FARM BUREAU

DEAR MR. KEMP: We appreciate your vote of February 6 in support of Farm Bureau policy and in opposition to H.R. 2107 which would mandate expenditures for the Rural Environmental Assistance Program.

We are certainly not in opposition to extension of the R.E.A.P. program as it applies to cost-sharing expenditures for conservation and environmental improvement practices. A much needed re-appraisal of the program in line with federal spending control, reduction of inflation and avoidance of tax increases would probably result in discard of the practices classed as income producing and which farmers would carry out regardless of the existence of the former R.E.A.P. benefits.

We are aware that you have been lobbied extensively by special interests, other than farmers, to override an expected veto of H.R. 2107 or similar proposal.

Representing 15,000 farm families in New York State, the New York Farm Bureau respectfully requests you maintain your original position and vote so as to sustain the expected veto.

We must control inflation. We must cut government spending across the board—not just agriculture. We are not in favor of new taxes. A sustained veto would be a step in this direction. We believe it would also result in an overdue re-appraisal of the R.E.A.P. program.

Our sincere appreciation for your consideration of our position in this matter.

Yours truly,

LELAND BEEBE,
Public Affairs Director.

REAP

DEAR MR. KEMP: Regarding H.R. Bill 2107, which has wide ranging implications, but basically requires the Sec. of Ag. to carry out the REAP program as it now stands.

This legislation does not offer constructive review and revision much needed with the present REAP program, if Federal spending is to be kept in check. The future of this nation is in need of a balanced budget for economic stability.

We believe farmers should NOT receive payments annually for merely observing common sense conservation practices and programs which have as a primary objective, increased production.

Rather, we would suggest Federal cost-sharing programs which would contribute to the attainment of pollution prevention, enduring conservation, and environmental enhancement of our country.

Please sustain the President's vote of H.R. Bill 2107.

Sincerely,

BRUCE C. LUNE,
Dairy Farmer.

CRISIS IN THE LUMBER INDUSTRY

HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. McKAY. Mr. Speaker, the price of lumber has soared beyond reason or comprehension this past year. Even though inflation is eating away at the value of the dollar, lumber prices have rapidly outstripped the increases in the cost of living. Last year in Utah, according to a report from one of my constitutents, lumber prices rose by 32 percent.

Rocketing lumber costs can be attributed to many things, none more critical than the tremendous increase in housing construction. In the last 2 years, housing starts have been 50 to 70 percent higher than previous years. The lumber industry, geared to a lower level, simply was unprepared for the surge in wood usage.

Other factors affecting the lumber supply include the export of lumber—3 billion board feet to Japan alone in 1972—a shortage of freight cars to move lumber to the East, and a strike of woodworkers in Canada, the source for roughly 20 percent of lumber used in the United States.

In addition to the current demand for lumber, and the impediments in meeting this demand, the Forest Service must contend with administrative burdens imposed and actual board footage tied up because of injunctions brought by some environmental groups. Because of the injunctions rendered last year, the Forest Service now must file between 1,200 and 1,500 environmental impact statements. This alone has delayed routine timber sales by 6 months. The Forest Service estimates that over 2 billion board feet of lumber are tied up because of legal actions.

Mr. Speaker, in light of these problems, I would have expected the administration to support the Forest Service efforts whenever possible. Instead, the Forest Service has been further burdened in their management efforts by reduced budgets. In the President's budget for 1974, Forest Service funds for roads and trails are less than half of last year's appropriation, and reforestation funds would be cut by $8 million. Operating expenses have also been subjected to budget pressures.

Clearly, if we are to respond to the crisis in the lumber industry, we must give the Forest Service the support it requires, and be realistic about the management of our forests.

REGIONAL MEDICAL PROGRAMS

HON. BILL ALEXANDER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ALEXANDER. Mr. Speaker, twice before I have shared with my colleagues the letters which I have received telling of the successfulness of some of the regional medical programs in Arkansas. Once again I would like to bring an example of the benefits of this program to your attention. With the cooperation and assistance of the University of Arkansas School of Medicine and the Arkansas regional medical program, the Harris Hospital and Clinic in Newport, Ark., has been able to offer substantial medical care to citizens of five counties while limiting the rising cost of hospital expenses to 43 cents per day. I include here a copy of a recent letter I received from the Harris Hospital and Clinic:

HARRIS HOSPITAL AND CLINIC,
Newport, Ark., March 15, 1973.

Hon. BILL ALEXANDER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ALEXANDER: The President's recent cut-back in federal funding for the Regional Medical Program and the effective cut-off of July 1st is of great concern to all of us here at Harris Hospital and Clinic. Although as a proprietary hospital, we have not participated in any federal

health programs other than Medicare until recently when the University of Arkansas Medical Center made available to our Medical Staff through the Arkansas Regional Medical Program the Dial Access system and consulting program, which has been of immense value to the Medical Staff in their efforts in Continuing Education.

Through the assistance of the University of Arkansas School of Medicine and the Regional Medical Program, we have been able to supply a much better quality of medical care to the citizens of Newport, Jackson County, and a large portion of Poinsett, Lawrence, Independence, and White Counties. We will continue to participate in Continuing Education programs entirely at our own expense if necessary. However, with today's emphasis upon controling medical care costs, the elimination of the above programs will make it difficult for this institution, and all other health care providers, to continue to control costs. We feel that our efforts in 1972 were successful in this endeavor since the cost per patient day in our hospital increased a mere 43 cents per day over 1971, and we will make every effort to assure that this trend continues.

Since we pay considerable corporate income taxes, we fully agree that some programs are unnecessary and wasteful, but the Arkansas Regional Medical Program is not among those. We urge your support in funding Regional Medical Program projects beyond July 1, 1973. Your help is urgently needed.

Very truly yours,

JOHN C. WRIGHT, M.D.,
Chief of Staff.
M. H. HARRIS, M.D.,
Chief of Surgery.
J. F. JACKSON, M.D.,
Secretary.
G. M. DUDLEY, M.D.,
Chief of Medicine.
L. V. JOHNSTON,
Administrator.

BUDGET SITUATION

HON. SAMUEL H. YOUNG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Illinois. Mr. Speaker, I wish to join with the great majority of the new Congressmen and Congresswomen elected for the first time to this House of Representatives in emphasizing the danger posed to the United States—from big spending, big taxing, and big inflation. We have a threatened fiscal crisis.

One of the ingredients of this fiscal crisis has been the basic change in the prevailing congressional attitude toward Federal spending. Not so many years ago Congress acted as a restraining force with respect to spending. In the 1950's, a typical Congressman would rather be called almost anything than a big spender. Then the prevailing fiscal wisdom was that the budget of the Federal Government should be handled on the principles that guided a business or a household.

Since the advent of the Great Society there has been a marked change in the attitude of our Congress. Congress has abandoned its restraining role and has engaged in inflationary spending programs by increasing old ones and by inventing new ones. The increased Federal spending then generates additional spending pressures. The flood of benefits and grants and subsidies and guarantees flowing into every congressional district in the United States has enormously swelled the ranks of beneficiaries and has created new pressure groups for additional spending. This broadened area of support and pressure has greatly affected the attitude of the Congress.

Big spending. In 1960, the United States spent approximately $92 billion on a unified budget basis. In 1965, budget spending was $118 billion. In 1970, it was $196 billion. In 1973, through the impounding efforts by the President of the United States spending should be held down to approximately $250 billion. In 1974, the Presidential budget proposes the spending of $268 billion.

Big deficits. In the last 10 years we have financed spending by borrowing in 9 out of 10 years to a total of $130 billion of deficit spending.

Big debt. In 1960, the Federal debt was $290 billion. In 1965 it had climbed to $323 billion. In 1970, it had risen to $382 billion.

In 1973 it was up to $473 billion and it is expected to reach $505 billion in the 1974 fiscal year.

Next, I would like to review big inflation. We have suffered in recent years annual inflationary rates of 6 and 7 percent. We have had to impose wage and price controls on a free economy. We have had to do this to cut inflation down to a rate of approximately 3 percent. With the expanding economy, we may have to reimpose wage and price controls.

During the last 3 years, we have had two devaluations of the U.S. dollar, because of the internationally recognized weakness caused by the inflationary problems of the U.S. dollar.

There have been many proposals for reform of congressional budgeting procedures. Some of the national magazines have written about the subject of congressional reform of budget control procedures. One of the recent articles in a national publication stated that it was the general thinking that nothing will come of the efforts now being made in Congress to get a control on spending. We in the 93d Congress must not let this happen.

It is absolutely imperative that Congress draw a line on spending and reestablish its role as the guardian of the fiscal integrity of the United States.

The Chief Executive has indicated his desire to work in this direction. It is now up to the Members of this Chamber, with the Members of the Senate, to affirm their commitment to the future of this country by setting a ceiling on Federal expenditures and by creating the procedures in this congressional body to appropriately review expenditures and allocate priorities.

AMERICAN TAXPAYERS FOOT BILL FOR DISPLAY OF ART FROM RUSSIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RARICK. Mr. Speaker, Mrs. Rarick and I, like the other Members, have received an invitation from the Director of the National Gallery of Art here in Washington to attend "a private preview of the paintings from the U.S.S.R." Since some newsreports have referred to it as the "Russian art" exhibit, I am happy that the invitation properly identified the paintings as being from the U.S.S.R. and not the product of Soviets.

Certainly names like Renoir, Monet, Rousseau, Van Gogh, Cezanne, Picasso, Matisse, Gauguin, Pissarro, Sisley, Braque—are not Russian names and are from countries never occupied by the Bolsheviks. In fact, most of these artists lived and worked at a time preceeding the 1917 Russian Revolution, so that any efforts to call this exhibit Soviet art would not only be a misnomer but would be a hoax.

One can only assume how the Communist Party came into possession and control of these priceless masterpieces—some probably were stolen by the Nazis and later "liberated" by the Soviet troops. In reality, the showing of these paintings from the U.S.S.R. is reminiscent of a convict placing his stolen merchandise on public display.

But despite the play in semantics; that is, "from" as against "by," the innocent would be unwary and the gullible will go to see the exhibit and leave to tell others what great artists the Soviets have produced—not that they and their system are exploiting the work of others.

According to reports, a portion of the cost of the exhibit will be borne by U.S. taxpayers through a grant of $100,000 from the National Endowment for the Humanities. Apparently the balance of the cost of the exhibit is to be borne by the arranger, Dr. Armand Hammer, of Occidental Petroleum fame, and a longtime Soviet apologist and entrepreneur. No doubt as a tax exempt donation "in the public interest." The Russians are paying nothing except the loan of the "liberated" art.

Related clippings follow:

[From the Washington Star and Daily News, Feb. 6, 1973]

SOVIETS SENDING MAJOR EXHIBIT

(By Benjamin Forgey)

An extraordinary assortment of 41 Impressionist and Post-Impressionist paintings from two Soviet museums will go on view at the National Gallery of Art next month.

The special loan exhibition will mark the first time Western paintings from Soviet collections have visited the United States.

The show was arranged by a private citizen, Dr. Armand Hammer, a businessman and art collector who has visited Moscow frequently in recent months in an attempt to complete negotiations on a large-scale business deal with the Soviet government.

Hammer is chairman of the Occidental Petroleum Corp. which last summer announced a draft agreement on a five-point, five-year

arrangement whereby the American company would provide technological skills and receive in return Soviet oil, gas and other natural resources.

The paintings will be loaned from the Hermitage State Museum in Leningrad and the Pushkin Museum in Moscow, where Hammer's own art collection is currently being shown. The Soviet loans will be on view at the National Gallery from March 31 through April 29 and then, in May, will be shown at the Knoedler Gallery in New York City. Hammer purchased controlling interest in Knoedler's in 1971.

The loan show will include seven paintings by Matisse, seven by Gauguin, six by Picasso, five by Cezanne, three by Van Gogh, two each by Monet, Renoir, Rousseau and Derain, and one painting each by Pissarro, Sisley, Braque, Vlaminck and Leger.

Knoedler's and the National Gallery will share the costs of the exhibition. The National's share will come from a grant from the National Endowment for the Humanities, which will make up to $100,000 available for the show and related educational programs.

[From the Evening Star-Daily News, Feb. 26, 1973]

FEDERAL FUNDING OF ARTS QUADRUPLES IN 2 YEARS

Federal support of the arts quadrupled during the past two fiscal years to $15 million, the National Endowment for the Arts reported yesterday.

The endowment, which administers such assistance, said its grant-giving capacity doubled in 1971 and again in 1972 and, during the same period, it entered into such forgotten outposts as Indian folklore and the inner cities.

Created late in the Kennedy administration, the endowment is one of five divisions under the umbrella National Foundation on the Arts and the Humanities established in 1965.

In a report titled "New Dimensions for the Arts 1971–1972," the endowment said its grants were made available under 12 programs to help symphony orchestras, museums, theaters, dance companies, educational projects, "expansion" or grass-roots arts, writers, public media and various other programs.

Counseled by Duke Ellington, Helen Hayes and other famous artists during the two-year boom, the endowment paid out $750,000 to send visiting artists into the public schools in 1971 and more than $2 million in 1972.

No individual dancers were granted endowment funds, but $25,000 went to last year's New York City Ballet Stravinsky Festival. During the two years, more than $250,000 went to choreographers and more to companies producing new works.

Ethnic and rural minorities received $307,600 in 1971 and $1.1 million in 1972.

[From the Washington Post, Feb. 22, 1973]

PICKING RUSSIAN ART

(By Paul Richard)

When Dr. Armand Hammer offered to let the National Gallery of Art show 37 paintings he picked from Soviet museums, the gallery suggested he go back and ask for more.

Hammer complied. "Impressionists and Post-Impressionists from the U.S.S.R.," the unprecedented exhibition that will open here March 31, will include four additional works chosen by Carter Brown, the gallery's director.

Those four: two Picassos, an 1891 Gauguin, and an early Claude Monet, are the only pictures in the show selected by the gallery. Hammer and his brother, Victor, made all the other choices. In a highly unusual gesture of generosity and trust, the Soviets had let them wander through the Hermitage in Leningrad and the Pushkin Museum in Moscow picking the school of Paris pictures they liked.

"When Carter saw our choices, he said, 'Gosh, we'd like some more,'" Hammer told a press conference here yesterday.

The selection process reflects the most peculiar aspect of this remarkable exhibition. The whole show was privately arranged, though the paintings all belong to the Soviet government, though Ekaterina Furtseva, the Soviet minister of culture will attend the opening and the pictures will be shown here at a federal museum.

The original loan contract between the U.S.S.R. and Knoedler's (Hammer's commercial gallery in New York) did not even mention the National Gallery of Art.

Hammer, who has described himself as a billionaire, now runs the Occidental Petroleum Corporation. A non-practicing physician who both sells and collects art, he ran a pencil factory while an American businessman in Russia in the 1920s.

His friendship with the Soviet government could hardly be much closer. He strikes multi-million-dollar business deals with the Russians and lets them show his pictures. When he generously gave them a million-dollar Goya portrait, they surprised him by responding with a present of their own, a rare 1918 abstraction by Kasimir Malevich.

It is in part because Hammer's relations with the National Gallery are also close that the Soviet paintings will be shown here.

His own collections have improved greatly in recent years, in part because he has been following the gallery's advice. He has purchased, for example, exquisite drawings by Leonardo, Raphael, Rembrandt, Durer and other major masters that were brought to his attention by Konrad Oberhuber and Christopher White of the gallery's staff. Hammer, in turn, has willed these works to the National Gallery of Art.

"My feelings towards the gallery are such. I felt it would be the right place for the Soviet paintings to be shown," he said yesterday.

The paintings will be flown to New York in three separate planes. The Soviets have insured them for "about $25 million." Security will be tight. The pictures—many of them purchased between 1870 and 1920 by Ivan Morozov and Serge Shchukin, two Russian collectors who were quick to appreciate the experimental artists working then in Paris—will be displayed behind thick shields of non-shattering plastic.

The show will include seven pictures by Matisse, five by Paul Cezanne, seven by Gauguin, three van Goghs, two Rousseaus and six paintings by Picasso. The National Endowment for the Humanities has provided $100,000 for expenses, a free brochure to be distributed and an hour film on the exhibition that will be shown on public TV.

"Impressionists and Post-Impressionists from the U.S.S.R." will be in view here from March 31 to April 29.

MUST WE HAVE BLOOD BATHS TO CURE HUMAN RELATIONS?

HON. JAMES P. (JIM) JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. JOHNSON of Colorado. Mr. Speaker, since the conduct of the news media has been subject to criticism from time to time as it has related to the reporting of man's relationship to his fellow man, I think it is equally important to cite the many instances where the balanced view is demonstrated and, hopefully, has led to better understanding among those who take the time to read and think. One such example of the balanced view was a recent editorial in the Eaton Herald newspaper published in Eaton, Colo. I recommend it to my colleagues.

MUST WE HAVE BLOOD BATHS TO CURE HUMAN RELATIONS

For the past ten or 12 years various groups have claimed discrimination or unfair treatment by others. The trend has been to destroy property, destroy lives and in general cause havoc in the world. It has not only been in foreign countries, but, in ours as well. May I ask this week, are blood baths necessary to cure the problems of human relations. I don't believe they are.

God handed to Moses the Ten Commandments, and one was "Thou shalt not kill."

Arab Terrorists have been going strong for several years and the most devastating raid they made was on the Olympic Village when they abducted Jewish people and killed them. Now they have captured several diplomats and the last report was that they had killed three. One was described as a fine American citizen.

In our own country has been the latest event, the hostage episode of the Indians in the Dakotas. Luckily, they have not killed any person, and they now express a desire to smoke the peace pipe.

I have never been able to understand such violence, even to gain a cause of any one individual. It would seem that the laws of a good Christian world would come first.

Neither can I understand why the American Indian was ever confined to a reservation and denied the rights of citizenship. Neither should the blacks have been confined to the ghettos, or the Mexicans to shanty towns. We of the dominant races should have been making efforts long ago to help them improve their standards of living. It is not as much yours and my fault as it is the fault of our ancestors. The Indian was considered a savage and upon the white taking over the country they were given the poor land called reservations. The black were brought here for slaves and the Mexicans brought here for labor purposes. They did not come on their own. So, it would seem that our ancestors should have begun right after the Civil War improving the standards of these people.

By the same token, these minorities should NOT be taking the lives and freedoms of the majority to gain their purposes.

Every one of these problems should be settled at the peace table, not with guns!

LIZZADRO MUSEUM OF LAPIDARY ARTS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues an article that appeared in the Chicago Tribune on Thursday, March 8, 1973, with reference to the Lizzadro Museum of Lapidary Arts in Elmhurst, Ill.

It was my privilege to be at the ribbon-cutting ceremony when the museum was first established in 1962 by the late Joseph F. Lizzadro, who served before his death last year as chairman of the board of the Meade Electric Co., 5401 West Harrison Street, Chicago.

The museum exhibits precious and semiprecious stones, minerals, fossils, carvings of jade and ivory, and other items relating to stone. It is believed to be the only museum in America solely devoted to the display of lapidary art, and the late Mr. Lizzadro's extensive private collection of this art form can be viewed there.

I was pleased that the National Aeronautics and Space Administration cooperated with my request last year that a lunar sample from the Apollo 11 flight be exhibited at the Lizzadro Museum. The moon rock went on display at the museum from June 11 to June 25, 1972, and was viewed by thousands of Illinoisans during that period.

The late Joseph Lizzadro was associated with me also in the development of Villa Scalabrini, the Italian Old Peoples Home in Melrose Park, Ill., which is a private institution built without public funds, but solely with private funds. Two hundred old people receive the finest of care in this outstanding home because of the dedicated work of men like the late Joe Lizzadro.

I am proud of this son of immigrant parents who contributed so much to his community and to his fellow citizens during his lifetime. I am proud that he made America his home, that he loved his adopted country so well, and that he has left a living memorial for many Americans to enjoy—the vast collection of precious and semiprecious stones and oriental works of art valued at more than $2 million—which are housed in the Lizzadro Museum of Lapidary Art.

The article follows:

IMMIGRANT'S HOBBY BECOMES LIZZADRO MUSEUM

(By Donald Yabush)

Because the son of an Italian immigrant shoemaker found an agate on a Lake Superior beach 35 years ago, Elmhurst today has a gem of a museum.

The Lizzadro Museum of Lapidary Arts in Elmhurst's Wilder Park is a $2.5 million monument to the man who admired that agate on the lonely beach long ago. The museum is a repository for a vast collection of precious and semiprecious stones, and oriental art objects, valued at more than $2 million.

Founder of the museum was Joseph F. Lizzadro who left Naples with his father as a nine-year-old and came to Chicago to make a new life for the Lizzadro family.

When the father and son had earned enough money, they sent for the rest of the family who joined the millions of other turn-of-the-century immigrants.

Young Joseph Lizzadro started as an electrician's helper with the Meade Electric Co. of Chicago and worked his way up to becoming board chairman.

During his climb to success, Lizzadro found that agate on the beach of his Lake Superior summer home. That pretty stone turned him to lapidary arts [stone polishing and cutting] and eventually to collecting exotic and rare gems and carvings from all over the world.

"Our home here in Elmhurst used to be jammed with dad's collections; the house was a museum of sorts when I was a kid," recalled John Lizzadro, 32, curator of his late father's collection. The elder Lizzadro died last year at age 74.

"He expressed a desire [10 years ago] to establish a museum in his will, but we urged him to do it while he was alive so he could have everything the way he wanted," the son said.

Ten years ago the father and the Elmhurst Park District agreed on the construction of his museum in Wilder Park, and the $300,000 modern, air conditioned structure was built. It was paid for by Lizzadro.

One of the elder Lizzadro's outstanding acquisitions is a five piece set of carved jade altar pieces which stood for centuries in the Imperial Palace in Peking, China. The set is valued at more than $250,000.

Behind the altar pieces stands a 10-panel Imperial Chinese screen of carved cinnabar, framed in rosewood, measuring 7 feet high and 13 feet long.

The museum displays an array of ivories, diamonds, rubies, emeralds, topazes, sapphires, and a large display of all types of pieces and hues of jade.

Lizzadro turned over ownership of the museum to the park district, but retained possession of the collection.

"Only about 60 per cent of my father's collection is ever on display at one time because we don't have enough room," Lizzadro said. "Besides, we like to change the exhibits occasionally so the museum doesn't become static."

The museum, located at 220 Cottage Hill Ave., Elmhurst, is directed by Mrs. Mary Lizzadro, the founder's widow, and her two sons, John and Joseph. Four Lizzadro daughters are officers of the museum. Joseph Lizzadro currently heads the Meade Electric Co.

The museum is closed on Monday, open from 1 to 5 p.m. Sunday through Friday and from 10 a.m. to 5 p.m. Saturday.

McCLORY BILL FOR METRIC CONVERSION HIGHLIGHTS NATIONAL LEADERSHIP

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. PICKLE. Mr. Speaker, our colleague from Illinois (Mr. McCLORY) has been a principal sponsor in the House of Representatives of legislation to convert our nation to the metric system of weights and measurements. The Subcommittee on Science, Research, and Development of the Committee on Science and Astronautics chaired by our colleague from Georgia (Mr. DAVIS) and on which I am privileged to serve, is conducting hearings on the subject of metric conversion.

In his testimony yesterday before the committee, Mr. McCLORY provided an illuminating and forthright statement outlining the role which the Congress of the United States and the Department of Commerce should take in directing an effective and orderly metric conversion program intended to be carried out over a 10-year period.

Mr. Speaker, I am pleased to be a cosponsor of the McCLORY proposal, H.R. 2351. More than 20 of our colleagues have joined us in support of a metric conversion program which would provide a workable and practical response to the urgent need for national leadership and direction.

I am pleased to attach a copy of Mr. McCLORY's testimony, to the end that all of our colleagues may have the benefit of this constructive statement:

STATEMENT OF HON. ROBERT McCLORY

Mr. Chairman, I appreciate the opportunity to testify on the subject of the proposed conversion of our nation to the metric system of weights and measures. In this statement, I propose to emphasize the kind of legislative action which I feel that the Congress should take in order to minimize costs and disruptions in our social and economic system, while achieving the vital result of a Metric Conversion Program targeted at a date approximately ten years hence.

A. STRONG NATIONAL LEADERSHIP NEEDED

In facing the task which lies before us, we should not assume that there is any easy or obvious road which can lead to the result which you, Mr. Chairman, and I are seeking. Indeed, it will be my position that strong and determined leadership in the Congress, and within the social, economic, professional, and educational segments of our system are vital, if we are to succeed.

Mr. Chairman, I have been working with this subject for many years—even before enactment of the 1968 legislation authorizing the three-year study which was completed in July, 1971, under the direction of the National Bureau of Standards of our Department of Commerce.

Some argued that the Metric Study itself was not needed—because the facts which the study was able to reveal, were already known. I must agree with that. On the other hand, without the prestige and the powerful influence which this illuminating and persuasive Metric Study Report represents, we would not have today the overwhelming recognition of the fact that our nation is on the road to a Metric Conversion Program. Before addressing myself to the specific provisions which I believe a Metric Conversion Bill should contain, let me reiterate the recommendation of the Secretary of Commerce based on that report; namely, that the United States change to the international metric system *deliberately* and *carefully*, and that this be done through a *coordinated national program*.

I think it might be well for us to recall at this point that substantial efforts in the Congress to adopt the metric system of weights and measures have been made in the past. A measure passed the House in 1896 which would have required all governmental departments and agencies to employ the metric system—exclusively. But, ultimately, the bill failed.

The mere fact that we may seem close at this time to a Metric Conversion Program should not delude us into believing that just any type of legislative pronouncement will be sufficient to carry us to the goal of a metric America at the end of a ten-year period. In my opinion, the advice of the Secretary of Commerce is directly applicable. There must be "a firm government commitment to this goal."

B. A METRIC CONVERSION COORDINATING COMMISSION SHOULD BE EMPOWERED TO DIRECT THE 10-YEAR CHANGEOVER

In the measure which I have presented to the House (H.R. 724 and H.R. 2351), it was my purpose to establish a relatively small working Metric Conversion Cooordinating Commission broadly representative of the most vitally involved segments of our society which, under the auspices of the Department of Commerce and with the assistance of an adequate staff, could develop a coordinated national program for conversion to the international metric system over a ten-year period.

This coordinating Commission would be capable of receiving the effective support and assistance voluntarily provided by every interested sector and group in the United States.

While I have suggested in my bill a nine-member Commission composed of representatives from (a) business, (b) labor, (c) education, (d) science, and (e) technology it is possible that some essential group may have been omitted. On the other hand, I feel that a much larger Commission would be both unwieldy and undesirable. I see no reason

whatever for selecting these persons on the basis of their political affiliation. Of all of the many persons whom I've met who appear to be most knowledgeable on this subject—and who would make most valuable members of such a commission—I don't know the political preferences of a single one of them. And while I may have as broad or broader experience in the subject of conversion to the metric system as any other person in public life, I do not feel I or any other Member of Congress should be burdened or made responsible for developing the kind of national coordinating program which is vital if we are to meet the objective of a ten-year conversion program.

C. THE GOAL SHOULD BE "FULL CONVERSION"—WITH A FEW EXCEPTIONS—AND EXTENSIONS

In the bill which some 20 of my colleagues and I have presented, the measure recommends "that the target date for full conversion be January 1, 1984." It has been suggested that instead of the expression "full conversion" we should recommend that by the time the ten-year target date is reached, the United States would be "predominately though not exclusively metric."

In other words, it is recommended that in place of the word "full" on page 3, line 13 of my bill, the word "predominant" would be substituted.

I have no fault to find with this possibility except if it is interpreted as an invitation to every group and sector of our society as a reason and excuse for not becoming involved in the conversion program. In my opinion, it might be preferable to retain the expression "full conversion" and to add a further proviso that with respect to various subjects such as land measurements, sporting events, standards subject to international agreement and other possible categories that an exemption or extension of time might be granted.

D. ADVISORY GROUPS COULD ASSIST

This further suggestion has come to me that the Commission might well be assisted by one or a number of advisory commissions which the President or the Secretary of Commerce might establish. Indeed, this type of advisory group participation was contemplated by the language contained in Section 2 of the bill which I presented.

E. CONVERSION PROGRAM SHOULD FOCUS ON BASIC SI UNITS

Another question may relate to the precise definition of the international metric system. I note in the letter of transmittal from the Secretary of Commerce, he refers to the "international metric system." Within the past few days, I have had delivered to me a draft of the international standards approved in June, 1972 by the International Organization for Standardization, a worldwide federation of national standards institutes of which the United States is a member.

This report of so-called S.I. units refers to seven basic units, which I would expect to be encompassed in the metric conversion program, including (1) length, (2) mass, (3) time, (4) electric current, (5) thermodynamic temperature, (6) amount of substance and (7) luminous intensity. However, most persons would come in contact only with the metric units of (a) length, (b) weight, and (c) temperature.

F. WE CAN BENEFIT FROM OTHER NATION'S EXPERIENCES

It is my feeling that the joint resolution approach as presented in the last Congress as a so-called Administration proposal and as embodied in the various joint resolution proposals pending before this Committee is too weak an approach. These proposed joint resolutions appear to contain potential escape routes, which we must avoid if we are to fulfill our commitment to *deliberately* and *carefully* consummate a Metric Conversion Program.

I am wary that the provisions of Section 6 of these various proposals could give rise to excuses which might delay any comprehensive plan for conversion for many years. Indeed, it seems to me that the establishment of some type of overall plan which might or *might not* fit the needs of various segments of our society has inherent weaknesses. As the metric study report indicates, each separate category of manufacturing, marketing and other business needs to be treated separately. In other words, I envision the Metric Conversion Commission as approving and adopting 50 or 100 separate Metric Conversion Programs applicable to the separate categories and groups involved throughout our nation. I believe the British timetable has been established with respect to four broad industrial categories and some 69 separate groups of products and materials.

We should be certain that priority is given to an educational program both in the elementary and secondary schools and institutions of higher learning as well as with the public at large. This principle appears to be contained in all of the measures which are pending before this Committee.

Let me call the Committee's attention to the Congressional Research Service study dated May 30, 1972, commenting on the experiences of various nations with regard to Metric Conversion Programs and to those portions of the metric study report commenting on the British and Japanese experiences with respect to metric conversion. The Japanese changeover lacked strong leadership and direction from the Japanese government, and the program was stalled for a number of years. There appears to be general agreement that this also added to the expense and burden of the conversion program, which—at long last—has been achieved.

The more recent British experience—while relatively successful—has met with some disruptions and delays largely because of a lack of public information and inadequate communication between the Metrication Board and segments of British society affected by the Metric Conversion Program. These appear to be largely overcome by the so-called British White Paper, which has supplied many answers where uncertainty, suspicion and doubt previously prevailed.

G. METRIC CONVERSION IS WELL UNDERWAY—BUT IT COULD FOUNDER

Mr. Chairman, I was disturbed last year when testimony and statements flatly and bluntly adverse to any Metric Conversion Program were presented to the Senate Committee on Commerce. I fear that some of this opposition persists and that efforts may be made to water down provisions in my bill or to induce this Committee to report out a measure that is far removed from a "firm government commitment." If this occurs, it seems quite certain that many opponents of the conversion program will fail or refuse to take the meaningful steps necessary to a successful changeover to the metric system.

However, if we capitalize on the momentum which has been established by the metric study report itself and, if we respond to those forward looking elements in our society which recognize the inevitability as well as the desirability of an effective, prompt and orderly conversion program, then it seems to me we will be able to realize the great advantages which a nationally directed conversion program can produce.

I am aware that large numbers of groups representative of many parts of our economic community are moving forward with a voluntary and coordinated conversion program without awaiting action by the Congress. The Tool and Die Institute, the Wire Association, and many other industrial and manufacturing associations have established their own metric conversion committees. Recently, a new Ford Pinto Engine Plant was built in Lima, Ohio, where the entire operation is according to metric measurements. In my home County of Lake County, Illinois, International Harvester Company is converting its Hough Company Plant (which manufactures the popular Payloader and other heavy-duty earthmoving machinery) consistent with metric standards and measurements. I am sure that there are literally hundreds of other examples of metric conversions taking place today—under purely private auspices.

In a recent issue of "Factory Magazine," the lead article was entitled, "There is No Doubt that the USA Will Go Metric. The Question is WHEN?" Mr. Chairman, the answer to that question is largely in our hands. We can muddle along for a period of 40 or 50 years at great expense and with substantial losses in trade and understanding. Or, we can seize this present opportunity as we move forward—on the crest of great industrial expansion and in a world of fast-growing international trade to an international standard of weights and measures in which our nation finally will be in step with virtually every other nation in the world.

Mr. Chairman, while this statement is longer than has been intended, I have endeavored to outline the salient elements which I believe a Metric Conversion Program must contain. At the same time, I have felt impelled to anticipate some obstacles which I feel this Committee will have to meet head-on and overcome in developing a workable and practical response to the urgent need for leadership and direction consistent with the recommendations of the United States Metric Study Report.

THE PEOPLE'S CONFIDENCE AND OUR TAX SYSTEM

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ZABLOCKI. Mr. Speaker, on the ABC radio and television program "Issues and Answers," on March 11, Mr. John D. Erhlichman, President Nixon's Assistant for Domestic Affairs and frequent spokesman on tax policy, was the featured guest.

In response to a question by Mr. Kaplow of ABC News, Mr. Ehrlichman contended that there is no combination of loopholes that could be closed that would bring in a significant amount of Federal revenue except by closing loopholes that "don't let the average householder deduct the interest on his mortgage any more—and don't let him deduct charitable contributions to his church or to the Boy Scouts—or don't let him take personal exemptions."

Mr. Speaker, Mr. Ehrlichman is right. We can raise a lot of money by closing such loopholes. We can, however, Mr. Speaker, also raise a lot of money by eliminating disparities in capital gains taxes for corporations and wealthy taxpayers, by taxing capital gains at death, by repealing the asset depreciation range system, by taxing foreign income of U.S. subsidiaries on a current basis, by tightening the oil depreciation allowance, and by tightening the minimum tax on preference income as is provided in the tax reform bill of which I am a cosponsor.

Conservative estimates indicate that some $8 billion annually would be raised by the closing of such tax loopholes

thereby making a general tax increase unnecessary in 1973.

More significantly, though, it would make the system fairer and increase the taxpayers' confidence that he is being treated equitably by his Government.

Enactment of H.R. 969, the tax reform bill, will still allow the average taxpayer to deduct the interest on his mortgage, to deduct charitable contributions to his church or to the Boy Scouts, and to claim his personal exemptions.

Mr. Speaker, the people and the Democratic Congress are properly calling for needed tax reform and equality. I strongly urge the administration to do likewise.

CONGRESS MUST REGAIN ITS STATURE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. HARRINGTON. Mr. Speaker, there are few members of this body who do not perceive the crisis in our Government brought about by the growing imbalance in power between the President and the Congress. In situation after situation—impoundment of funds directed by Congress to be spent, budgetary destruction of programs created and supported by the Congress, refusal to provide Government information to the Congress—let alone the public—and so forth—this crisis becomes increasingly evident.

The crisis did not come about simply because the President sought to exercise powers not properly the President's under the constitutional form of Government of which we have been so proud. The Congress for its part has not exercised the leadership of which it is capable and has not asserted its proper role in Government. That failure caused a vacuum into which presidential power has naturally flowed until the delicate balance of our Government is threatened. Now, we must have a more dynamic Congress, moving forward with the legislation necessary for it to reestablish its proper role. A dynamic Congress would naturally increase the tension between it and the President. But that would be a healthy development, increasing the self-respect of each branch of Government and therefore their mutual respect for each other.

At this point, I am inserting in the RECORD an article by Prof. William Goldsmith, which appeared recently in the Boston Globe under the title "Congress must regain its stature." I have not seen a better analysis of the present crisis, nor a clearer statement of the need for effective action by this body.

The article follows:

CONGRESS MUST REGAIN ITS STATURE

(By William M. Goldsmith)

The end of the Vietnam War does not eliminate or seriously affect the Constitutional crisis in this country. Although the war and particularly the bombings of Hanoi and Haiphong dramatized the urgency of this crisis, it was by no means limited to these events and it was not resolved by the cease-fire. The President has aggravated the problem by impounding funds appropriated by Congress, and then ignored its protests.

The source of the crisis lies deep in the foundations of Constitutional government and nothing short of a fundamental redress of the present imbalance of power between the Executive and Legislative branches of government will resolve it.

The men who drew up the Constitution created a government not of separate powers, but a complex system where power and responsibility are divided between the three branches of government, and yet at the same time are shared among them. This would apply even to the responsibilities which appear to fall primarily upon one branch, such as legislation, for although Congress is responsible for passing laws, the President has the power to veto them, and also the prescribed invitation to propose legislative policy. Indeed today the Executive branch introduces close to 90 percent of the measures that eventually become law.

Not even the Supreme Court is immune from this divided but shared concept of responsibility. The Constitution spells out the original jurisdiction of the Court, but assigns to Congress the responsibility of determining the exceptions and regulations of its appellate jurisdiction, and of course the Executive and the Congress are involved in appointing its members. Every article and section of the document further defines and requires such a concept of shared responsibility.

Richard Nixon is not the first President to have violated both the spirit and letter of the Constitution to require such a shared responsibility, but the problem has become critical in this century and particularly urgent in his Administration. Although powerful Presidents dominated early days of the Republic, the Presidency after Andrew Jackson declined dramatically, and, with the exception of the war Presidents, Polk and Lincoln, a series of quite ineffective Chief Executives were subordinated to powerful and dominating Congresses.

The result of this decline of the Presidency in the 19th Century was a disaster for the American people, opening up the Treasury and other resources of government to the worst forms of corruption and exploitation by the so-called "Robber Barons." During this period, Woodrow Wilson described the President as nothing more than a glorified clerk.

It was not until the arrival of Theodore Roosevelt that the Presidency was restored to a more assertive and policy-making role in the government. Since then the power of the Congress has regressed gradually to the point where it has finally been eclipsed by the present inhabitant of the White House.

This crippling erosion of the Constitutional balance of power at the center of government has been destructive to the interests of the American people. Their power and welfare are best represented when they receive maximum expression in the balanced form of government drawn up by the founding fathers. Each branch of this system has its unique contribution to make to the interests of the people and each branch brings to the crucible of public policymaking its own unique strengths and creative resources. Congress frequently reflects a healthy clash of sectional and minority views and interests which are absent from the more narrow partisan perspective of the White House.

This is not to indicate that the Presidency does not have a forceful and necessary role to play in the American system. A return to the Presidential impotence of the late 19th Century would be unthinkable. Without dynamic Presidential leadership, the country tends to flounder or be too vulnerable to the exploitation of self-serving special interests which are usually more successful in influencing the Legislative branch than the Executive.

The dynamic tension between two energetic and resourceful centers of power—a strong and purposeful President and a representative and cautious Legislature—produces at its best the ideal chemistry of democratic government. When this dynamic tension is short-circuited by the overbearing influence and power of either branch, the public interest suffers, the voice of the people is not heard, and representative institutions atrophy.

We are caught up at present in an historical crisis where the imbalance of power at the center of our government is rooted not only in the improper and arrogant expansion of Executive power, but also in the inertia of the Congress, Congress has sat by and accepted the rebukes of the President in recent years without doing much more than mouth empty rhetorical protests against the invasion of its prerogatives.

Congress has the power virtually to immobilize the Presidency if it has the will to act. It can harass him at every step of the legislative process. It can demand an accounting of impounded funds. It can refuse "to consent" to any of his appointments and cut off all appropriations until the President is willing to deal with it in a reasonable manner. But the public must support Congress in such a struggle or it cannot win.

The use of these ultimate weapons by Congress could paralyze the effective processes of government and lead to an inevitable showdown. The public interest would be jeopardized by such a crisis and public opinion would then demand a resolution of the conflict, hopefully before it led to the undermining of our Constitutional system of government. But to ignore the problem or to gloss over it could eventually lead to the same result without any real potential for its solution.

Of course there are risks in such a strategy. One tempts fate by showing such determination to reverse the trend or drift of events. On the other hand, President Nixon has given every indication in his political career that he is a reasonable man, and once convinced that Congress intends to fight back and recover its lost power, he will come to terms with the Legislative branch and permit the Constitutional balance of power to be restored. The alternatives are too dangerous for any President to consider seriously.

But Congress must fight this battle through to a decisive conclusion. Too much hangs in the balance for it to back off at this critical moment of history. The public interest is not served by either Presidential or Congressional supremacy, but rather by the balance of a dialectical tension at the center of our government, as the founding fathers planned.

TRIBUTE TO LATE PRESIDENT LYNDON B. JOHNSON

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mrs. GRASSO. Mr. Speaker, Lyndon Baines Johnson, the man, is gone from us, but his great achievements remain a living monument of dedicated service to the Nation and people he loved.

He had great gifts and a vision of what the Nation and world should be. His powers of persuasion, his shrewdness, and

skill at engaging compromise which long ago became legendary made him one of the great leaders and legislators of his day. As Congressman, Senator, majority leader, Vice President, and President, he proved himself to be a dedicated public servant.

Lyndon Johnson was a towering physical presence. That presence was still more towering when measured by his vitality and dynamism, courage, and spirit. And let us not forget his abiding compassion that encompassed the world. Lyndon Johnson was a man who was committed to the emancipation of the downtrodden and the freedom of the oppressed.

In 1964, the President said that he wanted "a happy nation, not an harassed people—a people who are fearless instead of fearful—men . . . concerned always with the wants and needs of their fellow human beings." He showed that this was his credo as he pressed for the 1964 Civil Rights Act which made public accommodations truly public by opening them to all Americans regardless of color. "We have talked long enough in this country about equal rights," he said in his first speech to Congress as President. "We have talked for 100 years or more. It is time now to write it in the books of law."

Again, his devotion and drive played a significant role in achieving the 1965 Voting Rights Act which assured every citizen the right to vote for the candidate of his choice, and the 1968 Fair Housing Act which gave every individual, regardless of color, the right to live in any house he could afford. Communications established between the White House and Congress paved the way for landmark legislation in the fields of education and housing for the poor, help for the disadvantaged and the elderly. Medicare has been a godsend to millions of our older citizens. Also, it was President Johnson who began the present urgent drive to clean up the country's water and air.

Lyndon Johnson has returned to the banks of his beloved Pedernales where he began a remarkable life rich in achievement. Indeed, the catalog of his domestic accomplishments is proof positive that under his leadership visions did not remain dreams; they became concrete realities bringing Americans closer to true freedom than ever before.

TAYLOR WINE OFFERS BICENTENNIAL CHAMPAGNE

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. HASTINGS. Mr. Speaker, it has become traditional that monumental occasions be toasted with champagne. Nations solemnize treaties, families mark matrimonial mergers, athletes hail Olympian victories, and parents welcome their newborn, all with a raising of a goblet golden with champagne.

In 1976, the United States will mark a monumental occasion—the 200th anniversary of its birth. It is altogether fitting that this moment in our history should also be honored by the traditional champagne toast. In this connection, the Taylor Wine Co., of Hammondsport, N.Y., has produced a special Bicentennial Champagne to be offered as a limited edition of the beverages available for highlighting our Nation's two centuries of progress.

It is especially proper that the Taylor Wine Co. offer this champagne. For in the picture postcard setting of New York State's Keuka Lake, home of Taylor Wine, was born the Nation's domestic winemaking industry in 1826 not too many years after the Thirteen Original Colonies became a fledgling nation.

The late Fred C. Taylor, chairman of the board and son of the winery's founder, envisioned this bicentennial wine some years ago and laid down 400 cases in the company wine cellars.

He stipulated that it be used only for a very extraordinary event. Because the wine's mellowing period is due to end in the year 1976, executives of Taylor Wine were in accord that the wishes of their late chairman could best be carried out by dedicating the sparkling wine to the 200th birthday of the Nation.

It is most appropriate that this champagne whose product lineage had its roots in American soil and whose development was in the best tradition of American dedication to quality, should be set aside for America's 200th birthday celebration.

THE ACCOMPLISHMENTS OF LYNDON JOHNSON

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ROY. Mr. Speaker, Lyndon Johnson loved this land with a fierce Texas passion.

This love led him into public life and motivated him to achieve great things for his fellow countrymen.

His place in Amercian history is secure. Often through sheer force of will, he rewrote the domestic programs of our Government and provided millions of Americans with better health care, better education, better housing, better nutrition, better recreation, and a better life than they had ever had before.

In health care, for example, much of the work that we in Congress do today is but an elaboration and enlargement on basic programs enacted during the Johnson years.

He was a President from the South, but he fought vigorously on behalf of equal rights for all the citizens of this Nation.

The Civil Rights Act of 1964, the Voting Rights Act, Federal aid to education and medicare are fitting memorials to his Presidency.

He was a great American. And if he did not achieve the Great Society that he so diligently sought, he brought the United States closer to that dream than we have ever been.

THE SECONDARY BOYCOTT OF LETTUCE—"WHAT'S IT ALL ABOUT?"

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. TALCOTT. Mr. Speaker, it will soon be lettuce harvest time in the central coast of California. Those who can attract attention or protest by the exploitation of the farmworkers will be "taking to the streets" and seeking every opportunity to promote their special interests.

Demonstrations, strikes, boycotts, prayer sessions, television documentaries, and newspaper columns will undoubtedly be tried again and again this year as was popular in prior years.

If anyone is interested in factual information from a neutral party who is as knowledgeable as any other party, I suggest they read the article from the February–March 1973 Safeway News which I ask unanimous consent to include in the RECORD.

It is an excellent exposition of the facts. It tells what the so-called lettuce boycott is all about.

Unfortunately, the Chavez union, formerly known as UFWOC, has never held an election. Strikes have never been effective because the farmworker needs to work and prefers to work. "Collective bargaining" by the Chavez union has not been successful because the Teamsters Union has long represented most of the agricultural workers.

Because elections, strikes, and collective bargaining have not been successful, the Chavez union wants to develop the secondary boycott, which is considered evil and illegal, under most legal systems.

Secondary boycotts by Chavez become violent, destructive of property, injurious to people, and deprive consumers of freedom of choice in the marketplace.

Boycotting lettuce from California is depriving the farmworker of a job and the consumer of nutritious food.

I recommend that every consumer read the Safeway story "What's It All About?"

WHAT'S IT ALL ABOUT?

For some time, Safeway has been in the unenviable middle, like it or not, of the disputes over unionization of field workers on the farms of America—particularly Western and Southwestern U.S. If you haven't experienced it, chances are you've read about it or been asked about it. A couple of years ago, the disputes centered around grapes; now lettuce is on center stage.

Many aspects of agriculture have been unionized for years—equipment operators, haulers, cannery workers are almost all covered by grower-union contracts set up mostly by the International Brotherhood of Teamsters. But unionization of field hands and pickers was only a dream until Cesar Chavez came along. Almost single-handedly he set up the United Farm Workers Organizing Committee (UFWOC), secured some charter members, and made his presence felt among the growers by a series of headlining tactics (impassioned speeches, hunger strikes) that caught the earnest attention of all concerned.

Then, to secure a solid pressure point and to insure that broad public support could be tapped, he and UFWOC mounted a secondary product boycott. (A secondary boycott

is not against a producer, but against someone who uses or sells the producer's product. A product boycott is not against a single producer but against the product itself—hence against all producers.)

They chose Safeway as one of their original prime targets because in the geographical area of contention, we are unquestionably the largest distributor of agricultural products. The pressure point was their apparent belief that as the growers' largest customer, we would use our influence to get them to accommodate the UFWOC demands to remove disturbances from our own business. The broad public support was to have come from Safeway customers, the largest identifiable group of fruit and vegetable consumers in the area. They chose table grapes as a prime product, because table grapes for the entire United States are almost all grown in California.

As the grape boycott began to spread, we at Safeway took it in stride, pointing out that we chose not to interfere between unions and growers; that we were even then the largest buyers of union-picked produce; that the fundamental issue was one totally unpublicized (for different reasons) by the parties to the disputes. This was the fact that neither Federal nor State law governed the employment of field workers. They were not guaranteed one of the simplest rights of any U.S. worker: the right to indicate in a secret election whether he wants a union to represent him, no union to represent him, or in the case of rival unions, which union.

While most of our people and our customers recognized the fairness of our position, the boycott went on and gained strength. As it became more important, and as Mr. Chavez came closer to affiliating his movement with the powerful AFL-CIO, the Teamsters got busy and used their years of experience in the agricultural field to secure major, and progressive, contracts with important growers covering the pay and working conditions of field workers. By the time grape pickers were largely organized, UFWOC became United Farm Workers (AFL-CIO), and iceberg lettuce pickers were mostly covered by legal Teamster-grower contracts governing wages, hours and working conditions.

As it stands at this writing, about 90% of all lettuce (the current boycott target) is union-picked. About 81% is under Teamster contract, about 9% is under UFW contract, and the remaining 10% comes from small family-operated farms that don't hire picking crews.

This leads to one of the most unfair aspects of a "product" boycott. It's not directed against a particular grower's lettuce, but against all lettuce. It lumps all growers together, regardless of their size or their labor practices, and the good suffer equally with the bad. Even the family farms, bystanders just as Safeway is, suffer.

Remember as you read this that Safeway is not a party to the dispute. Mr. Chavez isn't trying to organize Safeway, and Safeway doesn't hire farm workers. And our attitude toward unions can best be indicated by the fact that we have well over a thousand labor contracts in the U.S. alone and that we are solidly behind the objectives of organized labor as expressed by both the AFL-CIO and the Teamsters. We are very sympathetic toward Chavez' goals too. But we are not, and should not be, in a position of arbitrating between our suppliers and the rival labor groups organizing them.

Not that we won't help. We have and we will. And, as an outside party, that's exactly where we stand.

We have long been aware of the social importance of the conflict. The economic plight of the farm workers (particularly the migrant workers) and the difficulties this creates, has been apparent to those willing to make their own investigations, and Safeway people have done this for themselves and for the Company. We have pledged our support (and have given it) to groups seeking to give farm workers and their employers similar legal recourse to secure the rights and protections afforded the industrial and commercial segments of the national economy under the National Labor Relations Act. The workers' rights to decent living conditions, to healthy working conditions, is a right Safeway would support for anyone; their right to join a union of their choice through properly supervised elections by secret ballot is another we have consistently supported.

For this reason, our position is that legislation on a federal level is the only practical solution to the problem. Growers and workers alike deserve the protection offered by law to the vast majority of the basic parts of our economy—manufacture, transportation, retailing, etc. We have indirectly and directly worked with state and federal agencies to bring such legislation about. We will continue to do so in the firm belief that a legislative solution is the only one that protects the interests of both sides of the dispute and still protects the interest of the public at large.

The total public interest is omitted, probably purposely, by the barrage of propaganda. All parties strive for an advantage. None points out what they well know: that in keeping with our long-standing (in fact, unchanged since incorporation) policy of providing customers with the highest quality merchandise at the lowest possible cost, Safeway continues to buy solely on the basis of quality, availability and price. None points out that Safeway is, far and away, the largest buyer of union picked produce in the United States. None points out that Safeway has been a prime influence in interesting both farm and urban legislators in the economic dilemma posed by farm unionization.

The economic problems of farm unionization are not simply ones of wages, hours, benefits. They are at the heart of the basic dilemma—the problem no one has yet solved: strikes during harvest.

It's pretty obvious that historically the strength of a union lay in its ability to strike. This concept was accepted in most segments of our society. (Society gets pretty well upset when basic services are struck—mortuaries, hospitals, garbage disposal, commuter services, fire departments and the like.)

It's pretty obvious also that in agriculture, the right to strike is loaded on the side of the striker. Growers, small farmers and agribusiness alike, are at harvest-time almost completely dependent on the services of pickers and harvesters. Should the latter choose the week (or three or ten) of harvest of a particular crop, the grower is simply out of business for the year, and perhaps forever. His investment in land, seeding, planting, irrigation and cultivation is wiped out. A manufacturer of safety pins can keep his raw materials on side tracks or in a warehouse if his crew refuses to work; the "manufacturer" of lettuce or strawberries has no such option. He has to let them rot.

Until a solution to this basic problem can be found, the way to farm unionization will be long and thorny, and Safeway will no doubt still be on the receiving end of demonstrations, leaflets, attempted intimidations and the like.

We shall, during this period, continue:

To support all legitimate efforts to secure for agricultural field workers and growers the legal rights enjoyed by the vast majority of American workers and employers.

To preserve freedom of choice for our customers in determining whether or not they wish to buy any product normally stocked in our stores. (Remember, if it isn't there, they can't choose *not* to buy them.)

To work toward removing an essentially complex and difficult problem from the level of temporary local confrontations for public support purposes to the level of deliberate, serious legislative debate for the purpose of reasonable solution.

BECAUSE OF "MISS HATTIE"

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. COCHRAN. Mr. Speaker, on April 1, 1973, an era will come to a close in Walthall County, Miss. Mrs. P. H. Pittman, affectionately known as "Miss Hattie," will retire as Walthall County librarian. She has held the post for nearly 25 years and she has served with great distinction.

Hundreds of Walthall County young people and adults have benefited from her counsel and intellectual guidance. Singlehandedly, "Miss Hattie" saved the library from extinction in September 1948, when public support for the library was withdrawn. She agreed to serve as librarian, without pay, until a substitute could be found. Without funds or salary, "Miss Hattie" kept the library going until 1950, when the library was granted the sum of $25 per month with which to buy books. Later, a small salary was added. She has been there ever since, every Tuesday, Thursday, and Saturday, filling the needs of the county.

Mr. Speaker, I wish this lady well as she takes a much deserved rest. The citizens of Walthall County can take just pride in having had her for their librarian.

As a part of my remarks, I include herewith an excellent article which appeared in the Tylertown Times of March 15, 1973. The article was written by Mrs. John Barrett, who will replace Mrs. Pittman as librarian for Walthall County:

[From the Tylertown (Miss.) Times, Mar. 15, 1973]

BOOKS ARE BEST FRIEND OF COUNTIANS

(By Dawn D. Barrett)

Somebody once said that man's best friend is the dog, but whoever said it could not have been a reader.

Man's best friend has always been and will continue to be the printed word.

In the dawn of time, when the first homo sapiens realized that he could navigate on two legs instead of four, he felt the urge to leave something of himself behind, so he began to tell stories by drawing symbols on the walls of his cave.

Then he found that he could use fire to harden tablets of clay upon which to leave his message, and when, centuries later in Egypt, paper was made from the papyrus reed, the first book was born.

When the New World was settled, education was made available to the masses, and more and more people began to read for pleasure as well as information. The very rich began to build libraries in their homes, but this was not possible for the average family, and so the concept of the public lending library came into being.

In 1933, during the days of the big depression, the people of Walthall county realized the need for a local library. Since no county funds were available for such a project. President Roosevelt's "New Deal," through provisions of the Emergency Reconstruction Act, came to the recsue.

There have been several county librarians since 1933, but the name that has come to be synonymous with the Walthall County Library is that of Mrs. P. H. Pittman.

Mrs. Pittman, the former Hattie Dean, is a native of the Darbun community. She took

over the local library in October, 1948, and in March 1971, she compiled a Walthall County library history, from which much of the material for this article was taken.

In her history, Mrs. Pittman states that the help and encouragement of local citizens and civic clubs was responsible for the foundation of the first library.

She recalls that the first librarian was Mrs. Catherine Baillo Futch and that the library, located in the mayor's office, consisted of one shelf of 25 books. She quotes Mrs. Futch, "The first day we let out eight books and thought we were off to a great start."

Mrs. Futch went to work on a salary of $40 a month. The WPA and NYA (National Youth Administration) provided workers for the library, and "Tylertown Times" editor Lester Williams donated supplies.

Strong supporters included former mayors, Earl Ginn and Dr. Sylverstein, Mrs. Ivan Conerly, the Woman's Club, Cosmopolitan Club, and the town board.

Simp Wilkinson built the first book shelves from what scrap lumber he could salvage, while assistance in other areas was received from Carl Ball, Bird Martin, Homer Alexander and many others.

In the late 1930's, the library was moved to the second floor of the old post office building just west of the town square. At this time the county schools began to take an interest in the circulation of books and donated $250 for their purchase.

Then, in the early 1940's, Mrs. Futch moved away, and her position was filled by Mrs. Ella Colquhoun, and later Mrs. Alvin Sullivan.

By September, 1948, despite the concern of local citizens, the support of the county board of supervisors was withdrawn, and the library was allowed to die.

Mrs. Pittman remembers that this was quite a blow to the readers of Walthall County. "So," she says, "I told them I would take over as librarian until they could find someone."

As of October, 1973, she will have been there 25 years.

Tylertown civic clubs took the library as a project and began paying rent for a room above the Tylertown drug Store. Mrs. Pittman served without any pay until 1950 when the board of supervisors decided to give a small donation of $25 a month to buy books.

At the time, the books in the library were donated by people of the county or loaned from the Mississippi Library Commission.

The town of Tylertown voted to contribute $40 a month for the librarian's salary, and again the library was moved, this time to an old garage building on the site of the present courthouse annex.

"About the hardest job I ever experienced," recalls Mrs. Pittman, "is moving a library. I had separated all the books into cartons alphabetically, and when I got to the building, all the books were in a pile in the middle of the floor."

Numbers of county women came into help sort and rearrange the books, and the county library once more a functioning institution, with the civic clubs continuing to pay rent on the building.

The library has been moved once more since then. In 1954 a building was constructed to house the Welfare Department with the library on the second floor.

And, once again, the library is too small.

From a handful of books, with no supplies, no files, and, for a long time, no salary, "Miss Hattie" Pittman has almost single-handedly created a functioning library containing over 7,000 books with around 1,000 being in circulation each month.

There are books for children; there are many of the newest bestsellers; there are books on medicine, law, psychology, ecology, whatever-ology one might want.

There is a whole row of shelves containing nothing but Mississippi writers, a feature of which Mrs. Pittman is justly proud. There is a memorial shelf where books are donated in memory of a loved one, and Mrs. Pittman endeavors to select each book to represent both the donor and the one who is being remembered.

She was also instrumental in setting up a "Friends of the Library" committee with the supervisors selecting a member from each district. The committee includes Mrs. Ivan Conerly, who serves as library treasurer, Mrs. Jerry Conerly, J. D. Herring, Mrs. W. H. McCallum and Mrs. Overland Harvey.

In 1965, the county chamber of commerce recognized Mrs. Pittman's contribution to Walthall county by awarding her the "Ilene Jaubert Award" for civic endeavor.

The Walthall County Library has become more than a place to get books. It is where one goes to chat, or to get a little mothering, or just to find someone who cares. It is warmth and light and humor and compassion. It is, in fact, "Miss Hattie."

And it is this woman, who, perhaps more than anyone in Walthall county has been responsible for enabling little boys to become "Knights of the Round Table," little girls to be princesses or the mysterious "Nancy Drew."

It is Miss Hattie who has made it possible for men and women the county over to forget for just a little while the frequently monotonous humdrum of daily existence and to know the wonder of living, even briefly, in a dream.

IN HONOR OF LYNDON BAINES JOHNSON

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. SYMINGTON. Mr. Speaker, as one who was privileged not only to know President Lyndon Johnson for many years but also to work with and for him for a considerable period of time, I wish to join my colleagues in expressing great sorrow at his loss and great thanks for his life.

There is little that I can add to the outpouring of reminiscences and proud recollections of his titanic public career. There is so much that each of us has to be grateful for that he gave to his State, his country and the world.

So I would like to share simply one vivid memory of the man at his best. We were bidding farewell to President Cemal Gursel of Turkey who had been here for treatment in 1966. President Gursel was unconscious and suffering from a terminal illness. It was the desire of his government and his family that he should die on Turkish soil. President Johnson learning of this immediately authorized the use of Air Force One for this purpose. The President attended the subdued ceremonies at the airport and noticed President Gursel's adopted child weeping to one side of the plane and unattended. He went to her side and conducted her gently to the plane with his arm around her, giving consoling words of comfort.

When all the captains and the kings have departed and the memory of their great works begins to recede this is the man I feel should be remembered by us all as indeed I know he forever will be by those who knew and loved him the most, his incomparable widow and devoted and loving children.

THE FUEL SHORTAGE AND AGRICULTURE

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RAILSBACK. Mr. Speaker, tomorrow is the first day of spring, but it will not solve many of the problems created by this winter's fuel shortage. Recently, the executive vice president of Illinois Petroleum Marketers Association, Bill Deutsch, sent me a copy of his letter to the Illinois Governor's office concerning the diesel and gasoline shortage and its far-reaching affect upon the agricultural community.

The letter follows:

ILLINOIS PETROLEUM
MARKETERS ASSOCIATION,
Springfield, Ill., February 14, 1973.

Mr. BILL HOLZMAN,
Assistant to the Governor,
Office of the Governor,
Springfield, Ill.

DEAR BILL: As per your request, this is what I have been able to find out regarding agricultural needs for petroleum products. Please bear in mind that the Illinois Agricultural Association states that approximately 45% of the total products used by farmers takes place during a 90-day period starting March 1 through May 31 (the northern part of the state sometimes will extend its planting season into the first ten days of June).

According to facts gathered in 1971, diesel purchases were on a 10% increase. Although all figures are not yet in, it is safe to estimate that approximately 93,000,000 gallons were used in 1972. With the additional tillable acres to comply with the U.S. Department of Agriculture's recent decision to sharply reduce set-aside acreage, this figure for 1973 could easily reach another five to seven million additional gallons. In other words, this is in the neighborhood of 100,000,000 gallons of diesel fuel for 1973 (this takes into consideration very little fall plowing that was accomplished in the fall of 1972 and that will have to be done in the spring of 1973).

The latest fairly accurate figures on gasoline useage on farms for agricultural needs show a total of 332,600,000 gallons purchased in 1971. It is estimated that between 1971 and 1973, approximately a 35% increase in need has taken place. Again taking into consideration the set-aside acreage and the need for additional plowing in the spring of 1973, this would add approximately 1,175,000 gallons to the 1971 figure. The knowledgeable people in the agricultural field say that it takes between 12 and 14 gallons of gasoline or diesel fuel per tillable acre during an entire farming season.

It has come to my attention just this morning, that one of the major suppliers of diesel fuel to the State of Illinois has announced that they will only be able to supply 75% of what was purchased in 1972 for the month of February, 1973, and that this allotment will have to be even more severe in March. Another major oil company announced yesterday that they were basing their allotments for 1973 upon 1971 figures and that even then, they would only guarantee 70% of what was used in 1971 but that they hope to be able to deliver 100% of what was used that year. This is approximately one-third reduction.

Sincerely,

WM. R. DEUTSCH,
Executive Vice President.

FISCAL RESPONSIBILITY: A CONGRESSIONAL DUTY

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. McCLOSKEY. Mr. Speaker, it seems to me it is time Congress recognized that as a legislative body we have been incompetent in an area of major constitutional responsibility—matching our revenue-raising and appropriations processes.

For 3 years now we have happily appropriated an average of $47 billion per year more than we knew the Government would receive in tax revenues.

This year, fiscal year 1973, ending June 30, 1973, it was $55 billion—$280 billion appropriated, against $225 billion received in revenues. In 1972 it was $40 billion—$248 billion appropriated against $208 billion in revenues; in 1971, $47 billion—$235 billion appropriated against $188 billion in revenues.

In outlay deficits, money actually spent, a $25 billion deficit is estimated this year, even with the President's heavy impoundments. It was $23 billion in 1972 and the same figure in 1971.

We know this to be irresponsible. Inflation and devaluation of the dollar have been the inevitable result. The dollar has lost 30 percent of its purchasing power since 1966. Our goods are no longer competitive in world markets. Inflation has cruelly penalized our old people and our poor. We owe the Nation a higher standard of performance in our procedures.

We know that in a year of prosperity and peace such as we now enjoy, we should at least balance the budget. Self-discipline is mandatory.

Yet we have no procedure to do so.

Each of us votes for his own favorite priorities. I join with a majority of my colleagues to vote for more money for education and health, justifying such vote by the expectancy of voting for cuts in defense and agriculture subsidies. When votes for defense and agriculture come up, different coalitions join to increase those funds as well.

We desperately need a procedure to set priorities, to balance the budget from a congressional determination of priorities. We have no right under the congressional determination of priorities. We have no right under the Constitution, to leave the determination of priorities to the President.

I suggest the following:

Let us move to the calender year as the fiscal year.

During the first 3 months of each year, let us have the House and Senate Appropriations Committees, our Ways and Means Committee and the Senate Finance Committee along with the Joint Committee on Internal Revenue Taxation recommend tentative figures for both appropriations and revenues.

The House Ways and Means Committee should be charged during the same 3-month period with considering the alternative tax rate changes and revisions to raise revenues equal to an amount 10 percent higher than the expenditure ceiling recommended.

During the month of April, the House and Senate should debate both total appropriation figures and the methods of taxation proposed by the House Ways and Means Committee, with a final vote set for the first week in May.

During the same 4-month period the House and Senate Appropriations Committees should be reviewing their priorities—with a goal of setting percentages of the total budget to be allocated in each area.

When the House and Senate can agree on both total revenues and expenditures in early May, the balance of May and June can be spent in reaching final approval of the various appropriation bills, seeking to allocate the 10-percent excess in revenues among those programs where Congress feels the national goals require priority expenditures.

The end result will be that Congress determines priorities as we are constitutionally required to do, as well as balance the budget. The executive departments will be advising us on priorities, but not dictating them. Then, and then only, can Congress stand up to the executive branch and require that the President actually spend the moneys we appropriate. We owe the country this much. Our very oath of office requires it.

CURB FEDERAL JUDGES?

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD the text of an editorial from the Elkhart, Ind., Truth of March 3, 1973, entitled "Curb Federal Judges?"

I believe the editorial to be a most perceptive commentary on a proposal to amend the U.S. Constitution to require that all Federal judges be reconfirmed by the Senate every 8 years.

The editorial follows:

CURB FEDERAL JUDGES?

A constitutional amendment as proposed in Congress last week would require that all federal judges be reconfirmed by the U.S. Senate every eight years.

Rep. Stanford E. Parris, R-Va., introduced a joint resolution asking such an amendment. He believes his measure would "achieve a reasonable degree of judicial accountability for federal judges, without endangering the concept of the independent judiciary."

No such amendment should be considered in our view.

Parris complains that some federal judges think they have "a mandate to remake the world according to their own moral and philosophical beliefs."

He says that "their decisions smack of judicial legislation; they infringe on the rightful authority of the elected representatives of the people . . ."

Trouble is, two wrongs don't make a right.

If some judges infringe upon legislative rights, surely the cure is not for lawmakers to infringe upon judicial rights.

That's what would happen with the Parris amendment. Every time a judge's eight years were about to expire, the Senate would have a political field day, with charges and counter-charges.

The indirect influences upon judges' opinions—based upon what they routinely read, hear and observe—are inevitable.

No one, including judges, seals himself in an ivory tower.

Some judges actually do change their views after they have been on the bench awhile, based upon what they perceive as new insights. Some become more conservative, some more liberal.

But judges at least should be insulated from the most direct and crass partisan pressures which an eight-year-Senate review would bring.

The good functioning of our American system depends upon a careful balancing of the legislative, executive and judicial powers.

We are not without remedy, should the courts reach out for more than their share of power. Should that happen, the Constitution already provides that Congress can, if it chooses, restrict or abolish the appellate jurisdiction of federal courts.

We don't recommend any such action by Congress. There is no serious imbalance among the branches at this time. We point out only that a constitutional remedy for excess court power already is available; none other is needed.

THE CLOSED BOOTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RANGEL. Mr. Speaker, it is encouraging to note the interest that enlightened newspapers such as the New York Times and Washington Post have taken in promoting the cause of an improved voter registration system. Indeed, there has been much interest shown by citizens across the country. The time has clearly come for Congress to act to renovate our system of registering eligible voters. In this light, I have introduced the National Voter Registration Rights Act of 1973, H.R. 4846, along with 34 of my colleagues. It represents an attempt to open the electoral process to those who have been denied entrance for too long.

I now submit for your attention and the attention of my colleagues, a recent New York Times editorial entitled "The Closed Booth":

THE CLOSED BOOTH

For millions of Americans, the voting booth is closed on Election Day. These are the people who failed to get their names on the registration lists. It is possible to criticize them for apathy or inattentiveness. But it is also possible to inquire why local governments make it so difficult to register.

The United States is the only major country in the world that places the responsibility of registration entirely on the citizen. In most free countries the government seeks out citizens as soon as they reach voting age and lists their names on the voting rolls as it does on the tax rolls. But most towns, cities and counties in this country make no such effort. Three-quarters of them have no Saturday or evening registration during most of the year. According to a League of Women Voters' study last year, many election districts do not keep their registration offices open for additional hours even in the immediate pre-election period when interest is high.

Senator Gale McGee of Wyoming is the principal sponsor of a bill which would remedy this defect by introducing registration by postcard for Federal elections. A card would be delivered to every mailing address, and those wishing to register could do so by filling out the card and returning it. To encourage the states to adopt the same system for state and local elections, the bill would provide them with a small subsidy to defray their registration expenses if they complied with the Federal plan.

The Senate a year ago narrowly defeated the original version of the McGee bill. By coincidence, the Supreme Court a week later achieved one of the purposes of that bill. It struck down state laws which required residency of six months or a year before a person was eligible to register. Despite that gain, there is still need to adopt a simple, uniform registration procedure.

The only argument against registration by mail is the danger of fraud. But the real sources of fraud are corrupt election officials and politically motivated voter registrars. Where they exist, they have long shown that they can subvert the present cumbersome systems. Making life easier for the would-be voter would not affect the potential for fraud one way or the other. The McGee bill, which is expected to reach the floor later this month, deserves approval.

HON. LYNDON JOHNSON

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ULLMAN. Mr. Speaker, I rise to pay tribute to a great leader, the 36th President of the United States, Lyndon Baines Johnson. As a Congressman, Senator, majority leader of the Senate, Vice President, and President, everything he did was based on his feeling of what was best for the Nation. He was a totally dedicated American.

The tragedy of his Presidency was that he wanted to be a great peacetime President and the architect of a Great Society. But fate and history made him a wartime President. And the final irony was that he died 1 day before the settlement of the terrible war that defeated him.

I met briefly with Lyndon Johnson just 2 weeks before his death. We were attending the memorial service for Hale Boggs in New Orleans. Despite differences we had over the war and whether we could have guns and butter, I will always remember his tremendous capacity for compassion and his ability to get along with and lead his peers.

Lyndon Johnson will, of course, be remembered for many great achievements. As a Southern Senator, he negotiated the compromises necessary to achieve enactment of the 1957 Civil Rights Act. As President, he signed four landmark civil rights bills into law—the 1964 Civil Rights Act, the Voting Rights Act of 1955, the Jury Selection Act of 1968, and the Open Housing Act of 1968. His leadership helped bring medicare in 1965, aid to elementary education, Federal antipollution laws, and many other major pieces of domestic reform.

History will list his achievements, but his accomplishments are best expressed in the changes he brought to the lives of so many—the aged who may live out their lives a little more comfortably, the disadvantaged children who may receive a better education, black citizens who may exercise their right to vote. Though many may enjoy these benefits unaware of the man who engineered them, his influence, nevertheless, cannot really die.

RARICK REPORTS TO HIS PEOPLE ON THE U.N. MEETING IN PANAMA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RARICK. Mr. Speaker, today I reported to the people of my district on the United Nations Security Council Session in Panama. I insert the following text of that report:

The special United Nations Security Council session recently held in Panama, amid a tense anti-American atmosphere, is regarded by authorities as a carefully manipulated propaganda forum to attack the United States.

Panamanian strongman, General Omar Torrijos, used the U.N. meeting in his country to denounce so-called "colonialist policies" of the United States toward Panama, and to demand that the U.S. relinquish sovereignty over the Canal Zone. Coming as it does during treaty negotiations with Panama, the U.N. meeting can produce at most only embarrassment for the U.S. This is regarded as one of its primary objectives.

When the Panamanian Foreign Minister suggested that the Security Council meeting be held in Panama City, it was hailed by ambassadors of Russia and Red China as a break-through in international goodwill.

Over verbal objections of the U.S., Britain and Australia, the session has been opened. Advance warnings were announced by radicals in Panama that if their Canal take over demands were not met, violence against the U.S. would result during the U.N. meeting.

Panamanian radicals have received support in this country from one world internationalists who bemoan the so-called "colonial nature" of U.S. enterprises in Panama. They overlook the 1903 convention signed by the U.S. and Panama granting the U.S. full sovereign rights to the Canal Zone in perpetuity—that is, forever. Since then, the Canal has represented an investment of more than $5.6 in U.S. taxpayers' money. The Panama Canal is the most expensive single territorial possession of the United States. The purchase of this mile-wide strip of land cost more money than the combined prices of the Louisiana Purchase, Florida Purchase, California, Gadsden Purchase, and the Alaskan Purchase.

The United States acquired the title to all land and property in the Zone through purchase from individual owners—not from the government of Panama. This is a point often mistakenly overlooked: that the United States bought and paid for this piece of property, just as we bought Louisiana from the French and Alaska from the Russians. To suggest, as many apologists have, that we negotiate the return of the Canal Zone to Panama, compares to suggesting the return of Louisiana to France, or Alaska to the Russians, or New York City to the Indians.

President Theodore Roosevelt recognized the vital importance of U.S. ownership and control of this property as early as 1903, when the historic policy of "an American canal, on American property, for the American people" was first established.

Today the entire economy of Panama revolves around the U.S. presence in the Zone. More than $160 million goes into the Panamanian economy annually as a direct result of Canal operations. One-third of the national employment of the country is a result of the U.S. being there. Panama enjoys the highest per capita income in Central America, and boasts close to 80 pecent literacy. The presence of U.S. forces not only protects the Canal, but guarantees the entire country's security against external aggression.

Panama's history is one of continual revolution, insurrection and political instability. The present leader, General Torrijos, came to power in 1968 through a military coup d'etat that ousted the eleven-day old constitutionally elected government. He promptly abolished the country's National Assembly, established himself head of the National Guard, and rewrote the constitution to allow himself to remain in power indefinitely. Torrijos established close relations with Cuba and the Soviet Union. His demands for U.S. surrender of the Canal Zone began soon after his dramatic rise to power. Besides total surrender of the Canal Zone to Panama, Torrijos has demanded immediate departure of the U.S. forces, the expiration of American police functions within the next five years, a politically neutral canal and a treaty to run only until 1994.

In light of the security threat to the U.S. posed by any surrender of sovereignty over the canal, it is unlikely that Congress would agree to anything resembling a giveaway of our rights in Panama—especially with the Soviets, Red China, and Cuba looking on and helping manipulate the U.N. comic opera.

Panama's U.N. ambassador has taken full advantage of his position as chairman of the Security Council to move the proceedings of that body to Panama City. This was an unprecedented move by the U.N.—the first such session to be held in a geographic area of controversy. And it was called not to lessen the controversy, but to heighten it. While matters of general Latin American concern were supposed to be discussed, the overriding intention of the meeting was to bring Panama's demands on the U.S. over the Canal Zone before the U.N. on its own home ground.

For the United Nations to even consider, much less take action upon, matters completely within the domestic affairs of two of its members is contrary to the Charter of the U.N. According to Chapter One, Article Two of the Charter: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require Members to submit such matters to settlement. . ." By no stretch of the imagination can our operations of the Canal, nor the treaty negotiations between the U.S. and Panama be considered a threat to world peace. The United Nations clearly has no business discussing the canal. To put domestic issues of the United States before the world debating body obviously brings the sovereignty of this country into question. Control of this strategic waterway is of vital concern to the security of the United States. Internationalization of the discussion of the canal issue can easily move toward internationalization of the canal itself.

American sovereign rights in the Canal Zone have steadily drifted away since the early 1960's. The clamor of Panamanian mobs caused President Eisenhower to yield the right to fly the Panamanian flag over the Zone. In 1967 the Johnson Administration made further concessions, weakening the formerly undisputed American control.

The 1903 treaty that began the Panama Canal chapter of U.S. history is clear in its intent. It vested in the U.S. "all the rights, power and authority which the U.S. would possess as if it were sovereign of the territory." The same treaty specifically excluded Pana na from the exercise of such rights.

The treaty negotiations begun by President Johnson further fanned the flames of Panamanian nationalism. Both the Communists and General Torrijos have exploited this anti-American political issue to use for their advantage—to put the United States into a position of submission to gun point political blackmail.

The 1967 draft treaties envisioned eventual transfer of our control over the Canal area to Panama. The present Panama Canal Company would be replaced by a joint Panamanian-American administration, free of control by the U.S. Congress. American-owned commercial enterprises within the Canal Zone would be transferred to Panama. Finally, complete control over the Canal would be ceded to Panama. Under a joint operation there would be no limit on how high the tolls imposed on ships using the Canal could go. Existing rates under U.S. administration, supplemented by other sources, have been adequate to meet legal obligations to maintain, operate and improve the Canal. Our operations of the Canal have served as an international utility for the benefit of the world. Many authorities close to the situation, fear a crisis similar to the Suez crisis following the British pull-out of that area. We don't need an American Suez.

Our strategic interests would be impaired by entrusting defense to any projected binational commission.

Sixty other Congressmen and I wrote the President recently expressing our concern over the grave consequences to our national security that would result from our abandonment of the Canal Zone. We urged the President to use his office to guarantee the sovereign right this country bought and has maintained over the Canal for the past 70 years.

Last week I received a machine copy of a form type letter from the Deputy Assistant to the President saying: "The President appreciates your bringing to his attention your concern about . . . the American position in the Canal Zone." He went on to say: that the United States is now seeking a treaty "responsive to Panama's aspirations."

Panama's chief negotiator summed it up last December: "We, the Panamanians, are going to assume full responsibility for that canal. This means a Panamanian Canal, which is what Panama wants, a Panamanian Canal, operated by Panamanians, for Panamanians, for the benefit of Panamanians." Even if the government of Panama could keep the canal in operation, free of interference from the Soviet Union or Cuba, the nations using the canal would be subjected to Panamanian blackmail.

A full understanding of how the United Nations is being misused, should be brought home to many Americans as a result of the Panama City meeting. The U.S. taxpayer pays the U.N. bills and supplies the expensive clubhouse in New York, while the U.S. is made the whipping boy at every available occasion. Perhaps if the President would see fit to impound our U.N. contributions, as he has done to a number of programs for U.S. citizens, the U.N. crowd would move to Panama City permanently. The Security Council may as well be in Panama or Havana, Peking or Moscow, for that matter—since the U.N. doesn't accomplish anything in New York but stir up humbug anyway.

Let's hope that surrender of the Canal Zone isn't a concession to "Peace With Honor."

HEARINGS ON H.R. 77

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, I wish to announce to my colleagues that the Special Subcommittee on Labor will begin a series of hearings on March 22 on H.R. 77, a bill which I hope will encourage the growth of prepaid legal services plans for workers. The witnesses scheduled for March 22 are: Thomas E. Harris, associate general counsel, AFL–CIO; F. William McCalpin, chairman, special committee on prepaid legal services of the American Bar Association, and Dr. Lee R. Morris, vice president, Insurance Co. of North America, accompanied by James A. Faber, secretary to the company.

H.R. 77 will remove a legal obstacle to the negotiation by labor and management of jointly administered legal services plans, by permitting employer contributions to trust funds established to finance such plans.

Section 302 of the Labor-Management Relations Act prohibits all payments by employers to employee representatives for purposes other than those specifically excepted in that section. This section was enacted to prevent bribery, extortion, and other corrupt practices, and to protect the beneficiaries of lawful employer-supported funds. Section 302(c) contains seven exceptions to this general prohibition, and thus permits employer contributions to trust funds to finance medical care programs, retirement pension plans, apprenticeship programs, and other specific programs. This bill would add an eighth exception to section 302(c)—jointly administered trust funds for the purpose of defraying the costs of legal services—and thus legalize such jointly administered programs.

ST. PATRICK'S DAY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RODINO. Mr. Speaker, holidays—how easily they penetrate the daily activities of our lives and cut across nations, languages, political doctrines, and local customs to unite, in a single event, men, women, and children from all walks of life. The celebration of St. Patrick's Day on March 17 of every year is one such special occasion. The shamrock, the bagpipe, the speeches, the grand parades, the traditional dinners, the ever-present color green, are all an intricate part of the spirit, the religiosity and the excitement of the day. And, each family, each individual can take the fabric of these traditions and weave a section of the pattern which builds upon the foundations of the past to create a sense of renewed understanding of the life of the saint we honor this day. For St. Patrick, patron saint of Ireland, in addition to the myths and legends which have grown around his early teachings, first and foremost was a human being—a man who felt inside him a mission and who had the courage, the tenacity and the belief to pursue his goal despite all obstacles. Let us imagine the tremendous task of converting an entire people to Christianity, of teaching them the mores of civilization, the values of human dignity and love.

Each of us in this country possesses a wealth of rich ancestral traditions and each of us has the freedom to practice our customs and celebrate our holidays according to our own choosing. And, because these traditions help us to better understand and know ourselves, we appreciate and share, in some small way, in the customs and festivities of our friends and fellow citizens. It has been said during this time of year, "Everybody's a little bit Irish" and I myself, very much look forward to participating every year in my city's St. Patrick's Day parade, to reviewing the procession as it travels from Ivy Hill Park to Mount Vernon Avenue, to Sanford Avenue and down South Orange Avenue. And so I say to all my friends, from one who is just a "little bit Irish," a very happy St. Patrick's Day to you.

THE OUTSTANDING F–111'S

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. GUBSER. Mr. Speaker, I submit a newsstory from the February 25, 1973, San Diego Union concerning the outstanding performance of the F–111's in Southeast Asia.

There has been all too little public recognition of the part played by the F–111's in the latter days of air combat operations in Vietnam. The story by military affairs correspondent L. Edgar Prina of the Copley News Service does a very substantial job in rectifying this situation. Mr. Prina points out that—

> The F–111's of the 474th were deployed with the idea they would fly missions around the Demilitarized Zone during the rainy season, when other aircraft would be grounded. The supersonic F–111 is a foul weather, day and night performer.

The story goes on to say that—

> While the much bigger eight-jet B–52 bombers dropped most of the bombs and got most of the headlines, the F–111s were carrying out their strikes in a highly professional and successful way.
>
> "The work they did in the north was flat outstanding—the birds and the men were magnificent," a senior Air Force officer at the Pentagon said. "Without exception, these aircraft did one helluva job."
>
> He said they "flew low, alone, at night and in bad weather against heavily defended and hard-to-get-at targets," such as MIG airfields.

The entire story follows:

[From the San Diego Union, Feb. 25, 1973]

VIETNAM F–111'S: RATED OUTSTANDING

(By L. Edgar Prina)

WASHINGTON.—The swingwing F–111 fighter, born and bred in controversy and matured in some of the toughest air warfare in Vietnam, is beginning to win the high respect its charter-member advocates have always insisted it deserved.

When two squadrons of the 474th Tactical Fighter Wing from Nellis Air Force Base, Nev., were sent to Southeast Asia late last September, no one could foresee the test of fire these 48 aircraft would face. Nor how well they would do the job.

The F–111's of the 474th were deployed

with the idea they would fly missions around the Demilitarized Zone during the rainy season, when other aircraft would be grounded. The supersonic F-111 is a foul weather, day and night performer.

Hours after the squadron reached Tahkli Royal Thai Airbase in west central Thailand Sept. 28, the first F-111s were in combat.

But when the North Vietnamese began serious truce talks on Oct. 8, it appeared that the big effort to get the one-of-a kind aircraft to the battle area wasn't (happily) going to pay off.

Peace was not "at hand," however. A snag developed in the Paris negotiations and President Nixon gave the signal in December for an air blitz against North Vietnam. Heavily defended targets around Hanoi and the port city of Haiphong were high on the attack list.

While the much bigger eight-jet B-52 bombers dropped most of the bombs and got most of the headlines, the F-111s were carrying out their strikes in a highly professional and successful way.

"The work they did in the north was flat outstanding—the birds and the men were magnificent," a senior Air Force officer at the Pentagon said. "Without exception, these aircraft did one helluva job."

He said they "flew low, alone, at night and in bad weather against heavily defended and hard-to-get-at targets," such as MIG airfields.

With their terrain following radar, which permits them to fly as low as 200 feet above the ground, their plan was to get over the target without warning and away before the enemy could bring his anti-aircraft and missile fire to bear.

Six of the 48 F-111's were lost. One of the two-man crews was taken prisoner. The other 10 airmen are listed as missing in action.

According to the official communique issued by the U.S. command in Saigon, the F-111's, in the period Dec. 18 to 25, blasted the Phuc Yen, Kep, Bac Mai and Yen Bai Mig airfields; two transshipment areas; the Bac Giang thermal power plant; the Hanoi port facility and Gia Thuong storage area; the Hanoi radar communications transmitter field and the Kep railroad yards.

No further communiques were issued on the blitz, as the enemy signalled his willingness to resume serious truce talks in Paris.

The Pentagon officers said the usual F-111 method of operation—single plane missions at night—precluded such immediate bomb damage assessment.

"Nobody sees what you did—you don't either," he said. "You have no wingmen observing and you sure don't stick around to find out once the ordnance goes."

The damage assessment comes later, he said, adding that "we have been very impressed with the photos."

The "Lone Eagle" method of operation is, of course, the reason the Air Force is not certain how the half dozen F-111s were lost.

Writing in the Tahkli base newspaper, the Cobra, Jan. 26, Col. William R. Nelson, the 474th's Wing Commander, said with excusable pride:

"We've flown over 3,000 combat missions, expended tons of ordnance, and kept countless Tahkli sleepers awake with one of the most ambitious—and successful—combat schedules in the TAC air business.

"We have unequivocally demonstrated the versatility of our 'Aardvark' (the plane looks something like an anteater) . . . We've used it in endless tactical configurations, in weather, day or night. It kept flying and did it effectively. You might be interested to know that troops have labeled our F-111 'whispering death'."

The colonel told his men he had received complimentary messages from a list of high-ranking leaders, including Mr. Nixon.

"These gentlemen don't mince phrases; they are extremely pleased with the contributions of the 474th Tactical Fighter Wing."

The war in Vietnam hopefully is ended, but the U.S. will maintain airpower in Southeast Asia. Navy carriers, with their F-4 Phantoms and A-7 Corsairs, will be deployed in the South China Sea and Air Force fighter squadrons and perhaps B-52s will remain in Thailand to keep the enemy honest.

The Air Force is not permitted to talk about future deployments, but on the basis of its December performance, it is a good bet that at least one F-111 squadron will be designated as part of that residual force.

POSTAL WOES

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. WHALEN. Mr. Speaker, I take this opportunity to call to the attention of my colleagues an editorial from the Dayton Journal Herald which discusses the U.S. Postal Service.

While this commentary recognizes the problems the Service has been experiencing, as we all do, it also is optimistic with respect to the chances for improvement:

Whatever the genius of the U.S. Congress, managerial aptitude does not seem to be a component of it. The suggestion, therefore, that Congress might return the U.S. postal service to direct government control is ludicrous. It was Congress' role as the sugar daddy of the postal unions and special users of the mails that started the toboggan years ago.

Anyone now using the mails does not need testimony before a congressional committee to document the claim that postal service is poor, although we think current hearings can be helpful in getting some aspects of the problems out into public view. But a good part of the current problem is the withdrawal symptoms that have afflicted the service since it was turned over to a public corporation.

Morale problems are difficult enough with a mere change in management. When they are compounded by cost-cutting and technological change, they can have quite a staggering effect. And so they have. But the personnel throughout the service are competent and hard-working and have, we think, the pride and the potential to make a more businesslike postal service a going concern once the initial problems have been dealt with.

In assessing the performance of the corporate operation, critics must be aware that the post office still lacks latitude to summarily cut off unprofitable operations. It is a governmental service, not a private industry. Comparisons with the performance of United Parcel Service, for instance, are numerous these days, but United Parcel Service is not a comparable case. In fact, the growth of private parcel services has hurt the potential of the government service by skimming off some of the profitable small-parcel business, leaving the government corporation with the less-profitable, more trying dregs of the business which it cannot shirk.

The first 20 months of the new postal service haven't been happy ones for anyone. But the task of the new service has been to undo before it can start doing. And much of what it is undoing is traceable to the congressional largesse of pre-corporation days. Congress would therefore do well to keep its distance and give the management several more years to get things turned around.

MORE FICTION THAN FACT ABOUT OSHA

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, an article title "OSHACRATS" was published in December in "American Opinion," the monthly magazine of the John Birch Society. The article was highly critical of the Occupational Safety and Health Administration—OSHA—and the Occupational Safety and Health Act of 1970.

During the past several weeks, various parts of the article have been publicized. Some have used the material for what appears to be an organized John Birch Society campaign to discredit Federal efforts to reduce the carnage in our Nation's workplaces.

Mr. Speaker, I have caused an investigation to be made into those instances of alleged misuse of the act which "American Opinion" editor Alan Stang attempted to document. For the benefit of my colleagues, I wish to present for the RECORD the results of that investigation. None of the cases he cites stands up under close scrutiny.

Among others, the Stang article referred to two inspections performed by OSHA compliance officers in the Department of Labor's region X covering Alaska, Idaho, Oregon, and Washington.

In the two region X cases, there had, in fact, been OSHA inspections. However, the "American Opinion" report of those inspections was more fiction than fact. In the case of Agnew Plywood, Grants Pass, Oreg., I will list the fiction and provide the facts as I learned them:

Fiction: The OSHA compliance officer—inspector—was a retired master sergeant.

Fact: The OSHA compliance officer was a retired U.S. Army colonel.

Fiction: The compliance officer knew "nothing about plywood."

Fact: The compliance officer had been inspecting plywood mills for more than 10 years as a State safety inspector.

Fiction: State regulations say that guardrails must be at least 36 inches high, and OSHA says the same thing in the Federal Register.

Fact: The Federal Register says that guardrails shall be 42 inches high.

Fiction: The compliance officer discovered two serious violations involving guards around chains.

Fact: He discovered one serious violation.

Fiction: The compliance officer gave Agnew 14 violations for ladders.

Fact: Agnew was cited for one alleged violation for ladders.

Fiction: The compliance inspector cited a broken pane of glass in an out of the way place.

Fact: The employer was not cited for any broken pane of glass.

Fiction: When it was all over, Agnew had 37 violations.

Fact: Agnew was cited for one serious violation and seven non-serious violations totaling 27 instances for the eight violations cited.

Fiction: At any time there is veneer on the floor—a violation.

Fact: The employer was not cited for a violation regarding veneer on the floor.

Fiction: A millwright will lay a torch down for a moment without turning it off—another violation.

Fact: The employer was not cited for a violation of this item. The compliance officer commented that he did not know a better way to burn down a plywood mill.

Fiction: OSHA denies ever receiving a notice of contest of the findings of the inspection within the 15 days specified in the act.

Fact: OSHA received the letter of contest, forwarded it to the Occupational Safety and Health Review Commission July 7, 1972. At a hearing in Grants Pass December 12, 1972, the employer did not contest the citations—only the penalty. The Review Commission judge reduced the $720 penalty by $260.

In the P.M.F. Inc., Twin Falls, Idaho, inspection, I will again list the fiction as published by "American Opinion" and provide the fact as I learned it from the Region X Administrator:

Fiction: P.M.F. was at work on a job which OSHA suddenly closed down while a compliance officer conducted an inspection.

Fact: The compliance officer did not shut the job down. The employer immediately abated the imminent danger condition of an unshored trench.

Fiction: OSHA ordered that roll bars be put on a crawler tractor.

Fact: The employer was not cited for this requirement.

Fiction: P.M.F. contested the proposed penalties with a registered letter but OSHA later claimed that the company had not contested and the penalties were final.

Fact: OSHA received letter of contest June 28, 1972, and forwarded a letter to the Review Commission the same day. A hearing is to be scheduled.

The article refers to an inspection involving a Conshohocken, Pa., painting contractor identified as Dan Callahan.

David H. Rhone, OSHA Regional Administrator, Region III in Philadelphia states that a thorough check of his files has produced no evidence of Callahan's name either as an employer or employee.

More fiction and fact from the "American Opinion" article:

Fiction: OSHA has ordered Brokaw Motorcycles, Colorado Springs, to use acid-proof goggles and plastic guards on grinding machines. The owner accuses OSHA of "harassment."

Fact: Brokaw Motorcycles of Colorado Springs has not been inspected by OSHA.

Fiction: Fountain Foundry Co., Pueblo, Colo., was cited for lack of personal protective equipment in the foundry and cleaning room.

Fact: Fountain Foundry Co., was cited for silica bearing dust from foundry operations.

Fiction: Goehring Meat Co., Lodi, Calif., was cited 35 times.

Fact: Four items were cited at Goehring, but only one received a proposed penalty, $30, which the company paid.

Fiction: An OSHA compliance officer with a "superior attitude" inspected Ace Cabinet Co., Yuma, Ariz.

Fact: No OSHA compliance officer has ever inspected Ace Cabinet Co., although it was determined that a State safety inspector had once visited the plant.

Fiction: OSHA activity in connection with Sedona Roofing Co., Sedona Sheet Metal, and Cambell Glass, Sedona, Ariz., was described by "American Opinion."

Fact: No OSHA employee has ever been in Sedona, Ariz., in an official OSHA capacity.

The 92d Congress of the United States passed the job safety and health legislation in 1970 because business and industry had failed to abate voluntarily hazards in the workplace. In 1971, the year OSHA began administering the act, on-the-job deaths were occurring at a rate of more than 14,000 a year; disabling injuries amounted to 2.3 million of the workforce; 400,000 persons succumbed to on-the-job illnesses. Other National Safety Council figures show that there were 245 million man-days lost due to on-the-job accidents.

Mr. Speaker, the objective of the Occupational Safety and Health Act is not to "harass" employers, as some continue to claim, but to reduce this workplace carnage. In the long run, I am convinced employers will save a large portion of the estimated $9.3 billion that work accidents cost each year. It may be hard to persuade some that this is true, but my colleagues in the House, looking objectively at the problem, surely must see that safer workplaces can only lead to savings in workmen's compensation payments, insurance costs, lost time and injury payments, legal fees, hospital costs, and thus to a more efficient, dollar-producing operation.

As one who objects to journalistic bias from either the left or the right, I hope that editors will check the accuracy of their material before passing on rumors and misinformation. Given the size, scope and complexity of OSHA, some problems are probably inevitable in its implementation. Where proven to be legitimate, corrective actions have been and should continue to be taken. My colleagues know that as coauthor of the Occupational Safety and Health Act of 1970, I have felt a particular responsibility to closely follow its impact. I was joined by 19 other Members in a bipartisan effort to constructively ease the burden of OSHA on small employers through on-site consultation that received the endorsement of the National Federation of Independent Business and the National Small Business Association. I will be reintroducing this legislation in the immediate future. Shoddy and irresponsible attacks, however, from either the left or the right only serve to undermine the effectiveness of those who would seek to make OSHA workable.

BLACK LUNG PROFITEERS

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ERLENBORN. Mr. Speaker, Congress passed the Coal Mine Health and Safety Act in 1969, and included a special provision for miners who are victims of pneumoconiosis, better known as black lung disease.

Inasmuch as this is an occupational ailment, it normally would be covered by State workmen's compensation laws. Congress decided in 1969, however, that a sudden rash of claims, resulting from the new regulations, would cause financial hardship for some States. To avert this, the Federal Government assumed the liability for the first 3 years, that is, through 1972.

The States were supposed to set up their workmen's compensation accounts during those 3 years, but not many of them did; and so the Congress voted last year to extend the Federal liability for 1 more year; and one of the early bills in the current session asks for an extension of 2 more years.

By extending these Federal payments, we are not doing the ailing miners any favors. They are entitled to their payments, whether from the State or the Federal Government.

The real beneficiaries of this Federal unselfishness are the coal mine owners, who are saving several million dollars a year in workmen's compensation premiums while the taxpayers strive to contribute enough to make our budgetary ends meet.

In Kentucky, this has had an interesting side effect. Kentucky does provide limited compensation for victims of black lung disease. Permit me to quote the lead paragraphs of a story by Kyle Vance, which appeared in the Louisville Courier-Journal for March 4, 1973:

> About $6 million in Federal money was used last year to pay Kentucky attorneys for collecting State workmen's compensation benefits for black lung clients.
>
> Eleven attorneys received $3.8 million of the total, with State Senator Kelsey Friend, Pikeville Democrat, receiving $1,008,950.
>
> Since the Kentucky black lung program was started in 1960, State officials estimate that attorneys have received $10 million to $12 million, most of it from Federal tax money . . .

Mr. Vance listed the 11 attorneys who have an obvious interest in continuing the Federal payments for black lung disease. The three leaders among these lawyers, according to Mr. Vance's story, are State Senator Friend, $1,008,950 in fees in 1972; G. C. Perry, $810,058; and W. W. Burchett, $585,118.

They come from respectively, Pikeville, Paintsville, and Prestonsburg; all of which are in Kentucky's Seventh Congressional District. It is only by coincidence, I am sure, that the sponsor of the bill to extend the Federal beneficence, first, for 1 year and now for 2 more, is the Representative from the Seventh District, Chairman CARL PERKINS of the Education and Labor Committee

Mr. Vance's complete story follows:

BLACK LUNG: KENTUCKY ATTORNEYS PAID MILLIONS FOR COLLECTING BENEFITS FOR THEIR CLIENTS

(By Kyle Vance)

FRANKFORT, KY.—About $6 million in federal money was used last year to pay Kentucky attorneys for collecting state workmen's compensation benefits for black lung clients.

Eleven attorneys received $3.8 million of the total, with State Sen. Kelsey Friend, Pikeville Democrat, receiving $1,008,950.

Since the Kentucky black lung program was started in 1960, state officials estimate that attorneys have received $10 million to $12 million, most of it from federal tax money authorized by regulations administered under the Social Security program.

Actually, the federal money is used to repay a black lung client for money deducted from an award by the state to compensate his attorney. The attorney fee generally runs from $4,760 to $5,100 for each claim.

"We treat the attorney fee and other expenses as money the miner didn't receive," said an official of the Atlanta regional office of the Social Security Administration (SSA), which administers the federal black lung program.

Specifically, the lawyer subsidy works like this:

Through the attorney's work, a claimant may be awarded the maximum $60 a week for 425 weeks under the state's black lung program.

The attorney is entitled to as much as 20 per cent of the award, and it is deducted from the last 113 weeks of the recipient's 425-week benefit period, leaving the recipient 312 weeks of state benefits.

Since a federal black lung program allows a maximum $81 a week for life, it adds $21 a week during the 312 weeks the state is paying $60 a week. Then the federal government takes over the full payment of $81 a week.

Thus, instead of waiting 425 weeks, the benefit period is awarded by the state and shortened by the attorney fees, the federal program begins payments at the end of 312 weeks and the claimant is reimbursed for money already awarded the attorney.

FEDERAL SUBSIDY TO END

Federal money isn't paid directly to the attorney, but the effect is the same as if it were.

Friend emphasized this in a recent interview by saying:

"Every penny has come or will come, in a round-about way, from federal money. The miners who won claims won't be out a cent for legal services and other expenses."

The federal subsidy will end when a new Kentucky law becomes effective, probably July 1 unless added time is needed to implement it. The new law upgrades the Kentucky program to meet federal standards, including a maximum award of $81 a week for life.

"There will be no way we can participate in the Kentucky program when they get their new law started," Don Skaggs, assistant SSA regional representative from Atlanta, said. "No federal money will be involved."

He was speaking of new claims. Skaggs and others said federal commitments made in older cases will be kept until all are phased out by death of claimants and their widows and until their dependents become of age. Full state payments will be made only on claims approved after the new law becomes effective.

Payments for older claims will remain at the present levels and time periods, and the federal program will continue to supplement the awards.

Yet to be determined is how or how much attorneys will be paid under the new state law. They remain eligible for 12 to 20 per cent of the claimant's award, a provision that could skyrocket their black lung income to even greater heights, but there has been some indication the percentage might be changed.

Statisticians concerned with the program already have figured that in some cases an attorney awarded the full 20 per cent award for serving a claimant with long life expectancy could be eligible for more than $21,000 for one case.

PROGRAM HAS BEEN ESCALATED

The state's black lung program has been escalated, both in awards to claimants and in attorney fees, since 1969, maximum awards jumped from $49 a week in 1969 to $52 in 1970, to $56 in 1971, and on up to $60 in 1972. Attracted by the income potential, a larger number of attorneys have been filing a greater number of claims.

Robert D. Hawkins, chief counsel for the Labor Department's Special Fund—clearing house for all money paid in workmen's compensation benefits for occupational diseases—said no projection has been made on "how high we will go" when payments are started under the higher, longer rates of the new law.

"It should be reasonable to assume that an attorney who made $1 million last year from black lung cases will make $2 million next year," he said.

Friend was not alone in collecting high fees last year. G. C. Perry III, of Paintsville, received more than $800,000. W. W. Burchett, of Prestonsburg, was third among Kentucky attorneys with about $585,000 in black lung fees. Eight other attorneys went over $100,000.

Friend's total fee award of $1,008,950, as compiled from Workmen's Compensation Board meeting minutes of 1972 compares with $500,741 he was awarded in 1971 for handling black lung claims.

Perry's jump was from $550,000 in 1971 to $810,058. Burchett gained from $350,000 in 1971 to $585,118 in 1972.

HIGH PAID ATTORNEYS LISTED

Here is a list of other attorneys who received more than $100,000 for their services in 1972, all of it presumably involving black lung claims since a coal company and the Special Fund were named defendants in each case:

Cawood Smith, Harlan, $298,500.
Lester Burns, Somerset, $233,000.
Eugene Goss and Karl Forester, Harlan, $217,000.
Earl Cole, Barbourville, $198,000.
Neville Smith, Manchester, $145,000.
Denver Adams, Hyden, $130,000.
Grant Knuckles, Pineville, $127,000.
Cletus Maricle, Manchester, $119,500.

State records do not indicate instances in which an attorney shared his fees with others. Some have partners and others employ attorney helpers on a salaried basis.

The Board, which ordinarily meets in closed session, permitted this reporter to sit in on a recent meeting. It was, board members said, a routine meeting in which the five members read their findings and conclusions reached in an examination of case files in their home law offices.

Unless there was a question from Chairman Shelby Denton of Owensboro or by J. Keller Whitaker, director of the board, the findings and conclusions were accepted.

Members of the board, besides Denton, are: Glenn L. Schilling, Louisville; Alfred Naff, Hopkinsville; Clyde Mullins, Elkhorn City, and George Simpson, Sturgis.

The members, as a group, said they would like to have corrected an impression that they automatically award attorney fees of 20 percent in contested black lung cases. They said they do not.

Schilling said he recently considered a claim that involved 17 medical examinations and doctors' depositions, and that a balancing of the testimony convinced him the claim should be disallowed. The evidence indicated to him, he said, that the claimant's disability was a heart condition and not black lung.

Naff said that he had a case that included 26 depositions from doctors, nine supporting the black lung claim and 17 not supporting it. The claim was denied, he said.

In cases such as those, Chairman Denton said, all money and time used to seek the benefits are lost, both to the claimant and his attorney. The attorney may be the biggest loser, because many reportedly stand good for claimants' expenses and expect repayment when the claimants are later reimbursed by the state. The state awards expenses, attorney fees and benefits only in cases that are won.

BROWN LEADS EFFORT TO PROTECT STEELWORKERS' JOBS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. STARK. Mr. Speaker, I would like to take a few moments today to speak about the effort which a colleague is making to protect the jobs of his constituents.

How can the United States protect the jobs of California's steelworkers from the threat posed by increasing imports of foreign steel products on the west coast, without imposing restrictive import duties?

This was one of the first problems facing Congressman GEORGE BROWN when he came to Washington this year. Many citizens of the 38th Congressional District work for Kaiser Steel in Fontana, which has been particularly hard hit by the rising percentage of the domestic steel market penetrated by foreign manufacturers; 36 percent of all steel products sold in the Far West are now imported, as compared with the national average of 16 percent.

BROWN did not see restrictive import duties as the answer, since such tariffs tend to provoke retaliatory tariffs by foreign governments against American products, endangering the jobs of other U.S. workers.

Congressman BROWN sent a letter—cosigned by Congressman JERRY PETTIS, who shared his concern—to each of the 79 other western Congressmen, explaining the problem and inviting them to join in an effort to find a solution. He began to insert material about the problem into the CONGRESSIONAL RECORD. And when enough interest had developed, a luncheon meeting was scheduled for April 3, at which GEORGE BROWN, JERRY PETTIS, and several other Members of Congress will get together in the Capitol with key administration officials to explore various possible means of correcting the present geographic imbalance in imports.

Congressman BROWN feels that modifying the voluntary restraint program, first worked out between the United States and some foreign manufacturers in 1969, offers the best hope for protecting our domestic steelworkers' jobs. The April meeting will reveal whether Congressman BROWN can gain support for his proposals.

LAST CHANCE FOR THE AMERICAN WOLF

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. WHITEHURST. Mr. Speaker, on February 26, Jethro, a full-grown Canadian wolf, visited Capitol Hill with his owner, Mr. John Harris, to help publicize the plight of endangered species. A number of my colleagues had the opportunity to meet Jethro, and several are planning to cosponsor the bills I have introduced for the protection of such animals, House Joint Resolution 119, H.R. 1271, and H.R. 1272.

In the February 1973, issue of Environmental Quality, there was an excellent article by Mr. Lewis Regenstein, Washington director of the Fund for Animals, Inc. I am taking this opportunity to share Mr. Regenstein's thoughts with my colleagues:

LAST CHANCE FOR THE AMERICAN WOLF

(By Lewis Regenstein)

The wolf—one of nature's most interesting creatures—may be facing its final struggle. If the wolf is to be saved in North America, it will have to be done quickly; for many of the remaining population stocks are being rapidly and intentionally extirpated. Only a sustained and effective public outcry can save the few that remain on this continent.

It is difficult to understand why man has waged such a remorseless war on these unique and valuable creatures. Wolves play a vital role in maintaining nature's balance and in keeping herds of deer, elk, and moose at desirable population levels. By preying mainly on the very old and young, the sick, and the lame, they eliminate excess animals from the herd. This insures that the forage and food supply is not exhausted, which could result in the death of the entire herd. Wolves also help prevent large scale die-offs from starvation by keeping ungulates (hooved animals) on the move in winter; and by removing diseased animals wolves keep the herds healthy and prevent epidemics. Another important function is in removing the unwary and less intelligent animals. By culling out these biologically inferior individuals, wolves are thought to be a significant factor in the evolution of a healthy ungulate population.

Moreover, wolves are highly evolved animals with a complex and orderly social structure. The famous "howl" of the wolf consists of intricate rhythmical sounds that can accurately be described as musical. Naturalist Aldo Leopold has described this eerie cry as:

A deep chesty bawl that echoes from rimrock to rimrock, rolls down the mountain, and fades into the far blackness of the night. It is an outbust of wild defiant sorrow, and of contempt for all the adversities of the world. Studies of wolf packs in Canada's Algonquin Park, Ontario, indicates that wolves howl when they are separated from the herd, when they want to reconvene the pack, and when their pups die. They also howl in "loneliness" when left alone in a cage.

According to Gordon Heber, who has studied wolves in Alaska, a pack of wolves is "a highly organized, well disciplined group of related individuals or family units, all working together in a remarkably amiable, efficient manner." Each member of the pack knows and accepts its rank in this strict dominance hierarchy. The pack leader, or "alpha" male, is usually the strongest, smartest, and most experienced member of the herd; and he exercises unquestioned authority over it. It is the alpha male that generally sires the young, thus perpetuating nature's law of natural selection and survival of the fittest.

The second-ranking, or "beta" male, directs most of the herd's routine activities. The beta male also acts as a "husband and father" to a breeding female, helping her with "whelping duties" and in rearing the young. After the pups are weaned, they are occasionally turned over to others of the pack for pup-tending duties. According to Haber, the mother will even "leave the pups with a babysitter and light-heartedly trot off with the other adults for a fling on the nightly hunt." He concludes,

"In many ways, the social organization of wolves is almost identical to what anthropologists have pieced together as the social organization of early man, or even that of some primitive hunter-gatherer societies of today: the well-defined dominance order and disciplined manner in which duties are assigned and carried out; the presence of different generations of the same family living together; the prolonged dependency of the young; the group effort in raising and training them; the cooperative effort of many individuals in hunting large prey . . ."

Th social life of wolves has an additional relevance to man. It is theorized that most dogs are the evolutionary product of a small variety of wolf probably domesticated about 12,000 years ago in the Near East. Submission is a basic part of wolf behavior, with each member of the herd, except the alpha male and female, frequently exhibiting it. It is thus conceivable that this submission instinct has made it possible for man to domesticate the wolf, with the dog's master replacing the alpha male.

WOLVES DO NOT ATTACK MAN

Moreover, contrary to legends perpetuated by such fairy tales as "Little Red Riding Hood" and "The Three Little Pigs," wolves do not attack humans, but avoid them whenever possible. There does not appear to be a single documented case of a healthy wolf ever attacking a human without provocation in North America.

Yet, probably no animal has been so universally persecuted, so intensely, for so long a period of time, and with less justification, as the wolf. According to Elmer Shaw of the Library of Congress, bounties on wolves have been in existence for at least 27 centuries. The early Greeks paid bounties on wolves; and *Plutarch's Lives* refers to drachmas paid by the ancient Romans for dead wolves (5 drachmas for a male, 1 for a female).

When the first American colonists began settling in New England, wolf bounties were quickly instituted. Massachusetts apparently adopted the first bounty system in the New World in 1630, and two years later Virginia followed suit.

In Europe, the wolf fared no better. It was killed off in Great Britain by the 18th century, and is now extinct throughout most of Europe.

Today, in the United States, probably less than 100 grey wolves remain in the wild outside of Minnesota and Alaska: 20–30 on Isle Royale, Michigan; perhaps one or two dozen in the northern peninsula of Michigan; and an undetermined number in Yellowstone Park, Idaho, Montana, and Wyoming. All of the wolf populations in the United States are threatened to some degree.

HUNTING BY AIRPLANE

Alaska, with a wolf population of from 2500–5000, contains by far the largest number of wolves in the United States. But Alaska's attitude towards wildlife does not bode well for these rapidly disappearing animals.

The wolves of Alaska face a constant threat from hunters and fur traders. The traditional way of hunting wolves in Alaska has been by airplane. Airborne hunters with shotguns fire into the herds indiscriminately, killing some and wounding many others which are crippled for life or die a slow and agonizing death. Between 1967–69, approximately 3500 wolves were killed in Alaska. In one fiscal year—1967–68—Alaska paid bounties on 1711 wolves, 718 of which were killed from airplanes. Some areas still pay bounties on wolves, but most bounties have been eliminated.

Although Congress in 1971 passed a bill ostensibly prohibiting the hunting of animals by airplane, loopholes in the act, combined with the state's intransigence, permitted aerial hunting of wolves to continue as usual. Recently, however, conservationists have been encouraged by the appointment of Jim Brooks as Alaska's new Commissioner of Fish and Game. Brooks has indicated that the issuance of airplane hunting permits will be curtailed or eliminated; but the situation remains unclear, since the Governor, William A. Eagan, and a Departmental board can overrule Brooks' decision. Moreover, illegal airplane hunting will undoubtedly persist, as well as the legal hunting by snowmobile and conventional "sporting" methods.

The wolves of Minnesota constitute the last viable population stock of gray wolves in the lower 48 states. But these critically threatened animals are facing mounting pressure from hunters, trappers, cattle ranchers, and state and Federal "game managers." Most estimates place Minnesota's wolf population at a maximum of about 300, although the state game authorities place it considerably higher, at between 500–1000. Even so, the state is currently working to implement a Federally approved "management" plan, the goal of which is to provide "an annual take of 150–200 wolves." Under this plan, there would be a 6 month season for hunting and trapping, with a limit of 10 wolves for residents, 3 for non-residents, in the "open" areas. In other areas, wolves may be taken without limit, seemingly because of pressure from livestock raisers. Needless to say, "a continuing program of directed predator control" will be in effect, and farmers "may take wolves doing damage to domestic animals on such lands without license at any time." The hunting regulations apply to all persons 16 years or older; and allowed methods will include dog teams, rifles, shotguns, and even bows and arrows. Under the heading "Harvest Goals," the plan states that "emphasis in harvesting wolves should be upon their trophy value for sport hunting and trapping."

SLOW ROAD TO EXTINCTION

This plan has been defended on the grounds that it would establish a 2,350 square mile wolf sanctuary in northeastern Minnesota. Moreover, in some ways it does represent an improvement over the present situation, in which wolves may be killed year around without limit except in the Superior National Forest. Nevertheless, the proposal would not provide adequate protection to these wolves, and appears to represent merely a slower road to extinction for most of these unfortunate creatures.

The proposed plan is signed and endorsed by Robert L. Herbst, Commissioner of the Minnesota Department of Natural Resources, St. Paul, Minnesota; Travis S. Roberts, Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of Interior; and Harold E. Anderson, Forest Supervisor, Superior National Forest, U.S. Forest Service. In a 12 September 1972 press release, Herbst announced that the plan would be recommended to the 1973 Minnesota legislature, with the hope that it could be "activated as soon as possible following legislative approval." Roberts, speaking for the Interior Department, described himself as "fully satisfied with the outcome;" and the Forest Service's Anderson characterized the plan as "in the best interests of everyone." He apparently was not including the wolves.

The American wolf with the least chance of survival seems to be the red wolf (*Canis*

rufus, or *Canis niger*), which is an ancient and distinct canine species different in many ways from the gray or timber wolf (*Canis lupus*). Red wolves are midway in size between the gray wolf and the coyote, for which it is often mistaken. The red wolf is native to the southeastern United States from Texas to Florida, and at one time ranged throughout the Ozark Mountains and as far north as the Ohio Valley. By the turn of the century, it still inhabited about 14 states, and was concentrated in Texas, Louisiana, Mississippi, and Arkansas. But around 1920, an aggressive poisoning and trapping program began, and by the 1950's it had been extirpated from most of its range. Federal predator control programs continued to take a heavy toll of the remaining wolves; and from 1955–64, the Interior Department's Bureau of Sport Fisheries and Wildlife claimed credit for killing 27,646 red wolves. In one year alone, 1960, 3,830 wolves were "removed," and as late as 1964, 2,617 were killed.

The Interior Department has succeeded in its goal of bringing this animal to the very edge of extinction. Today, the red wolf exists almost exclusively in several counties in Texas and Louisiana, with perhaps 200–300 animals surviving in the wild. Because predator control programs have seriously disrupted the wolf's territorial system and broken down its social organization, remnant wolves have in recent years begun to mate with coyotes, creating hybrid animals. Coyotes and hybrids are now considered a threat to the species at least equal to that of human molestation.

Ironically, another branch of Interior—the Office of Endangered Species—after having been prodded by conservation groups, is now showing an interest in the plight of the red wolf. According to Tom Garrett of Friends of the Earth, the Office has agreed to a recovery plan but, as usual, has been slow to implement it or take any substantive action. There is suspicion that the Department's predator control branch—the Division of Wildlife Services—may be exerting pressure on behalf of its client ranchers.

"VARMINTS"

In Canada, wolves survive in sizeable numbers in some areas. Although feelings seem to be gradually changing, the Canadian attitude, like that of the U.S. several decades ago, generally considers wolves to be "varmints."

The Province of Quebec is one area where wolves are still relatively abundant. Unfortunately, the Provincial game authorities, under the direction of the Minister of Tourism, Fish, and Game, Claude Simard, have decided to kill off a large number of Quebec's wolves, in the mistaken belief that this will generate more deer and moose for hunters. While it is true that the province's deer and moose have declined in numbers in recent years, the reason is the past severe winters combined with widespread over-hunting, for which Quebec is notorious. Although the wolves have co-existed in balance with their prey for centuries, they are, as usual, getting the blame rather than the real culprits, the "sportsmen."

Officials of the Fish and Game Department in Quebec show a remarkable lack of understanding of wolf ecology and predator-prey relationships. Michel Renaud, Simard's assistant, stated in a recent letter that:

"Man tends to seek out certain animals by preference . . . The proliferation of the wolf is a natural consequence of this unbalance which creates a need, according to biologists, to control it in certain parts of Quebec."

Gaston Moisan, Director of the Department's Fish and Game Branch, also wrote that "the control program is planned to reduce the wolf populations in certain known spots where white-tailed deer concentrate year and after year." Yet, the authorities have not even closed the hunting season on deer and moose, which would be a logical first step if they were sincere in their stated desire to protect these ungulates.

From September to November 1972, hunters were enticed into Quebec with the offer of a prize for killing wolves, the trophy consisting of the jaw of the wolf set in an acrylic block with the hunter's name inscribed on it. The above officials now claim that the open season on wolves did not result in any significant number being killed. However, this contest was only phase one of the wolf-elimination campaign. Phase two began in November and will last throughout the winter, the objective being, according to the *Montreal Gazette*, to wipe out two out of every five wolf packs. During the winter period, hundreds of traps will also be spread throughout the area to finish the job of "thinning out" the wolf herds. Reportedly, poison bait may be used as well.

Although this is now being denied by the provincial authorities, the result of this "control operation" will be to further jeopardize the future survival of these hard-pressed animals, while failing in any way to benefit the herds of deer and moose. Prompted by pleas from television host Dick Cavett, and Canadian-American Wolf Defenders' President Araby Colton, letters of protest have poured into Quebec. This appears to have at least reduced or slowed down the killing; but as of this writing, the final status of the operation remains uncertain.

WILT CHAMBERLAIN'S WOLF BEDSPREAD

Finally, a continuing threat to wolves everywhere is the U.S. and international fur industries, whose demands create a tremendous economic incentive for the killing of these threatened animals. This season, such chic fashion boutiques as Saks Fifth Avenue, Lord & Taylor, Bloomingdale's, Jacques and Georges Kaplan (who gained national publicity by renouncing the use of "endangered species"), and even Gimbel's have been pushing wolf-trimmed fur coats, through an aggressive advertising campaign in *Esquire*, the *New York Times*, and other leading publications. Basketball star Wilt Chamberlain bought up a full year's crop of wolf pelts collected by bounty hunters in Alaska. He uses them to cover two couches, and as a rug and bedspread.

Even the Defense Department got into the act this year when its Defense Supply Agency (DSA) issued orders for 368,782 winter parkas trimmed with wolf fur. It was estimated that to fill such an order would have required at least 25,000 dead wolves, and news of this incredible blunder caused a considerable public outcry, including appearances on national television by Cleveland Amory, President of the Fund for Animals; and John Harris, President of the North American Association for the Preservation of Predatory Animals, accompanied by his two wolves, Clem and Jethro.

Eventually, DSA announced that it was reducing its requirements to 91,280 winter jackets and would use coyote pelts instead of wolf. DSA proudly stated in its fact sheet that this course of action had the approval of—you guessed it—the U.S. Department of Interior's Office of Endangered Species. A letter was also produced from Joseph Linduska, Associate Director of Interior's Bureau of Sport Fisheries and Wildlife, stating that—

"The impact on wild coyote populations would be negligible and temporary . . . Removal of 18,000 coyotes from the wild might constitute a 2 or 3-year harvest of prime pelts, but recovery would be rapid."

SOME SOLUTIONS

A partial solution to the fur industry's exploitation of wolves would be for the Interior Department to fulfill its responsibilities under the Endangered Species Conservation Act of 1969 and add the wolf to its endangered list. This would ban the import into the U.S. of foreign wolf pelts (most of which come from Canada) used in fur coats and fur-trimmed items, thus removing much of the market for such products. But the Interior Department's policy has traditionally been to add an animal to its endangered list only *after* its future survival has become doubtful.

NATIONAL SMALL BUSINESS ASSOCIATION IS COMMENDED FOR ITS "BEAM" PROCUREMENT PROGRAM

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. CORMAN. Mr. Speaker, as chairman of the Procurement Subcommittee of the House Select Committee on Small Business, I wish to invite the attention of my colleagues to a certain program operated by the National Small Business Association which is designed to encourage its members to participate in Government procurement.

This project called BEAM standing for "Bidders Early Alert Message," enables many NSBA members to obtain timely notice and detailed information regarding opportunities to bid on Government contracts for goods and services.

We are advised that since the inception of BEAM in August 1971, thousands of bid notices have been delivered to more than 100 locations in the United States, and that the program results in Government contracts to BEAM participants now averaging in value between $400,000 and $500,000 a month.

The Honorable Thomas S. Kleppe, Administrator of the Small Business Administration, recently acknowledged the effectiveness of this BEAM project. In awarding a special citation to NSBA for its efforts Administrator Kleppe said:

With the availability of BEAM, small businessmen throughout the nation now have an opportunity to know rapidly and economically what our government is seeking in the way of goods and services at over 2,500 buying offices with contract authority.

In this connection, I insert in the RECORD the following account of SBA's award appearing in a recent issue of NSBA's publication, the Voice of Small Business.

SMALL BUSINESS ADMINISTRATION HONORS NSBA

WASHINGTON, D.C., January 31, 1973.—The National Small Business Association (NSB) has been awarded a Special Citation for its efforts in promoting the growth and progress of small business through its Bidders Early Alert Message (BEAM) Program by the U.S. Small Business Administration.

SBA Administrator Thomas S. Kleppe presented the award to John Lewis, NSB Executive Vice President, at SBA's National Headquarters in Washington, D.C. Marshall Parker, SBA Associate Administrator for Procurement and Management Assistance, and Herman Director, who heads BEAM, also participated in the award ceremony.

The BEAM Program, a nationwide computerized network which is financed without government funds, informs participants of

available government contracts. It was inaugurated by NSB in August 1971 because its members were interested in a low-cost system that would alert them to such contracts and provide in capsule form information on how to bid on them.

With the availability of BEAM, small businessmen throughout the nation now have an opportunity to know rapidly and economically what their government is seeking in the way of goods and services at over 2,500 buying offices with contract authority.

BEAM has removed a great financial and personnel burden from the shoulders of hundreds of small businessmen. Most firms do not have the resources, the personnel to sift through the mass of daily bid notices, nor the thousands of dollars necessary to retain an individual Washington representative who could alert them to available government procurement contracts.

Since the inception of the program only 18 months ago, BEAM participants have received over $13 million in government contracts totalling between $400,000 and $500,000 per month.

NSB represents over 500 different types of commerce and industry, including the professional man. After receipt of a BEAM message, the selling, manufacturing, and service capabilities of NSB's thousands of members enable them to bid on the entire gamut of federal and federally-funded state procurement contracts. These encompass foods, clothing, machinery, research and development, laundry, dry cleaning, transportation, decorating, security, maintenance, and literally thousands of other items.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. SCHERLE. Mr. Speaker, for more than 3 years, I have reminded my colleagues daily of the plight of our prisoners of war. Now, for most of us, the war is over. Yet despite the cease-fire agreement's provisions for the release of all prisoners, fewer than 600 of the more than 1,900 men who were lost while on active duty in Southeast Asia have been identified by the enemy as alive and captive. The remaining 1,220 men are still missing in action.

A child asks: "Where is daddy?" A mother asks: "How is my son?" A wife wonders: "Is my husband alive or dead?" How long?

Until those men are accounted for, their families will continue to undergo the special suffering reserved for the relatives of those who simply disappear without a trace, the living lost, the dead with graves unmarked. For their families, peace brings no respite from frustration, anxiety, and uncertainty. Some can look forward to a whole lifetime shadowed by grief.

We must make every effort to alleviate their anguish by redoubling our search for the missing servicemen. Of the incalculable debt owed to them and their families, we can at least pay that minimum. Until I am satisfied, therefore, that we are meeting our obligation, I will continue to ask, "How long?"

FREE SPEECH AND THE SUPREME COURT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RARICK. Mr. Speaker, while the American people have had enough of promiscuousness, licentiousness, and a complete breakdown in morality, the Supreme Court continues its immoral efforts to prove that ours is a society without law.

The latest decision, which affects the University of Missouri, is a classic example of the Supreme Court shenanigans. Six political judges have now misused the first amendment so as to license as free speech language which was so foul and offensive that the judges would not even allow the printing of the utterances in their written decision. Instead they substituted two initials and 10 dashes. Apparently, the Highest Court of our land still abides by a higher code of conduct in its speech than it licenses for the public under the "free speech" misnomer.

The decision goes further than guaranteeing the right to use repulsive language as free speech. The decision must be regarded as a complete attack against discipline and decency so important to education. The Supreme Court has now ruled that a college or university cannot establish norms of conduct which the educators feel are necessary to create an environment conducive to study and learning. The majority of the students seeking to improve themselves by education have lost so that one student can run her dirty mouth and upset any semblance of respect and dignity.

A news report follows:

[From the New York Times, March 20, 1973]

COURT BARS STUDENT'S EXPULSION OVER CAMPUS PRESS OBSCENITY

(By Warren Weaver, Jr.)

WASHINGTON, March 19.—State university officials cannot shut off the dissemination of offensive ideas by expelling a student who circulates them in print, the Supreme Court ruled today.

By a 6-to-3 vote, the Court ordered the University of Missouri to reinstate Barbara Susan Papish, a 32-year-old graduate student in journalism, who was expelled in 1969 on the ground that she had not observed "generally accepted standards of conduct."

Miss Papish had distributed on campus copies of a newspaper called Free Press Underground that included a cartoon portraying the rape of justice and liberty by policemen and a headline with an obscenity.

Neither the cartoon nor the article, the Supreme Court majority held, were "constitutionally obscene," and Miss Papish could not be expelled because "the First Amendment leaves no room for the operation of a dual standards in the academic community with respect to the content of speech."

JUDGES IN MAJORITY

Voting to reverse decisions reached by a Federal District Court and the United States Court of Appeals for the Eighth District were Justices William O. Douglas, William J. Brennan Jr., Potter Stewart, Byron R. White, Thurgood Marshall and Lewis F. Powell Jr.

Dissenting were Chief Justice Warren E. Burger and Justices Harry A. Blackmun and William H. Rehnquist.

Mr. Burger charged that the majority had proved its inconsistency by using two initials and 10 dashes in its opinion as a substitute for "the petitioner's foul language."

The majority quoted from a 1972 Supreme Court ruling that "state colleges and universities are not enclaves immune from the sweep of the First Amendment" and denied that the university's action was "a nondiscriminatory application of reasonable rules to govern conduct."

In his dissent, Mr. Rehnquist said that Miss Papish had spent six years as a graduate student with little progress, and was on disciplinary probation for distrubting obscene publications and academic probation for "submarginal academic progress."

Just because the first amendment would have prevented any criminal prosecution of the student, Justice Rehnquist wrote, does not necessarily mean that the university could not exercise control over its operations by expelling anyone who circulates offensive material.

SOCIAL SERVICES

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. REID. Mr. Speaker, on Wednesday, March 21, the Democratic Caucus will consider a resolution requesting the Committee on Ways and Means to report out legislation which will enable State and local governments to continue existing programs providing social services.

The need for this resolution stems from proposed regulations issued by HEW on February 16. These regulations, if implemented, will all but destroy countless programs for the poor, the aged, and the disabled—programs designed to combat welfare dependency.

I am enclosing for the RECORD a copy of the resolution and commend my colleagues in the House who have registered their support. I hope that all my Democratic colleagues will attend the caucus and support this resolution.

The resolution follows:

PROPOSED RESOLUTION ON SOCIAL SERVICES FUNDING FOR CONSIDERATION BY THE DEMOCRATIC CAUCUS, MARCH 21, 1973

Whereas, pursuant to the authority contained in Titles I, X, XIV, XVI and IVa of the Social Security Act, programs of social services have been initiated by state and local governments which have provided substantial assistance to the disadvantaged and have enabled large numbers of citizens to successfully remain off the public assistances roles and,

Whereas, in the 92nd Congress a ceiling of $2.5 billion was imposed upon federal reimbursement to the states and territories for such social service programs and,

Whereas, at the same time a formula for apportionment of said sum among the states and territories was established which fixes the sums to which each state is entitled, and

Whereas, the Department of Health, Education and Welfare has now proposed new, restrictive regulations which would destroy many useful programs of social services and would sharply reduce the effectiveness of others, and would shift substantial financial burdens to state and local governments, and

Whereas, the President has urged that Congress provide greater decision-making to state and local governments in the expenditure of federal funds.

Now therefore, be it resolved by the Democratic Caucus of the House of Representatives that the Committee on Ways and Means is respectfully requested to promptly report to the floor legislation necessary to enable state and local governments to continue existing programs of social services subject only to the limitations expressly enacted in the 92nd Congress.

SIGNERS OF THE NOTICE TO THE DEMOCRATIC CAUCUS

Ogden R. Reid, Bella Abzug, Joseph P. Addabbo, Glen M. Anderson, Thomas L. Ashley, Herman Badillo, Jonathan B. Bingham, John Brademas, George E. Brown, Yvonne Brathwaite Burke, Phillip Burton, Shirley Chisholm, William Clay, John Conyers, James C. Corman, John C. Culver, and Ronald V. Dellums.

Ron de Lugo, John Dent, Charles C. Diggs, Robert F. Drinan, Don Edwards, Joshua Eilberg, Dante B. Fascell, Walter E. Fauntroy, William D. Ford, Lee H. Hamilton, Julia Butler Hansen, Michael Harrington, Augustus F. Hawkins, Ken Hechler, Henry Helstoski, Elizabeth Holtzman, James J. Howard, and Robert W. Kastenmeier.

Donald M. Fraser, Edward I. Koch, Robert L. Leggett, Torbert H. Macdonald, Spark M. Matsunaga, Lloyd Meeds, Ralph H. Metcalfe, Parren J. Mitchell, Joe Moakley, William S. Moorhead, John E. Moss, Morgan F. Murphy, Lucien N. Nedzi, Claude Pepper, Bertram L. Podell, and Melvin Price.

Charles B. Rangel, Thomas M. Rees, Donald W. Riegle, Peter W. Rodino, Jr., Fred B. Rooney, Edward R. Roybal, Paul S. Sarbanes, Patricia Schroeder, John F. Seiberling, B. F. Sisk, Fortney H. Stark, Louis Stokes, W. S. Stuckey, Jr., James W. Symington, Frank Thompson, Jr., Robert O. Tiernan, Lionel Van Deerlin, Jerome R. Waldie, Lester L. Wolff, Antonio Borja Won Pat, and Andrew Young.

BLACK SUPPORT FOR OEO DISMANTLEMENT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. CRANE. Mr. Speaker, by any objective standard the programs instituted by the Office of Economic Opportunity, with certain minor exceptions, have failed to perform the tasks assigned to them. Rather than assisting the poor to gain skills, employment, and improved living conditions, OEO has instead created a huge governmental bureaucracy designed primarily to stir political turmoil and unrest.

The experience we have had with OEO proves once again that serious and complex situations are most often made worse by the intervention of government. Bureaucrats, once assigned to the job of alleviating poverty, quickly develop a vested interest in not alleviating it. If poverty were eliminated, for example, so would the jobs of poverty fighters.

Recently, the city of Washington witnessed a demonstration of opposition to the administration's proposals to dismantle the Office of Economic Opportunity and eliminate some of its more flagrantly abusive programs, such as those relating to community action agencies. Those who demonstrated claimed to represent the poor, and more particularly the majority of black Americans. This claim, however, is totally unsubstantiated. Those black Americans who are desperately concerned with the deteriorating situation in our inner cities seek real solutions, not expensive Government bureaucracies.

One black voice which has been vocal in its support for the dismantlement of OEO is that of the Reverend Henry Mitchell of Chicago. In the newsletter published by his North Star Mission, the Reverend Mitchell invites any person or groups of persons, black or white, to come into the Lawndale area, knock on any door—and ask the question, "What has the so-called antipoverty program done to help you?"

He declares that—

Ninety five per cent of the people wouldn't even know what you are talking about.

On the other hand, if you knock on the door of any precinct captain, ward committeeman, or alderman and ask them the question—they would say, "It has created patronage jobs for certain people who are used by the crooked political machines to steal votes by misusing the rights of the voters—and have lined their pockets."

In April 1971, the North Star Mission and other black groups in Chicago identified many people employed by Government programs who were "out on the streets hustling votes for the existing political machine in Chicago at the taxpayers' expense."

Declares the Reverend Mitchell:

OEO programs, were supposed to have been designed to teach people how to help themselves, so far they have taught people how to become slaves to the city plantation, especially the blacks. We encourage President Nixon and Congress to wipe out all programs that have enslaved the poor, robbed the taxpayers, and turned many people into thieves.

We have heard the voices of black militants urging more and more bureaucratic intervention on their own behalf. Now let us listen to a black voice which is truly concerned with improving conditions of the poor.

I wish to share with my colleagues the Star News, published by the North Star Mission, of February 1973 and insert it into the RECORD at this time:

BETTER LATE THAN NEVER

(By Rev. Henry Mitchell)

A handful of Americans are up in arms over the cut-backs in some Government programs.

Far too long have city officials been depending upon Federal Government to solve the problems of the cities. Good leadership is indicated by economical handling of finances. Getting the most out of every dollar you spend.

Finding jobs for the unemployed does not necessarily mean you must have elaborate, air conditioned, wall-to-wall carpeted offices and a large staff of over-payed, under-worked individuals.

Billions of dollars spent on research and paper programs could have been spent more wisely on educating every man, woman and child to become responsible individuals.

Responsible to their job.

Responsible to their home.

Responsible to their country.

This handful of people who are crying about the cut-backs are crying about the education of the people in the poverty areas.

This handful of dudes who are crying to keep the programs going should answer these questions. If the programs have been so successful why do we have more slums? Why do we have more crime? Why do we have more boarded up buildings and vacant lots? Why do we have more people today who rather go on welfare than work? Why do we have many people working just a few months then quitting good paying jobs?

These dudes are crying that the country is headed for a depression. It won't be the country going into a depression it will be the over-payed, under-worked employees of these programs.

These dudes have organized an Anti-Poverty factory in the name of helping the poor by robbing the tax-payers.

Quite naturally they will do everything in their power to keep their Anti-Poverty Factory U.S.A. in action.

I live, eat and sleep in the ghetto, I'm raising my family in the ghetto, I pastor a church in the ghetto, the North Star Mission is in the ghetto, and I will call any man or woman a liar and prove they are lying if they say these programs have helped the poverty sticken American.

The North Star Mission has been trying to educate the public to the fraud of Anti-Poverty Factory U.S.A. even before Nixon was elected President in 1968.

The North Star Mission invites any person or groups of persons, black or white to come into the Lawndale area, knock on any door they so please and ask the question, "What has the so-called Anti-Poverty program done to help you?".

Ninety-five percent of the people wouldn't even know what you are talking about. They would stare at you as if you had asked them, "How many spits in a dip of snuff?".

But, if you knock on the door of any Precinct Captain, Ward Committeeman or Alderman and ask them the question, "What has the Anti-Poverty program done for you?", if they would be truthful they would say, "It has created patronage jobs for certain people who are used by the crooked political machines to steal votes by misusing the rights of the voters and the programs have lined their pockets with "In God We Trust" and stripped their hearts of honesty.

In April of 1971 the North Star Mission along with many other organizations identified many people who worked in the so-called Model Cities program who were out on the street hustling votes for the existing political machine in Chicago at the tax-payers expense.

One thing the mass of Chicago citizens have experienced since Model Cities came into being is that ninety-eight percent of the Model Cities program has been Model destruction.

We ask no one to take our word for it, but we invite all to come and see for themselves.

The programs were supposed to have been designed to teach people how to help themselves, so far they have taught people how to become slaves to the city plantation, especially the blacks.

I constantly see my Black people being used and misused at the expense of the taxpayer by that black and white nigger.

The average black person can show respect for President Nixon by encouraging local responsibility in the home, in the school, in the community and in the State.

I feel that every home should have home government as long as that home government is not infringing on the rights of others.

For hundreds of years the black home, the black school and the black community has been run by irresponsible people in city halls throughout the nation.

Every Mayor and Governor should be proud of President Nixon's Revenue Sharing Program. It will teach them something they have never been taught since they have been

in office. It will teach them how to be responsible for their office as Governor or Mayor without crying on the shoulders of Congress when they fail to handle their responsibilities as they should.

How can there be responsible followers when they fail to provide responsible leadership.

Those officials who are crying about the cut-backs in wasteful programs are proving to the people they are supposed to be representing that they are incapable of assuming responsibility, like a two day old baby that cries to be fed and changed.

One old saying that is very true is, "If you throw a bone into a pack of dogs, the dog it hits is the one that barks".

When President Nixon threw a bone into the wasteful Anti-Poverty Factory U.S.A. the ones that were hit started all the barking, pretending that they are so concerned about the poor. None of them that barked are poor.

If they are so concerned about the welfare of the poor we ask them to answer these questions. "What have they ever done as an individual, completely on their own, to help the poor?".

Have they given one child, other than their own a scholarship to college? Have they gone into the poor communities and paid one family's rent or bought them food? Have they bought paint, lumber or tools for one family to fix up their property? Have they loaned one family money to help renovate their building? Have they moved into the poor community to offer their physical labor, talents or skills where ever they are needed? Have they taken one poor Black or Appalachian child to an Art or Science Museum or to a Historical monument.

President Nixon has been receiving information from the North Star Mission about these wasteful programs since he was first elected in 1968. If he would have done something then about these programs the economy of our country would have been in much better shape and there would have been less thieves today.

It's better late than never.

I'm sure you know this is not a political endorsement but the facts regarding the Anti-Poverty Factory U.S.A.

We hope President Nixon will establish programs to train people to become responsible for the Government instead of programs that train Government to be responsible for the people.

If people are trained to become responsible for their Government they will automatically become responsible for their jobs, their homes and their community.

If there were programs that taught people to be responsible for the Government, in the next twenty years ninety-five percent of the problems, that are destroying America today would be solved.

Since 1934 the Government has been responsible for the people. One thing many Americans fail to understand is that the Government is the people. If the American people were taught responsibility we definitely would have a responsible Government.

In our schools, our children, regardless of race, creed or color must be taught the responsibility of love, regardless to race, creed or color.

God teaches us in His Holy word that man must make one step and He will make two.

The have-nots must be taught to make that one step and the haves must be willing to help the have-nots who take the one step to help themselves.

If big Government spending and big Unions were the answer to America's problems then why do we have more problems in America today than ever before?

The only thing big Government spending does is to make big thieves.

Billions of dollars have left Washington D.C. in the name of helping the poor. Those billions have been side-tracked into shoe boxes, gambling casinos, Swiss bank accounts and used to help finance political campaigns.

The reward to the poor, of the money that has been allocated to help them, has been to enslave more of the poor and caused the slum conditions to grow and consume more of our cities.

We encourage President Nixon and Congress to wipe out all programs that have enslaved the poor, robbed the tax-payers and turned many people into thieves.

We encourage President Nixon and Congress to set up programs that will encourage people that they are somebody, not because they are black, white, yellow or green but because they are made in God's image after His own likeness.

We encourage every American to support any man in Congress who will set up programs to instill dignity and pride in the American people so they can hold their heads high and say, "I am somebody because I have a job and can support my family. My community is clean and not littered. My wife, mother, son, daughter and father can walk the streets without being robbed, raped or beaten up by some hoodlums".

The North Star Mission believes that those who need help should get it, also the Government should continue to provide preschool programs for children. We also believe jobs should be available to those who are able to work for themselves, they should not receive welfare.

To all those who have been employed by the Anti-Poverty Factory U.S.A., if you are willing to give a company eight hours of work for eight hours of pay, we will seek employment for you. Call the North Star Mission at 522-7610 for an interview.

CHAMBER OF COMMERCE FAVORS JOB OPPORTUNITIES FOR COLLEGE STUDENTS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. COLLINS. Mr. Speaker, we are all interested in an excellent statement that affects college students. Arch Booth, executive vice president of the Chamber of Commerce of the United States, spoke out with sound logic on the effect of minimum wage on college student employment. As I had an opportunity to work my way through college, I hope that many of our present generation will have the same opportunity.

Five million individuals in the chamber of commerce received the message of Arch Booth. I would like for my colleagues to also read this expression from the representative voice of the chamber as it also affects your own community. The following is Booth's statement:

STATEMENT BY ARCH BOOTH

I notice that some outfit calling itself "the National Student Lobby" is reported to have proposed a boycott of McDonald's. Why? Because the president of that company has supported legislation to set a lower federal minimum wage for young people.

Sounds logical, right? If you want to help students, you demand that they get the same rate of pay as anyone else, right? No, wrong. With friends like that, students don't need any enemies.

The fact is, raising the minimum wage to $2, as is being discussed in Congress—without an exemption, or lower rate for students and the young—would have these effects: 1. Wholesale elimination of student jobs. 2. Increases in college tuition costs. 3. Reduction or elimination of many campus services.

SOME EXAMPLES

Take Michigan State University as an example. For the 1971–72 school year, Michigan employed 7,000 students at a minimum wage rate of $1.60 an hour. If the minimum were hiked to $2 an hour, with no exemption for students, the University's costs would increase by $2,475,000. Some other examples: Brigham Young University, $1,378,000; Oklahoma State, $2,121,600; Illinois State, $1,308,320; University of Iowa, $1,591,200, and so on.

Where would a hard-pressed school get this kind of money? The answer is, it wouldn't. Tuition might be raised a little. Some money might be squeezed out of the state or federal governments. But most of that potential increase would have to be absorbed by a reduction of student jobs.

Obviously, the students who need the jobs would suffer. So would other students, because many of the services that were made possible by the use of part-time student help would have to be eliminated. Cafeteria and dorm service would decrease, libraries and snack shops would cut their hours of operation, maintenance of grounds and buildings would decline, secretarial service and research assistance would be cut back.

How do we know these things would come to pass? Because they have already happened at educational institutions in major metropolitan areas, where competition—not legislation—keeps wage rates well above the minimum.

In a big metropolitan area there is at least a good possibility that students who need jobs will be able to find them somewhere. But what about small towns, where the college is the major employer?

The outlook would be even more grim for the high school student or the school dropout. This group already suffers a very high rate of unemployment. Things would get worse without a "youth differential" in any new minimum wage legislation.

A POLITICAL GESTURE

Raising the pay of those at the bottom of the income ladder by Congressional decree always sounds so warm hearted that it's difficult for people to see the real danger in it. If the new minimum wage is below the rate already prevailing in the marketplace, then it does no harm—it's just a gesture. But if the legal minimum is substantially higher than the prevailing wage rate; if, in other words, the rate is set higher than the labor is worth to an employer, then the inevitable result is the elimination of jobs.

Congress may establish a minimum wage rate, but it does not provide the money to pay it. Seldom are the pernicious effects of this political gambit as clear as they are in the case of student jobs at our colleges and universities.

FREEDOM FOR IRAQI JEWS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. HARRINGTON. Mr. Speaker, the plight of Soviet Jewish people has become a grave concern to millions of Americans in recent years. However, the persecution of Jews living in Iraq is also alarming and distressing. The Jewish Community of Iraq, estimated to be in the area of 500 persons, lives in an

atmosphere of fear. Frequent political executions and imprisonments are gradually killing Iraqi Jews.

The Iraqi Government has recently reversed an earlier position, allowing Jews to emigrate, and has severely tightened emigration restrictions. Those few allowed to leave are permitted to take minimal possessions with them.

The emigration of the Iraqi Jewish Community will obviously not harm the country's economy. There are no logical reasons for the Iraqi Government to prevent these people from emigrating. The Jews of Iraq are not asking for their rights back; they do not want their confiscated property back. All they ask is permission to leave the country which has persecuted them.

I urge the Iraqi Government to grant two reasonable requests to its Jewish people. First, those Jews wishing to emigrate should be allowed to do so immediately, with an adequate amount of personal property; and second, those Jews who choose to stay in Iraq should be permitted to live in peace and be treated in the same manner, with the same rights and privileges which other Iraqi citizens presently enjoy.

I have sent a letter to the President of Iraq, His Excellency Maj. Gen. Hasa al-Bakr, asking him to describe the present situation of the Jews in Iraq, and to respond to allegations concerning the mistreatment of Jewish Iraqis. The following is the text of that letter:

HOUSE OF REPRESENTATIVES,
February 26, 1973.

His Excellency Major General AHMED HASAN AL-BAKR,
President, The Republic of Iraq, Baghdad, Iraq.

DEAR MR. PRESIDENT: Over the past several weeks, certain allegations concerning the mistreatment of Jews in Iraq have come to my attention, and I find them most disturbing. Therefore, I would appreciate your response to the following questions:

1. What are the present circumstances of the below listed individuals? Are they alive? If not, what caused their deaths? Are any of these people under arrest? If yes, what charges have been brought, and what are the dates of trial? Have any of these individuals been convicted of a criminal offense? If so, what offense?

Yaacov Abdul Aziz.
Ezra Khazam.
Azuri Shamash.
Shaul Shamash.
Shaul Rejwan.
Yaacov Rejwan.
Ezra Abu Daud.
Selim Sadka.
Maji Sitiat.
Ezra Shemtov.

2. What provisions has been made for the naming of a new Grand Rabbi of Iraq? When will this occur?

3. The names, locations and presiding Rabbis of any synagogues holding services on at least a weekly basis in Iraq.

4. The names of all persons held in jail in Iraq who are Jews, the charges against these people and their scheduled trial dates.

5. The names of all Jews convicted of crimes and presently held in Iraqi jails, the crimes of which these individuals were convicted, the transcripts of their trials, and the length of sentence to be served.

6. The names and crimes of all persons executed under Iraqi law during the past four years.

7. A description of the type of identification that an Iraqi Jew must carry, and how it differs from that which other Iraqis must carry, either in regulations stipulating the need for such identification, or the color size, or prominence of religious identification of the papers themselves.

8. The nature of emigration restrictions imposed on Iraqi Jews, the difficulty involved in obtaining emigration papers, and the exact cash amount that an emigrating Jew may take with him upon departure.

It is my hope that the problems raised above will be settled in such a manner that relations between the United States and the government of Iraq will be both friendly and cooperative. Thank you for your cooperation in this matter.

Yours sincerely,
MICHAEL J. HARRINGTON.

TRIBUTES PAID TO COPERNICUS ON 500TH ANNIVERSARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. DULSKI. Mr. Speaker, there are special programs, exhibits, concerts, and other events being arranged throughout the world this year in tribute to the 500th anniversary of the birth of Nicolaus Copernicus.

The birthdate of this renowned Polish scientist is February 19 and a number of events were scheduled for that day, including my own extended remarks in the House.

But, we in the United States encountered a "Monday holiday law" conflict with the official national observance of George Washington's birthday.

Because of that conflict and because it lends itself to even greater scientific emphasis and recognition in honor of the great Polish astronomer who defied strict teachings of his day, accent now is being focused upon the week of April 23.

During that week, the Smithsonian Institution, in cooperation with the National Academy of Sciences, has arranged a major scientific seminar here in Washington which will give prime attention to the Copernican theory.

On the opening day, April 23, the U.S. Postal Service will issue its 8-cent commemorative stamp in honor of Copernicus. The first-day ceremony will be at the Smithsonian where extensive exhibits are being developed for public viewing in this peak tourist period.

Mr. Speaker, Editor Henry J. Dende of the Pol-Am Journal, published monthly in Scranton, Pa., has compiled an impressive summary of the tributes being arranged in honor of Copernicus.

As part of my remarks, I include the text of his summary:

U.S. TRIBUTE TO COPERNICUS (KOPERNIK)

The celebrations of Nicolaus Copernicus (Mikolaj Kopernik) 500th anniversary have officially been launched on the eve of the great Polish astronomer's birth, Feb. 18, in the United States, and will continue throughout the year 1973.

The Corpernicus Exhibition at ESS/N is part of an international celebration, UNESCO and the International Council of Scientific (ICSU) have declared 1973 to be "Copernicus Year." The first international observance was a UNESCO program in Paris on Feb. 19. The U.S. Postmaster General will issue a special commemorative stamp, which is expected to be repeated by many countries of the world, on April 23.

The year 1973 in Poland has been proclaimed "The Year of Polish Science," in honor of Kopernik. The aim is to have these observances leave a lasting imprint on the achievements of Polish science, to popularize them throughout the world and to enrich Poland's scientific community with new and permanent facilities.

CHICAGO CENTER PLANNED

Philadelphia plans to unveil a monument to the Polish astronomer. Chicago Pol-Am Congress has spearheaded a drive to build a multi-million dollar "Copernicus Cultural-Civic Center." The scientific institutions of Europe are sponsoring activities during a number of national and international ceremonies to the founder of modern astronomy.

During the month of April, the Smithsonian Institution in Washington will devote its Fifth International Symposium "The Nature of Scientific Discovery" in cooperation with the National Academy of Science to the origin of modern science for which Copernicus is given credit.

In the United States, committees have been formed in nearly every city, to pay homage to the author of the heliocentric theory. A brief rundown of the Kopernik celebrations in numerous cities follow:

Copernicus activities at Alliance College, Cambridge Springs, Pa., began with a banquet on Feb. 17, followed by a week-long series of lectures on topics as "Copernicus and Galileo", "The Art and Architecture of the Copernican Era" and "The Heliocentric Theory of Copernicus." A Renaissance setting dominated the banquet atmosphere.

MIAMI, FLA.

Throughout Feb., the Copernicus Committee of Florida, sponsored exhibits at Miami Public Library, with a "Copernicus Night" on Feb. 22, at the Library having Dr. Donald Duke, prof. of astronomy at U of Miami as speaker. In March, a display will be held at Barry College in Miami Shores. An essay contest is being sponsored for all 8th grade children, titled "Copernicus and His Country—Poland."

The Kosciuszko Foundation's Copernican exhibit entitled "Cracow in the Time of Copernicus" is on its American tour. The exhibit features pictures, documents connected with Copernicus' student days at Cracow U, illustrations of Cracovian life during the Renaissance. Parties interested in sponsoring the exhibit write: Stanley Cuba, Kosciuszko Foundation, 15 E. 65th St., New York City (Phone: 212-734-2130).

Copernicus Committee in Milwaukee, Wisc. area, held a lecture at the Univ. of Wisconsin Planetarium on Jan. 31; a mini convention on Pol-Am matters by Wisconsin Educators of Polish Heritage at the Int'l Institute; a gala Copernicus banquet on Feb. 25, at Hotel Pfister; on April 2, a lecture by Prof. Karol Estreicher, at Marquette U, Todd Wehr Chemistry Bldg., on "Krawow at the time of Kopernik"; June 2–27, an exhibit of original Copernicus instruments at Milwaukee Public Museum.

MICHIGAN

The Engineering Society of Detroit, together with the local Copernicus Committee held a banquet entitled "The Past, Present and Future of Space."

Pledge of $50,000 for a room in the Detroit Science Center was made, where a $50,000 bust of Copernicus will be located.

The Detroit Public Library opened an exhibit on Feb. 19, called "Copernicus the Great Humanist." A 1566 Basel printing of Copernicus "De Revolutionibus Orbium Coeles-

tum" is one of the featured documents. A bronze bust of Copernicus was presented to the City of Detroit in ceremonies at the main Detroit Public Library . . . A "Copernicus Commemorative Concert" auspices of Pol-Am Congress will be held April 15 at the Music Hall in Detroit.

In Hamtramck, Mich., the Liberty State Bank, 9301 Jos. Campau Ave., is the depository for Copernicus Silver Medallions. This treasured special limited issue of 500 sterling silver coins are engraved with a portrait of Copernicus, the reverse side pictures Copernicus Orbiting Astronomical Observatory launched Aug. 21, 1972 at Kennedy Space Center. Each coin costs $15.00.

BUFFALO, N.Y.

The State University of New York at Buffalo, N.Y., in cooperation with other universities, scientific associations and citizens groups, have coordinated a series of lectures, concert, exhibit and films in celebration of the Copernican year, which began Feb. 23 and continues through April 2 . . . The Western N.Y. Chapter of the Polish American Congress in cooperation with the Felician Sisters and the Copernicus Educational Aid Assn., presented a Copernicus program at Villa Maria College, March 4. The program featured the Chopin Singing Society and the Buffalo Civic Orchestra, plus exhibits in the college library and at the main Buffalo and Erie County Public Library during the month of March.

Adler Planetarium throughout March is presenting a sky show titled "Captives of the Sun" which shows the contributions of Copernicus to Astronomy . . . The Natural Sciences and useful Arts Dept. of Chicago Library has portrayed "The Life, Work and Times of Copernicus." The exhibit was loaned by the Society of Polish Arts & Letters . . . The Polish American Congress, Illinois Division is coordinating the Copernicus activities.

WASHINGTON, D.C.

Polonia of Washington, D.C. in conjunction with the U.S. Park Service will sponsor "Copernicus Day On The Mall" on the grounds of the Sylvan Theatre complex on April 28, ending a week-long events paying tribute to the Polish astronomer.

A year-long Copernicus celebration is planned by Orchard Lake, (Mich.) Schools which consists of: a Founders Day Historical Symposium; a drama on the life of Copernicus is being prepared by students of the Prep school; the Sodalis-Polonia magazine, devoted its current issue (in the Polish language) to Copernicus and his work; Rev. Z. Peszkowski of OLS, will author three pamphlets on the works of the Polish genius.

Arizona State University year-long observance includes a Copernicus display in Hayden Library, ASU; the Arizona Academy of Science will organize programs; Education TV, Cha. 8, will produce a program on Copernicus (Kopernik); the planetarium at ASU will have a public three-lecture series; a bust of Copernicus will be presented to Arizona State by the state chapter of the Polish American Congress.

City Hall in Jersey City was the scene of a Copernicus program; freeholders of Hudson County issued a proclamation; three Bayonne, N.J. high schools prepared an exhibit honoring the Polish astronomer; the Pol-Am Congress, South Jersey Div., is sponsoring an essay contest on Kopernik, among high school students in Camden (N.J.) county; Women's Auxiliary of Polish University Club of N.J.P. fashion show will be dedicated to Copernicus on March 14, in West Orange, N.J.; Pulaski Citizens Club of Perth Amboy is planning a number of Copernicus events; an adult education program in tribute to Kopernick, at Seton Hall Univ., S. Orange, N.J., on May 6 under auspices of local Pol-Am cultural groups.

OTHER CITIES

Minneapolis, Minn.—Pol Am Congress, Minn. Div., has urged city officials to change the name of Central Ave., in Minneapolis, to "Copernicus Ave."

Cleveland, O.—This city launched its Copernicus activities with a banquet, on Feb. 18, with NASA Director Bruce T. Ludin as guest speaker.

Cupertino, Calif.—A public unveiling of a 4x4-ft. painting of Mikolaj Kopernik, at Minolta Planetarium at DeAnza College, (one of the newest and largest planetariums) held Feb. 18.

Wilkes-Barre, Pa.—Premiere showing of film strip on life of Copernicus held at dinner at the Treadway Inn, sponsored by the Polish Union. The film strips will be distributed to all local schools. Ernest Cuneo, noted writer, journalist, was the principal speaker.

Hartford, Conn.—Polish University Club presented a lecture by Dr. Karol Estrecher of Poland, noted scholar, who spoke on "Cracow and Copernicus. Local Pol-Am Congress is planning many other educational activities in colleges, museums, libraries, etc.

Youngstown, O.—The 39th annual Polish Arts Club Exhibition at Butler Institute of American Art, was dedicated to Copernicus from Feb. 4–25.

Winona, Minn.—Copernicus 500th anniversary observed by the Mathematics-Physics Dept. of College of St. Teresa at Rogert Bacon Planetarium, Feb. 19. Featured were fantastic displays and Polish refreshments.

Poughkeepsie, N.Y.—A "Copernicus Week-End" held here Feb. 17–19 auspices of Pol-Am Citizens Club, which included a dinner, dance, scientific exhibits, illustrated slide talks, arts & crafts, etc.

Lynn, Mass.—A joint effort of local Pol-Am civic groups, educators from local high schools and colleges, arts clubs, have formulated plans honoring the Polish astronomer with a long-list of activities for the coming months.

Springfield, Mass.—Dinner held by Pol-Am Congress, West, Mass. Division, which included proclamation by Gov. Sargent, and a talk by Dr. Frank D. Korkosz, director of the Springfield Museum of Science on "The Impact of Copernicus." A Mass was held at Our Lady of the Rosary Church paying religious tribute to Kopernik.

New York—Programs commorating Kopernik are being planned by the Nassau County (N.Y.) Pulaski Parade Committee, Inc. . . . The Copernicus Show arranged by I.B.M. at its Exhibit Center at 57th & Madison Ave., New York City, will continue to run thru the Easter season.

CONTESTS—PROMOTIONS

Edward Piszek, Philadelphia industrialist, purchased the Polish film portraying Copernicus' life between the ages of 20 and 70, to be shown in U.S. Theatres and will be viewed on national TV. . . . WMAQ-TV, Channel 5 in Chicago, aired a series of brief, intermittent episodes on life of Copernicus last month.

ACPCC (American Council of Polish Cultural Clubs) sponsoring an essay contest on Copernicus. First prize is a round-trip ticket to Poland plus other prizes. For application blanks write: Mrs. Josepha Contoski, 1810 5th St., Minneapolis, Minn. 55418.

B. Michael Wisniewski, a sculptor, designed a model for a plaque of Copernicus. Only 10-inch diameter, it may be hung with pride in a classroom, library, clubroom, etc. For details write: B. W. Wisniewski, 4849 W. Addison St., Chicago, Ill. 60644.

Mikolaj Kopernik Monograph, beautifully written, illustrated, size: 8½x11, 32pp., for only $1.00, can be acquired for $1.00 from: Wisconsin Kopernik Committee, 3552 E. Layton Ave., Cudahy, Wisc., 53110.

DETROIT'S REPOSSESSED HOMES

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mrs. GRIFFITHS. Mr. Speaker, the Detroit News has come out editorially in opposition to the appointment of John E. Kane as director of the Detroit area office of the U.S. Department of Housing and Urban Development. Mr. Kane until last summer was Deputy Director of the Detroit-HUD office, in charge of programs to rehabilitate and sell homes repossessed by HUD after foreclosures on FHA-insured mortgages. HUD now owns some 10,500 of these homes and the waste and tragedy involved have been pinpointed and publicized in an excellent series of articles written by News staff writer, Don Ball. I personally could not agree more with Mr. Ball's concern as to the continued misallocation of our vital housing resources. At this time, I would like to insert into the RECORD, the editorial from the March 16 Detroit News and several recent news articles on the Detroit-HUD problem:

THE NEW HUD DIRECTOR—ANOTHER ALBATROSS

Thanks to HUD, Detroit is "on the map" as the city with the nation's biggest housing scandals. The Department of Housing and Urban Development has been an albatross around the neck of decent housing in this city for years. And proof of it has been published over and over again in stories by Detroit News writer Don Ball.

Now, to add the ultimate insult to irreparable injury, HUD has named John E. Kane as the new director of the Detroit-area office. Kane is the man who, as deputy director in Detroit, was in charge of programs to rehabilitate and sell homes repossessed by HUD at the height of the scandals. Those programs are prime examples of incompetency, fraud and waste of taxpayer dollars and housing resources.

Every one of them, from the miserable failure of "vest-pocket" rehabilitation to the cozy deals with certain rehabilitators and "nonprofit" organizations, can be laid at Kane's doorstep. Last summer, when a HUD task force arrived to salvage the wreckage of Detroit's housing disaster, Kane was off to Milwaukee where, we suppose, he couldn't do too much harm in a short time since that city had the nation's best HUD program under its former directors.

Now the Detroit task force is gone, having spent $2 million and accomplishing nothing. In its wake, former Detroit HUD Director William C. Whitbeck politely bows out and manages to land a post with the Michigan Public Service Commission. And John Kane is brought back to Detroit, where all those miserable mistakes were made under his direct responsibility. And this time he is director of the whole operation. One can only shudder at the thought of spreading incompetency over a wider area of authority.

Detroit homeowner groups, fighting desperately against HUD's neighborhood cancer, should be up in arms over the appointment. So should Mayor Gribbs and all city and state officials concerned with housing. In Washington, our senators should object strenuously to the appointment and Martha Griffiths, Democratic representative from the northwest Detroit area now succumbing to HUD cancer, should lead the battle.

Why should Detroit, already victimized by HUD policies, with thousands of homes wasting away, with millions of dollars down the drain, have to sit back and take even one

more week of Kane's "direction"? Is Washington determined to scuttle any hope of a decent housing program in Detroit?

That's what will happen unless Detroit gets superior government managers, more resources to correct the existing foul-ups and new programs that have a chance of working.

ALL IN DETROIT AND OWNED BY HUD—10,500 HOMES WASTING AWAY

(By Don Ball)

There are some 10,500 of them in the city of Detroit.

Practically all were once good solid homes where families lived happily, and could again.

But all of them are now vacant.

And many that are sound today will be wrecks before long.

They are houses now owned by the U.S. Department of Housing and Urban Development (HUD) after owners defaulted on FHA-insured mortgages.

One such house, which sold for $27,500 on Sept. 18, 1970, stands rotting on Muirland in northwest Detroit's university district, North of McNichols and West of Livernois.

Once a beautiful five-bedroom home with a tile roof and a pegged-wood floor in its plush game room, it has suffered more than $15,000 in damages caused by standing neglected and unheated for eight months.

Waterpipes froze and burst, flooding the basement. Water from a roof leak seriously damaged floors, ceilings and walls from attics to ground level. Hardwood floors buckled, and creak threateningly at each footstep.

The house has been owned by HUD since last August. It was repossessed after a default on the FHA-insured mortgage. The owners had paid $3,000 down and another $1,000 in closing costs to buy the home in September, 1970.

The house probably will be torn down now because it would be "uneconomical" to repair the damages caused by the neglect of the property.

In the St. Mary's of Redford area in northwest Detroit, another HUD-owned home has stood vacant since October, 1970, when it was repossessed by HUD.

Again, it was not a "speculator's deal" and the family which bought it wasn't poor. There was a $3,000 down payment and more than $1,000 in closing costs.

Since repossessing it, HUD has poured more than $12,000 into repairs on the house—some of the work was done twice, according to neighbors—but HUD has yet to sell it.

In North Rosedale Park, a few blocks west of Southfield and just south of McNichols, a $32,000 HUD-owned home has remained vacant and deteriorating since December 1971.

In each case, there have been buyers who wanted to purchase the homes but couldn't get through HUD red tape.

Taken alone, the three homes could be explained as isolated cases.

But they are only four of hundreds of prime northwest Detroit homes which HUD owns and seems unable to market.

Other examples are four brick homes in one block on Lesure near Puritan which have been standing vacant for months, and three neighboring empty homes on Prest near Fenkell.

There are five vacant brick homes in the 15000 block of Pinehurst, and another four vacant brick homes within doors of each other in the 15400 block of Monte Vista.

Similar groups of homes can be found throughout northwest Detroit.

All sound and comparatively young structures, the houses should have been snapped up by families seeking good buys in the handsome northwest Detroit neighborhood.

Instead, they've stood vacant and neglected for anywhere from six months to more than two years.

Neighborhood associations see them as cancers which threaten the health of entire blocks of otherwise sound homes.

"First there's one HUD home, then two and the next you know there are four or five in your block," one community spokesman said.

"At times, HUD seems so mixed up that it doesn't even know that it owns the houses.

"We've had families wanting to buy the homes in our neighborhood and they get nothing but the run-around from HUD."

The Detroit News reviewed HUD records of all repossessed homes in the area bounded roughly by Woodward, West McNichols, Livernois; Schoolcraft, Telegraph and West Eight Mile.

HUD owns more than 1,300 empty houses in the 31-square-mile area—many of them repossessed as long ago as 1970–71, according to HUD records.

In a two-day tour of the area, The News found that most of the HUD properties were brick homes in the $17,000–$35,000 value range.

With few exceptions, the houses were sound structures in otherwise thriving neighborhoods.

Most of the houses were last sold by owners who lived in them, rather than by speculators. Many of the homes had been bought with "conventional" FHA mortgages, those which require a substantial downpayment and hefty closing costs.

HUD repossessed most of the homes after the buyers defaulted for traditional reasons—divorce, financial reverses and death.

Before 1970, the houses probably would have been resold by HUD within months after being repossessed.

That was before fraud, corruption and mismanagement in FHA programs generated a tidal wave of foreclosures which deluged the Detroit HUD office with thousands of repossessed homes.

The increase in repossessed homes in Detroit—from about 900 in January, 1970, to nearly 5,000 in January, 1972—swamped HUD's machinery for disposing of such properties.

As a result, thousands of Detroit homes have stood empty and apparently forgotten by HUD since then, even when buyers sought to purchase them.

New approaches by HUD to marketing the properties seem only to have added to the problem.

In 1971, HUD gave a number of nonprofit firms the exclusive rights to rehabilitate and market more than 600 of the HUD homes in Detroit along with a $3,200 bonus for each home sold.

Some of the firms were founded simply to get into the HUD program. Their owners had little or no experience in the building field.

The nonprofit firms rehabilitated few homes and sold less. Of those which were sold, many turned out to have shoddy workmanship and incomplete repairs.

And hundreds of homes were kept off the market for many months because they were tied up in the nonprofit program. Several have since been demolished because they deteriorated so badly during that time in limbo.

Early last year, HUD set up 10 "vest pocket rehabilitation areas" and selected a "building firm" to rehabilitate and sell the repossessed homes in each area.

The program collapsed when only three of the 10 firms were able to produce financial backing and state licenses required by HUD.

Months elapsed between conception of the program and its failure—again a time when nothing was done about nearly 1,000 repossessed homes involved in the project.

Last summer, a special task force of experts recruited from Washington and other HUD offices across the nation was sent to Detroit at a cost of $2 million to straighten out the problem of repossessed homes.

Ben T. Austin, director of the task force, left Detroit last October with assurances that within four months the problem would be well in hand as a result of new procedures he had instituted.

That has not been the case.

Spokesmen for the real estate industry and mortgage firms agree with homeowner organizations that the problem is even worse than before the task force came to Detroit.

Last year, HUD repossessed 5,700 Detroit homes while selling only about 1,000 of those on hand.

At the end of the year, HUD estimated it would take nearly eight years to dispose of all the properties it owns if not another house was repossessed.

At that time, HUD owned more than 9,000 Detroit homes.

In the first two months of this year, HUD repossessed approximately 1,200 homes in the city while selling only 165.

Several eastside Detroit neighborhoods also provide graphic examples of the problem.

Some east side streets are virtual "ghost towns" of boarded-up houses, many charred by fires or gutted by vandals.

Occasionally there are HUD homes newly rehabilitated but vacant—buyers don't want empty HUD houses as neighbors.

HUD's demolition of hundreds of east side homes has left wastelands of weed-grown lots.

Some 2,800 houses have been torn down in Detroit by HUD and another 1,800 are scheduled for demolition.

And an increasing number of the demolitions are now in northwest Detroit.

HUD'S HOUSING COMEDY ISN'T FUNNY IN DETROIT

(By Don Ball)

The FHA fiasco in Detroit would be a real belly laugh if it wasn't a crying shame.

The U.S. Department of Housing and Urban Development (HUD) administers the FHA program. As a result, it owns more than 10,500 residential properties in the Detroit area, all repossessed after owners defaulted on FHA-insured mortgages.

HUD's bumbling efforts to rehabilitate and sell the homes, including thousands of the finest houses in the city, provide the comedy.

For instance, look what happened to a $25,000 house at 15308 Lindsay in St. Mary's of Redford parish in northwest Detroit.

HUD repossessed the home on May 13, 1971. A neighbor recently wrote The Detroit News the following account of what happened. Details of the letter have been checked for accuracy by The News.

"A man came out to measure windows in the house in order to bid on the HUD contract to provide storms and screens," the neighbor wrote.

"We asked him what would happen to the house.

"First," he said, HUD would put in a new furnace. We told him it didn't need a new furnace: one had been installed in 1970.

"He said that didn't make any difference, HUD would tear out that furnace and put in a new one.

"He was right. A HUD contractor showed up one day, ripped out the furnace and carted it away in pieces.

"Now HUD has put in a new furnace.

"The man also told us HUD would tear down the garage because it would cost $500 to put in a ratwall and only $150 to tear it down.

"The garage was in excellent shape but the man was right again. HUD tore down the garage.

"Next, a flock of workmen descended on the home but very few of them seemed to know their jobs.

"I have worked around professional car-

penters, painters, glaziers and cement men long enough to know a professional.

"These men were strictly a pickup team.

"Finally, I wrote to my congressman who sent the letter to William C. Whitbeck, Detroit HUD director, for answers.

"In time I got his reply.

"Whitbeck said in his letter, dated June 2, 1972, that the property had been sold.

"The house is still empty."

HUD records show thousands of dollars were spent repairing the house in 1971, but the work had to be done all over again at a cost of additional thousands of dollars in 1972.

The house still has not been listed for sale by HUD.

Even when a buyer is found for a HUD home, it is not the end of the situation.

For example, a house at 19660 Stratford in Sherwood Forest was repossessed by HUD on April 4, 1970. More than $15,000 worth of repairs have been made to it since then.

HUD has "sold" the house three different times for prices ranging from $35,000 to $38,000.

Each buyer, however, has been unable to pass FHA financial requirements for FHA mortgage insurance. So the "sales" have fallen through.

The house is still empty.

HUD regulations require that if more than one buyer bids on a repossessed home, there must be a drawing of lots. The winner gets to buy the house.

Many of the "winners" subsequently proved to be financially unqualified to buy the houses and they had to be advertised all over again. Months elapsed before new drawings were conducted.

Now, a "backup" buyer is selected for each HUD house, but there still are instances when both the buyer and the backup buyer fail to qualify, forcing the readvertising of houses.

HUD's efforts to rehabilitate and market some of its houses have also been tragic.

A house at 14826 Stansbury was repossessed in 1970, and HUD spent $12,000 rehabilitating it—then tore it down, according to HUD records.

A house at 14401 Stansbury suffered the same fate, but HUD spent only $9,000 in repairs before calling in a wrecking crew.

These are two of scores of houses on which HUD has spent hundreds of thousands of dollars for rehabilitation only to end up tearing them down.

This had caused a problem for both potential buyers and real estate brokers handling the sales.

In several cases, a buyer has made an offer on a HUD home through a broker but when the time came to closing the deal—the house had been torn down.

HUD then offered the buyer another house—there are thousands to choose from—but it often is many months before the buyer's choice will be ready for occupancy.

As a result, the real estate broker also suffers.

If the buyer had been able to purchase the house on which he had made an offer to the broker, the broker would have received a 5 percent sales commission.

But when the house is torn down and the buyer purchases another HUD home, HUD refuses to pay a commission to the broker because "he didn't sell the house," a broker told The News.

"Obviously, we are not going to spend much time trying to sell HUD homes under those terms," the broker said.

But the real problem with the houses is not finding buyers.

There are plenty of buyers but HUD has insisted, at least until now, that the homes have to be rehabilitated before they can be sold.

Unfortunately, it may take years for HUD to get around to rehabilitating the particular home a buyer wants.

And—as has happened in the past—when HUD does decide to start rehabilitation on the home it may have deteriorated so badly it has to be demolished.

So far, HUD has torn down some 2,600 homes in the city and has scheduled another 2,000 for demolition.

It is willing to sell the empty lots, however.

LORADO TAFT SCULPTURE

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. HANRAHAN. Mr. Speaker, the city of Chicago received the last great work of the sculptor Lorado Taft as a gift in 1941. This sculpture was of George Washington, Robert Morris, and Haym Salomon. On September 15, 1971, the Chicago City Council declared the monument to be Chicago's first-named sculptural landmark.

The Senate of the State of Illinois and the Cook County Board of Commissioners have adopted a resolution urging the U.S. Postal Service to issue a commemorative postage stamp picturing the monument.

The resolution is as follows:

RESOLUTION

Whereas, on December 15, 1941, the City of Chicago accepted as a gift the heroic George Washington, Robert Morris, Haym Salomon Monument, standing in Heald Square, the last great work of the internationally known and renowned Chicago sculptor, Lorado Taft; and

Whereas, on September 15, 1971, the City Council of Chicago, by ordinance, declared the monument to be Chicago's first-named sculptural landmark; and

Wheras, the Senate of the State of Illinois on November 4, 1971 adopted a Resolution urging the United States Postal Service to issue a commemorative postage stamp picturing the monument; and

Whereas, the City Council of Chicago on Februay 9, 1972, unanimously adopted a resolution joining in the action urged by the Senate of Illinois that such a commemorative stamp be issued by the Postmaster General of the United States; and

Whereas, this statue is a monument of civic interest and patriotic significance which has become part of the development, heritage and cultural characteristics of Chicago, and represents the central theme that people of all origins and creeds participated in the building of the United States from the beginning.

Now, therefore, be it resolved, that the Board of Commissioners of Cook County, Illinois, joins in the action of the Senate of the State of Illinois and the City Council of Chicago, and cooperatively supports the proposal urging the issuance by the Postmaster General of the United States of a commemorative postage stamp picturing George Washington, Robert Morris, and Haym Salomon Monument and its great patriotic significance, emphasizing that America ". . . gives to bigotry no sanction. . . ."

Be it further resolved, that a copy of this Resolution be sent to the Postmaster General of the United States Postal Service.

I would urge the Postal Service to comply with this request as soon as possible. This is truly a national landmark which deserves recognition.

JAYCEES ESTABLISH CENTER FOR IMPROVED CHILD NUTRITION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. FRASER. Mr. Speaker, the U.S. Jaycees have established a center headquartered in Minnesota to get a lunch program into every school in the country.

The 350,000 members of the jaycees, organized in 6,600 local chapters will be gearing up to marshall the local support which is essential to help to bring "no-program schools" into the program. In Minneapolis there are 19 schools without a lunch program.

I think the effort is tremendously important and I commend the jaycees:

THE PRESENT SITUATION AND U.S. JAYCEE REQUESTS

Presently, 4 million poverty school children and 23,000 schools are unable to obtain access to the National School Lunch Program. For FY 1972, Congress allotted $33 million dollars in non-food assistance to provide facilities for those 23,000 schools, and intended to resolve the situation by 1974. The Department of Agriculture requested only $16.1 million, however, and the Senate Select Committee on Nutrition and Human Needs estimates that at that rate it will be 1980 before the situation is resolved.[1]

The U.S. Jaycees therefore request:

I. A directive from the President to the Department of Agriculture stating that the equipment applications of these 23,000 schools be given the utmost priority and consideration in time and budget.

Since the Department of Agriculture claims that this is the status quo, it shouldn't be much of a problem, but it could be extremely helpful in the following manner:

A. To alert these 23,000 schools to the fact that they can contact a U.S. Jaycees staff member at the national office, who can accompany their application with a letter of support, pointing to the President's Directive, and letting them know that the Jaycees will be contacting their Congressman and two Senators to help passage along.

B. In January we can mail out to the new Congress the approved Jaycees Resolution and the President's Directive. With conservative backing like that, the School Food programs won't seem quite so liberal.

Special Note—The Department of Agriculture contends that it is the local school boards who are to blame for not allowing the institution of lunch equipment in the schools. Upon examination, we discovered the following:

1. In many schools this was true. While questioning as to why, the answers were varied, but one thread was certain throughout. They could not or would not afford the 25% matching funds.

Let us examine this closely. A survey by the USDA indicated that while 80% of schools with more than 500 pupils had a food program, only 55% of those schools with less than 250 participated.[2] It also indicated

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[1] All facts are taken from the January 1972 report "Hunger in the Classroom, Then and Now," submitted by the Senate Select Committee on Nutrition and Human Needs. p. 55.

[2] *School Food Journal*, February 1971. p. 52.

that the huge bulk of these were elementary schools—where the program is needed most. In these little schools, the communities just can't afford much.

The USDA turned away almost $17 million dollars during FY 1972 that should have gone to those schools that couldn't afford the 25% matching funds. These are the areas and the time in children's lives when malnutrition can wreak such havoc. Still, the USDA turned back $17 million. WHY? In the long run, our failure to make this investiment will cost this nation dearly.

A number of Jaycee chapters are going to try to finance the 25% matching funds, but you can be sure that we will be dogged and unrelenting in our desire to see the 25% matching funds eliminated as a requirement. We believe this must be an integral part of the President's directive.

2. Another frequent answer of the local board was the excess of red tape and the discouragement of having their applications returned for minor form mistakes on the application itself. Many boards just gave up.

II. The establishment of ten pilot projects to study the Universally Guaranteed School Lunch Program.

While at first this proposal seemed a bit wild-eyed, further analysis and testimony revealed a program that could eliminate a good deal of administrative waste, increase participation, and in the long run save this nation a considerable amount of money.

Let's first examine the possibility of eliminating administrative waste. The school district of St. Paul, Minnesota, tabulates its actual "out-of-pocket" expenses for clerks, printing, tickets, postage, envelopes, etc. used in trying to determine the needy child—at $26,000 per year (administrative expenses are not included). According to Dr. John Perryman, Executive Director of the ASFSA:

"This amount would purchase approximately 48,000 meals for the school children of St. Paul. But suppose we say this figure is more or less a median with many districts larger and smaller. With something over 17,500 school districts in the nation . . . we could come up with a startling figure of roughly $445 million dollars a year—the cost of economic segregation—a total waste—or enough money to pay for nearly a billion meals per year." [3]

Dr. Perryman's reference to economic discrimination brought out a number of questions. First, we do not discriminate against a child economically when he asks for the school's educational program, textbooks, or transportation—Why do we discriminate when he asks for the school's meals? Secondly, is that really constitutional? Finally, can this nation afford to needlessly waste $445 million dollars annually (equivalent of one billion meals) in perpetuating this economic discrimination against American school children?

Regarding increased participation, Miss Josephine Martin of the Georgia School Food Program, stated the following:

"For 25 years, we've been exploiting the paying child, neglecting the poor child, and short-changing all children regarding nutritional education."

Let's examine each part of Miss Martin's statement:

A. Exploiting the paying child—

1. With an arbitrary cutoff plant of $3,700 annual income, a small businessman or working man making $4,000–$10,000 is bearing a tremendous burden. If he can't qualify for the free lunch program and can't afford to pay for it, who suffers? The child and, ultimately, the nation.

2. Just because the parent has money doesn't necessarily mean the child gets it. And just because the child gets it doesn't mean he spends it on lunch. The Universal Program would guarantee that.

3. Malnutrition is apparent in "affluent" families as well as impoverished. While a number of USDA findings point to the same conclusion, a survey by the University of Iowa stated it most clearly:

"Results of a nutritional study by the University of Iowa College of Medicine among some 2,000 healthy-appearing Iowa teen agers indicate that children of middle and high income families can also be ill nourished. Breakfast was commonly skipped, because of lack of time or family habit. Lunch often provided the most balanced meal of the day if it was eaten in the cafeteria. For many students, lunch away from the school premises was french fried potatoes, a soft drink, and a candy bar." [4]

B. Neglecting the poor child—Even in schools with the food program, over 3 million poverty children are unable to obtain access to the School Lunch Program. Why?

1. The parents are too proud to accept charity or too embarrassed to sign the means statement. So who suffers? The child and, ultimately, the nation.

2. The child is too emotionally upset at being segregated into "poor lines" or wearing a "red tag". The National School Act requires that schools "protect the anonymity of children receiving free or reduced price lunches." But "PIC", published by the Public Information Center, a nonprofit organization in Washington, D.C., reports these practices:

(a) Those receiving free or reduced price lunches have a black star on their food card.

(b) Officials use red tags in the lunch lines to brand poor children.

(c) Children receiving free lunches are segregated in line.

(d) Separate lunch lines or lunch periods are used, depending on the schools.

(e) Poor children line up in front of the principal's office once a week to get their food cards.[5]

3. Local officials are reluctant to grant many free lunches, and having the power to deny a child or family access to the program, can and do play politics with the physical, mental, and emotional lives of American children.

The Universally Guaranteed would almost immediately bring these poverty children into the program, which we see as being a huge long-range saving.

Still, we are not asking for the establishment of the program, but merely study of it by means of the pilot projects. We believe it is imperative to see just how the grades, attendance, and overall health and participation are affected—and how much is saved by eliminating the bureaucracy. We believe that, overall, it will prove a far more efficient, humane, and in the long run, far less costly program.

[3] Presented in testimony before the U.S. House of Representatives Committee on Education and Labor, regarding H.R. 13452.

[4] *School Lunch Journal*, February, 1971.

[5] *School Lunch Journal*, January, 1971.

THE DAILY NEWS LOOKS AT OEO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. KEMP. Mr. Speaker, for the perusal of my colleagues, I am inserting a recent editorial from the New York Daily News entitled "The Case Against OEO."

THE CASE AGAINST OEO

Was summed up in a nutshell recently by Howard Phillips, acting director of the Office of Economic Opportunity. He spoke out to demolish claims made in a self-serving report compiled by anti-poverty bureaucrats to trumpet the glorious achievements of Community Action Programs.

After picking apart the survey figures, Phillips noted that among the 900 existing CAP agencies outlays for payroll and administrative costs commonly run to 85% of allotted funds. That leaves precious little to filter down to the needy.

Top-heavy bureaucracy has been the bane of the entire OEO operation since it began. It is the main reason President Richard M. Nixon wants to abolish the outfit.

Professional anti-poverty fighters and their friends squawk that if OEO dies billions in federal aid will be snatched from the hands of the poor. It's a false alarm.

Salvageable anti-poverty activities will be shuffled into existing government departments. Outlays also will be maintained near present levels, but the money will pass through regular federal channels or—if Congress approves—directly to states and cities.

All the sound and fury is not over whether the poor should be aided, but over how best to do it.

Mr. Nixon's approach is by far the more sensible—and more likely to give a lift to the great mass of poor people, most of whom have reaped disappointment.

DON EDWARDS RECEIVES TWO AWARDS FOR ROLE IN EQUAL RIGHTS AMENDMENT PASSAGE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. KASTENMEIER. Mr. Speaker, our colleague DON EDWARDS, who had the major responsibility for securing passage of the equal rights amendment in the House as chairman of Judiciary Subcommittee No. 4, was honored for his efforts on two recent occasions.

In his congressional district in California, the South Bay and San Jose chapters of the National Organization for Women—NOW—presented their first annual Susan B. Anthony Award to DON EDWARDS, citing his indispensable role in obtaining House action on the proposal which had been throttled in the House Judiciary Committee for 40 successive years. As a member of the Judiciary Committee, I am familiar with the legislative history of the equal rights amendment, and when it was facing its darkest hour and possible death, endangered by well meaning but destructive qualifying language, it was DON EDWARDS who stood fast and persevered in his efforts to obtain House passage for a pure amendment which is now the subject of ratification pending before the States.

Mr. Speaker, I am including at this point in the RECORD an article describing this presentation:

EDWARDS GETS ANTHONY AWARD

Rep. Don Edwards, D–San Jose, has been given the Susan B. Anthony Award for his efforts in the congressional passage of the Equal Rights Amendment.

The award was given to Edwards by the South Bay and San Jose chapters of the National Organization for Women (NOW).

Presenting Edwards the award were Christin Klemmer, president of the South Bay chapter; Yvonne Aguillar, vice president of the San Jose chapter, and Rhoda Freier, National Women's Political Caucus chairwoman of the Santa Clara County chapter.

"Without your contribution the Equal Rights Amendment might never have been passed by Congress," the women told Edwards.

Edwards, as chairman of the House Judiciary subcommittee on civil rights oversights, helped push the Equal Rights Amendment through the Judiciary Committee despite the strong opposition to its chairman, Rep. Emanuel Celler, D–N.Y.

Edwards later said "I don't think I have done anything more important in my 10 years in Congress. This amendment will improve the quality of life throughout America."

Susan B. Anthony was an early fighter for women's rights. She was arrested, fined and convicted for casting a ballot at a time when it was illegal for women to vote.

More recently, Women's Lobby sponsored a luncheon here in Washington to honor DON EDWARDS for his leadership in the legislative struggle for equal rights for women and men. The text of the plaque presented to him on this occasion reads:

With much appreciation, to Hon. Don Edwards, Chairperson, Subcommittee No. 4

When our forefathers said all men are created equal . . . all *men* is exactly what they meant!

If you're a woman—you're not equal!

The Equal Rights Amendment: "Equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex."

Passed by the House of Representatives October 12, 1971.

Passed by the U.S. Senate (84–8) March 22, 1972.

Crater's Raiders.

Mr. Speaker, an article from the San Jose Mercury describes the event:

WOMEN ACTIVISTS HONOR EDWARDS

(By Gil Gailey)

(NOTE.—"Equality of rights under the laws shall not be denied or abridged by the United States or any state on account of sex," says a constitutional amendment approved by Congress and now before the state legislatures.")

WASHINGTON.—The father, or perhaps more accurately the congressional mid-wife of the women's equal rights amendment, Rep. Don Edwards, (D-San Jose) was honored Wednesday by an activist women's rights organization.

The award came at the end of a series of women's protests and political meetings in Washington and throughout the country.

Officially, the Women's Lobby, Inc. presented its plaque to "Chairperson" Edwards as the head of the House Judiciary subcommittee, which finally pushed the amendment through Congress after 40 years of failure.

Edwards, a trim and youthful 58, accepted the plaque in a banquet room, usually crowded with middle-aged and male politicians hidden by their own cigar smoke. Instead the room held two dozen women and only three males, including Edwards, with the only smoke coming from a male reporter's cigaret.

Rep. Martha Griffiths, (D-Mich) the author of the amendment gave Edwards the credit for steering the equal rights measure through the Congress.

"If it weren't for Don Edwards, it wouldn't have passed," she said as she announced that the state of Vermont had just approved the amendment

"I was merely one of the troops in your army," Edwards told the women.

He then outlined how his subcommittee on civil rights approved the amendment only to have it amended in the full House Judiciary Committee in a manner unacceptable to women's' rights groups by an 18-to-17 vote.

Edwards explained women's groups throughout the nation pressured House members finally to approve the constitutional amendment without any crippling new clauses.

He then proposed that the women put the pressure on the White House to back the amendment in the States.

"Perhaps the President will send Henry Kissinger to the states to explain the need for the amendment," Edwards suggested.

For Edwards, the passage of the amendment was a personal victory. The former chairman of the House Judiciary Committee, New York's Emanuel Celler, opposed the amendment with all of his considerable power.

Edwards was the new chairman of the newly created civil rights oversight subcommittee when he grabbed hold of the amendment and helped push it through. In part, Edwards believed the amendment was assigned to his group in the hope it would die there.

"There is a machisimo here on Congress and throughout the country that is not healthy," he added. "If a third or half of the Congress were women, then I don't think we would have gotten so deep into Vietnam."

Edwards paused for a moment and then added, "I think we will be much better off to make love with equals, to share our companionship with equals."

FOOD PRICES CURBS OF 1950'S—"A HORROR"

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. DEL CLAWSON. Mr. Speaker, the not-so-distant past provided a lesson which few appear willing to heed in the current controversy over rising food prices. Last evening's Evening Star and Daily News contained a sensible commentary on the subject by Richard Wilson. At this point in the RECORD, I wish to commend the article to the attention of my colleagues:

FOOD PRICES CURBS OF 1950'S—"A HORROR"

(By Richard Wilson)

President Nixon's obstinacy under pressure against doing something drastic about food prices will probably have a flare-back. It is hard for housewives to understand, miffs labor leaders and makes politicians nervous.

The President's advisers have told him that food price controls might work for a while but would end in disaster with even higher prices and he would be better off to try various ways of increasing supplies so that prices would come down naturally.

Nixon's advisers are on sound economic grounds even if their political underpinnings are shaky. The story of price controls in the name of economic stabilization is a horror. Of all the "messes" claimed to have been left behind from the Truman administration, economic stabilization was one of the worst and when the Eisenhower-Nixon administration came in it was liquidated within a few weeks.

Memories are very short, so what happened before that is worth a brief review. Panic buying sent prices skyrocketing in the Korean war and controls were imposed. A series of five government orders cut meat prices 10 percent. Henceforth there was nothing but trouble. In a few weeks there was a cattleman's revolt which closed down big meat packing plants for lack of supplies. Feed lots emptied and black markets developed in Omaha and Chicago.

The Army ordered meat but the packers refused to bid because they could not buy cattle at ceiling prices. Federally inspected slaughterers were ordered to give the government priority. There was a horse meat scandal in Chicago. Wholesale ceilings were suspended on some meats. Pork price curbs were ended. All controls were ended. Beef prices led a decline of most food items.

This short history of a disaster is probably unconsoling to meat-hungry people but it should be a convincing lesson that the meat business is so complex that nothing short of absolute government authority over it would be even temporarily effective. Rationing, production control, packer control, retailer control doesn't even work well in a Communist dictatorship.

Here is an exemple where Nixon's sermon in his second inaugural—ask not what your country can do for you but what you can do for yourselves—has a precise application. Housewives can do for themselves in this case. They can cut down the price of meat by buying less of it, as Nixon has the temerity himself to suggest.

The full range of President Nixon's economic policy is under intense pressure, and he is being once again exhorted to change it, but this time he is under less political pressure. Congressional pressure descends on Treasury Secretary George Shultz, the economic czar if there is one. How much better, it is argued, to have a politically responsive John Connally as the prime mover in economic policy.

Dollar devaluation, a nervous stock market, threatening price inflation give the President ammunition for the spending hold-back he is trying to impose on Congress. The underlying condition that the federal government cannot keep its house in order, that the imbalance of U.S. payments in international accounts causes uneasiness all over the world are major factors in the unsettled economic situation.

But on the home front there is no solution to be found in clamping federal controls on food prices, however much Nixon may be accused of "protecting" the farmers and the food processors. No solution, that is, unless Nixon wants a repetition of previous fiascos, which he obviously does not.

TRIBUTE TO ROY E. TRACEY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ANDERSON of California. Mr. Speaker, too often we take some of our finest community leaders for granted. The citizens of Gardena are not making that mistake with Gardena Police Chief Roy E. Tracey.

Chief Tracey is ending 43 years of out-

standing service to the city of Gardena with his retirement this month.

Gardena is honoring Roy's retirement with a dinner on March 31 at the Proud Bird Restaurant.

Chief Tracey is most deserving of such an elaborate event.

Service to Gardena began with 8 years working for the city fire department for Roy.

He transferred to the police department in 1939. In just 4 years, he was appointed sergeant, beginning his string of promotions which culminated in Roy's appointment as chief of police in July 1960.

Chief Tracey's learning did not end with graduation from Gardena High School and attendance of Compton Junior College.

He has attended many police schools, including ones at the University of Southern California and El Calmino College, and, in 1958, attended the FBI National Academy.

Roy's interest in law enforcement has carried over into active participation in the Los Angeles County Peace Officers Shrine Club, the Los Angeles County Peace Officers Association, and the California Chapter of the FBI National Academy Association. He has been elected president of all three organizations. Chief Tracey was also a 3-year member of the California State Peace Officers Association executive committee.

But all of Roy's time has not been spent on law enforcement activities. Instead, he has worked diligently in many civic organizations as well as police work.

He has served as president of the Gardena Valley Kiwanis Club, and chairman of the board of managers of the Gardenas Valley YMCA.

Gardena recognized Chief Tracey's many contributions to the community by selecting him as Gardena's Outstanding Citizen in 1966.

Away from his civic activities, Roy has been a fine husband of his lovely wife, Madoline; and an exemplary father to Roger Tracey and Coleen Kay (Tracey) Nielsen. His three grandchildren are a source of much pride to Roy.

Chief Tracey is as much a source of pride to Gardena's citizens as his grandchildren are to him.

About 1,500 persons are expected to attend Chief Tracey's retirement dinner. A fun evening with lively entertainment is planned. Gardena's own Bill Gerber and Don Davidson will share emcee duties during the gala event.

Mr. Speaker, I am proud that the people of Gardena are honoring Roy with such a fine tribute dinner. I am pleased to join with Gardena's citizens in saluting Police Chief Roy E. Tracey.

WHITHER PUBLIC BROADCASTING?

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. VAN DEERLIN. Mr. Speaker, at times the ongoing debate over the future of noncommercial television seems to generate more heat than light, and be heavier on breast-beating than soul-searching.

A thoughtful editorial on where public broadcasting stands now and the options open to its managers appeared last Saturday, March 17, in the Washington Post.

I think we can all agree with the conclusion of the editorial that public broadcasting will never really get off the ground without more generous financing than we have been willing to provide so far. But we should also be continually wary of attempts to influence program content, particularly on the part of those who may feel that through large contributions they have bought a piece of the action.

So that this well-balanced editorial will enjoy the widest possible readership I include it at this point with my remarks:

[From The Washington Post, Mar. 17, 1973]

THE DEBATE OVER PUBLIC BROADCASTING

There is a soap-operatic air about the almost daily news reports on what's happening inside public broadcasting lately. Somehow, the extremely important and sensitive questions of how the government should help underwrite radio and television programming have been overshadowed by a series of confusing announcements about next fall's program schedule, with each installment serving up new mystery. Has the White House really been trying to get rid of Bill Buckley, Bill Moyers and Elizabeth Drew? Was "Zoom," the children's program, threatened because it had political overtones? And what about those secret meetings between members of the presidentially appointed Corporation for Public Broadcasting board and officials of the Public Broadcasting Service, the network?

Certainly the Nixon administration has voiced displeasure at the way public television has been operating. Back in October 1971, the head of the Office of Telecommunications Policy, Clay Whitehead, argued that public TV wasn't paying enough attention to local programming because too much control had been left to PBS, the network. Furthermore, said Mr. Whitehead, the public affairs programs had a left-wing slant. Finally, he allowed as how any system of long-range federal financing for public broadcasting would have to await evidence that the system was improving.

Sure enough, when Congress passed a measure last year that would have authorized $155 million for CPB over a two-year period, President Nixon vetoed the bill, calling for more program emphasis on "localism" and urging a one-year, $45-million authorization. Meanwhile, changes in the makeup of the bipartisan CPB board eventually gave the President a majority—and eyes began to focus on the public affairs programs. Initial list of programs failed to include many of these shows, despite word that they had the approval of the network and its station-manager board members. Early this year, CPB officials explained that the corporation was moving to consolidate the decision-making process, rather than let PBS handle it.

With the new season's program approvals still in doubt, there ensued some understandable concern that the administration was indeed pulling strings to gain control over what would go out over public TV channels; local and network officials entered into secret meeting with CPB to try to agree on a plan for deciding which programs should receive federal funds; and viewers waited to see which programs finally would get the nod for next season.

When the CPB list was completed last week, it looked at first glance as if the government had succeeded in bumping off all the public affairs programs that might bother the administration, while finding funds to reinstate the children's "Zoom" program. Yet behind all the political innuendo—and lost in the speculation over which shows had been renewed or dropped by CPB, and why—are some fundamental questions having to do with the mission and limitations of public broadcasting under *any administration*.

For example, CPB officials point out that financial pressures—the limited amount of money likely to be appropriated—force difficult choices. If one function of government-sponsored broadcasting is to develop new programming, that means turning over the financing of established shows to other sources of support, such as foundations, corporations and individual contributors. (The CPB currently supplies only about one-third of the money for national programming.)

Furthermore, if public broadcasting must lead the industry in the development of good children's shows, will this mean taking money away from the public affairs budget? Or if the government is to continue underwriting television journalism, how can such programming be critical, influential, controversial—and "balanced" in its total offering? Can Congress, the White House and local station managers ante up the money and then refrain from exerting pressures on the direction or content of programs?

These problems are difficult, for public broadcasting is still new to the United States. Serious, nonpartisan students of public TV are still wrestling with ways to develop a system different from commercial TV, yet draw enough of an audience to be "worth" the taxpayers' money; a system that can tackle public affairs or controversy without fear of political censorship or without straining to "balance" every sentence uttered.

So we are not prepared to assume—yet, at least—that the administration is hell-bent to control public broadcasting, or that the Corporation for Public Broadcasting is a partisan puppet of the White House. At this point, hard negotiations are under way to try to develop new policymaking machinery for public broadcasting, and if this effort succeeds in any way, the job of refining objectives and guidelines can begin in earnest.

The immediate need is for more adequate financing, with enough lead time for public broadcasting to develop its plans and programs realistically. Sens. John O. Pastore and Warren G. Magnuson have introduced a bill that would authorize $140 million for CPB over the next two fiscal years—an amount also sought by CPB itself. It is a reasonable measure that deserves congressional passage. Without this kind of financial commitment from the government, the hope of retaining talented, imaginative professionals will be lost—and the suspicions of political pressures will be fed once again.

INCREASED SOCIAL SECURITY BENEFITS CAUSED REDUCED INCOME FOR SOME OF OUR ELDERLY

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. BROOMFIELD. Mr. Speaker, when the last Congress authorized an increase of 20 percent in social security benefits, few of us suspected that the net result would be a reduction in benefits for thousands upon thousands of our Nation's elderly.

Thanks to a tragic oversight in the law, many senior citizens who were receiving Federal assistance in the form of veterans benefits and pensions, food stamps, low-income housing, and medicaid have been excluded from these programs because their income has been pushed above the legal limit for participation. For these elderly Americans, the 20-percent increase in social security is a cruel hoax which has reduced rather than supplemented their monthly income.

I have introduced H.R. 4570 as a solution to the dilemma which older Americans now face. My measure would simply state that income derived from the social security increase would not be considered as "income" for the purpose of determining eligibility for these Federal-aid programs.

Mr. Speaker, there are 20,000 veterans alone, most of them from World War I, who have lost their veteran pensions because the 20-percent increase has nudged their total income over the allowable maximum. Others have seen their pensions drastically reduced.

At a time when this country is welcoming home our Vietnam veterans and at a time when we are committing ourselves anew to the proposition that our veterans have earned the gratitude and assistance of their country, our treatment of World War I and II veterans in this regard is a matter of shame and embarrassment. They, too, deserve the full benefit of the 20-percent increase and my legislation will make certain that they get it.

Mr. Speaker, when the social security increase was passed, it was generally hailed as a major victory for our senior citizens who were struggling on a fixed income against the pressures of inflation. We now know that for many this was a hollow victory.

It is time for us to deliver on the promise which we made to our veterans and other senior citizens. If Congress made a mistake, and I think it did, it is time for us to admit it and to rectify it. Each month that we delay is another month that our elderly must continue to struggle with reduced incomes. My legislation is the vehicle which will deliver upon that promise and I urge the Congress to give it immediate and careful study.

SOCIAL SECURITY WORK PENALTIES

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ZABLOCKI. Mr. Speaker, continued inflation is an unpleasant reality for everyone today and is a top priority problem facing the Congress and the administration. Rising costs are an especially grim reality for persons on fixed incomes, and my mail continues to reflect the growing concern of those caught in this bind.

I was glad to support H.R. 1 when it passed the 92d Congress. Among other things, it liberalized the retirement test which determines how much one can earn without loss of social security benefits, raising the limit from $1,600 to $2,100 for those under age 72. Beyond age 73 earnings would not affect benefits. I submit that the 93d Congress should examine the feasibility of further liberalizing the earnings test requirement.

It is interesting to note that benefits are not reduced as a result of investment income. One may have an income from stocks and bonds of $20,000 and still receive full social security benefits, but a beneficiary between the age of 65 to 72 is penalized by loss of benefits if he or she earns more than $2,100.

The Commissioner of the U.S. Administration on Aging, John B. Martin, states that he receives protests from older Americans about this treatment more often than any other complaint. Like Commissioner Martin, I sympathize with this complaint, and can appreciate how frustrating it must be to want to work and supplement a limited income in inflationary times only to be discouraged from doing so by loss of social security benefits.

Commissioner Martin has some interesting comments on this situation and on the use of older workers in the field of public service which I believe deserve careful consideration. Therefore, at this time I insert in the RECORD the following article by Mr. Martin which appeared in the Washington Post March 7, 1973:

SOCIAL SECURITY WORK PENALTIES

The retirement test under the Social Security Act which determines how much one can earn without loss of benefits has been liberalized by the passage of H.R. 1 in the closing days of the 92d Congress.

The amount that a beneficiary under age 72 may earn in a year and still be paid full social security benefits for the year was increased from $1,600 to $2,100. Under the earlier law, benefits were reduced by $1 for each $1 of earnings above $2,880. The new legislation would provide for a $1 reduction for each 2 of all earnings above $2,100. There would be no $1 for $1 reduction as under the earlier law. Beyond 72 earnings would not affect benefits.

Most social security beneficiaries regard social security benefits as an outright pension. Regarded in this way as an annuity, there is felt to be no excuse for reducing payments if the beneficiary receives earnings. The fact is that the original concept of Social Security was as a form of insurance against loss of earnings. Consequently, benefits are never reduced because of investment income. Thus one may have income from stocks and bonds of $20,000 and receive full Social Security benefits, whereas a beneficiary between 65 and 72 is penalized by loss of benefits if he or she earns more than $2,100 as stated above.

As U.S. commissioner on aging I have heard complaints from older Americans about this treatment more often than any other complaint. "Why," they say "should John Smith, who does no work, be allowed to keep all his Social Security benefits, though he is in the $30,000 income bracket, when I, who live on a modest Social Security income, am made to suffer because I am willing and able to work to supplement my much more limited income?"

I sympathize with this complaint. In the American ethic to be willing to work to support oneself and one's family has always been regarded as commendable. To be idle, living on someone else's effort has been regarded with suspicion or at least with a jaundiced eye. The reason is that we feel instinctively that it is wrong to create a negative incentive for those in society who are able to and want to work and thus to make a productive contribution to the nation's welfare. We feel this the more because most people who are healthy and active have a need to feel useful and wanted. Tests have shown that in our culture at least this feeling of being useful is met most effectively by doing productive work for which one is paid.

The fact is that our present law is a compromise which reflects both the theory that Social Security is insurance against loss of earnings requiring a deduction from benefits when earnings occur on the one hand and our instinctive feeling on the other that we should encourage and not discourage the desire to work and be productive. Thus we do permit some earnings without penalty or, to put it conversely, we do not penalize for all earnings. Furthermore, we do concede that at 72 we should provide no penalty for any earnings but should encourage as much self-support as possible.

The truth is that our unwillingness to go the whole way in recognizing that Social Security benefits are in fact a pension in the nature of an annuity and not subject to deduction for earnings is due to two factors—cost and the desire of many groups to remove the oldest part of the work force to make way for younger workers. The latter reason goes back to the depression days of the 1930s when Social Security was enacted in part to enable older workers to get out of the labor market. In my view this is still a motivating force in some arguments for retention of the retirement test. Cost is another matter. The recent liberalization of the retirement test is estimated to cost the system $865 million in additional benefits during 1974. It has been said that removal of the test entirely before the most recent change would have cost in added benefits about $3 billion.

I think the time is coming and should come when the retirement test will be completely eliminated. Traveling in the Soviet Union during the past summer I noted that the Russians retire men at 60 and women at 55 but encourage all retirees, so far as health permits, to get back into the labor force where they keep all of their pensions. Thus the Russians emphasize maximum productivity and meet the essential "need to be needed" feeling of retirees.

It may be argued that our situation in the United States is different in that there may be a lack of jobs to employ such retirees. The fact is that there may be a lack of jobs in private industry at wages which industry can afford to pay. But there is no lack of important jobs that need to be done in the field of public service. These are jobs which older persons may be fully competent to perform. Needed is machinery to link jobs with applicants and money to pay for performance. I predict that the time will come when every man or woman who wants to work will have the opportunity and will be paid for doing so.

THE RETURNING POW'S EXPRESS AMERICA'S GIFT TO US AND OTHERS—FREEDOM

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. TALCOTT. Mr. Speaker, the thrill of observing our POW's returning home seems almost universal. The families, of course, were excited and grateful beyond our comprehension. But, I noticed that even many of those who opposed Presi-

dent Nixon's plans for peace, and two actually contributed by word, resolution, and demonstration to extended confinement for our POW's, also shared the gratitued and euphoria of our men returning home.

Why this extraordinary universal thrill? Why did each of us share such a strong emotional experience and such an intimate personal empathy with these POW's, who are mostly strangers? For me, there were two basic reasons.

Each returning serviceman seemed to express a new and refreshing belief in God or divine providence. Each one also expressly or implicitly expressed his appreciation of, and gratitude for freedom. These men, better and more than any of us, know what freedom really means. One has to lose freedom to appreciate it. But all human beings seem to innately covet freedom.

Washington and Jefferson expressed this yearning for freedom eloquently. Freedom was what our new Nation and Constitution was all about. The quintessence of our form of government is freedom for ourselves; from oppression of others, all others; from oppression of government, all governments.

Freedom was what their war was all about. They know it; they say it. In many different ways they say it. Although we cannot completely understand because we have always taken our unique freedom for granted, we sense that they have gained an extraordinary appreciation for freedom.

I noticed that blacks seem to empathize with the POW's expressions of gratitude for their new-found freedom. Obviously it is akin to what Dr. Martin Luther King was expressing when he said:

Free at last, Lord God Almighty, free at last.

I have noticed that the Yugoslavians, the Czechs, and the captive nationalities, also seem to understand and appreciate what our POW's are feeling when they say in their various individual ways, how great it is to be free.

The euphoria expressed by our POW's relates more to freedom than anything else. We should not be surprised when we hear them say that their service, their separation from their families, their torture, their injuries were worth it. Incredible? Perhaps not if we understood freedom like they know and cherish it now.

"Peace with honor" is commendable to be sure; but "peace with freedom" is what oppressed people want. Peace with freedom is what this war was all about. Peace with freedom is what people in other nations understand. Freedom and honor are inextricably mixed perhaps.

President Johnson once proposed a trilegged program which supposedly encompassed all human needs. It sounded great. Peace, prosperity, and security—but it did not sell. Something was missing. You can have peace and security in jail. But, human beings yearn for freedom because it is basic to our other personal desires, and needs. The POW's appreciate it; and we, because we are human beings, share an empathetic thrill.

One editor seemed to grasp the essence of what the returning POW's were so simply, yet profoundly, expressing by their remarks when they first arrived back on U.S. soil.

I insert the editorial of the Salinas Californian, of February 27, 1973, and I recommend it to every Member for reading to remember.

THE POW'S SOUGHT AMERICA'S GIFT

Coming home for American prisoners of war wasn't just eating steak or seeing a miniskirt.

Coming home for the POWs wasn't just the first fruit of a "peace with honor" for President Richard Nixon.

With the flurry and joy of homecoming a lot of words have been repeated by both the POWs, officials and relatives.

But the one word, which somehow got lost in the home shuffle is a simple word, *freedom*.

Salinas Congressman Burt L. Talcott, who, himself, can remember being a POW in World War II, said the thing no POW would ever forget was something we all take for granted, freedom.

This was the "light at the end of the tunnel" referred to by good-humored Maj. Norman McDaniel when he arrived at Travis Air Force Base. "We looked at that light (America) a long time," he said.

This feeling of freedom can be seen on the faces of immigrants at naturalization ceremonies, of the enslaved like the Hungarians who remain so close to Radio Free Europe, but so far from freedom.

These people know, as Thomas Jefferson did, "The God who gave us life, gave us liberty at the same time."

Although the spark of freedom, or liberty, may not burn as brightly as it once did in some hearts, it still burns in many, and we pray the majority of this nation and the world.

It gives breadth to the individual spirit and cement to the mutual bond in freedom's fight. As Jefferson said, "We mutually pledge to each other our lives, our fortunes, and our sacred honour."

So when you hear a returning POW say, "God bless America," remember he means God Bless Freedom. That is what the Statute of Liberty is all about in 1973, as it was in 1773.

THE NATIONAL OIL RECYCLING ACT OF 1973

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. VANIK. Mr. Speaker, in my extension of remarks last Thursday, March 15, I outlined the many environmental and energy problems that arise from our Nation's failure to recycle its waste oil. Each year in this country roughly 1.1 billion gallons of used oil is disposed of in ways that represent a threat to our environment. Road oiling, incineration, even the burning of used oil as fuel, all present unreasonable risks when the technology is available to recycle this waste oil for more productive uses.

In light of these environmental and energy problems, I am today introducing new legislation which I hope will go far to reduce the waste and environmental degradation caused by our failure to recycle used oil in significant quantities. This bill, rather than proposing new Federal laws making the dumping and incineration of used oils illegal, creates positive incentives which will lead to the recycling of a much greater proportion of the used oils now being wasted. Dumping and incineration of used oils, of course, which violates existing Federal and State statutes, remains illegal, and water pollution, air pollution, and solid waste control laws of the future may well result in tightened controls over used oil disposal. Meaningful enforcement of any of these statutes will be difficult and expensive, requiring elaborate administrative control mechanisms.

My bill, therefore, seeks to minimize the need to expand the size of existing administrative police forces. Several short amendments to the Internal Revenue Code of 1954 will simplify the tax treatment given lubricating oils, increasing Federal revenues by as much as $75 million. Changes in Federal Trade Commission labeling requirements for recycled oil will not increase that agency's burdens. Requirements that retailers provide return and handling services for used oils can easily be enforced by spot checking conducted at the local government level. Provisions requiring the maintenance of records indicating the fate of used lubricating oils may increase the administrative burden somewhat, but such information is already required under existing laws and regulations of the Departments of the Treasury, Commerce, and the Environmental Protection Agency, as well as those of State agencies.

The bill contains several provisions which would amend existing tax laws covering lubricating oils. Basically, these amendments will result in a return to the uniform tax treatment accorded the entire lubricating oil industry prior to 1965, when the refiners were much healthier and when more than twice as much used oil was being recycled than is the case today.

The bill, if adopted, will equalize and simplify the tax on lubricating oil, requiring all producers of new lubricating oils, including hydraulic and cutting oils, to pay a 6-cent-per-gallon excise tax. In addition, no tax refunds or rebates will be granted to any users of lubricating oils. Recycled oil will continue to be exempt from any such tax.

By resubjecting cutting and hydraulic oils to the 6-cent-per-gallon excise tax under section 4091, and by removing the tax rebate currently given off-highway users of lubricating oil under section 6424, the bill will raise approximately $75 million in additional tax revenue each year. These additional revenues will more than cover the cost of the other provisions of this bill. But more importantly, these amended tax provisions will serve to stimulate the purchase of recycled oil by industrial users. The removal of the 6-cent-per-gallon competitive edge now given to virgin oil refiners will once again enable recyclers of used oils to compete on the equal footing which existed prior to 1965.

The FTC labeling requirement will be changed by this bill so that the word "recycled" will be placed prominently on the face of all recycled oil containers. This is clearly preferable to the current FTC ruling requiring all recycled oils to bear the words "previously used" on their labels. Once the public is educated

on the relative merits of recycled oil, and methods for quickly and economically comparing it with new oil are developed—the use of recycled oil should increase significantly.

Another provision of this bill makes it illegal for oil companies to prohibit their service stations or other lubricating oil retailers from stocking recycled oil products or selling the used oil that they collect.

Adoption of this legislation will also enable purchasers of automobile oils to return their used oil to the marketer in returnable, leakproof containers, thus further insuring that used oils are recycled. The bill also provides that all purchasers of automotive oil must pay a 10-cent deposit on all oil purchased in these returnable containers, regardless of their size. This deposit will be refunded when the container is returned to any marketer regardless of whether or not it contains used oil. All marketers are required to provide ample disposal facilities on their premises for all used oil returned by consumers, and are encouraged to deliver or sell this collected used oil to the oil recyclers.

Other key provisions of the bill require all Federal Government officials to act within their respective authorities to encourage the use of recycled oils. When such oil is available at prices competitive with new oil, the bill requires that it be purchased and used by all agencies of the Federal Government, including the military, and by all private interests which are party to Government contracts. By conditioning Federal grants to the States on compliance with the provisions of this bill, the States are also encouraged to use recycled oil in a similar fashion.

Mr. Speaker, through enactment of the National Oil Recycling Act of 1973, we will be taking concrete steps in the direction of conserving our irreplaceable national resources and preserving our environment.

RENT CONTROLS SHOULD BE REINSTATED

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. PATTEN. Mr. Speaker, recently I helped sponsor legislation that would reinstate Federal rent controls that were terminated by the administration's phase III program.

I cosponsored the U.S. rent control measure, because of hundreds of complaints I have received from constituents who claim they have been forced to pay substantial rent increases since controls ended with phase II. I believe them.

Inadequate housing exists in many communities and tenants suffer because of the shortage of facilities. I do not think the President was wise in removing rent controls. He should have retained such controls until the housing shortage is really alleviated.

My bill calls for a rent control program to operate in any State in which the vacancy level is less than 6.5 percent. It also provides for retroactive controls to the end of phase II and for refunds of overcharges made.

Whenever I complain to the U.S. Government about unreasonable rent increases made by some landlords, I am invariably told that restraint is supposed to be used by those who rent their facilities. Unfortunately, very little restraint is being used and some of the increases are outrageous, with some as high as 40 percent.

Under phase III, workers are still expected to receive no more than an average wage increase of 5.5 percent, yet tenants are forced to pay rent increases that are much higher. This is not only unfair—it is shocking and ridiculous. The solution is to reinstate Federal rent controls—controls that provide tenants with real protection.

METRICS: CONFUSION ON THE WAY TO CLARITY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. PICKLE. Mr. Speaker, the study which the Congress asked the Commerce Department to conduct 5 years ago on the metric system concluded that within 50 years, whether we ordered it or not, this Nation would be a metric nation.

It is my hope that we will accomplish this change in an orderly and fair way under a coordinated strong national program. Such a program clearly would save considerable confusion and a good portion of the costs that would be incurred in a more haphazard changeover.

Along with Congressman BOB MCCLORY, I have introduced a bill to order such a changeover in the next 10 years and to declare the metric system our official system of measurement at the end of that time.

The Steering Wheel, a publication of the Texas Motor Transportation Association, recently carried an article concerning the future and scope of a changeover to the metric system. I would like to reprint that article at this time in the RECORD:

METRICS CONFUSION ON THE WAY TO CLARITY

(By Richard L. Sine)

The work will be the same, but most—if not all—of your ways of measuring it will change if the U.S. House of Representatives is true to predictions this session and approves a measure to begin the United States changeover to the metric system of measurement. Already passed by the Senate, the joint, bi-partisan bill would establish a national commission that will be given a year to organize, and then ten years to oversee, the change in systems.

For the over-the-road driver, perhaps the most obvious change that will occur during the next 11 years will be in the measurement of distance. The term "mileage" will become slang as the mile is replaced by the kilometer. And miles per hour will give way to kilometers per hour. Of course, the distance involved will not be different—just the means of measuring it.

Such a change from miles to kilometres may appear meaningless by itself. But coupled with the totality of the changeover, the single move is more understandable. With the changeover, the United States will join most of the remainder of the world in adopting the international metric system (SI). Among world powers, the United States stands alone as one who neither is a "metric country" nor who has begun to change. There are about a dozen other nations of the world in the same situation as we are: Trinidad, Malawi, Burma and Nauru.

Even with Senate approval of the changeover and hope that the House will follow, the issue of changing our nation's system of measurement is not a one-sided one.

Proponents of the change believe that the international metric system is a more logical, easier-to-use system and one that will bring our country more in concert with world manufacturing. Sen. Claiborne Pell of Rhode Island, one of the sponsors of the bill in Congress, estimates that the United States loses between $10 billion and $25 billion annually in foreign trade because of its failure to go metric.

Those in favor of the change cite other advantages:

That SI is a coherent system based on seven basic units. All derived units within the system are established from the product or quotient of two or more other SI units.

The units which describe the quantities remain the same, eliminating the need to remember such uneven numbers as the number or ounce in a pound or the number of feet in a mile.

Names of units, regardless of the technology involved, remain the same. Thus, for example, power—whatever form it takes—always is measured in watts.

SI is a decimal system based on the powers of ten.

All basic SI units, with the exception of the kilogram, are based on a natural phenomenon which can be duplicated under laboratory conditions.

Anti-metric forces are equally outspoken. They believe that conversion to the metric system in the United States would put the nation at a trade disadvantage. They say that the cost of conversion would have to be added to all US-produced goods, while foreign producers could take advantage of broadened markets at lower production costs.

Others believe that the total price tag of conversion would reach $100–$300 billion and that the conversion period may reach as much as 50 years. And they note there is every possibility that the conversion program would be abandoned before completion because of massive public indignation. Proponents counter those arguments with estimates of the cost of conversion at between $6.2 billion and $14.3 billion.

Arguments aside, if the House approves the measure, we quickly will see the initial program of the decade-long changover. First and foremost will be education. US schools will be expected to intensify their treatment of metrics. And school children who have for so many years labored in their study of fractions will be relieved to know that with metrics much of their work with fractions will come to an end.

And before any extensive changeover will take place in industry, there must be metric training at all levels.

Some American industries already have made the change: pharmaceutical, photographic, optometric and roller bearing. More than 20 per cent of the automobiles on US highways are made to metric specifications, including Ford's Pinto. The National Aeronautics and Space Administration uses the metric system, and the *Journal of the American Medical Association* now uses SI in all its scientific reports.

A study through the US Department of Commerce shows that the effect of change-

over on specific industries will range from negligible to severe. At the lesser end of the scale are those which now deal in both systems, those who have made the change already, and those such as agriculture, forestry and fishing. All that the latter must do is convert billing procedures to the new system. At the other extreme are industries such as oil field machinery and aircraft, which will have the greatest degree of change and perhaps will be the final ones to convert.

For a few businesses, the changeover may be a windfall. Included in this group are those that manufacture measuring devices—the changeover will require at least recalibration of the devices to metric standards—and printers.

Because the metric system is decimal—based on units of ten—it simplifies mathematics. The customary English system, not a logical one, has us moving to larger and smaller units through the use of uneven multipliers and divisors: from inches to feet by three, pounds to tons by 2,000, quarts to gallons by four, and so on.

In the English customary system are such terms as horsepower, hands, rods, acres, pints, quarts, gallons, pecks, bushels, cubits and fathoms. All of these standards grew up quite haphazardly. Three barleycorns—from the center of the stalk—equaled one inch, for example. And a yard was the distance between the tip of a king's nose and the tip of his fingers.

The metric system, on the other hand, progresses logically in units of ten, and prefixes have the same meaning whether measuring length, area, volume or mass.

The most basic SI units are metres for length, liters for volume and grams for mass (weight). SI and customary are similar in the use of records for time and amperes for electric current. Perhaps the most confusing SI units, to the man in the street, will be temperature. Gone will be fahrenheit and in will be Celsius (formerly known as centigrade). So, when your doctor measures your body temperature at 36.9 degrees Celsius, you will know that you are normal.

Another reason for the 10-year period of changeover is to enable industry to absorb the cost of conversion over a longer time span. It then is hoped that the cost will be kept to a minimum because much of the conversion will take place as factories replace worn out and obsolete equipment.

Further hopes are that conversion will enable industry to take additional advantage of modern technology and to reduce inventories. International metric standards have made it possible to reduce unnecessary variety in the manufacture of such items as nuts, bolts and rivets.

This progress cannot be speeded—at least not in this country—until changeover is formalized. The United States inches—or centimeters—toward SI.

H.R. 5880: PROTECTS FOREST ENVIRONMENT THREATENED BY IMPOUNDMENT OF FIRE PROTECTION FUNDS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. RARICK. Mr. Speaker, the recent withdrawal of $4 million from the cooperative forest fire protection program by the Secretary of Agriculture seriously threatens the safety of our forest environment nationwide. It puts our State foresters in a difficult situation and reduces the effectiveness of a program designed to protect valuable forest lands.

Earlier in the fiscal year our State foresters were informed that $5 million of the $25,027,000 appropriated for fiscal 1973 had been impounded by the Office of Management and Budget. They accepted this reduction with the understanding that it was necessary to stay within the President's spending limitation. Funds are allocated to States on a cost-sharing arrangement, and the Federal Government by withdrawing its commitment to the States jeopardizes the total national fire protection program. The States then set their budgets accordingly, in consultation with the Forest Service. But State budget readjustments cannot be made to compensate for the latest reductions, coming as late into the fiscal year as they have.

Fiscal responsibility is one thing, but reductions of this proportion in a program of this vital importance so late in the year are untenable. One forest fire resulting from a lack of proper fire protection could easily cost the taxpayer more money than the $4 million the cuts supposedly saved.

Virtually every State has suffered some loss of funds. Louisiana, for instance, has been placed in the position of trying to find $131,500 to maintain its fire protection programs at the level planned for the year. Our neighboring State of Texas lost $90,100, while the State of Washington lost $138,000 in Federal funds.

For these reasons, I have, along with seven cosponsors, today introduced H.R. 5880. This bill provides for mandatory expenditures of funds appropriated by Congress for use in State-Federal cooperative forest fire control program. The bill also requires an expenditure of the $20,027,000 allocated by the administration to the States for the present fiscal year. Further, it prevents the fire protection program from being weakened in the future through reductions or impoundment of funds originally appropriated by Congress.

I include here the text of my bill, H.R. 5880, along with a chart listing the amount of funds cut from allocations to the various States for the Forest Fire Protection program to be inserted in the RECORD at this point:

H.R. 5880

A bill to provide that amounts appropriated by the Congress for the State-Federal Cooperative Forest Fire Control Program shall be expended for that purpose

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of June 7, 1924, relating to the protection of forest lands (16 U.S.C. 565), is amended by adding at the end thereof the following new sentence: "In the case of the fiscal year ending June 30, 1974, and each fiscal year thereafter, the amount allocated by the Secretary to the States under this section shall in no case be less than the amount appropriated for such year for such purpose by the Congress."

SEC. 2. For the fiscal year ending June 30, 1973, the Secretary of Agriculture shall make payments to the States for the purposes set forth in section 2 of said Act of June 7, 1924, out of funds heretofore appropriated, on the basis of the commitment of the Federal Government contained in the allocation to the States for these purposes of $20,027,000.

FISCAL YEAR 1973: CM-2 ALLOTMENTS

Region or area	Original payment to State	Reduction amounts	New reduced payment to States
Alabama	$582,500	$114,500	$468,000
Alaska	359,200	50,200	309,000
Arizona	65,200	12,900	52,300
Arkansas	536,800	110,100	426,700
California	1,284,500	263,300	1,021,200
Colorado	246,600	38,000	208,600
Connecticut	144,300	29,200	115,100
Delaware	50,600	9,200	41,400
Florida	720,500	147,700	572,800
Georgia	760,100	155,900	604,200
Hawaii	66,300	13,700	52,600
Idaho	399,200	80,100	319,100
Illinois	144,800	27,700	117,100
Indiana	98,900	20,300	78,600
Iowa	71,500	14,800	56,700
Kansas	228,800	45,800	182,000
Kentucky	434,400	86,400	348,000
Louisiana	645,400	131,500	513,900
Maine	507,100	104,100	403,000
Maryland	277,800	55,400	222,400
Massachusetts	250,500	51,300	199,200
Michigan	638,900	131,100	507,800
Minnesota	410,100	84,200	325,900
Mississippi	623,300	124,500	498,800
Missouri	522,200	103,400	418,800
Montana	221,000	43,600	177,400
Nebraska	199,500	38,000	161,500
Nevada	220,500	43,200	177,300
New Hampshire	137,800	27,700	110,100
New Jersey	290,500	56,900	233,600
New Mexico	89,600	18,500	71,100
New York	537,200	106,000	431,200
North Carolina	672,000	136,600	535,400
North Dakota	38,700	7,400	31,300
Ohio	234,400	46,900	187,500
Oklahoma	277,000	52,100	224,900
Oregon	676,500	138,100	538,400
Pennsylvania	503,500	101,200	402,300
Rhode Island	78,400	15,900	62,500
South Carolina	611,500	123,000	488,500
South Dakota	94,400	18,100	76,300
Tennessee	613,200	124,500	488,700
Texas	439,700	90,100	349,600
Utah	156,700	31,000	125,700
Vermont	78,900	16,200	62,700
Virginia	566,000	114,900	451,100
Washington	677,400	138,900	538,500
West Virginia	259,300	51,300	208,000
Wisconsin	615,400	123,400	492,000
Wyoming	132,900	24,400	108,500
Amounts to States	18,491,500	3,693,200	14,798,300
Administration inspector, etc.	1,508,500	306,800	1,201,700
Total	20,000,000	4,000,000	16,000,000

PRISONER OF WAR RETURNS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mrs. GRASSO. Mr. Speaker, the people of the Sixth District rejoice that Marine Capt. James P. Walsh, Jr., of Winsted, has returned home after 4½ months of captivity in a North Vietnam prison camp.

The courage shown by all of our returning POWs is tribute to their determined spirit and strength of character which have sustained them under the most difficult of circumstances. James Walsh, Jr., has displayed that same spirit and strength of character.

His parents, Mr. and Mrs. James Walsh, also deserve special praise and admiration. They had to endure those trying, unhappy days of their son's imprisonment in constant, fearful anticipation of his condition as a prisoner in a hostile land far away.

Fortunately, James Walsh seems very fit, and residents of the district join in wishing him well for the future. The joy and thanksgiving of every American is without expression as more and more of our brave men are released from their

North Vietnamese and Vietcong captors. When among those arriving back home is a neighbor who lives in the Sixth District, the occasion is an especially meaningful and personal one.

FRANK SIEVERTS: FRIEND, SERVANT TO POW/MIA'S AND FAMILIES

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ZABLOCKI. Mr. Speaker, in the depersonalized world in which we live the dedicated efforts of many individuals too often go unrecognized and unappreciated. It was therefore gratifying to read in this morning's Washington Post a story by Marilyn Berger recounting the quiet but effective work over the years of Mr. Frank Sieverts, the State Department official in charge of POW/MIA affairs.

Trained as a Foreign Service officer in the delicate art of diplomacy, Mr. Sieverts has exercised that art under the most challenging of circumstances on the very personal level of human relations. He has carried out that often difficult assignment with distinction, aided and complemented in that assignment by an able secretary and personal assistant, Catherine L. Wilde.

I am pleased to place the article in the RECORD at this point and recommend it to the reading of my colleagues.

The article follows:

GRATITUDE OF POW FAMILIES WON BY STATE AIDE SIEVERTS

(By Marilyn Berger)

The POWs are coming home and the letters are coming to the State Department.

"May I please have the name of the State Department official in this picture. . . . I would very much like to drop this wonderful kind man a note," wrote a woman from Lebanon, Ind. "My eyes were on him more than those brave men who were returning."

Another from Walnut Creek, Calif., said: "Never have we seen a more warm, compassionate human being. He is to be much commended. I would like to have his name so I could write to tell him so."

The name of the man in the unaccustomed limelight is Frank A. Sieverts, and underneath that "warm, compassionate" surface he is by all accounts a "warm, compassionate human being."

Frank Sieverts was the man with the movie-star handsome face and trim physique who emerged on the home screen, greeting some of the civilian prisoners of war with a warm bear hug.

Frank Sieverts was the State Department's man in the advance party who went to Gialam airport on Feb. 12 to straighten out last-minute details of the release. He rode back to Clark Air Base with the last group of the day, not the first. It was then that people across the country started asking about him.

For more than six years Sieverts worked quietly in a small office on the State Department's seventh floor, his one mission to get the prisoners of war back from Vietnam or to improve their treatment during their detention.

It was not exactly the kind of job anticipated for a young graduate of Swarthmore who had spent four years at Oxford studying international relations. For the abstruse world of diplomacy of the relations between states and of laws and treaties is scant preparation for dealing with the very personal, often excruciating anguish of a mother whose son has been taken captive, or a wife whose husband may never return.

Sieverts, as the major point of contact within the government for the families of the POWs, became the shoulder, the placator, the sounding board for complaints, sometimes the target for emotional outbursts. At the same time he was the envoy to the International Red Cross, to foreign diplomats who might provide help and to the peace groups who sought to get prisoners released in their own way.

One POW wife, a critic of the administration who has of late refused to be quoted by name, had this to say about Sieverts, whom she dealt with for several years:

"He's the only one I've run into representing any part of the government . . . who's been completely honest. . . . He never lied; he never misled. He's the only one who has dealt with us as a representative in an official capacity I've had any use for. . . He was always friendly, gracious and charming, but always with an air of professionalism. The only real moment of warmth when the civilian POWs came back from South Vietnam was when Frank embraced them. It was real, spontaneous."

Said this woman, whose husband has not yet returned: "Frank's gone gray in the four years I've known him. His hair used to be darkish blond, he looked like a Kennedy type."

Sieverts at 39, is quite gray. In rueful almost self-mocking moments now he will attribute each gray hair to an individual POW, but he tries not to be dramatic.

Sieverts, often accompanied by Roger Shields, a civilian in the Pentagon, traveled around the country to meet with the families of the POWs. "I'd describe our efforts to achieve an honorable, negotiated settlement. I'd bring to them information . . . commonly available to people who read carefully in the press but which might not be available to families in the Midwest and Far West."

Speaking precisely, with perfect syntax, never straying from his topic, Sieverts acknowledged that "some families would get very emotional and express strong emotions face-to-face and on the telephone. Often there were different points of view on the war, often urging rather stronger action to bring the war to an end. This view was more common than the other."

Sieverts said: "Our responses, as government representatives, sought above all to be accurate, even at the expense of being reassuring. The temptation was always to say they'll be home for Christmas, but I took pains to be accurate and to emphasize the other side's responsibility for the POW's. It become evident very early on that the POW's were hostages being used for bargaining purposes, namely to gain control of South Vietnam. The families understood this. More important it's now clear that the men themselves were fully aware of this. Their first questions made clear their own sense of commitment."

There is a stuffed white bird on one of Sieverts bookshelves, a sign that he opposed U.S. actions in Vietnam. But, he insists: I'm not a dove. I've always supported the rightness of what we were trying to do in Vietnam, our commitment to South Vietnam." Then he adds with characteristic understatement: "I may have disagreed at times with some of the actions taken in support of that commitment."

Sieverts was born in Germany in 1933 and left with his family four years later, victims of Nazi persecution. His mother was Jewish and has since become a Quaker. He grew up in Wisconsin, the eldest of five, and later went on to Swarthmore—where he met his wife—and then to Oxford as a Rhodes scholar. He has promised his wife and their two children some skiing and other vacations—when all the POWs are home.

Before devoting all his time to the POWs Sieverts worked with the State Department's senior interdepartmental group, and then in 1967 joined the staff of Ambassador-at-Large Averell Harriman. He remained close to the negotiations because they so intimately involved POWs. He also maintained contacts with other governments and with the International Red Cross.

At first, said Sieverts, an effort was made "to use diplomatic efforts . . . to bring pressure on the North Vietnamese not to carry out their threat of [war crimes] trials against captured pilots . . . and to bring North Vietnam into compliance with the Geneva convention by allowing international inspection of the camps, free exchange of mail and so forth."

He said in a recent interview: "I never thought I didn't expect I'd become this involved in this kind of subject, or involved in this way with the POWs. No one thought it would take this long. In 1964 and 1965 we believed it would end in a year. It was the same in 1966 and 1967, even 1968. The length of time was unpredictable. It made sense to stay on."

It has clearly had its satisfactions. "After I got back to Clark [from Hanoi]," he recalled, "as the men came out of the plane I said I know his mother, I know his parents, I know his wife. As they came out I recognized faces, a case of putting a husband with a wife, a son with a mother. I was able to tell them that I knew their families. The men were startled and pleased to hear this. They were not aware that efforts had been made to know their families, pleased that their families had a place to go in government.

Sieverts manages to get off lines that sound old-fashioned-apple-pie patriotic American without sounding phony. "It defames the sacrifice of the POWs to say they were prompted," he said of the remarks the prisoners made on their returns. He described how the POWs took command the moment they were released.

"To see the men get off the battered camouflaged buses, shaped like old American school buses . . ., it was a very dramatic moment. The men we thought about and worked so long for were there."

When they were ordered off the bus, says Sieverts, "the senior officer in each group of 20 shaped them into lines and marched them to the release point 30 yards away, in some cases slowing down the pace so those on crutches could catch up . . . They shouted out loud commands with American voices at the Hanoi airport. . . . They saluted."

On the plane he says he saw the men plan what they would say on arrival, giving a thumbs up to the suggestion of the senior officer. . . . A loud cheer went up as they closed the door, another cheer when we took off, another when we were over water and no longer over North Vietnam. . . ."

Sieverts never wore a POW or MIA bracelet and seemed to have some doubts about the practice. But he had no doubt of their effect on the POWs who returned. "People would come to the airport and give the men the bracelet they'd been wearing," he recalled. "The men had not been aware of it. They were stunned and pleased to know how much people were thinking of them."

Sieverts seems to have known them all. But, he says, "when you speak of close and warm relations with the POW families it was my secretary and personal assistant, Catherine L. Wilde, who more than anyone was on a first-name basis with them."

MORE INFORMATION FOR THE CONSUMER

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ANNUNZIO. Mr. Speaker, lack of adequate information on labeling of processed foods is an increasing concern of consumers. Whereas packaged and frozen foods once constituted a very small part of our diet—the luxury items—a large proportion of an average American's diet today is prepared in a manufacturing plant. This situation presents the housewife with increasing difficulties not only in shopping wisely but in preparing nutritious, well-balanced meals. She is not always able to tell what the ingredients of a particular item are, whether processing has destroyed the nutritional value of the food, or how much of the food the package actually contains.

The bill I have cosponsored, H.R. 1652, would provide a solution to this dilemma of today's consumer. It would require the label of processed foods to bear information regarding nutritional contents, packaging and weight, and percentage of ingredients.

The White House Conference on Food and Nutrition emphasized the lack of nutritional information available on today's foods. This lack of information contributes to the fact that poor diets are not limited to those of low incomes but are found among persons of all socioeconomic levels, particularly in the case of children. The Conference recommended that—

> Information about nutritional properties which are significant to consumers in relation to the use of a given food in the daily diet should be required to be made available to consumers.

My bill would require foods to bear an analysis of nutritional contents including fat content, vitamin and protein value, fats and fatty acids, calories, and other nutritional information deemed appropriate. Certain requirements would assure the conspicuous and uniform display of such information so as to be of the most use to consumers.

Every shopper has had the experience of buying a food item with the expectation of serving a certain number of persons only to find the packaging or the labeling was misleading as to the amount of the contents. This is particularly true of items such as shrimp cocktail which are packaged in some kind of medium. If H.R. 1652 is enacted into law, such misrepresentation would be prohibited. Regulations would be promulgated requiring labels to bear certain information in the case of any canned or frozen product whose packing medium constitutes a substantial proportion of its total weight, the net weight, and drained weight of the product.

The White House Conference on Food and Nutrition also considered the problem of labels which do not indicate the amount of ingredients in packaged foods. They recommended:

> The amount of a characterizing ingredient, if any, should be shown on the label on a percent basis or other accepted uniform method meaningful to the consumer. . . . Failure to label the amount of any characterizing ingredients in a food should constitute misbranding.

My bill would make percentage listing of the major ingredients of combination food mandatory.

H.R. 1652 would provide several badly needed reforms in food labeling requirements—reforms that have been discussed and agreed upon for quite a while. It is now time to enact these requirements and to give the consumer the tools he needs to get the best buy and the most nutritious food for his money.

Mr. Speaker, it is my hope that my colleagues will join together in order to insure the early enactment of this important legislation.

NIXON CONSUMER POLICY: BENIGN NEGLECT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ROSENTHAL. Mr. Speaker, the Consumer Price Index released today by the Bureau of Labor Statistics shows the retail price of meat rose 5.3 percent last month. That adds up to an incredible annual rate in excess of 63 percent.

This unconscionable outrage can only be viewed as part of the Nixon administration's conscious policy of benign neglect of the American consumer. Administration indifference to the plight of the consumer and its refusal to put a lid on meat prices are directly responsible for this latest increase.

A typical middle-income family of four spends 35 percent of its food budget on meat, poultry and fish, or about $68 a month. At the February rate of inflation for this category—5 percent—the price of those products is going up $3.40 a month or $40.80 a year. In other words, if food prices don't start coming down—and the Cost of Living Council says they will keep going up for the rest of the year—that $68 bill will hit $108.80 by next February.

Outraged consumers will respond to this latest piece of news with the most massive meat boycott in the Nation's history, starting April 1. Consumer and housewife groups in more than two dozen cities across the country already have joined in the buyer boycott, demanding a freeze or even a rollback in meat prices.

The Nixon administration's dire predictions about the effects of a price freeze—even if they come to pass—couldn't possibly be worse than the dilemma which now confronts the food buyer.

Just yesterday, Agriculture Secretary Butz, who publicly rejoices over high meat prices, said anyone who wants to put a ceiling on the increase is a "damn fool." This kind of "sock it to 'em" contempt for the American consumer must be stopped. I am today renewing my call for Secretary Butz' resignation as the first step toward lowering food prices and restoring the American consumer's faith in the willingness and ability of government to combat inflation.

NEIGHBORHOOD YOUTH CORPS IN McCREARY COUNTY, KY.

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. CARTER. Mr. Speaker, recently I received a letter indirectly from Mr. Ralph W. Nevels, superintendent of the McCreary County Schools in the Fifth District of Kentucky.

In this letter, he evaluates the Neighborhood Youth Corps Program which has helped many impoverished youngsters throughout the area I represent to attend high school. Many of these students, after their high school work, are enabled to attend college. This would not have been possible except for the Neighborhood Youth Corps program.

I enclose the letter from Mr. Nevels for consideration by the Members:

WHITLEY CITY, KY.,
March 16, 1973.

Mr. N. B. PERKINS,
Whitley City, Ky.

DEAR MR. PERKINS: While you are in Washington, I would greatly appreciate your help in informing Representative Carter of the facts about McCreary County's Neighborhood Youth Corps program. As you know, McCreary County Schools' was one of the first NYC programs funded and we feel that it has been one of the most successful.

Approximately sixteen hundred boys and girls have participated in the NYC program since its beginning. Over one thousand of these enrollees could never have remained in school. Thirty-eight per cent of the enrollment have received their high school diplomas. Annually about thirty-five per cent of the contract number are listed on the schools' honor rolls. One enrollee has received the highest scholastic honor of the senior class. Several enrollees have and are able to attend college only through the help and assistance of the NYC program. Four have returned to McCreary County as teachers. Two boys who worked in conservation are studying forestry.

Most of our young people must leave our county to search for employment. Several former NYC enrollees have used the NYC training as clerks, teacher aides, secretaries and painters and have secured positions at home. A great deal of the NYC training has helped these young people to become more employable.

Since the NYC program has provided a way for these high school boys and girls to earn a small amount of money, they are developing a sense of self-dependence. They are able to pay class fees and dues, purchase greatly needed clothing and meet other obligations that they were formerly unable to do. A sense of pride in themselves and their work is evident.

These students receive such indirect benefits as the budgeting of earnings, development of good work habits and attitudes, and counseling on career planning.

According to a recent survey the dropout rate of NYC enrollees is below the dropout rate of the combined high schools and the percentage of attendance is above the high schools' average. The staff knows that this particular program is doing its job. Adequate supervision and counseling have made this program one of our schools' and McCreary County's greatest assets.

Many of our boys and girls have their hopes for the next school year depending on a summer's work. How can we prevent these students from losing the interest that they have developed, and how are we going to keep them from being next year's dropouts?

Many inquiries have been made from prospective enrollees and present enrollees as to the status of the Summer NYC program. We have approximately 300 boys and girls who can qualify for summer work. We understand that under revenue sharing there will be a program, at least on a limited scale, available for the In-School programs; however, no provisions have been made for the Summer programs. It is our hope that money from other programs can be diverted to the NYC programs. In the event that this is done we would appreciate any information that you could get for us as to the procedure for applying for those funds.

Now, my questions are: How are these two hundred boys and girls who need financial help and training going to be able to remain in school and meet their obligations? What effect will the loss of this program have upon the local school program? Who will see that these boys and girls get counseling that this particular age group needs? The majority of these young people come from welfare, social security, and disabled families. What program will be started to keep these children from becoming a part of the same family type?

Please see Representative Carter and tell him of our program and find out if anything can be done for our situation.

Respectfully,

RALPH W. NEVELS,
Superintendent, McCreary County School System.

AID TO HANOI: A MATTER OF MORALITY?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. RARICK. Mr. Speaker, aid to Hanoi is being urged as a matter of morality because we Americans had helped rebuild Western Germany and Japan following World War II. For some reason the absence of any aid to North Korea is being overlooked probably because we did not win nor effectively stop that war.

On the issue of morality should our people not be reminded that both Germany and Japan were defeated on the field of battle and each signed an unconditional surrender. The German leader, Hitler, was killed and many of his captured generals and admirals, even down to field grade officers were tried by war crimes tribunals and many were executed and others served time in prison. Even prison guards who had mistreated POW's or failed to comply with the Geneva Convention dealing with POW's were brought to trial and some imprisoned. Rudolf Hess, the political heir of Hitler and national socialism, remains a prisoner in Spandau to this day.

Similar trials, executions, and imprisonments followed the Japanese surrender, including even the imprisonment of Tokyo Rose who was an American who had turned propaganda agent for the Japanese Government.

No similar occurrences arise from the police action out of the North Vietnam war. None of the North Vietnamese officials nor the Viet Cong rebel leaders have been captured nor taken as prisoners. No trials for war crimes are suggested or appear eminent. To the contrary, the leaders of North Vietnam have been made national heroes as they are allowed freedom to boast that ending the Vietnam conflict was a victory for their cause. In fact, these same leaders, according to all reports, are continuing to send arms, men, and materiel into South Vietnam to continue their aggression against the government and the people of our ally.

Certainly one who researches the facts of World War II and the Vietnam peace action can readily distinguish between any so-called moral duties of the victor or the loser.

And, by the way, who has heard of the Russians or Red Chinese indicating that they have a moral duty to impose taxes on their people to give aid to South Vietnam?

WHAT IS THE PRICE OF FREEDOM

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. GOLDWATER. Mr. Speaker, it is often a good idea, in our headlong dash into oblivion, to pause and reflect upon a commodity we too often take for granted—freedom. One such opportunity arose while I was reading the Encino Trumpeter, a publication of the Encino Republican Women's Club Federated of Encino, Calif. The article is entitled, "What Is the Price of Freedom?" and it is a bit of wisdom that is a prolog to the history we are about to write. This message by Maj. Eugene H. Bickley, USA, is commended to my colleagues for their reflection:

WHAT IS THE PRICE OF FREEDOM?

(By Maj. Eugene H. Bickley)

An ounce of blood in a rice paddy in Vietnam?
A drop of sweat from a trainee at Fort Ord?
A splintered bone from a copter crash in Korea?
A cold chill from a missile scare at Guantanamo Bay?
A swollen ankle from a forced march on Bataan?
A lungful of seawater in a ship's bowels in Pearl Harbor?
A lacerated knee from barbed wire near Chateau Thierry?
A mouthful of dust from running up a hill called San Juan?
A nostrilful of stench from the carnage at Bull Run?
A handful of sand to cover a corpse at the Alamo?
A scorched eyebrow from power burns at New Orleans?
A frozen toe at Valley Forge?
Listen—there is no cut-rate price tag on freedom!
No discount house in which to shop.
No flea market in which to bargain.
No credit card on which to charge.
It is *not* an inaljenable right, *nor* a God-given *prize*.
And yet—it is more precious than the most glittering gold,
Or rarest jewel;
More elusive than a beam of sunlight,
Or a baby's smile.
And once lost it is seldom regained.
It is not a game of finder keeper; rather, always, loser weeper.
How then does one hold fast this "elusive as sunlight" thing?
With a frozen toe at Valley Forge!
With a scorched eyebrow at New Orleans!
With a handful of sand at the Alamo. . . .

LEAD INGESTION— A SPORTSMAN'S PROBLEM

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, today I introduce legislation designed to protect our Nation's waterfowl from death and chronic illness resulting from the ingestion of lead shot used in hunting. Two to three percent of the waterfowl population of the United States—as many as 3 million ducks, geese, and swans—are estimated to die annually from lead poisoning. These birds consume lead shot which lodge in the gizzard and are eroded through physical and chemical abrasion.

Lead released in this way is assimilated into the bloodstream and results in acute or chronic poisoning. Acute toxicity, resulting in death within a few days, occurs when a large number of pellets are present or when assimilation is unusually rapid. Birds afflicted by chronic toxicity become emaciated and partially paralyzed. Some, in their weakened state, may fall prey to natural predators or to man, but most die a slow, agonizing death over a period of several weeks or months.

Over the years hundreds of thousands of tons of spent lead shotgun pellets have been scattered throughout the Nation's wetlands. Each hunting season another 6,000 tons, or some 30 billion additional pellets, are deposited. Many traditional waterfowl habitat areas are thought to average 30,000 pellets per acre in the top few incres of soil. Sampling indicates that some heavily hunted marshes and ponds may have densities of up to 100,000 pellets per acre. Pellets tend to sink slowly over a period of years into the bottoms, and eventually become unavailable to birds.

The fact that waterfowl and marsh birds succumb to poisoning from consuming lead shot has been recognized since 1842. Hard scientific evidence identifying lead shot as the culprit in poisoning deaths in the field has been available since 1901. Massive localized "die offs," such as the loss of 12,000 ducks in Minnesota during the winter of 1939–40, have occasionally dramatized the problem.

As densities of pellets in marshes continue to build up; as waterfowl habitat is increasingly constricted by development and afflicted with other forms of pollution, the problem has intensified. In April 1972 the largest die offs ever observed occurred in the Mississippi Valley. Earlier in the winter 4,500 geese were found dead from lead shot poisoning, with thousands more ill. Canvasback ducks, among the species most susceptible to poisoning, have dwindled from an estimated 2½ million in the late 1950's

to less than a million today. Redheads, mallards, and black ducks have also declined alarmingly.

In the State of Maryland, wintering populations of canvasbacks have decreased from an estimated 173,300 in 1955 to 63,000 today; the redhead population is down from over 160,600 to only 10,600. The population of Maryland black ducks has gone from 173,000 to 40,000 in this 17-year period. National Wildlife Federation President Thomas Kimball, has suggested that lead poisoning may prove, with these hard pressed species, "the straw that broke, in this case, the ducks back."

Nontoxic soft iron shot has been proposed as a substitute for lead shot. It is ballistically comparable to lead, deteriorates rapidly in contact with water and soil, and constitutes no environmental hazard. Extensive tests have been conducted, both by the firearms companies and the Department of the Interior in recent years. Crippling losses have been found to be no greater than with lead shot and in some tests only about one-third as great. No serious damage to gunbarrels has resulted from thousands of rounds fired with the type of shot currently being proposed. The manufacturing process involved in producing the shot are comparatively simple, and no significant unsolved technical problems remain. Production facilities to supply the entire needs of the firearms industry can be placed in operation within a matter of months.

Over the past decade practically all of the major conservation and hunting groups in the country have gone on record in demanding that lead shot be replaced by soft iron, or other nontoxic pellets. These include groups as diverse as the National Rifle Association, the International Association of Game, Fish and Conservation Commissioners, the National Wildlife Federation, Friends of the Earth, the Sierra Club, the National Parks and Conservation Association and the Humane Society of the United States. Most of these groups feel that the Interior Department has been unconscionably slow in responding to these demands, and has been entirely too sensitive to pressure applied by the lead industry, and some segments of the firearms industry, to go slow. Most will agree with President Kimball of the NWF and Dr. Grandy of NPCA that there is no reason at all why the industry cannot effect the transition to iron shot with a years notice or less.

My bill accomplishes this by banning the use or possession of lead shot following the 1973 season on any land which constitutes a habitat for waterfowl covered under the migratory bird treaty act. This will bring the long period of administrative foot dragging on this matter to an end. My bill also provides the Secretary with authority to ban from interstate commerce classes of lead shot which are environmentally harmful. A research program is established to assist him in determining how and when to act under this subsection. It seems obvious that problems in enforcing the ban on lead shot used mainly in this type of hunting can be solved, once it is clear that adequate substitutes can be made available.

The tragic depletion of many species of waterfowl in recent years must be acknowledged, and action must be taken to preserve and restore them. Lead poisoning is, beyond doubt, a major factor in their decline. Some marshes and ponds are now hardly better than death traps. Even if prompt action is taken to halt further deposits, it will be many years before waterfowl can use this habitat without being subject to the effects of lead poisoning.

My bill provides the Secretary with firm instructions, and a firm legislative base, to eliminate the lead poisoning problem in the shortest time possible. I hope that Congress will act on this legislation and thereby erase a severe blot on our national waterfowl management record and arrest the tragic wastage of this magnificent resource.

The text of the bill follows:

H.R. 5986

A bill to amend the Fish and Wildlife Act of 1956, to protect game and wildlife resources by prohibiting the use of lead shot for hunting in marshes and other aquatic areas, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fish and Wildlife Act of 1956 is amended by adding a section 8, after section 7, and renumbering the remaining sections accordingly:

SECTION 8. (a) The Congress finds and declares that lead ballistic pellets are manufactured, sold, and transported in interstate commerce; that overwhelming quantities of such pellets are deposited annually in the environment as a result of hunting; that such pellets are ingested by waterfowl and other marsh birds in aquatic and semi-aquatic areas; that such ingestion results in the assimilation of lead into the blood stream which causes poisoning; and that such poisoning results in the death of a significant number annually of such waterfowl and other marsh birds. It is therefore the policy of Congress to protect the game and wildlife resources of the Nation and to eliminate such undue and unnecessary losses to population stocks.

(b) (1) After the 1973 hunting season it shall be unlawful for any person to use or possess any lead shot on any land which constitutes a habitat for waterfowl or other migratory marsh birds covered under the Migratory Bird Treaty Act, as amended (16 U.S.C. 703, *et seq.*)

(2) The Secretary is authorized to ban the manufacture, sale, or transportation in interstate commerce of lead shot, or any other type of shot if it is found, under the research program established in subsection (c), that the toxicity of such shot constitutes a hazard to wildlife, and that nontoxic substitutes are, or can be, made available. The Secretary shall publish notice in the *Federal Register* of intention to act under this paragraph.

(3) Within six months from the date of enactment of this Act the shot type shall be clearly and legibly printed on all shells manufactured for sale or use in interstate commerce.

(4) For the purposes of this section the 1972 hunting season shall be that determined by the Secretary as published in the Federal Register under the Migratory Bird Treaty Act, as amended.

(c) A research program shall be established by the Secretary to be administered by the Bureau of Sport Fisheries and Wildlife, which shall assess all available data concerning the impact of lead and other shot on wildlife, and on the environment generally. The information accumulated under such program shall be available to the public. The Bureau shall make findings and regulations regarding sizes of lead shot which are to be banned under subsection b(2), and other limitations on the use of lead or other shot which can be imposed by administrative or legislative action and which are necessary to eliminate toxic environmental effects. Such findings shall be published in the Federal Register, shall be distributed to State fish and wildlife agencies, and shall be open for public comment for 60 days before finalizing.

(d) The Secretary shall issue such regulations as he determines are necessary to carry out the purposes of this section.

(e) (1) Violation of this section or regulations which may be adopted and identified by the Secretary for the purpose of its implementation shall be punishable by a fine of not more than $1,000 or imprisonment for not more than one year, or both.

(2) The Secretary is instructed to enter into cooperative agreements with appropriate State and territorial agencies for enforcement of this section on lands which are habitat for waterfowl and migratory march birds covered by the Migratory Bird Treaty Act as amended.

(3) Any employee or officer authorized to make arrests or serve citations under this Act is authorized to make a thorough investigation of the arms and ammunition carried by any individual in an area which constitutes a habitat for waterfowl or other migratory marsh birds, including the authority to investigate re-loaded shells.

THE WAR OVER THE WAR ON POVERTY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. SHRIVER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following commentary by David Brinkley on the NBC Nightly News which examines the current controversy regarding the Office of Economic Opportunity:

NBC NIGHTLY NEWS BY DAVID BRINKLEY, FEBRUARY 27, 1973

What has happened is what often happens in Washington: the substance of a problem gets lost somewhere in controversy about politics, money and power.

The substance in this case is the poor people themselves . . . and what should (or can) be done by some level of government to help them . . . whether it's OEO or something else.

The state governors, knowing how Federal programs work, believe if OEO is cut back by President Nixon . . . there will be pressures on them to continue it and pay for it, and they don't have the money.

Members of Congress are irritated because they think the President is defying them, usurping their power, and cutting back programs they voted and without asking them.

The President's position is that however attractive are the names of these agencies, many of them do very little more than spend money.

One part of OEO (for example) spends over a billion dollars a year . . . has 180 thousand employes . . . and just how much of the money reaches the poor and how much goes for administration is hard to find out.

So . . . it's one more Washington controversy, coming to be heated.

The President doing what he says needs to be done . . . members of Congress saying if it needs to be done at all it should not be done that way, and they should do it . . . and the Governors afraid another huge financial burden is about to be transferred to them, but not the money to pay for it.

CONGRESSIONAL INTERN PROGRAM

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. KEATING. Mr. Speaker, this week a group of 57 high school seniors representing high schools in the First and Second Congressional Districts of Ohio are visiting Washington for a week of seminars.

Among the speakers addressing the group will be Congressman CHARLES RANGEL, Congressman JOHN ASHBROOK, Congressman LEE HAMILTON, Speaker of the House CARL ALBERT, and Minority Leader GERALD FORD.

The group will hear about the Senate from Ohio Senator ROBERT TAFT and Senator ROBERT STAFFORD of Vermont.

There will also be seminars on the Supreme Court with Justice Potter Stewart, a discussion with Bill Monroe of NBC News, Robert Webb of the Cincinnati Enquirer, and James Groel of the Cincinnati Post and Times Star, on the role of the press in Washington.

Speakers from several Washington lobbyist groups will address the students on the role of the lobbyist in the legislative process. Other discussions on the operation of the House and the workings of a congressional office will also be held.

After a seminar at the White House, the group will head back to Cincinnati.

Each high school chose its outstanding senior to participate in the program. I am attaching the names of those students who came up to Washington this year.

CONGRESSIONAL INTERN PROGRAM

Anderson High School—Drew Horter, Robert Weber.

College Preparatory School—Elizabeth Beach.

Deer Park High School—Evelyn Altherr.

Forest Park High School—Rick Proud.

Indian Hill High School—Bob Porter.

Lockland High School—John Whitworth.

Loveland Senior High Schol—Scott Shoemaker.

Marian High School—Sheila Healy.

Mariemont High School—Robert Pfeiffer.

McNicholas High School—Kathy Castellani.

Moeller High School—William Robert MacEachen.

Norwood High School—Ellen Little.

Our Lady of Angels High School—Linda Niesen.

Princeton High School—Joseph Mack Wathen; Hendrik Van Driel.

Purcell High School—Larry Staubach.

Reading High School—Sally Lackman.

Roger Bacon High School—Robert Denterlein.

St. Bernard High School—Salene Bass.

St. Ursula Academy—Teresa Maurer.

St. Xavier High School—T. Jeff Davis.

Summit Country Day—Debra McCabe.

Sycamore High School—David Weinberg.

Ursuline Academy—Kathy Broderick.

Walnut Hills High School—Hermia A. Shegog; Mark D. Hornstein.

Withrow High School—Charles McDougald; Michael Kokoefer.

Woodward High School—Barry Stregevsky; Philip Osborne.

Regina High School—Michelle Boisseau.

Chaperones—Jim Jurgens, Bob Wagner, Steve Baker, Joe Suhre, Sue Suhre, and Major McNeil. John Morley, travel agent.

A BILL FOR THE REFORM OF FEDERAL LICENSING PROCEDURES FOR RADIO AND TV STATIONS

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. TREEN. Mr. Speaker, I have cosponsored with several of my colleagues a bill for the reform of Federal licensing procedures for radio and television stations.

The bill would amend the Communications Act of 1934 in order to restore to thousands of businessmen in the broadcast industry the independence and security they need to survive. It would reverse the trend toward discounting past service to the community as a criterion for license renewal; and it would provide relief to many broadcasters who are in danger of suffocating under mounds of Federal paperwork.

The bill has two principal provisions. It would extend to 5 years the period for which a station's license is valid. Currently licenses must be renewed after 3 years. Second, it would require the Federal Communications Commission to renew licenses to stations who can show that their past performance has reflected a good-faith effort to serve the needs and interests of their communities.

Mr. Speaker, there are three principal factors which indicate that these reforms are long overdue.

First, a recent Federal court decision would dictate that groups who challenge a station's license renewal in an effort to take over the license for themselves must be considered on a virtually equal basis with the current management of the station. This would result in a great deal of instability for the broadcaster; he could not take out long-term bank loans, invest in real estate or expensive equipment, or make capital improvements. The prospect of undergoing such an ordeal every 3 years, with its attendant paperwork and legal fees, is likely to discourage independent and creative individuals from becoming involved in the radio and television business.

Another implication of increased scrutiny of station programing by the Federal bureaucracy is the risk that licenses will become political plums, subject to the whims of numerous politicians and pressure groups. This would tend to make our electronic media little more than an arm of Government.

Finally, the broadcast industry is already highly competitive. Stations which do not satisfy the needs and interests of their communities cannot survive for long in the fight for high ratings and advertising revenues. There is a real danger that the opinion of the FCC, or of a Federal judge, as to what constitutes the public interest may not coincide at all with the views of the public. The current trend is to substitute increased bureaucracy and Government regulation for the workings of the free market and the judgment of the people. Our bill seeks to reverse that trend.

Mr. Speaker, I would like to include in the RECORD the full text of this very important bill:

H.R. 5077

A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307(d) shall be amended by striking the first two sentences and inserting the following: "No license granted for the operation of any class of station shall be for a longer term than five years and any license granted may be revoked as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed five years if the Commission finds that public interest, convenience, and necessity would be served thereby: *Provided, however,* That in any hearing for the renewal of a broadcast license an applicant for renewal who is legally financially, and technically qualified shall be awarded the grant if such applicant shows that its broadcast service during the preceding license period has reflected a good-faith effort to serve the needs and interests of its area as represented in its immediately preceding and pending license renewal applications and if it has not demonstrated a callous disregard for law or the Commission's regulations: *Provided further,* That if the renewal applicant fails to make such a showing or has demonstrated a callous disregard for law or the Commission's regulations, such failure or demonstration shall be weighed against the renewal applicant.".

PRESIDENT LYNDON BAINES JOHNSON

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. LATTA. Mr. Speaker, I would like to associate myself with the remarks of my colleagues on both sides of the aisle who have expressed their sorrow at the passing of Lyndon Johnson.

To those of my persuasion, who opposed him on many issues while supporting him on others, President Johnson will be remembered as a superb legislative tactician. His breadth of experience and intimate knowledge of the legislative process, gained through his many years of service in both the House of Representatives and the Senate, served him effectively when he became Chief Executive.

Political life is not without its ironies, and no better example of this in recent years can be found than in the pressures of events surrounding President Johnson's latter days in office.

Despite resounding domestic legislative triumphs, it was his steadfast pursuit of what he conceived to be the best interests of the United States in the Vietnam conflict which led to his voluntary retirement from public life. How gratifying it must have been, shortly before his death, for him to have had the personal assurance of President Nixon that peace with honor was at hand.

I want to join all my colleagues in expressing my sincere sympathy to his widow, Lady Bird Johnson, and to his daughters and their families.

MANDATORY SENTENCING FOR CRIMINALS CARRYING FIREARMS WHILE COMMITTING A FEDERAL CRIME

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BEARD. Mr. Speaker, I introduce today for appropriate referral legislation which increases mandatory sentencing for criminals who carry a firearm in the commission of a Federal crime.

My bill differs from existing law in two principal areas—first, it increases penalties for offenders in both cases of first and second convictions; and second, it gives the Nation's Federal prosecutors the right to have the trial courts' sentencing reviewed if the sentencing judge fails to exercise proper discretion in determining the terms of sentencing.

Under the provisions of the Omnibus Crime Control and Safe Streets Act Amendments of 1970, strict sentences are imposed upon felons using or possessing a firearm in the commission of Federal crimes. The 1970 amendments provided a separate and additional penalty for the mere act of carrying a firearm in committing a crime—specifically separate and in addition to the sentence for the underlying crime itself.

The legislation being offered here today would preserve some latitude in the case of first offenders. However, this discretion is intentionally restricted by the addition of language authorizing the United States the right to seek review of sentences received by first offenders if the trial court judge fails to exercise discretion in meting out penalties in such cases.

The need to maintain discretionary status in sentencing a first-time offender is not to imply that the individuals should be treated with leniency but in recognition of the state of this Nation's penal system. In too many cases our Federal penitentiaries are breeding grounds for the schooling and training of even more determined criminals. The conditions prevalent in many Federal prisons force the internee to react with bitterness and vengefulness on the society which interred him. Therefore to confine a first offender in every instance means there is little hope for rehabilitation.

However, there are many cases where first offender deserves imprisonment. While judges have the authority to mete out a sentence to these individuals, they often do not. My legislation, if adopted, would offer remedy in the case where the Federal prosecutor determined that suspension, probation or terms of sentence were unreasonable. This added tool would operate in both first and second offenses. Yet, in the case of the second offense the additional penalty is truly a mandatory sentence which may not be suspended by the court, nor may probation be granted.

My bill provides for new terms of sentence. In the case of a first offense, the penalty can be up to 10 years. For second offenders the term of imprisonment cannot be less than 5 years and up to 25 years. In both cases, the sentence is in addition to the penalty for the underlying crime.

Mr. Speaker, I have asked the Justice Department to make a thorough investigation of the Government's experience with the type of sentencing enacted in 1970. Unfortunately, the mandatory sentencing provisions are not widely known by the general public and therefore, by the criminal as well. Of course, in order to be an effective deterrent to the potential criminal, these provisions must be publicized. If and when my bill is enacted, I will seek widespread publication of its effect and intent, and I will work to see that its use by the court is closely monitored.

With the passage of my legislation, the criminal who thinks to use a firearm in perpetrating a crime will have final notice that this society will not have even the slightest sympathy in the case where a firearm is used.

KEVIN MORRISSEY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. WOLFF. Mr. Speaker, at this time I would like to pay tribute to a fine Irish-American citizen, Mr. Kevin Morrissey, in honor of his installation as president of the United Irish Counties Association of New York. An article in the New York News on March 18, 1973 said this about Mr. Morrissey:

FLUSHING MAN HEADS IRISH COUNTY GROUP

Kevin Morrissey, 38, of Flushing, is the new president of the United Irish Counties Association of New York. He and 27 other UICA officers were installed during a formal ceremoney at the Hotel Commodore, Manhattan.

A past president of the Galway Men's Association, he has been a delegate to the UICA from Galway for 10 years. He rose to the presidency from third to second to first vice president during the last six years.

THE 26TH PRESIDENT

Morrissey is the 26th president and the second Galway man to serve in this office.

The UICA is a closed-delegate body, drawing its membership of 262 persons from the 32 Irish county societies and two other Irish fraternal groups active in the metropolitan area.

The organization is spokesman for the Irish-Americans in New York, and maintains a midtown Manhattan meeting center and office which supplies employment immigration and educational services to the Irish-American community.

Morrissey came to this country from Ireland in 1957. From 1958 to 1960 he served with the United States Army in Germany. He is in the insurance business in Woodside. He and his wife Elizabeth have three children, Shelia Ann, 10; Kevin, 8, and Tracey, 7.

LEGAL SERVICES—ILLEGAL PRACTICES

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. HUNT. Mr. Speaker, last August four boys walked into a market in a deteriorating section of Boston, allegedly pulled a gun on the proprietor and began to empty the cash register. The proprietor pulled out a .38-caliber pistol, which he had a license for, and fired three times. Two boys were hospitalized and all four were arrested. The proprietor was unhurt. I might add that all four boys were known heroin users.

The parents of one of the boys, whose son happened to be one of those severely injured, contacted an OEO legal services lawyer. The following day the legal services lawyer charged the proprietor with assault with intent to murder and assault and battery with a dangerous weapon.

This case may be very typical of the situations which have convinced the administration that the legal services program of OEO has in many cases lost sight of its function.

In the case just mentioned, it would appear logical that the OEO lawyer would prepare a defense for the boys arrested, since they came from a family which qualified for such legal services.

With the large amount of work in most legal services offices and the large number of cases backed up in the courts, it does not appear logical for an OEO lawyer to charge a proprietor of a market with attempted murder after he defended himself from four drug addicts who pulled a gun on him.

Such activity by OEO-funded legal service lawyers has occurred often in the past, and over the last few days I have cited other examples.

Today I submit the following article for the RECORD:

HUB STORE OWNER BITTER

(By Bob Creamer)

John J. Sturniolo stood quietly in a corner of his Roxbury store Saturday, apparently angered and confused over the sudden and drastic change in his life.

A small and rather meek looking man of 49 years, Sturniolo refused to talk about what happened Wednesday when four boys allegedly tried to rob his store, Clifton's Market at 18 Clifton st.

But other people working in the market Saturday, a man and two women apparently relatives of Sturniolo, talked bitterly about the alleged attempted robbery that ended with Sturniolo shooting two of the boys.

"How can they call it a prank," the man asked. "They stuck a gun in him and opened up the cash register."

Sturniolo has told police that when one of the boys poked a gun into him, he pulled out his own .38 caliber pistol, which he has a license for, and fired three times.

One bullet hit 13-year-old George McNeil in the head, lodging at the base of his brain

and leaving him in poor condition at City Hospital.

A second boy, Douglas McGauley, 15, of Savin st., Roxbury, was wounded in the right arm and right leg.

"It all happened so fast," Sturniolo said after the shooting. "I didn't realize how young they were but what difference does that make? The one with the gun was obviously high as a kite and I figured I was a dead man."

The parents of the McNeil boy, Mr. and Mrs. Willie James McNeill, of 73 Willowood st., Roxbury, believe Sturniolo "overreacted" and are attempting to charge him with serious crimes.

Their attorney, Benjamin Jones, of the Boston Legal Assistance Project, has applied in Roxbury District Court for complaints charging Sturniolo with assault with intent to murder and assault and battery with a dangerous weapon.

"We feel the store owner over-reacted," Jones said, "and in doing so turned a childish prank into a disaster."

"What kind of a prank was it," one of the woman said angrily. "They came here in a stolen car with a gun and went into the cash register."

No gun has been recovered yet but reportedly it was a toy. Police have said all four of the boys were known heroin-users and may have been seeking money to pay for their habit.

"He did what anybody would have done," said the man in the store. "And now look what's happening. Even his wife is getting theatening phone calls at home and yesterday some guy from Rhode Island was here trying to get people to picket the store."

The market, located in a deteriorating neighborhood of whites, blacks and Puerto Ricans, has the letters "KKK" painted in white on an outside wall.

"Somebody did that two years ago here and other places," she said, pointing across the street to tenements with the same "KKK" painted on them.

Asked if they planned to stay in business, the same woman, who steadfastly refused to give her name, replied: "Why should we leave. I own this building.

There are two tenements over the store and apparently some members of the Sturniolo family live there although the owner, John, lives in Newton.

"How come," the man in the store wanted to know, "nobody said anything about me stopping the bleeding and putting a compress on." He was talking about returning to the store after the shooting and finding the McNeil boy lying in the street and bleeding from the bullet wound in his head.

"You know what happened here last January?" the man said. "A guy came in with a gun and robbed us. They caught him later and he's been indicted for armed robbery."

While the man and two women talked, Sturniolo stood in the background. Customers came in and out—two little black girls, a black woman, a Puerto Rican man, and several white men. They ordered, paid and left without saying anything.

The case is still under investigation. Two boys are hospitalized and two others are under arrest. There will be a hearing Aug. 23 on the complaints sought by the McNeil's against Sturniolo.

AID TO NORTH VIETNAM A WEAK ISSUE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. HUNGATE. Mr. Speaker, as we are facing the issue of possible aid to the rebuilding of North Vietnam, I would like to call to the attention of my colleagues a unanimous decision reached by the contemporary issues class at Paris High School in my congressional district:

THIRD HOUR CONTEMPORARY ISSUES,
February 23, 1973.

Hon. WILLIAM HUNGATE,
House Office Building,
Washington, D.C.

SIR: We, the undersigned, are students in the Contemporary Issues class at Paris High School. The class is composed of twenty-eight seventeen- and eighteen-year olds. It is very seldom that our class decides unanimously on a controversial issue. However, on (industrial) aid to North Vietnam we stand united. After thorough discussion we feel we are well informed and it seems that any argument in favor of aid is very weak. We take this stand for several reasons. They are as follows:

1. North Vietnam is not a defeated enemy as were Germany and Japan.
2. The money could be used at home for rebuilding our own slums.
3. North Vietnam still adheres to the idea of one Vietnam and making Indo-China communistic.
4. We evidently will not be allowed to administer this aid.

Please take our views and arguments into consideration when you vote on this matter.

Respectfully yours,

Mrs. Janet DeLaney, Teacher; Maysel K. Nolan, Robert H. Fields, Ladoris A. Stuckey, Dorothy M. Gregg, Janie L. Meckley, Glenna J. Armstrong, Rick Heitmeyer, Tommy Pulis, Doughlas Thomas, Roxie Morgan, Mark Rowe;

Ronald Millard, Jackie Vanlandingham, Barbara E. Warren, Bill Darnell, Brad Dodge, Elizabeth Stamp, Linda Forbis, Ted Harrison, David Willingham, Tracy Morgan, Wesley Menefee;

Nancy Van Praag, Ronnie Fields, David Thomas, Richard Foley, Paul Beamer, and Donald Simpson.

COMMISSIONER ROBERT BALL

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BOLAND. Mr. Speaker, I was saddened to learn that the resignation of Commissioner Robert Ball, of the Social Security Administration, was accepted. Commissioner Ball has been a truly remarkable public servant, and I am sure that he will be missed by all of us.

I am proud to have this opportunity to pay tribute to Mr. Ball for the many years of service he has given his country and the American people. He has managed this vast agency of the Federal Government with exceptional competence and efficiency.

The following Washington Post editorial, "A Superb Public Servant," aptly expresses my sentiments to the retirement of Commissioner Ball. I wish him many, many years of health and happiness in his retirement.

A SUPERB PUBLIC SERVANT STEPS DOWN

This is the last week of duty for Robert M. Ball, the remarkable Commissioner of the Social Security Administration, who has been in office for 11 years and who served in lesser jobs with the Social Security Administration for 21 years before that. To the disappointment of many—ourselves included—the White House picked up Mr. Ball's pro forma resignation this winter after the election. But we do not feel that Mr. Ball's leaving office should be the occasion for expressing more gloom. Rather, it seems a moment briefly to recount the career of this extraordinary public official. For Mr. Ball's 34 years in government constitute a genuine good news story—and, not incidentally, they challenge some of the absolutes you hear tossed around these days concerning the capacity of the federal government to govern and the capacity of the bureaucracy to do well by the rest of us.

Mr. Ball, who began his career in 1939 in the field organization of the Bureau of Old Age and Survivors Insurance, worked his way up through the career service to become Social Security Commissioner. In the course of so doing he threatened, by his performance, to give the bureaucracy a good name. For, in his particular way, Mr. Ball has been the ideal public official: fair-minded, energetic, committed to the success of the statutes he administered and—above all—apolitical. In the 11 years since he came to preside over the Social Security Administration, all these attributes were put to the test as coverage (and complexity) expanded at a geometric rate during the 1960s.

Lyndon Johnson was fond of describing the actions required to put Medicare into effect after its enactment in 1965 as the most complicated and arduous government operation undertaken since the military planning operations of World War II. He didn't exaggerate much. Mr. Ball and his associates had 11 months' time to arrange for such diverse and intricate matters as medical standards, hospital care regulations, insurance coverage, accounting procedures, reimbursement techniques and the rest for some 19 million Americans who came under Medicare's provisions as of July 1, 1966. To look back over the news clippings of the period is to read a wealth of public statements from all manner of concerned persons predicting certain disaster on D-Day. It didn't happen—and the reason it didn't lies largely with the man who is now leaving his government post. That particular exercise in competence and success would of itself have been enough to distinguish Mr. Ball's career. But as many people in this town know it was typical—not atypical—of his performance. Robert Ball's 34 years in government were devoted to showing what *could* be done.

TOWARD A DEFINITION OF ATOMIC PEACE: CULTURAL IMPLICATIONS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ZABLOCKI. Mr. Speaker, one of the greatest blessings of a free society is the opportunity—indeed, obligation—to be precise—not to mince words nor to compromise the truth. Words, especially important words and the realities they symbolize, too often elude us. Because of careless overuse or shoddy misuse, the true meaning of words often slip through our mental fingers. Words such as "civilization," "culture," and "peace" are particularly susceptible to such pitfalls.

To fill such semantic voids the intellectuals in our free society can exercise their responsibility by calling things by their right name. Such is the reassuring case of an article by Dr. Edmund Zawacki of the department of Slavic languages at the University of Wisconsin. What he attempts in his notable effort is to define peace in the atomic age in concrete feasible forms of diplomatic and grassroot action.

Because of the important message it carries for all of us who must make judgments on the issues of peace and war, and civilization and culture, I recommend it to the attention of my colleagues:

TOWARD A DEFINITION OF ATOMIC PEACE—CULTURAL IMPLICATIONS

(By Edmund Zawacki)

Among the memorable passages in Boris Pasternak's novel, *Dr. Zhivago*, there is one where Lara is beautifully described as pursuing truth:

"For a moment she rediscovered the purpose of her life. She was here on earth to grasp the meaning of its wild enchantment and to call each thing by its right name, or, if this were not within her power, to give birth out of love of life to successors who would do it for her."

Like Lara's, my purpose in this discursive think-piece about "civilization and culture" will be to call a number of things by their right names—after all, an adequate definition of atomic peace can hardly be made otherwise. In words no less memorable than Pasternak's, the nature of the problem was stated by Abraham Lincoln in an American context over a hundred years ago:

"The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must think anew, and act anew . . . We cannot escape history . . . We shall nobly save, or meanly lose, the last best hope of earth."

The American context of Lincoln's message to Congress of December 1, 1862, is, of course, past history now, but the wisdom of the words themselves is even more poignant in the new context of December, 1972, a full century later. Today, the whole world is in the midst of a moral, social and political storm. Moreover, by the brilliant scientific achievement of thermonuclear atomic fusion in 1951, we Americans made the cosmic glare of the hydrogen fireball into the light on this small planet, by which political decisions among nations (including our own) must make moral sense—not just for the next year or the next century, but from now to eternity. Atomic fusion on earth is the process that goes on inside the sun.

What happened on the frontiers of knowledge in 1951 was that political science was pushed willy-nilly by nuclear physics into a direct confrontation with eternity as a political dimension to be reckoned with. Thermonuclear power on earth cannot be compressed back into scientific non-existence; it will be with mankind to all eternity as a blessing—or to Doomsday as a curse.

Regardless of whether governments are aware of anachronisms in their political "dogmas of the quiet pass" or not, changes in human habits of thought are already under way even greater than those 500 years ago when a modest Polish churchman-astronomer, in pious pursuit of truth, stopped the sun and hurled the earth spinning on its axis around it. (1973 marks the 500th anniversary of his birth.)

What changed in Nature when Nikolaj Kopernik (in Polish, pron. Mee-kos-wigh Koh-pehr-niik; in Latin, Copernicus) performed that tremendously simple feat and revealed the order prevailing in the cosmos? Nothing changed in Nature. The change was in men's minds, in man's new understanding of himself, of Nature, and Nature's God. The startling new world of modern science was born.

Distance in time perhaps obscures the curious truth that it was Mikolaj Kopernik who gave to the cosmos of his age the basic structure and dynamism that we recognize today also in the atom. In our young atomic and space age the cosmos and the microcosmos are thus scientifically interlocked by the continuity of Kopernik's tremendously simple concept.

It is perhaps not entirely unkind to say that, among political scientists, it is bad form to worry any more about nuclear holocaust now that ecological apocalypse is fashionable. But the thermonuclear bombs have not gone away; the stock-piles are high and still there—as are the means of delivering instantaneous apocalypse anywhere on the planet. And men wielding political power still think in pre-atomic categories about peace.

Bad form or not, the prime fact in our transient 20th-century modernity is that the orderliness and energy of the microcosmos has been revealed and demonstrated. The atom is no longer a philosophical fancy as it was in ancient Greek philosophy. Nor is it a chemical particle as it used to be in our recent pre-atomic physics. It is now a knot of energy in space—like our solar system and our whole galaxy. Being so, the atom is immeasurably more significant for the future of man on this planet than just a new form of gunpowder.

Man suddenly finds himself standing midway between the atom and the universe, interlocked with both. Some of us stand somewhat aghast at the destructive power of the atom—as well we should. The implications—technological, ecological, economic, political, social, moral, philosophical, religious—are, of course, shattering to our previous 20th-century scientistic wisdom.

But—as in 1543 when Kopernik published *De Revolutionibus Orbium Coelestium*—what has changed in Nature?

In the atom as in the universe, nothing. The change is again taking place inside the minds of men, in man's new convulsive reassessment of Nature, himself and God.

With the formula $E=mc^2$, our whole concept of matter has changed, and, by the same token, our concepts of materialism, realism, idealism must also change—particularly and most urgently in political science or political ideology, or whatever else one chooses to call our human fallibility in political habits of thought. What used to be called *Realpolitik* is turning into anachronistic folly, while what used to be political idealism is beginning to look like a deeper more genuine realism. In philosophy and religion, the Naturalistic approach (i.e. on the scientistic premise that "there is no God the Creator") is finding itself hamstrung intellectually by self-contradiction, a truth demonstrated with remarkable simplicity by J. B. S. Haldane in his book, *Possible Worlds*:

"If my mental processes are determined wholly by the motions of atoms in my brain, I have no reason to suppose that my beliefs are true . . . and hence I have no reason for supposing my brain to be composed of atoms."

Obviously, Haldane's own position is that human reason is the pinpoint on which the image of God the Creator is focused in man, for unless this is true, no genuine insight into the universe is possible. Even in a 500-year retrospect it is much harder now to regard Mikolaj Kopernik, for example, as benighted with religious superstition when he exclaimed in pious scientific wonder: "How perfect in very truth is the divine work of the Best and Supreme Maker!" (*De Revolutionibus Orbium Coelestium*, Book I, end of chapter 10)

It bears reminding ourselves—from time to time, at least—that the cosmic glare of the man-made hydrogen fireball is not the divinely made and warmly luminous Copernican sun by which all life on this tiny planet is sustained. Still, it is the man-made $E=mc^2$, however, which is inexorably the light by which peoples and their governments must make moral sense from now on in their behavior toward fellow-peoples and fellow-creatures (Nature) on the planet; such, *sub specie aeternitatis*, is our new modernity.

In more mundane political phraseology, the frame of reference in which every country's national and international behavior must now—and from now on—make moral sense, contains at least three inescapable truths:

1. No spot on the planet is more than 15 minutes warning time away from hostile thermonuclear explosions.

2. Nuclear deterrence as a policy—that is, treating the atom as if it were gunpowder—is psychologically unsound and self-defeating. It is the side with the weaker nerves and the more benighted vision that will precipitate the holocaust.

3. The doctrine of coexistence, with or without euphemistic adjectives, is only a euphemistic name for the iron curtain principle among nations. It presupposes two nuclear-armed but ideologically hostile camps with a wall of hate and fear between and, by the same token, it is the sufficient condition for continuing the frictions of what we complacently call a cold war. The cumulative heat of friction in recurrent confrontations and crises must eventually set off the first hostile thermonuclear explosion, for it is thinking as wishful as it is fatuous to believe that the cold war can be ended by maintaining the sufficient condition of its continuation. Coexistence as practiced up to now has been drift toward nuclear war. It *should* be called by its *right* name.

Dismaying as these truths may be, they do not mean that security has been banished from the earth. Security never was a physical state. It always was a state of mind. In more precise terms, security, national and international, is nothing more—*but also nothing less*—than confidence among the peoples of the world that the actions of their governments and their own actions, too, as individuals, are contributing to a dynamically stable and, therefore, genuine peace at home and abroad.

Obviously, the validity of the definition of security that I have just made depends on what is meant by a dynamically stable peace. And now I must ask you to stretch your minds, if you care to try, around a tremendously simple but unaccustomed concept.

Only at our peril may we conceive peace any longer as an inert state. Atomic peace has got to be conceived dynamically as the *opposite* of war, not its mere absence. In no other way can it be psychologically or morally commensurable with war. Two axioms underlie this definition:

Axiom number 1: When the immediate progenitor of *homo sapiens* first invited his neighbor to his cave, that was the beginning of civilized human life on this planet

Axiom number 2: When his neighbor accepted and reciprocated the invitation, that was the beginning of peace between them.

Peace is the opposite of war just as hospitality is the opposite of hostility. If my axioms are unacceptable as self-evident truths, then perhaps a wiser man will come forward soon with better ones. In any case, since the truth of $E=mc^2$ is pretty basic in nuclear physics, political science had better start from bedrock, too.

Actually, peace identified with massive, reciprocal, international hospitality at the grassroots of societies does not at all suggest an unattainable ideal. On the contrary, what peace turns out to be is a familiar habit of individual and collective human behavior as common as it is universal. Being so, it is as attractive to the most primitive societies as to the most sophisticated, and is capable of being revved up by resolute political initiatives into a tremendous momentum in a direction opposed to war—capable too, of deposing governments that stand in its way. A legitimate name for it would be, perhaps, "power politics with moral force." Obviously, a resolute exertion of moral force in international relations is something quite different from alacrity in passing moral judgments about others at home or abroad.

It should not escape notice that even worldwide atomic peace is no different in kind from the peace of any city or village

anywhere. We need but the wit to see it. After all, the nature of a city's peace is a positive momentum much more powerful than mere deterence of, or coexistence with, crime in the streets. Nor does stating a big concept like peace in these unpretentious terms diminish or oversimplify it. What is properly simplified is its translation into feasible diplomatic and grassroot action.

To this end I should perhaps first clarify what is involved in what I called a "dynamically stable" peace. Stability in international relations, whether between states with similar or with different social systems—specifically in U.S.-Soviet relations as an example of the latter—can be conceived in at least two forms.

1. THERE IS THE STATE EQUILIBRIUM OF THE SCALE-BALANCE

The precarious "balance-of-military power" equilibrium achieved through the doctrines of nuclear deterrence and coexistence, is of this kind. It is quite easily upset by technical factors like increased potentials for mass destruction of human life with nonnuclear means, or by psychological factors like jittery suspicions. Cases in point are Cuba (1962) and the current situation in Vietnam, which is only the hot focal point of friction (what Henry Kissinger calls "limited war") of a much larger continuing "cold" war. Internationally nasty and brutal as the fighting is for all concerned, it is only the top of the iceberg.

2. THERE IS THE DYNAMIC AND POWERFUL EQUILIBRIUM OF THE FLYWHEEL—OR OF THE STABLE ATOM ITSELF

This kind of equilibrium has never yet been translated into non-military human activity on a massive international scale. To say that its translation would be futile, or that it would be a super-human objective for American or Russian policy to achieve, would quite obviously be not a statement of fact but a mere confession of poverty or timidity in ideas. The principle of the flywheel is quite simple and well known: its effectiveness as a stabilizer depends on the massivity of its momentum. Massive political application of this principle in U.S. relations with any Communist-ruled country is certainly feasible without threatening a single life anywhere. What it would threaten would be pre-atomic habits of thought at policy-making levels at home and abroad, nothing more, nothing less.

A translation in concrete terms is not difficult to make.

In the United States there are some 30,000 cities and villages in a broad range of sizes. It so happens that there are just about as many in the USSR, with which they can be paired up according to size and distribution. A specific proposal by the U.S. government to the present Soviet government (or vice-versa) for an annual swap of a plain, ordinary, social visit of, say, ten days duration by representative delegations locally chosen (5 to 25 members depending on the size of the paired communities) between 10,000 pairs of communities (100,000 people annually)—all expenses, travel and per diem, outside the native country to be paid by the *host* national governments, could foreseeably, if pursued resolutely as U.S. (and-or USSR) atomic-age *policy*, generate the requisite moral force at home and abroad to reach implementation and, thereby, achieve the stabilizing effect of a flywheel in U.S.-USSR relations at the grassroots of both countries.

The stipulation that the U.S. government pay the expenses of the 10,000 Soviet delegations and the Soviet government pay the expenses of ours, is, of course, an uncompromisable one; it is the lever for exerting moral force, for it marks the moral difference between hospitality and the hotel industry. No individual visitor-delegate to either country need be rich to particiapte.

A socially massive and morally sound policy move of this kind pursued to the observable result that the actual practice of massive, reciprocal, international, grassroot hospitality has superseded the iron curtain principle of restriction in the intercourse of plain ordinary people and ideas at home and abroad, would be a strong step in the direction of an active self-enforcing peace in atomic times. Dynamism of this kind, moreover, would signal a victory in the cold war at the bottom of the iceberg; no victory in the cold war is possible unless the peoples of both sides win. Reciprocal visiting at the grassroots would enhance life in both countries, not threaten it.

Simultaneously, similar reciproal "open cities" programs on a proportional scale could be activated between the United States and Poland, Hungary, Roumania, Yugoslavia, Czechoslovakia, and between the USSR and China. The countries of NATO and the Warsaw Pact could and should undertake them, too, and thus these two international organizations would acquire a cultural function justifying their existence far better than their current anachronistic militarization.

What a hopeful perspective! What a remarkable new world! Perhaps.

Actually, it is only a beginning of what must of necessity become reality in our atomic age if all mankind is not—as Lincoln put it, to "meanly lose the last best hope of earth." Realism in international policy adequate to the reality of $E=mc^2$ is not impossible to attain. But it requires a resolute recognition that the pre-atomic dogmas of pre-atomic political science are pre-atomic, and I submit that the choice before U.S. policy is not now—if it ever has been—between coexistence and atomic war with the USSR or any other country. The American choice ever since 1951 has been between coexistence and *atomic peace adequately defined*.

As to the feasibility of the "open cities" programs already described, since 1958 a total of about 1000 American cities and villages in five states (Wisconsin, Iowa, Massachusetts, Minnesota and North Dakota)—some, individually through formal resolutions by their city councils and village boards, others through bi-partisan resolutions by their League of Municipalities (N. Dakota) and their state Legislature (Wisconsin)—have gone on record in the Department of State and the White House, offering active participation and urging the federal government to "take resolute steps to the end that the American 'open cities' idea of nationwide, reciprocal, city-to-city and village-to-village hospitality and plain social visiting at the grassroots shall prevail over the iron curtain principle of rigid restriction and control in the relations between the American people and the peoples of the Soviet Union and Eastern European countries."

After the horrible "coexistential" experience of Vietnam, perhaps it is high time these far-sighted American cities and villages were taken seriously in Washington. The administrations of three presidents have treated them with levity. Between now and 1976, we all in America will be celebrating the 200th anniversary of our national life as a free country in what President Nixon designated on July 4, 1972, as "Festival USA". In the words of the President, Festival USA is to be characterized by "travel, discovery and hospitality." These three words, rightly understood, are capable of adding up to a dynamically stable atomic peace only if the last one, "hospitality", is endowed with moral force. It is in the power of the President to so endow it. I pray he will. Festival USA could then, indeed, be identified with a genuine peace and be celebrated sincerely not only in the United States but by all peace-loving peoples everywhere.

I need hardly add that teachers of foreign languages, like ourselves, would have a great cultural function to perform, too.

DRUGSTORE PROFILE

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. FORSYTHE. Mr. Speaker, we live in an age where drug abuse is running rampant throughout our Nation. Much of this drug abuse results from individuals specifically seeking the effects drugs produce. Others unknowingly abuse drugs in their desire to cure an illness or illnesses.

It is this latter group I refer to today. What safeguards do we have in this country to prevent this kind of unwanted drug abuse, which often produces harmful effects? The answer, of course, is that we have virtually no safeguards.

We do have the prescription drug system which requires doctors to certify the need for certain drugs, but what about nonprescription drugs and what about the circumstance when several doctors are prescribing different drugs for the same patient, and perhaps at the same time?

A possible solution to this problem appeared in the March 5, 1973, issue of Time magazine.

Mr. Speaker, I include the article in the RECORD:

DRUGSTORE PROFILE

In an age of medical specialization it is not unusual for a patient to visit within a short time a family doctor who prescribes an antibiotic for a strep throat, a psychiatrist who prescribes a tranquilizer, and a dentist who prescribes a painkiller. Some of these medications are compatible with each other and can be taken concurrently. But there are notable and alarming exceptions. For example, certain of the anticoagulant drugs used after a heart attack, in combination with aspirin, may increase the tendency toward internal bleeding. Some antihistamines, taken along with tranquilizers, may produce dangerously soporific effects.

The physician knows the dangers of drug antagonism, but is not always aware of all the medications that a patient may be taking, especially those bought without prescription. The patient knows what he is taking, but is rarely aware of the dangers. But there is someone in a position to know both the drugs being taken and the harm that wrong combinations can cause: the pharmacist. By keeping a medication profile of each steady customer and referring to it each time he fills that customer's prescriptions or sells him over-the-counter drugs, he can prevent the possibility of a harmful reaction.

GROWING RISK

Some pharmacies have kept such records of prescription drugs for decades. But instruction in the use of medication profiles has only in recent years become standard in most schools of pharmacy, and the profiles are only now coming into widespread use for both prescription and proprietary drugs. In fact, some New York City pharmacists dispensing prescriptions under Medicaid are required to keep these profiles on Medicaid patients. The New Jersey board of pharmacy has issued a regulation, now un-

der court challenge, requiring all pharmacists to keep such records. In these and many other states, a customer who hands a prescription to the pharmacist is likely to be asked: "Do we have your individual medication profile?" If not, the pharmacist may try to start one, and add to it with successive prescriptions or purchases of proprietary drugs. When he spots a potentially dangerous combination, his responsibility is clear.

Says Ronald May, pharmacist of a mid-Manhattan drugstore who has accumulated more than 3,000 individual profiles in five months: "We don't decide anything, but when we get a new prescription we advise the physician if ill effects are possible. Then he decides."

BANQUET TO HONOR 35 RETIRING PERSONNEL OF TORRANCE, CALIF., UNIFIED SCHOOL DISTRICT

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BELL. Mr. Speaker, how many of us here today recall a specific teacher who had a great impact on our lives? Perhaps the patient lady who finally made the breakthrough that allowed us to understand long division at last, or the distinguished instructor who made American government so vivid and vital a subject that we resolved to make it our life's work? I'm certain each of us has similar memories.

Yet, few of us have ever bothered to express our appreciation to those dedicated people who had so powerful an influence in shaping our lives and characters. The Torrance Unified School District has determined that such a situation should not be allowed to continue and has scheduled a banquet on April 12 at which it will honor 35 retiring personnel—not only the teachers and administrators, but the janitors and secretaries who make their work possible.

We often stare across the generation gap and regret that the youth are finding new paths to follow other than those we have worn for them through our own experience. Unfortunately, one of the few paths we have made that they will follow is that of ingratitude—the path that leads us hurriedly into our own pursuits without a pause to thank those who have helped us on our way. For the children of the Torrance schools, I would like to offer a word of thanks now to those people who have given so much of themselves to aid the youngsters.

Those retiring are:

Mrs. Marion D. Benike, Mrs. Adelia S. Boal, Mrs. Inez J. Brown, Mrs. Birtrel Carbutt, Mrs. Marian I. Chambers, Mr. Robert W. Cosby, Mrs. Margaret Collins, Mrs. Ruth A. Cox, Miss Maryln Cravens, and Mrs. A. Claire Dansby.

Mrs. Mamie J. Dowling, Mr. Ted T. Dye, Mr. Franklin H. Gornick, Mr. Harold D. Harbourn, Mr. Raymond K. Jansen, Mrs. Juanita Jones, Mr. Frederick C. Klingbiel, Mrs. Dorothy Knudson, Mrs. Mina Lewis, and Mr. Milton K. Marcus.

Mr. Louis B. Mathers, Mrs. M. Irene Morgan, Mrs. Ernest Oliver, Mrs. Kathleen M. Owens, Mr. Arland Palmer, Mr. Steve C. Pasich, Mr. W. George Rankin, and Mr. Michael E. Reposky.

Mr. Stanley C. Roberts, Mr. Floyd R. Scrivens, Mr. Paul Smith, Mrs. Blanche L. Spiller, Mrs. Freida I. Waterman, Mrs. Edna E. Wright, and Mr. George A. Zavislan.

EMPLOYMENT IN THE MACHINE TOOL INDUSTRY

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. KEATING. Mr. Speaker, I think it would be of great interest to my colleagues to bring to their attention a recent study of employment in the machine tool industry since Congress passed the investment tax credit—job development credit.

The machine tool industry in the Greater Cincinnati area is one of our major industries and is vital to our economy.

The tax credits in the Revenue Act of 1971, and the broader depreciation guidelines have in fact been quite instrumental in the current recovery within the machine tool and capital goods industries. It is important to our industry, our labor force, the productivity of our Nation and the capability to compete in foreign markets and improve our balance of trade.

To those critics who argue that the ITC has not favorably affected employment within the machine tool and capital goods industries, I would again cite a study that I brought to your attention in 1971.

On June 30, 1971, a survey was made of the management of the eight largest tool companies in the Cincinnati area. These included, American Tool Works, Carlton, Cincinnati Gilbert, Cincinnati Inc., Cincinnati Milacron, G. A. Gray, LeBlond Inc., and Lodge & Shipley.

The total employment figures for this group as of January 1, 1970, was 11,718. The employment figure for those same companies as of June 30, 1971, was 7,810. This indicated a reduction of 3,908, or a reduction of 33.4 percent.

Comparative total figures in the Nation for the metal cutting segment of the machine tool industry were as follows: Total employment as of January 1, 1970, was 79,800. On June 30, 1971, the figure was 52,000. This represented a decrease of 34.7 percent.

In addition to this large reduction in work force, most of these companies have reduced the number of hours per week that their shops were operating. It is important that those who were laid off in the Cincinnati area during the January 1970 to June 1971 time period were for the most part highly skilled machine tool operators, assemblers, and other specially trained people.

When the recovery did begin in the third quarter of 1971, it was not possible to recall many of these highly skilled employees who had moved on in search of other employment.

A followup study was made in June 1972 to determine the employment level within the Cincinnati machine tool companies. Figures as of June 15, 1972, indicated that total employment for the same eight companies had increased from 7,810 as of June 30, 1971, to 8,663 as of June 15, 1972, representing an increase of 853 jobs or an increase of 11 percent.

Each of the eight companies indicated that the level of incoming business was up over that of 1971. As a result, they expected employment to increase further if incoming business maintained its current level or improved further. All companies were working a full 40-hour workweek, which was not the case in 1971.

The investment tax credit and the general improvement of the economy have had their effect on improved new business levels. How much each has helped individually, we do not know. However, it is clear that the reinstatement of the ITC and liberalization of the ADR did help business and labor at a time when employment was lagging and they helped to provide the initiative for expenditures in the capital equipment area.

THANKS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. WOLFF. Mr. Speaker, I have recently received a poem written by one of my constituents, Mr. Walter J. Kaiser, Jr., entitled, "Thanks." Mr. Kaiser eloquently offers his and his country's appreciation for a job well done to those dedicated service men and women who have so ably served their country. I would like to share this very touching poem with my colleagues.

Mr. Speaker, the poem reads as follows:

HOLLIS-BELLAIRE-MARK POST NO. 980,
THE AMERICAN LEGION, INC.
Department of New York

"THANKS"

I speak for the men in the Air Force,
The Army, the Navy, Marines,
The Coast Guard and all of our Allies,
And for those in the Submarines.

I speak for all those in Service
Who are stationed all over this world,
Fighting for the Honor and Glory
Of keeping Our Flag unfurled.

You at home have prayed for our safety,
And for the hope we could surely return
With the Flag of Victory flying,
On our ships from the bow to the stern.

In our hearts we will ever be thankful
For the time which we know that you spent,
Praying in church every Sunday
And praying each day during Lent.

We know that you prayed every morning,
We know that you prayed every night.
We know that your prayers had injected
The courage that helped win the fight.

The prayers that you said weren't wasted,
For each moment, each hour, each day,
Found some wounded patiently waiting
For the moment you started to pray.

Your prayers saved the lives of many,
And the souls of those who are dead,
Who fought and died like the heros they were,
To bring peace in the world ahead.

Now, we may be your Sweetheart, your Brother,
Your Father, or maybe your Son,
But, whoever we are, we just want to say,
"Thanks" for a job well done.

WALTER J. KAISER, Jr.,
Americanism Chairman.

ONE RULE FOR ATHENS, ANOTHER FOR ROME

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. CORMAN. Mr. Speaker, on February 21, 1973, an article appeared in Variety discussing one of the most precious rights we hold—the freedom of expression. I would like to insert it into the RECORD at this point:

ONE RULE FOR ATHENS, ANOTHER FOR ROME: OR WHY UNITED STATES REQUIRES NATIONAL CRITERIA

(By Irwin Karp)

If the U.S. Supreme Court were barred from resolving conflicting decisions of State courts, Justice William H. Rehnquist recently noted, "that would lay down 'one Rule in Athens and another Rule in Rome' with a vengeance." The Court is now in the process of deciding whether the First Amendment requires one rule for the entire country, or allow "one rule in Alabama and another rule in Wyoming," and 48 other rules, for determining whether the same book or motion picture is obscene.

This basic question was raised in some of the obscenity appeals recently argued before the Court, and now awaiting decision. Whether or not the Court heeds Mr. Justice Rehnquist's warning will have grave First Amendment consequences for authors, publishers and motion picture producers. At issue is the "community standard" employed in two parts of the three-part test for obscenity. Does the dominant theme of a suspect book or film—"applying contemporary community standards"—appeal to prurient interest? And does the work affront that standard in its portrayal of sex? (The third part of the test requires that the material be "utterly without redeeming social value.")

In various opinions some of the Justices have said that the "community standard" is a national standard, and most courts have followed that principle. But a California decision now before the Supreme Court held that the "community standard" of California be applied. If that decision is upheld, each of the 50 Romes and Athens can apply its own "standard."

Of course, there is no literal "standard" accepted by every community in California from Orange County to Sacramento and Santa Barbara to Berkley. The "community standard" is really a legal concept much like the hypothetical "prudent man." The crucial issue is whether it could be conceived as a single national standard, or whether each state is free to establish its own standard.

The Athens and Rome approach would inflict heavy damage on the freedoms of expression and communications protected by the First Amendment. To begin with, it would allow every state to determine how much protection its citizens could have under the First Amendment of the United States Constitution. The construction of the standard determines the definition of "obscenity"; and the definition of "obscenity" determines whether a work is, or is not, entitled to First Amendment protection against restraint.

The Athens and Rome approach is much like allowing each state to create its own definition of "treason," and requiring the U.S. Supreme Court to accept it in deciding whether a state has violated the First Amendment when it punishes unpopular political or social writings.

Individual states should not have the power to determine, in this fashion, the scope of First Amendment protection within their borders. The Amendment protects the rights of every U.S. citizen, anywhere in the country, to create, distribute and read books, films, magazines and other works. It does not say he has a lesser right in one state than in another. Yet the Athens and Rome approach would mean that adults in one state could be prevented from reading and seeing works that were legally available to adults, and perhaps even children; in another state.

It would mean that California could jail librarians, booksellers and theatre owners who distribute books and films that the Supreme Court had held non-obscene in New York or Wisconsin, because the same works might be "obscene" under a differing "California standard."

This would also open the door to a crazy-quilt of censorship that would drastically restrict the publication and production of books, films and magazines that are not "obscene" under even the most conservative "test." If each state can apply its own standard, a publisher or producer faces the threat of a greater number of prosecutions—or threats to local stores and exhibitors—for a "Tropic of Cancer," or "A Clockwork Orange." One appeal decided in its favor by the Supreme Court would not decide a book's fate. Each state could mount its own attack, relying on its own "standard."

The inevitable result would be a "chilling effect" on publishers and producers of books, films and magazines that are distributed nationally. They will steer away from works likely to attract this grass-roots censorship. They cannot afford to defend a multiplicity of suits, nor to risk loss of important markets for their works. Paperback books for example, can be sold at low prices because they are mass produced because they are distributed to a large national audience. At the other end of the economic scale, many fine books and films appeal to a limited audience which is spread throughout the United States. If a portion of this audience can be locked out by the crazy-quilt censorship of an Athens and Rome approach, it becomes economically impossible to publish or produce these works.

Should the Court reject a single, national standard, the principal victims would be the many adults whose precious First Amendment freedom to read, hear and see would be seriously threatened.

VETERANS AT GRAND ISLAND RECEIVE FINE CARE

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. MARTIN of Nebraska. Mr. Speaker, I am aware, as I am sure are many Members of this House, of the many newspaper articles that have appeared alleging poor treatment of our veterans in the various Veterans' Administration hospitals.

I was very pleased to read a statement that appeared in the Grand Island Daily Independent of March 10, relative to the fine care received by our veterans at the Grand Island Veterans' Administration Hospital.

I would recommend that Members of this House read this statement which shows the care being given at this station:

LYONS SAYS NO PATIENTS "NEGLECTED"

Accusations of patterns of neglect to patients in the nation's veterans hospitals "does not apply to the Grand Island hospital," according to Charles Lyons, director at the Veterans Hospital.

"I can only speak for the Grand Island hospital," Lyons said.

The accusations came from a confidential report prepared for the House Appropriations Committee in Washington, and released to the Associated Press Wednesday.

Lyons feels that the hospital here has had no problems of neglect and he has heard no complaints from any of the patients.

Now up to full staff personnel, Lyons said that there are more people employed at the facility than in the last three years. They are also treating more patients than in the last eight years, according to Lyons.

Of 172 beds available at the hospital, there is an average daily census of 165 general medical and surgical beds being used.

WICHITA'S VA HOSPITAL ABOVE NATIONAL AVERAGE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. SHRIVER. Mr. Speaker, I would like to recommend to the attention of my colleagues, an article which appeared in the Wichita Beacon on March 9 concerning the treatment of our veterans at the Wichita, Kans., Veterans' Administration hospital.

We in Kansas are most proud of this station, and I feel that this article from the Wichita Beacon should be brought to the attention of my colleagues to show that, in the case of Wichita, the criticism of our Veterans' Administration hospitals is unwarranted.

The article follows:

WICHITA'S VA HOSPITAL ABOVE NATIONAL AVERAGE

Wichita's Veterans' Administration Hospital has an approximate ratio of 1.8 nurses to every patient in the 200-bed facility, director George Lappan said Thursday.

Overall, Lappin added, there is a ratio of 1.6 employees for each patient in the sprawling facility on the city's near east side.

Lappin answered questions concerning patient-employe ratios in light of an investigative report released Wednesday by the Associated Press. The report says thousands of ailing patients suffer from a dangerous lack of care in VA hospitals, because of a lack of adequate staffing.

A check with AP in Washington showed no Kansas hospitals were used in the study.

The study—prepared by the staff of a House appropriations subcommittee currently in the midst of hearings on the VA budget—said the number of VA employes per patient nationally rose from 1.17 in fiscal 1968 to 1.46 in fiscal 1972. Both Wichita ratios are above the national average.

The report alleges the Nixon administration, through its 1974 VA budget, will cause conditions to deteriorate and may even be moving to shut down VA hospitals.

Lappin said the budget figures for Wichita's station for the next fiscal year have not been released, but added he understands there will be a slight hike for normal cost increases.

He added the national VA budget of approximately $159 million reflects national staffing will remain the same.

Commenting on an allegation that VA hospitals don't have enough nurses to provide even a safe level of care and fall far short of the number needed for the best medical treatment, Lappin said:

"Any hospital can use additional people. We provide excellent service to those we do serve because we try to plan work to get the most accomplished with what we have."

Wichita's VA facility received a little more than $6 million last year for operation, Lappin said. The 200-bed facility has an average patient load of 170. As of Thursday, 168 patients were in the hospital, including 22 Vietnam veterans. Ten were on the hospital waiting list.

The director said there has been an increase of approximately 19 positions during the year, five of them nurses, for new programs at the hospital.

ARKANSAS REGIONAL MEDICAL PROGRAM

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ALEXANDER. Mr. Speaker, for the past few weeks, I have been sharing with my colleagues the various letters and comments I have had from Arkansans involved in the operation of the Arkansas regional medical program.

Recently I received from Dr. Winston K. Shorey, dean of the University of Arkansas School of Medicine, a summary of the history, activities, programs, and operations of the Arkansas regional medical program. So that my colleagues may more fully understand exactly what such a program can accomplish, I include his outline at this point:

ARKANSAS REGIONAL MEDICAL PROGRAM

1. History of Regional Medical Program.

A. Authorized by Congress as a result of recommendations of Commission on Heart Disease, Cancer and Stroke chaired by Dr. Michael DeBakey.

(1) Legislation was considered by House health committee chaired by Congressman Oren Harris of Arkansas.

(2) Legislation as initially introduced provided for a bricks and mortar development of satellite facilities affiliated with a medical center.

(a) In Congressman Harris' committee the legislation was completely rewritten into the form that was adopted.

(1) Testimony by people from Arkansas before Mr. Harris' committee had a great deal of input into the final legislation.

(3) Legislation that passed was oriented toward education of physicians and other health personnel in modern methods and techniques in patient care.

(a) Direct patient services limited to that required for teaching and demonstration.

(4) As time has gone on there has been increased emphasis on direct patient services.

2. History of Arkansas Regional Medical Program.

A. Legislation did not stipulate who should organize a regional medical program or what constituted a region.

(1) It did stipulate that a region must include a medical school and that a program should be affiliated with a medical school.

(2) It stipulated that there should be a Regional Advisory Board which would have responsibility for program.

(3) It stipulated that some responsible body should be the grantee institution with fiscal responsibility for the program.

B. Upon recommendation from UAMC, the President of the University of Arkansas appointed the initial Regional Advisory Group, requesting that it form an Arkansas Regional Medical Program.

(1) Initial Regional Advisory Group constituted the State of Arkansas as the region.

(2) Dean of the School of Medicine became initial coordinator.

(3) Application submitted for planning grant and this was approved.

C. Planning grant utilized to:

(1) Secure office space.

(2) Provide core personnel.

(3) Tour the State of Arkansas to discuss RMP with county medical societies, hospital staffs, nursing groups, and other health professionals.

(4) Prepare application for operational funds.

D. University of Arkansas Medical Center became grantee institution.

(1) RMP staff reports administratively to Dean, School of Medicine.

(2) Throughout operation of RMP the attempt has been made for it to stand by itself with as little image of it as a UAMC activity as possible.

(a) Objective as a state-wide activity relating to all health activities rather than limited to medical center.

E. Dr. Roger Bost became coordinator as program became truly operational.

F. Upon Dr. Bost's resignation, Dr. C. William Silberblatt became coordinator.

G. Regional Advisory Group has enlarged itself and has increased its representation through the years.

H. Emphasis has been upon supporting programs and projects that spring from the grassroots rather than formulating programs centrally and implementing them downward.

3. Relationship with Comprehensive Health Planning.

A. The two programs began at about the same time in Arkansas.

B. Initial decision to bring the two programs into as close a relationship as possible in Arkansas.

(1) This was not the attitude at the national level.

C. Offices for the two programs were provided in adjoining space.

D. The two programs have worked very closely together and have supported each other.

(1) RMP has had greater resources and been able to supply CHP with professional, technical, and clerical help.

(2) CHP has been an official agency of state government and able to bring about changes developed through RMP.

(3) The combined energies of the two programs have resulted in success in several situations where there has been competition among states and regions for funds.

(a) State-wide Comprehensive Kidney Disease Program, $1,575,000.

(b) Experimental Health Service Delivery System (Arkansas Health Systems Foundation), $1,690,000.

(c) State-wide Emergency Medical Services System, $3,400,000.

(d) State Health Statistics Center, $400,000.

(e) Four (4) Health Service/Education Activities (Fayetteville, Fort Smith, Batesville, Jonesboro), $125,000.

(f) State-wide Family Planning Program, $2,100,000.

4. Arkansas Regional Medical Program as a catalytic agency.

A. The staff of ARMP has served to bring together groups of health professionals to develop objectives that otherwise would not have occurred.

(1) Central Arkansas Radiation Therapy Agency.

(a) All hospitals in Little Rock will pool x-ray therapy in one institution. This will be the educational unit in x-ray therapy for the School of Medicine as well as patient care for all hospitals.

(b) ARMP served to get the initial organization started and is no longer a part of the organization.

(c) No direct RMP funds were involved, but ARMP staff devoted time to initial organization.

B. Has provided many meetings and workshops to acquaint professionals with new concepts and developments.

(1) Area Health Education Centers.

(a) Laid ground work which led to medical school's proposal for Area Health Education Centers throughout state.

(2) Physicians' Assistants.

(a) Meeting in Hot Springs introduced concept to physicians of Arkansas.

(3) Professional Service Review Organizations.

(a) Meeting in Hot Springs to introduce concept to physicians.

5. Direct Funding of Projects.

A. Major projects currently on-going.

(1) Training of nurses for activity in Coronary Care Units Baptist Medical Center, $34,100.

(2) Stroke project at Mountain Home. Development of a Department of Rehabilitation and Physical Therapy, $12,900.

(3) Stroke project at Harrison. Development of a Dept. of Rehabilitation and Physical Therapy, $17,700.

(4) Medical technology training. A refresher program for medical technologists at Baptist Medical Center, $27,500.

(5) Laboratory Quality Control. A program to upgrade quality of laboratory procedures in hospitals in Northeast Arkansas. Conducted by pathologist in St. Bernard's, Hospital, Jonesboro, $40,700.

(6) Program for dietitians. Provides workshops for food services supervisors in hospitals and nursing homes, $52,700.

(7) Nursing Home Program. Program to upgrade capability of nursing home aides and fosters work with families of patients. Conducted by Arkansas League for Nursing, $105,800.

(8) Comprehensive Kidney Disease Program. UAMC, Baptist Medical Center, VA Hospital, Regional Hospitals through state, $577,300.

(9) Rural Arkansas Medical Extension Services. Medical school faculty make consulting and teaching visits to hospitals throughout state. Approximately twenty communities each month. Telephone consultation services. Information regarding rural communities needing physicians transmitted to students and young physicians, $160,300.

(10) Cardiac Rehabilitation Program. UAMC and State Hospital. Program to develop rehabilitation services for patients with heart disease, $33,600.

(11) Consumer Education Program. Conducted as a collaborative effort between University Cooperative Extension Service and State Department of Health, $132,200.

B. Developmental Projects.

(1) Partial funding of program of Department of Pediatrics, UAMC to train nurse clinicians, $34,400.

(2) Partial funding of program to determine feasibility of utilizing physicians' assistants in Arkansas. Camden, Arkadelphia, Lavaca, $16,500.

(3) School of Pharmacy. Continuing education program, $6,000.

(4) Partial funding of program to train high school dropouts to be health aids. East End Clinic, Little Rock, $5,900.

(5) Remote cardiac monitoring. Centralized monitoring of coronary care beds in hospitals with too few patients to efficiently do it themselves. Beds in Booneville, Danville, and Mena are monitored by St. Edwards Hospital in Ft. Smith. Beds in Osceola are monitored in Blytheville. (Plan to monitor beds in Murphreesboro, Nashville, Prescott, and Gurdon in Texarkana), $26,000.

(6) Pediatric Oncology. A program providing consultation services by faculty member from UAMC to children with cancer in Texarkana, $13,100.

(7) Blood Lipid Program. A program to provide both education and services to physicians in locating families with high risk for coronary heart disease due to high blood cholesterol and lipids, $15,000.

(8) Provision of a physician for the Bearden Clinic one day a week, $6,000.

(9) First aid kits, thermal blankets, and

inflatable splints in every state police patrol car, $7,000.

(10) Evaluation of library collections throughout state preparatory to making application for funds relative to allied health teaching program, $7,000.

(11) Pilot program in speech therapy unit at UALR preparatory to making application for larger amount of funds, $2,600.

(12) Speech training program for individuals who have had laryngectomy, $10,000.

(13) Program for assisting in the repair and maintenance of electronic equipment used in health facilities throughout state, $750.

(14) Development of training program in digestive diseases. St. Vincent Infirmary, $13,000.

(15) Assistance to Sickle Cell Association in public education regarding sickle cell disease, $300.

(16) Assistance to East End Clinic to provide physical examinations and screening of fifteen individuals each Monday evening with objective of accomplishing complete examination of all persons attending the clinic. Professional services furnished by 810th Station Hospital, Army Reserve, $4,000.

(17) Assistance to program for instructing teachers of 5th and 6th grades in teaching health matters to children. Camden, Ft. Smith, Little Rock, $600.

(18) Assistance to Central Arkansas CHP (b) agency in making it possible to merge and become part of State Economic Development District, $3,500.

C. Discretionary expenditures of funds that have been available. Example below.

(1) Purchase of equipment from several clinics throughout state.

(2) Conduct of conferences, workshops, and seminars.

(3) Assistance to School for Allied Health Professions UAMC.

(4) Travel of medical student to rural health conference.

(5) Assistance to Arkansas Data Center in its development stage.

(6) Expenses of site visit when grant application for Arkansas Health System Foundation was being reviewed.

(7) Purchase of teaching tapes for nurses' continuing education.

D. Maintenance of the program staff of RMP.

A group of highly competent individuals has been brought together with expertise in analyzing health needs, stimulating appropriate people and agencies to take action to meet these needs, and reviewing proposals that are generated to accomplish this. Proposals are critically reviewed, assistance is provided in improving proposed programs, and final proposals are prepared for action by Regional Advisory Group and the national RMPS agency for funds.

Programs sponsored by RMP are constantly monitored and evaluated for effectiveness.

The RMP staff has made itself available to many individuals and agencies for health development. Example: An application for funds to provide family planning services had been disapproved. Assistance from RMP staff resulted in approval of grant for approximately $750,000 to provide services in Southeast, Northwest, and Southwest Arkansas.

Annual funds for core staff, $500,000.

6. Regional Medical Programs Service is among the health programs that President Nixon and his administration have decided to discontinue.

A. No funds requested in President's budget for RMP beyond June 30, 1973.

B. Telegram sent to each program on February 1, 1973 stating that programs are to be phased out by June 30, 1973 with the possibility of extending to February 15, 1974 some activities that cannot be discontinued by June 30th.

(1) Subsequent communications from RMPS of DHEW indicate that June 30th should be considered the realistic termination date of RMP activities.

7. The purposes of the presentation that has been made above are:

A. Information to responsible people in government regarding what will be lost with discontinuation of RMP.

B. Request for consideration of a longer and more orderly phase out period if, indeed, the program is not worthy of continuation.

C. Request for support encouraging Congress to give further consideration toward continuing the existence of Regional Medical Programs.

8. A draft letter dated February 27, 1973 from Dr. Harold Margulies, Director of Regional Medical Programs Service, has been received reviewing Arkansas Regional Medical Program as if it were to be continued. This letter results from the annual national review of the program as of October 26, 1972. The following is quoted from the letter.

"It was recommended that ARMP be funded at the November, 1971, NAC approved level of $1,700,000 (direct costs). The recommendation includes a developmental component and maximum funding of $375,000 (d.c.) for the kidney disease project. ARMP's overall progress during the last three years has been excellent, but does not warrant increased funding beyond the Council's previously recommended level."

VOLUNTEER ARMY ONE STEP CLOSER—PENTAGON SEEKS NO EXTENSION OF INDUCTION AUTHORITY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. MATSUNAGA. Mr. Speaker, the announcement today by Secretary of Defense Elliot Richardson that the administration will not request any extension of the President's authority to draft young men into miliary service is good news for the country, and a matter of personal satisfaction for me. Ever since assuming a leadership role and succeeding in the struggle to increase pay for low-ranking servicemen in 1971, I have been confident that an all-volunteer force is attainable.

It is important to note, I think, that the Armed Forces have been, in effect, an all-volunteer operation for the past several months. Not only are new recruits being attracted in sufficient numbers to maintain required strength levels, but the continuing high mental and physical standards of new personnel have reassured many who feared that an all-volunteer Army would become merely a refuge for the poor, the uneducated, and the black.

The administration is to be congratulated for deciding not to ask for an extension of induction authority beyond July 1, 1973. Of course, present plans still call for forced registration of young men with the Selective Service System, to be classified for possible induction. Now that there will be no occasion to select men to serve, there is no logical reason for retaining Selective Service. It merely serves as a rallying point for those who do not yet accept the all-volunteer force concept, and as a further possible erosion of the constitutional power of the Congress to declare war and raise armies.

FREE FLOW OF NEWS ACT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing on behalf of myself and my colleague from Illinois (Mr. MADIGAN) the Free Flow of News Act to provide professional newsmen with an absolute protection against Federal or State orders to reveal confidential sources or information.

At this point in the RECORD, Mr. Speaker, I include the full text of my testimony presented today to House Judiciary Subcommittee No. 3 in support of our bill, along with the text of the bill:

TESTIMONY OF THE HONORABLE JOHN B. ANDERSON

Mr. Chairman and Members of the Subcommittee, I appreciate this opportunity to testify today on the difficult subject of newsmen's privilege legislation. Not only is the problem extremely complex and sticky, but the task of formulating a legislative solution to this problem will be, I am sure, especially formidable and challenging, and I don't envy you this task one bit. In checking with your committee staff yesterday, I was informed that there are currently some 49 newsmen's privilege bills pending before this subcommittee—a fact you must consider somewhat a mixed blessing since, on the one hand, you have such a wide variety of approaches from which to choose, but, on the other hand, these in turn present you with such a multiplicity of choices that sorting them all out and determining which merit serious consideration and approval will require an almost Herculean effort.

I speak with some small appreciation of what you are up against because in formulating my own bill, I carefully analyzed nearly a dozen major newsmen's privilege bills pending in either the House or Senate, and this process was perhaps more confusing than it was enlightening because each bill, in its own way, raises a unique problem or question about how best to legislate in this area. Nevertheless, I am today perhaps further complicating your deliberations by introducing my own "Free Flow of News Act" to provide professional newsmen with an absolute protection against Federal or State orders to reveal confidential sources or information. Perhaps I should take some pride in the fact that I am presenting you with bill number 50 because 50 is supposed to be "golden" and you may even conclude that "there's gold in that there bill."

Mr. Chairman, before I address myself to the specifics of my own bill, I would like to give you some idea as to my constitutional and philosophical observations on this issue, since these obviously have a direct bearing on the legislative conclusions I have reached. Let me begin by explaining that I think the Supreme Court decision in the Caldwell case last June was not only unfortunate and regrettable, but wrong, and that the closeness of that 5–4 decision is in itself testimony to the shaky grounds upon which the majority opinion is based. That decision that newsmen do not enjoy an absolute testimonial

privilege under the First Amendment has opened a Pandora's Box and its chilling effect is already being felt by the press as more and more newsmen are being subpenaed and jailed for refusing to disclose their confidential sources.

The majority opinion written by Mr. Justice White in last June's decision held that reporters are no different from other citizens and are therefore obligated to respond to grand jury subpenas and answer questions relevant to an investigation into the commission of crime. That opinion went on to reject the notion that the First Amendment protection extends to protecting the confidentiality of news sources or information obtained from those sources. To support its contention that the First Amendment guarantee of a free press would not be jeopardized by subjecting newsmen to such subpenas, it was necessary for the Court to argue at several points in that opinion that such a policy would not constrict the free flow of news to the public. To quote from that opinion:

"The use of confidential source by the press is not forbidden or restricted; reporters remain free to seek news from any source by means within the law."

And again:

"The conclusion itself involves no restraint on what newspapers may publish or the type of quality of information reporters may seek to acquire, nor does it threaten the vast bulk of confidential relationships between reporters and their sources."

And again:

"The evidence fails to demonstrate that there would be a significant constriction of the flow of news to the public . . ."

And again

"Reliance by the press on confidential informants does not mean that all such sources will in fact dry up because of the later possible appearance of the newsmen before a grand jury."

The Court thus asserts that confidential news sources will not dry up when faced with the possibility of future disclosure. This assertion is based on a fundamental assumption about the nature and idealistic courage of such sources:

"We doubt if the informer who prefers anonymity but is sincerely interested in furnishing evidence of crime will always or very often be deterred by the prospect of dealing with those public authorities charged with the duty to protect the public interest as well as his."

I am in basic disagreement with that assumption. I cannot believe that the vast majority of confidential news sources would confide in the press if they knew there was a good possibility that their identities would later be disclosed in court. The fact is that there is considerable evidence coming in that sources are drying up as a result of the threat posed by the recent Supreme Court ruling.

Testifying before the Senate Judiciary Committee last month, *Los Angeles Times* Editor William F. Thomas noted that in the last few years his newspaper has spent more than $200,000 in resisting some 30 subpenas and the threat of more than 50 others. He went on to say that both newspapers and their sources are becoming "gun-shy." And furthermore, in his words, "At least four times in the past few weeks potential sources in Los Angeles have specifically cited the danger of subpena in refusing to provide information we both knew they possessed."

I think the Supreme Court, in its majority opinion, was sadly mistaken about the impact of its decision on the continued cooperation of news sources and consequently on the free flow of news. A more accurate assessment of that impact is contained in the dissenting view of Mr. Justice Stewart, and concurred in by Justices Brennan and Marshall. Quoting from that eloquent dissenting views:

"The reporter's constitutional right to a confidential relationship with his source stems from the broad societal interest in a full and free flow of information to the public. It is this basic concern that underlies the Constitution's protection of a free press."

And again:

"The full flow of information to the public protected by the free press guarantee would be severely curtailed if no protection whatever were afforded to the process by which news is assembled and disseminated."

And again:

"News must not be unnecessarily cut off at its source, for without freedom to acquire information the right to publish would be impermissably compromised."

Mr. Justice Stewart has based this argument on three "factual predicates": (1) that newsmen require informants to gather news; (2) that confidentiality is essential to creating and maintaining this relationship; and (3) that unbridled subpena power will either deter sources from divulging information or deter reporters from gathering and publishing information.

And to the Court's contention that news sources will not be deterred by the prospect of later disclosure, Mr. Justice Stewart responds:

"The impairment of the flow of news cannot, of course, be proven with scientific precision, as the Court seems to demand . . . But we have never before demanded that First Amendment rights rest on elaborate empirical studies demonstrating beyond any conceivable doubt that deterrent effects exist; we have never before required proof of the exact number of people potentially affected by governmental action who would actually be dissuaded from engaging in First Amendment activity."

Mr. Justice Stewart goes on to say that while this deterrence may not occur in every confidential relationship between a reporter and his source, it certainly will occur in certain types of relationships which involve sensitive and controversial matters, "and such relationships are vital to the free flow of information."

He concludes this section of his dissent by saying:

"Thus we cannot escape the conclusion that when neither the reporter nor his source can rely on the shield of confidentiality against unrestrained use of the grand jury's subpoena power, valuable information will not be published and the public dialogue will inevitably be impoverished."

I have taken the liberty of quoting those dissenting views at length because they accurately reflect my own views on this controversy. Some 50 years ago Walter Lippman wrote that the press's job "is to bring to light the hidden facts, to set them in relation to each other, and to make a picture of reality on which men may act." This same view is embodied in Mr. Justice Stewart's dissenting opinion when he writes:

"Enlightened choice by an informed citizenry is the basic ideal upon which an open society is premised, and a free press is thus indispensable to a free society. Not only does the press enhance personal self-fulfillment by providing the people with the widest possible range of fact and opinion, but it also is an incontestable precondition of self-government."

Mr. Chairman, I fully subscribe to the tenet that a free press is the touchstone of a free and democratic society. So we are not just talking today about granting newsmen a special privilege; we are talking about protecting the people's right to know. And if newsmen are constantly subjected to government harassment and intimidation in the form of subpenas and other orders, not only will their news sources soon dry up, but our democracy will eventually wither away. While I can appreciate the need to balance the public's right to know with the government's right to gather evidence for judicial proceedings, it is my firm conviction that in this particular instance First Amendment rights must take precedence because our entire democratic decisionmaking process depends on the free flow of information to the public.

Furthermore, I cannot agree with the majority opinion that these two rights are necessarily at odds here. As Mr. Justice Stewart put it in his dissenting opinion:

"The error in the Court's absolute rejection of First Amendment interests in these cases seems to me to be most profound. For in the name of advancing the administration of justice, the Court's decision, I think, will only impair the achievement of that goal. . . . The sad paradox of the Court's position is that when a grand jury may exercise an unbridled subpoena power, and sources involved in sensitive matters become fearful of disclosing information, the newsman will not only cease to be a useful grand jury witness; he will cease to investigate and publish information about issue of public import."

Commenting on the Court's decision to require forced disclosure in the name of justice, the *Los Angeles Times* editorialized on March 4, 1973:

"Is justice served when an honest public official, in fear of losing his job, failed to reveal corruption in government? Is justice served when an honest businessman, vulnerable to retaliation, decides not to disclose his knowledge of corrupt practices. It is a fallacious view, and historically inaccurate, that the administration of justice requires testimony under any circumstances."

I would suspect that more justice has been done as a result of good investigative reporting than will ever be achieved once investigative reporters are denied access to those sources which have, in the past, provided information which has led to the conviction of corrupt officials and others.

For all these reasons, Mr. Chairman, I appear before you today to urge adoption of an absolute news shield law among the lines embodied in the "Free Flow of News Act" which I have today introduced.

My bill states quite simply that:

"No newsman shall be compelled pursuant to subpena or other legal process issued under the authority of the United States or of any State or territory to give any testimony or to produce any document, paper, recording, film, object or thing that would reveal or impair confidential associations, relations, sources, or confidential information received, developed, or maintained by him or by any other newsman in the course of gathering, compiling, composing, reviewing, editing, publishing, or disseminating news through any news medium."

This is a shield law which would apply on both the Federal and State level; it is a shield law which protects both a confidential source and information procured from that source. Because this privilege is so absolute, I have taken care in my defintion of "newsman" to limit this protection to professional newsmen, that is, those persons who are regularly engaged in earning their principal income or as a principal vocation, on behalf of a publisher or operator of a news medium, in a course of activity the primary purpose of which is the gathering, compiling, composing, reviewing, editing, publishing or disseminating of news through any news medium.

While I can understand some of the apprehension about providing such an absolute shield, I have concluded, after giving this much thought, that if we are to legislate in this area we must reject various proposals for a qualified privilege. As well-intentioned as these qualified bills are in attempting to balance various interests, I fear their ultimate impact would be retrogressive and counterproductive in terms of insuring the continued free flow of news. The various qualifications only would, I am convinced, provide enterprising attorneys and judges

with loop-holes large enough to pilot boats through on fishing expeditions. So for once I am compelled to maintain that compromise is not the better part of political or constitutional wisdom in this instance, and I would rather see us pass no bill before we adopted a qualified shield law. In the interest of democracy, I think we must give the professional press the benefit of the doubt and assume that they will act responsibly and not abuse this privilege.

One of the few statements in the Court's majority opinion of last June with which I can agree is that:

"Congress has freedom to determine whether a statutory newsman's privilege is necessary and desirable, and to fashion standards and rules as narrow or broad as deemed necessary to address the evil discerned and, equally important, to re-fashion those rules as experience from time to time may dictate."

As I mentioned earlier, I think the Court's decision was most unfortunate and regrettable, but as a result of that decision and its chilling ramifications the issue is now in our laps and it is incumbent upon us to statutorily restore the First Amendment guarantee of a free press before it is too late. I therefore strongly urge this committee to give my absolute news shield bill its serious consideration and to report to the House legislation which will insure the free flow of news to the public which is central to the continued viability of our democracy.

H.R. 5908

A bill to preserve the free flow of news to the public through the news media

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 "Free Flow of News Act."

ABSOLUTE PROTECTION

SEC. 2. No newsman shall be compelled pursuant to subpena or other legal process issued under the authority of the United States or of any State or territory to give any testimony or to produce any document, paper, recording, film, object or thing that would reveal or impair confidential associations, relations, sources, or confidential information received, developed, or maintained by him or by any other newsman in the course of gathering, compiling, composing, reviewing, editing, publishing, or disseminating news through any news medium.

SPECIAL LIMITATION

SEC. 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of the invalidated provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

DEFINITIONS

SEC. 4. For the purposes of this Act—

(1) The term "newsman" means any person who is or was at the time of his exposure to the information or thing sought by subpena or legal process, regularly engaged in earning his or her principal income, or regularly engaged as a principal vocation, on behalf of an operator or publisher of a news medium, in a course of activity the primary purpose of which was the gathering, compiling, composing, reviewing, editing, publishing, or disseminating of news through any news medium.

(2) The term "news medium" means any newspaper, magazine, radio or television broadcast, or other medium of communication by which information is disseminated on a regular or periodic basis to the public or to another news medium.

(3) The term "news" means any communication of information or opinion relating to events, situations, or ideas of public concern or public interest or which affect the public welfare.

COMMUNITY ACTION PROGRAMS IN NORTHERN MINNESOTA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. FRASER. Mr. Speaker, I am certain my colleagues are receiving ever-increasing amounts of mail about the President's proposed cutbacks in the social services area. His contention that all these successful programs can be salvaged through special revenue sharing seems less and less valid with each letter we receive.

Recently, my office received a copy of a letter Mr. Richard E. Holm, vice president of the Minnesota Community Action Program Director's Association, sent to President Nixon about this problem. Mr. Holm has written a persuasive and moving account of the consequences of these cutbacks. I urge each of my colleagues to read this letter and keep Mr. Holm's comments in mind as they consider legislation to continue these valuable social programs:

KOOCHICHING-ITASCA
ACTION COUNCIL,
INTERNATIONAL FALLS, MINN.,
February 26, 1973.

President RICHARD M. NIXON,
White House,
Washington, D.C.

DEAR PRESIDENT NIXON: It is with deep sadness in my heart that I write to you. I am a director of a Community Action Agency serving low-income people in northern Minnesota. You may think that what I have to relay is of selfish interest, but I can reassure you that my economic well being at this time is the farthest thing on my mind.

I have no doubt that the recent decisions you arrived at concerning program reductions and/or eliminations were made with hard economic rationale. We too, in the field, have to make such decisions and our priorities are often hard to live with. In your case millions of dollars are involved as are millions of people.

The decision to terminate programs that aid low-income persons is very difficult for me to understand. To me, it signifies that our nation places a higher value on economic well-being than on human well-being. It is true that both are interrelated; however, one without the other can lead to severe problems for our country.

Perhaps your decision was based upon a perception that poverty programs lacked effectiveness. If so, I believe you were mislead. Recent studies have shown the majority of these programs to be meeting many of the needs of poor people, in fact more efficiently and effectively than the traditional welfare programs which have been operational much longer than our programs.

I also understand the role Revenue Sharing is to play as related to your Reorganizational plans. Locally managed poverty programs were, in fact, the forerunner of the Revenue Sharing concept. One major problem of Revenue Sharing as I see it, is the fragmentation of funding particularly in rural areas. Even today rural areas lack the resources to overcome many of its social and physical problems, much more so than urban areas where employment is more readily available as are other financial resources.

It would be unrealistic to expect rural-local units of government to finance social programs with Revenue Sharing when so many other unmet needs are pressing as well. For example, a fire truck may be more important than job training to a small community.

One major premise upon which the decision was reached to scuttle OEO was inefficiency and high administrative costs. In our case there is no program administered by our agency where total administrative costs exceed 15% and, in fact, ours average under 10%. We have two professionals, myself and our Headstart Director. My salary is the only salary over $10,000.00 per year and the $11,400.00 I receive is down from the $11,500.00 I received when I was hired over 3 years ago as Board approved annual raises were not accepted so that non-professional low-income staff might enjoy at least a 5% yearly salary increase. Our 1972–73 payroll of just over $443,000.00 went to 664 enrollees and staff, hardly indicative of anyone getting "fat" off the poverty programs in our area.

The salary I receive is adequate to support two adults and six children in our family, but not excess. With my Masters degree in Public Administration and 5 years employment in the poverty program and 3 years plus in Welfare, I do not believe the salary to be exorbitant. In 1972 County Welfare Department in our county employed 13 staff members with a higher salary than myself.

Although it may be too late, I am taking the liberty of sending you four papers summarizing where we have been in the last year or so. These are not the sum total of our activities but will indicate, I hope, that low-income persons have been able to help themselves within the framework of our Democratic system.

To me your apparent conflict with Congress is immaterial. What is important is that low-income people in our prosperous nation are not neglected. It is my moral obligation to serve my fellow man, particularly those less fortunate than myself. I consider it my duty to write to you and our Congressman about my concerns and I sincerely hope I have not offended you.

With warmest regards, I remain,

Sincerely yours,

RICHARD E. HOLM,
Vice President of Minnesota CAP Directors' Association.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. SCHERLE. Mr. Speaker, for more than 3 years, I have reminded my colleagues daily of the plight of our prisoners of war. Now, for most of us, the war is over. Yet despite the cease-fire agreement's provisions for the release of all prisoners, fewer than 600 of the more than 1,900 men who were lost while on active duty in Southeast Asia have been identified by the enemy as alive and captive. The remaining 1,220 men are still missing in action.

A child asks: "Where is Daddy?" A mother asks: "How is my son?" A wife wonders: "Is my husband alive or dead?" How long?

Until those men are accounted for, their families will continue to undergo the special suffering reserved for the relatives of those who simply disappear without a trace, the living lost, the dead with graves unmarked. For their families, peace brings no respite from frustration, anxiety, and uncertainty. Some can look forward to a whole lifetime shadowed by grief.

We must make every effort to alleviate their anguish by redoubling our search for the missing servicemen. Of the incalculable debt owed to them and their families, we can at least pay that minimum. Until I am satisfied, therefore, that we are meeting our obligation, I will continue to ask, "How long?"

ABDNOR REBUTS ARTICLE SAYING FARMERS GET THE BULK OF FOOD PRICE RISE

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ABDNOR. Mr. Speaker, as a farmer and cattleman, I take strong exception to the Washington Post article of today which gives the inference that the reason for today's high food prices are largely a result of the prices that farmers are getting for their produce.

While it is true that strong world demand in the face of relatively short supplies has increased produce prices, the farmer has not received the type of profits his white- and blue-collar counterparts have over the past 20 years. The profits that the farmer is getting today are long overdue. In light of this, the comparisons used by the Washington Post paint a very unfair picture of how the farmer has attained his profit, which was illustrated by slicing up a beefsteak into three parts: Eighty-two cents for the farmer, 32 cents for the retailer, and 7 cents for the processor, out of a pound of prime beef selling for $1.22.

First of all, the article only briefly mentions that the farmer has had to pay higher prices for livestock feed, and equipment. The article made no mention of how dramatically these prices have risen. If you make the comparison fairly and compare it to a 230-percent jump in wages over the past 20 years, the farmer is far behind in comparable income gains over the same period. The value of farm products has risen less than 15 percent over the same period. The cost of farm equipment has risen 50 percent, on the average over the past 10 years.

Ten years ago you could buy a tractor for about $6,000. Now a tractor costs around $12,000. And the rise in the cost of feed ingredients for livestock is not much better. As recently as December 19 of last year, the U.S. Department of Agriculture reported that its index of the cost of all feed ingredients for cattle stood at 206.6 percent of the 1967 average, up from 107.2 percent in just 1 year.

Second, the comparison of 82 cents for the farmer to 32 cents for the retailer is not a fair one. To earn that 82 cents, the farmer put in about 2½ years raising that beef before he sold it, where the retailer for his 32 cents profit had that same beef not more than 48 hours. Talking in terms of volume, the retailer far outstrips the farmer in terms of profit. Also there is no real risk involved for the retailer as there is for the farmer, such as hard winters or calf losses.

Another factor which this article neglects to mention is that although the price of beef and other produce might be high right now, in a year from now the bottom could fall out of the agriculture market. Presently we are experiencing several factors which have driven the price of beef and grain up. This past winter was a rough one for cattle, there were high calf losses, and the weight of gain loss is down. Also, the supply of other meat products also plays an important part on the price of beef, because all meats compete to a certain extent with each other.

One major problem today—as it was last year—is that both beef and pork are in relatively short supply, and now poultry supplies are also off, because of producers' efforts to reduce the demand for increasingly expensive feed.

As for the high cost of grain, poor weather conditions in Russia, China, and India have caused all three countries to buy enormous quantities of grain from the United States and other exporting countries, forcing prices up. Domestically, an unusually wet winter in 1972, and the corn blight of 1970 have also played important parts in the prices of food. However, just because these unusual conditions exist today, it does not mean that they will exist tomorrow. Next year if China, Russia, and India have good crops, there will not be the international trade market agriculture now has, and the prices will drop. If farmers gamble and plant more acreage as is being allowed by the Department of Agriculture, he could well lose. Oversupply will force prices down.

Mr. Speaker, there is no guarantee of anything in farming. There is no minimum wage, no jump in fringe benefits that wageworkers have enjoyed at the rate of 700 percent over the past 20 years, and no increase in the farmer's share of the food dollar. Since 1952, the farmer's share of the food dollar has declined from 49 to 38 cents today—hardly the picture of profit that the Washington Post would lead the average reader to believe.

Mr. Speaker, part of the problem that the farmer faces is that he is too efficient for his own good. Each farmer today feeds 56 Americans, and one-fourth of our farm production now helps feed the rest of the world. If the middleman worked with the same efficiency as the farmer, food prices would be lower.

According to a recent article in the Reader's Digest, labor unions are responsible for many of the hidden costs at the supermarket. It cited that contracts often stipulate that a well paid journeyman butcher do relatively simple tasks such as filling display cases, washing knives, and sweeping back rooms. With butchers earning up to $14,000 a year, the Digest continued, plus high paid overtime, most supermarkets today lost money on their beef sales—and compensate by raising prices on other items.

Before we go and try to pin the high cost of food prices on the farmer, Mr. Speaker, let us take a fair look at the picture over the past 5 years, and even the past 20, not just comparisons for the months of January over the past year. Let us realize that on March 15 at the Lemmon, S. Dak., livestock market, Adolph Herman sold 619 pounds of beef on the hoof for $56.20 per hundredweight. This comes to 56 cents a pound. That is not a fantastic profit considering the work and risk involved in raising that calf.

In South Dakota, ground beef is selling for 89 cents a pound. I understand it is $1.19 in Washington, D.C., supermarkets. The difference in the price is mostly labor. To sock the point home, let me reprint the menu from the Elks Club in Sioux Falls, S. Dak. Those of us that live and work in the Washington, D.C., area will realize that comparable restaurant prices in the suburban metropolitan area run about $3 a person more for beef, and even seafood. Certainly the farmer who sold his steer at 56 cents a pound is not responsible for the vast difference in the price of beef here in Washington, and in South Dakota. Where then, Mr. Speaker, lies the difference?

The menu follows:

SOUTH DAKOTA'S TENDER AGED BEEF

262 Roast Prime Ribs of Beef Au Jus, the most tender cut of any beef, $3.50.

New York Cut Steak, traditionally a man's favorite cut, $4.25.

T-Bone Steak, $4.50.

Top Sirloin for Kings, among men of the meat packing industry, this is their favorite. Long on juices and flavor, $3.95.

Top Sirloin for Queens, ladies' favorite, $3.50.

Club Sirlon Steak, $3.95.

Filet Mignon, no footnote needed to describe the queen of red meats. Cut from the best procurable beef, $4.95.

Sirloin Steak Sandwich, $3.00.

Steak and Lobster, petite broiled lobster tails and tenderloin steak, $6.95.

Let us suggest a red wine to complement your dinner.

FROM THE SEA TO YOU

Jumbo Shrimp, whopping big gulf shrimp—deep fried and served with our own hot sauce, $2.75.

Walleye Pike, from the cold lakes of Canada and served with lemon butter sauce, $2.75.

Deep Sea Scallops, dipped in a light batter. Deep fried and served with hot sauce or tartar sauce, $2.75.

Fisherman's Seafood Platter, pike, sea scallops, shrimp served with tartar and hot sauce, $3.25.

Broiled African Rock Lobster, $6.95.

OLD BUT DISTINCTIVE FAVORITES

Sauted Slices of Calves Liver, served under a rasher of bacon, $2.75

Ground Round of Beef Wrapped In Bacon, $2.75.

Disjointed One-Half Spring Chicken, fried to a golden brown, $2.75.

Grilled Center Cut Pork Chops, served with tangy applesauce, $2.75.

Bar-B-Qued Ribs, $3.

DEATH OF FORMER SENATOR WILLIAM BENTON

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. REID. Mr. Speaker, I rise to express my sorrow over the death 2 days ago of William Benton, a distinguished public servant and publisher, and to ex-

press my condolences to his wife and wonderful family.

Bill Benton was a rare and restless reformer, a man dedicated to the very highest principles of our country. His productive life included five careers: advertising, university administration, public service, a term in the U.S. Senate, and chairmanship of a broad publishing career which included the publishing of Encyclopaedia Britannica. In each one he excelled, although his courageous opposition to Senator Joseph McCarthy brought him defeat at the polls and ended his Senate term.

It was once said of Bill Benton that "he rushed in where angels feared to tread, but always came out with gold on his wings." He was a pioneer and a crusader in business, education, and politics, and this Nation is all the better for having known him.

Mary Louise joins me in extending our condolences to his widow, Mrs. Helen Benton, his two sons, Charles and John, and his two daughters, Mrs. Helen Boley and Louise.

VA HOSPITALS: GET FULL STORY

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. FREY. Mr. Speaker, recently publicized criticisms of VA medicine has resulted in expressed concerns from many Florida veterans.

While all Americans can agree the delivery of health care to our Nation's veterans should be "second to none," each of us feels the reporting of deficiencies in the Veterans' Administration hospital system should be accurate and well documented. There is no question where deficiencies exist they must be corrected. But we must have all the facts. In this connection, I would like to commend to your reading an editorial which appeared in the March 10 edition of the Florida Times-Union which is published in Jacksonville.

VA HOSPITALS: GET FULL STORY

The admonition to "get the facts" seems to be particularly appropriate in regard to the somewhat sensational charges leveled on basis of a "secret" investigative report of Veterans Administration hospitals.

Members of the House Appropriations subcommittee who prepared the 41-page report agreed to give the VA an opportunity to study the charges, and then simultaneously make public both the allegations and the replies.

However, as so often seems to happen in Washington, a copy of the report was somehow "leaked"—containing only the charges of a "dangerous lack of care" and allegations of patients sometimes being "dismissed in worse shape than when they were admitted."

Surely, the operation of this nation's hospitals for veterans is a matter of priority public concern. Faults cannot be corrected before they are uncovered, and it is a matter of sound public policy to take regular searching looks at the operation of such significant facilities.

On the other hand, the prime need of any such "searching look" is perspective. With nearly 100,000 beds listed in the VA's vast nationwide complex of 168 hospitals there inevitably will be a range of care from excellent to below-standard—just as there would be in a similar study of this number of ordinary civilian hospitals, either public or private.

One of the most significant aspects of the report—as yet unanswered to the public—would be the basis of selecting 14 hospitals out of the total of 168 (or 1 in 12) which were involved in the study.

It would make a world of difference whether these were (a) picked at random by some method to assure a fair, representative cross-section, or (b) selected for the study because of complaints about these particular institutions.

If the latter were true, the picture would not be "representative."

The point of this is neither to defend nor criticize the VA's operation of these hospitals before the pertinent facts are out, but rather to emphasize that neither conclusion can be justly drawn until all such facts (not merely a surface gleaning) have been ascertained.

Only a calm and dispassionate study in depth can achieve the unquestioned goal of the American people (if not the motive of the subcommittee member who "leaked" the report)—the best possible care for the veterans who need this care because they served their country.

CONGRESSIONAL INTERN PROGRAM

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. LEHMAN. Mr. Speaker, last week I introduced a bill to establish a congressional intern program for high school teachers of government and social studies in honor of President Johnson.

As I stated at that time, my aim in introducing this legislation is to provide teachers with a firsthand view of congressional operations in order to complement the academic training of our teachers with the enrichment of practical experience.

At the time I was working on this bill, I wrote to Mrs. Johnson, and asked that she let me know if she would object to naming my proposed program in honor of her husband.

Since I did not hear from Mrs. Johnson for several weeks, I introduced the bill, assuming that no objections were forthcoming.

Today, I received Mrs. Johnson's reply, and I would like to share it with my colleagues:

DEAR CONGRESSMAN LEHMAN: Thank you for your thoughtful consideration of legislation to establish a teacher internship program named in honor of my husband. While I have felt that it would be inappropriate for me to involve myself in proposals of this type, I believe that Lyndon would have been in favor of such a proposal. He was dedicated to improving the educational institutions of our nation, and I am sure that the purpose of this program would be very helpful in this direction.

Sincerely,

LADY BIRD JOHNSON.

P.S.: To see government at work at first hand would, I believe, add to their understanding and ability as teachers.

RISING FOOD PRICES

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. EILBERG. Mr. Speaker, in yesterday's Washington Star, there is a page-1 story which states that the Cost of Living Council expects food prices to rise for the rest of the year.

The only hope the Council can offer is not for lower prices, but for a leveling off at a level which may be too high for most American families.

At the end of the story, the Council's Deputy Director, James W. McLane, is reported to have suggested that housewives buy in volume, take advantage of sales, and alter eating habits if necessary.

Mr. Speaker, it is time the administration stopped dreaming. The people of my district in northeast Philadelphia have been hearing this advice for months from just about every spokesman the administration has dared to send out and they have been trying to cope with impossibly high food prices even longer.

Just about the only means they have left of saving money is to stop eating.

At this time I enter the Washington Star article into the RECORD:

[From the Washington Star and Daily News, Mar. 20, 1973]

FOOD PRICE TO RISE REST OF YEAR

(By John Holusha)

The government's Cost of Living Council today has scant encouragement for housewives troubled about rising food prices.

The best that can be hoped for Council Deputy Director James W. McLane said, was for the rate of increase to taper off toward the end of the year—perhaps reaching a zero rate by December.

However, the actual price of an average market basket of food will continue to increase, he admitted. McLane said an Agriculture Department estimate that retail food prices will increase 6½ percent during the course of 1973 is basically correct.

McLane again reiterated the Nixon administration's opposition to a mandatory freeze or ceiling on prices at the farm level. The council officials restated their position at a hastily called news conference on a day when several members of the Senate indicated they would attempt to attach food price freeze amendments to the pending Economic Stabilization Act.

The act is must legislation for the administration since it contains the authority for economic controls. The current legislation expires on April 30.

Meanwhile, Herbert Stein, chairman of the President's Council of Economic Advisers, told a group of executives here that he thought the increase in food prices was nearing its end.

Asked if the Nixon administration would support food boycotts by housewives, Stein said: "This is a free country. If your wife doesn't want to buy you any meat, I don't see that I should complaint."

In the Cost of Living Council's white paper on food prices, prepared for congressional leaders, the panel stressed the measures being taken to increase supply, eliminate transportation bottlenecks and keep a tight squeeze on price markups by retailers.

The paper said, though, that "much of the price-restraining benefits of bumper crops

this year will not be felt by consumers until early 1974."

The paper covered the familiar ground of the reasons for the rising trend of food prices: Bad weather in the United States, massive sales of grain overseas (which McLane admitted was something of a mistake), and non-stop consumer demand.

It noted that the government is "literally emptying its grain bins to increase supply and cutting out subsidies for stored grains." It noted that some 40 million acres have been taken out of "storage" and placed into production.

The result of all these measures, the report indicated, will be lowered prices on the farm by the end of the year—price reductions that will not be reflected in the supermarket for several months afterward.

The council also hedged its prediction on supply. "The outlook presented here," the report said, "is based on normal weather; unusually favorable weather would improve the outlook, but unfavorable weather would worsen it."

Questioned about specific areas of food price reductions for the end of 1973, the council officials said the only sharp drops likely will be in fresh fruits and pork.

Asked what advice he would give housewives about their supermarket shopping in the rest of the year, McLane suggested they buy in volume, take advantage of sales and alter eating habits if necessary.

SENATOR WILLIAM BENTON

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. McKINNEY. Mr. Speaker, in each generation, there emerges a handful of extraordinary men who seem able to jam into lifetime, a number of careers, all successful and all in their way, dedicated to advancement of mankind.

Mr. Speaker, Connecticut's former Senator William Benton was one of those men. Today, the people of the Constitution State—and people from all parts of the world—are mourning his passing.

To give an accurate accounting of Bill Benton's career would take many hours and fill many pages of the CONGRESSIONAL RECORD.

In brief, he was the cofounded—with former Connecticut Gov. Chester Bowles—of the Benton-Bowles Advertising Agency, which in the 1930's, created a new dimension in the corporate world and assisted in returning prosperity to the Nation.

He later became publisher of Encyclopedia Britannica and with his ever present spirit of humanitarianism, tied its earnings to the University of Chicago. Since 1943, this combination has brought more than $43 million to the Illinois University.

In 1939, he purchased Muzak Corp. and helped bring an increased amount of entertainment to America. In 1942, he formed—with Paul Hoffman, who was later to become administrator of the Marshall plan—the Committee for Economic Development which ultimately helped rebuild war-torn Europe.

In 1945, he began a career in foreign service after being appointed Assistant Secretary of State for Public Affairs. In that capacity, he supervised the operation of Voice of America and while there planted the seeds for what we now know as the U.S. Information Agency.

In 1946, he was appointed to the chairmanship of the U.S. delegation of the first general conference on the United Nations Educational, Scientific, and Cultural Organization, a forum he was to return to 15 years later when President Kennedy named him U.S. Ambassador to UNESCO.

In 1949, Governor Bowles appointed Mr. Benton to the U.S. Senate, filling the unexpired term of Connecticut's distinguished jurist, Raymond E. Baldwin. He had not been at his post long before his mark as a humanitarian and civil libetarian became well known and respected. To say that he served his State and Nation with anything less than distinction would do him a great disservice.

Mr. Speaker, I have only recounted the highlights of Senator Benton's career. Interestingly, he once told former Connecticut Gov. John N. Dempsey that of all the honors and opportunities he was afforded in his lifetime, one of the greatest was to serve as a trustee at the University of Connecticut. That is the measure of the man, Mr. Speaker, a man who was interested in his Nation, its growth, and most importantly, its greatest natural resource, its youth.

I know that all the Members of the House join me in extending deepest sympathy to Mrs. Benton and her family in this time of great loss.

INTERNATIONAL TERROR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. DERWINSKI. Mr. Speaker, the necessary concern which we must have over worldwide terrorist activities is very effectively summarized in a WGN, Ill., editorial broadcast on March 11 and 12. I insert it into the RECORD at this point:

INTERNATIONAL TERROR

The world has been appalled over the last several months by a series of events which have seen the loss of many lives and the dimming of hope for peace in the Middle East. The tragedy at the Munich Olympics—the carnage at Lod airport—the letter bombs—the shooting down of a Libyan jetliner—and the killing of three diplomats, two Americans and one Belgian.

Cleo Noel and George Moore have been laid to rest. They were buried in places of honor at Arlington National Cemetery. They were men of valor, placed in the role of heroes by circumstance. They must have died bravely.

Perhaps their lives could have been saved . . . if President Nixon and leaders of other countries had agreed to terms of international blackmail. But the President acted otherwise, and quite correctly, we believe. As he put it in a speech five days after the three men were slain . . . "The nation that compromises with the terrorists today could well be destroyed by the terrorists tomorrow."

The eight terrorists who took over a diplomatic reception in Khartoum have been taken into custody by the Sudanese government. President Gaafar Nimieri has promised justice and urged his Arab neighbors to join him in condemning terrorism. We commend him for his attitude . . . and hope that he has the influence, both at home and abroad, to see others follow his lead.

ASSURING SOCIAL SERVICES FOR THE ELDERLY

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. HEINZ. Mr. Speaker, today, I reintroduce, with an additional 32 cosponsors from both sides of the aisle, legislation amending the title IV A of the Social Security Act to exempt the elderly, blind, and disabled from the requirement that 90 percent of the funds for social services to these persons must be spent on actual cash welfare recipients and that only 10 percent of these limited moneys can be spent on the elderly poor or disabled, who are not on public assistance. This limitation was imposed by Congress last year as a part of a hastily adopted amendment to the Revenue Sharing Act of 1972. These 32 cosponsors raise to 54 the number of our colleagues joining me in a bipartisan effort to immediately lift a hardship imposed on many elderly, blind, and disabled citizens by this 90–10 limitation. Previously 22 Congressmen, both Republicans and Democrats from every region of the Nation, joined me in cosponsoring H.R. 4636, identical legislation introduced February 22, 1973.

The legislation we propose stipulates that the 90–10 limitation will not apply to service programs for the elderly, blind, or disabled while assuring that the $2.5 billion ceiling will remain on Federal support for social services. The effect would be to allow States to fund ancillary service programs for nonwelfare poor who are elderly, blind or disabled. Immediate action on this legislation is imperative since many States will soon exhaust the 10-percent of the funds reserved for social services for nonwelfare recipients.

There are large numbers of elderly persons who, although eligible for welfare, prefer to get by on their modest pensions. Many are able to survive only because a "meals on wheels" program, for example, serves them one hot, nutritious meal a day. Many existing service programs like this will be abolished or severely limited if Congress does not act soon. Transportation, nutrition, recreation, personal care, and other services, things that so many of us take for granted and the services that the elderly or handicapped people are often least able to provide for themselves, are being closed to these poor, but deserving and needy people who refuse to go on welfare.

Because we believe these people are also entitled to a life of independence and dignity, we cannot believe that Members of Congress intended to abruptly close already established ancillary service programs to those elderly who are too proud to go on welfare, even though they are eligible for old-age assistance. But

the effect of existing law is to require these people either to suffer the loss of these necessary services or to go on welfare to receive them. The result of the latter, of course, would be to increase the welfare case load and the cost of welfare. Such a policy would be both unwise and inhumane.

Immediate congressional action is demanded. That is why we have proposed this legislation as a reasonable and necessary solution to this critical problem of services for deserving poor who will not go on welfare. We urge Congress to move with all haste on this bill.

THE WHITE PROBLEM

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. STOKES. Mr. Speaker, I wish to share with my colleagues an outstanding article by Mr. Vernon E. Jordan, Jr., executive director of the National Urban League. This column appeared in the March 17, 1973, edition of the Cleveland Call and Post.

Mr. Jordan has written about "the white problem"—the white community's apparent indifference over the efforts by this President and his administration to destroy programs from which they benefited more than any other segment of society. Mr. Jordan goes on to illustrate how black Americans are out front trying to save these vital programs—with virtually no support from the white people who will invariably suffer if the programs are axed.

The great society programs were not set up to help black people or white people; they were established to serve poor people. And there are many more poor whites than there are poor blacks in America today.

It is incumbent upon the white community to stand up and fight—to restore the traditional Federal commitment to the poor of this Nation.

Mr. Jordan's excellent article follows:

[From Call and Post, Mar. 17, 1973]

TO BE EQUAL—THE WHITE PROBLEM

(By Vernon E. Jordan, Jr.)

It is becoming increasingly clear that unless white Americans, in their own self-interest, start fighting for social reforms in this country, further progress for black citizens will be difficult.

Every time black people speak out for full employment, for better schools and housing, or for welfare reform, many white people just shrug their shoulders and assume that this is special pleading by special Americans looking for special treatment.

But every one of those issues directly affects masses of white Americans who seem to be unorganized and sullenly silent in defense of their own vital interests. Blacks are left out on a limb fighting almost alone while the millions of white people who share our humiliations and our pain do nothing.

Just about every single one of the federal programs slated to be ended or sharply cut, services more whites than blacks. The heart of the War on Poverty, the Office of Economic Opportunity, for example, is primarily staffed by white people serving the white poor. The overwhelming majority of poor people in this country are white.

But to date, the loudest and most determined supporters of OEO's continued existence are black. Somehow, the War on Poverty has gotten tied in people's minds with black poverty and many whites aren't willing to fight for it. So it is black people who bear the brunt of trying to save a program of great importance to white people.

The same can be said for welfare reform. The majority of welfare recipients are white, although the popular image of welfare is that it is a program that helps only blacks. Last year when welfare reform was a hot topic, black-led organizations went down to Washington to fight for a living minimum income standard, but the white poor remained unorganized and silent. I can't help wondering whether they would have sent their checks back to the government if higher payments standards had been passed.

The proposed gutting of education programs will hit the black community hard, but most of the people it will affect are white. The increased Medicare payments will severly harm the black aged, but the vast majority of people who will have to pay money they can't afford are white. The housing freeze keeps black people imprisoned in substandard ghetto dwellings, but the majority of people who live in such houses and desperately need federal housing aid are white.

The list is almost endless—day care centers, job-training programs, and other federal programs all benefit black people to lesser degree than they benefit whites, yet this silent white majority is doing very little to campaign for their retention and their expansion.

White people are going to have to understand that it is their schools, their housing, and their jobs that are being endangered by the planned cuts in social services. The price of their silence is continued poverty and deprivation.

Black people, because of historic and present discrimination, are disproportionately poor and therefore benefit from many programs in disproportionate numbers. But the majority served in each and every one of these programs is the white population. These are just as much white problems as they are black ones, and the continued white silence ranks as this country's number one white problem.

White America had better wake from its deep sleep and start hauling its share of the load if it ever hopes to escape from the poverty and disadvantages so many of its people share with minorities. Too many white people have drugged themselves with the notion that it's enough to be white; but that's poor compensation for a leaky roof and hungry children.

THE EXPIRATION OF THE DRAFT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BENNETT. Mr. Speaker, I applaud Secretary Richardson's announcement today that the Nixon administration will not seek an extension of the Selective Service induction authority. This, combined with the earlier announcement of Secretary Laird's that the Armed Forces will be placed in a volunteer status completes President Nixon's promise to end the draft.

I am equally pleased by Secretary Richardson's strong endorsement of the Special Pay Act, legislation which has been one of my major efforts in the 93d Congress. I, Congressman BOB WILSON, Congressman SPARK MATSUNAGA and Congressman WILLIAM STEIGER originally introduced this vital legislation and we were later joined by 120 cosponsors.

The Special Pay Act is a cost effective proposal, which will lead to great savings in training costs, and preclude the need for a return to conscription during peacetime. With the support of the White House, I am confident that this legislation will receive overwhelming support in the House and I am hopeful that the Senate will also act quickly and positively on this important piece of legislation.

MORE STRIDES NEEDED TO CURB POISONING

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. YOUNG of Florida. Mr. Speaker, President Nixon has proclaimed the week which began March 18 as National Poison Prevention Week. As the President noted in his proclamation, there has been in recent years a significant reduction of deaths in children due to poisoning. However, much more needs to be done to reduce the unwanted tragedy associated with accidental poisoning, which continues to be a major cause of injury to children as well as adults.

For make no mistake, while we often hear of toddlers ingesting some hazardous substance—adults are also poisoned by such things as giving or taking medicines in the dark, mistaking one container for another, putting hazardous materials in milk bottles or other beverage containers.

With more than 70,000 accidental poisoning cases per year, we need to do more in educating both young children and their parents against the common dangers inside the medicine cabinet, under the kitchen sink or in other familiar places in the home.

Carelessness is often a contributing factor to accidental poisoning—such as the mother who leaves medicines in her purse where they can be found by a curious youngster searching for gum or candy.

While progress has been made in developing safety packaging to reduce the threat of accidental poisoning, not all dangerous substances are packaged in "child-proof" containers. Even these closures are not totally tamper-proof and design criteria recognize that 2 out of every 10 children will be able to open a "safety" closure.

Adults need to know that dangerous substances ought to be kept out of the sight and reach of a youngster, preferably in locked cabinets. But adults also need to remember to read the label on every product or medicine bottle and to follow the directions. Further, they should remember to keep medicines and household products in the original con-

tainers—with labels intact. In case of old medicines, the drugs should be put down the drain and the container destroyed.

Many groups like the Council on Family Health have been working with the National Planning Council for Poison Prevention Week and the Food and Drug Administration. In my own district, the Pinellas County Safety Council has been active in urging safe practices with medicines and household products. But the task is a total one that affects all Americans—and not merely something to be observed during the third week in March each year.

Therefore, Mr. Speaker, I urge my colleagues to support the President's plea for active participation in programs designed to promote maximum protection of our people against accidental poisonings, particularly among children.

UNITED STATES STILL BOMBING: A SOUTH BEND, IND., TRIBUNE EDITORIAL

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BRADEMAS. Mr. Speaker, I insert at this point in the RECORD the text of this most perceptive editorial from the March 11, 1973, issue of the South Bend, Ind., Tribune entitled, "U.S. Still Bombing."

The concern expressed by the writer of the editorial:

And why doesn't the Nixon Administration tell us what it is trying to accomplish and what it thinks the prospects are? A straightforward presentation of the facts would be a welcome change.

The editorial follows:

U.S. STILL BOMBING

It will surprise many Americans who assume that our fighting role in Indochina has ended to learn that U.S. Air Force planes still are bombing in Cambodia.

How many planes, where and why remains one of those Pentagon secrets that the generals are so reluctant to let the American people know.

Brief cryptic announcements are made from time to time at U.S. Pacific Forces headquarters in Honolulu that planes flew strikes at the request of the Phnom Penh government. That's all.

Trying to understand the complexities of Cambodian politics is a tantalizing exercise in which most Americans don't care to indulge. They just want us out of there.

The United States is spending about $200 million a year in military and economic aid to support the government of the ailing President Lon Nol. He has suffered a stroke and may come to this country for medical treatments, leaving behind him a power struggle between his younger brother and Gen. Sirik Matak.

A gesture of willingness to negotiate a cease-fire has come from Lon Nol's government, but the Communists are showing scant interest in the idea.

Cambodia always has been a small sideshow to the war in Vietnam. In fact, it wasn't a battleground until American and South Vietnamese troops tried to smash a North Vietnam buildup in Cambodia which appeared poised to strike into South Vietnam. The North Vietnamese had used the country as an unmolested supply line sanctuary until then.

Now the war in Vietnam is over, at least on paper, and the American fighting role there has ended. The Cambodian sideshow goes on, however, with little prospect for an early end.

The Paris agreement on Vietnam calls implicitly on Hanoi to withdraw its troops from Cambodia. It sets no timetable, and so far Hanoi has shown no intention of taking out its soldiers. Any negotiated settlement for Cambodia almost certainly would call for the withdrawal of all foreign troops, which is one reason the Hanoi government is reluctant to sign.

By keeping troops in Cambodia, the North Vietnamese retain their potential threat to the flank of South Vietnam if the fighting there grows heavier under the cease-fire agreement. What an ironic twisting of terms!

What are American planes bombing in Cambodia, and why? Are we going to continue bombing indefinitely until a cease-fire is signed, if one is?

Nobody in Congress seems excited about the American bombing. Where are the doves who protested so profusely when American bombs fell on North Vietnam? Why doesn't Ramsey Clark go to investigate?

And why doesn't the Nixon administration tell us what it is trying to accomplish, and what it thinks the prospects are? A straightforward presentation of the facts would be a welcome change.

PRESIDENT HARRY S TRUMAN

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. LATTA. Mr. Speaker, much has been recorded about the life and times of our former President, Harry S Truman, and I want to join my colleagues who have expressed their sorrow and regret at his passing.

World War II, the Marshall plan, the Berlin airlift, and even the Korean war, are merely events for our younger generation to read about in history books. For many of us, however, these historic milestones evoke many personal and enduring memories. Harry Truman was a part of all of them. Whatever one may think about some of his policies and decisions on the domestic scene—and there was never a more competitive partisan than Mr. Truman—his determination to preserve America's prestige and power in the world was unquestioned.

President Truman was, in fact, a patriot in the old-fashioned meaning of that word. His resolute opposition to expansionist world communism of that era helped to preserve the freedom of Western Euorpe.

President Truman enjoyed 20 years of retirement after leaving the White House, long enough for the ultimate effects of his foreign policy decisions to become more fully perceived and understood. Future historians, in retrospect, will likely be kinder to him than were his contemporaries, and in any event his place in the annals of great world decisions is secure.

SALT II

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. DELLENBACK. Mr. Speaker, on Monday of this week, 14 Republican Members of the House joined, under the leadership of Congressman WHITEHURST of Virginia, in releasing a paper which we had prepared on the subject of SALT II.

In the press conference at which this document was released, we strongly commended President Nixon for his material accomplishments in achieving SALT I and equally strongly expressed our hopes and support for SALT II.

For the information of our colleagues, I insert herewith a copy of our paper:

SALT II: CAN THE ARMS RACE BE ENDED?

Prepared by Mr. G. William Whitehurst, Va.; Mr. Lawrence R. Coughlin, Pa.; Mr. John Dellenback, Ore.; Mr. Pierre S. du Pont, Del.; Mr. William Frenzel, Minn.; Mr. Gilbert Gude, Md.; Mr. H. John Heinz, III, Pa.; Mr. Frank Horton, N.Y.; Mr. Paul McCloskey, Calif.; Mr. Stewart McKinney, Conn. Mr. Charles A. Mosher, Ohio; Mr. Howard W. Robison, N.Y.; Mr. J. William Stanton, Ohio; Mr. Charles W. Whalen, Jr., Ohio

MAINTAINING THE MOMENTUM OF SALT

The SALT I accords, negotiated by the Nixon Administration and signed on May 26, 1972 in Moscow, were the culmination of the most significant arms control effort in the history of the 25-year-old nuclear arms race. The accords—the product of three years of hard bargaining—ended the threat of heavy ABM deployment by both sides and put a ceiling on the numbers of land-based intercontinental ballistic missiles (ICBM's) and submarine-launched ballistic missiles (SLBM's) allowed by each side. While SALT I did not limit technological improvements to either ICBM's or SLMB's and did not encompass all strategic weapons, the accords did create a major diplomatic momentum towards further arms control efforts—symbolized by an agreement by both sides to go further in arms limitation at a second round of SALT.

There are five principal reasons for continuing the work begun at SALT I:

First, further negotiations are necessary merely to preserve the gains of SALT I. The Interim Agreement, which limits both ICBM and SLMB levels, will only be in effect until 1977. Unless some permanent ceiling is placed on these weapons by negotiators at SALT II, both sides will be free to add to their strategic missile inventories after this date.

Second, while the SALT I accords eliminated much of the uncertainty and fear that surrounds the Soviet-American nuclear competition, the arms race continues—particularly in areas not controlled and limited by the SALT I accords. Both the United States and the Soviet Union are currently engaged in building a wide array of new strategic weapons, designed both to augment and replace portions of their existing forces. The Administration's fiscal 1974 budget includes funds for a new strategic bomber, a new SLBM submarine, multiple warhead for its strategic missiles, and a cruise missile submarine. Former Secretary of Defense Melvin Laird's fiscal 1973 military posture statement reports that the Soviet Union has built a new bomber, a longer range SLBM and new SLBM submarines, and is developing multiple warheads for its missile force. In some cases these programs may be justified in order to replace obsolete systems, or because

they contribute further to strategic stability. But the best hope in the long run for guarding against the almost unthinkable prospect of nuclear war lies in further attempts through forums such as SALT to mutually control and limit the destructive power of both sides.

The third reason for maintaining the momentum of SALT I is that further agreements could result in significant savings. The strategic weapons portion of the U.S. defense budget now accounts for nearly $8 billion annually, and when personnel, support, and research and development costs are apportioned to this mission, the costs of operating and supporting strategic nuclear forces rise to over $20 billion annually. It would be a mistake to expect that a SALT II agreement would result in immediate and drastic reductions in the budget, but Secretary Laird told Congress in June that the ABM Treaty saved over $1.5 billion in planned defense expenditures. Decisions to limit certain categories of weapons at SALT II could result in similar savings—savings that could be used to modernize U.S. conventional armed forces, to satisfy domestic needs, or to reduce current budget deficits.

Fourth, further agreement at SALT would reinforce the movement towards detente between the two super powers. What happens at SALT affects the whole gamut of U.S.-Soviet relations. As President Nixon has pointed out, the accords reached in Moscow in many respects were interdependent with agreements ratifying expanded technical and economic relations between the two powers. Success at SALT II would not only further curb the arms race, but would contribute to strengthened U.S.-Soviet collaboration on a wide range of fronts. The ramifications of a successful SALT II effort would be felt in almost every area of U.S. concern with the Soviet Union—the Middle East, trade relations, collaboration in space and the maintenance of the Vietnam peace settlement.

Fifth, the lessons learned from further strategic arms control with the Soviet Union could be applied to attempts to limit the arsenals of other nuclear powers—the United Kingdom, France, China and would-be nuclear powers such as Japan or India. Salt II could act as a "springboard" for a wide range of disarmament activities, including mutual balanced force reductions between the NATO and Warsaw pact countries and a comprehensive test ban.

In view of the benefits accruing from a more comprehensive agreement on strategic arms limitation—stabilizing the arms race, realizing significant savings in the defense budget furthering general detente with the Soviet Union—and lessening the threat of nuclear proliferation—it would be folly not to vigorously pursue new understanding at SALT II.

THE STRATEGIC BALANCE

A major obstacle to further arms limitation at SALT II results from the fear in some quarter that the United States came off second best in the first round of SALT. This concern stems from the terms of the Interim Agreement—the accord that limits the number of ICBM's, SLBM's and submarines allowed by each side. It has been argued that in allowing the Soviets a superiority in land-based missiles (1618 to 1054) and submarine-launched missiles, (950 to 710, after both sides retire older ICBM's), the United States has been placed in a position of strategic inferiority. The fact that Soviet missiles generally carry heavier payloads than U.S. missiles is also viewed as a factor that further decreases U.S. security.

These concerns must be carefully examined because they so crucially affect the U.S. bargaining stance at SALT II. In analyzing the relative strategic strengths of the United States and the Soviet Union, however, all the factors affecting the strategic balance must be taken into account.

As stated above, the Interim Agreement does set ceilings on ICBM and SLBM launchers that provide for a superiority in numbers for the Soviet Union:

Salt I Launcher ceilings [1]

	U.S.	*U.S.S.R.*
ICBM's	1,054	1,618
SLBM's	656	740
Submarines	41	56
With replacements:[2]		
ICBM's	1,000	1,408
SLBM's	710	950
Submarines	44	62

[1] Figures for the tables in this section are taken from the International Institute of Strategic Studies' 1973 Strategic Balance. The London-based institute is viewed by experts as being a highly accurate and objective source of military statistics.

[2] Both sides can replace older ICBM's with new submarines and SLBM's.

But members of ICBM's and SLBM's alone do not provide an accurate overall picture of the strategic balance. The first notable aspect of the Interim Agreement is that it only concerns launchers—numbers of ICBM's, SLBM's and submarines. It does not restrict the modernization of these forces nor warhead technology and the number of warheads allowed by each side—an area where the United States enjoys a clear superiority. In terms of separate targetable reentry vehicles—the number of different nuclear warheads that can be delivered to separate targets—the United States has a two-to-one advantage that will grow as the U.S. continues to deploy MIRV's—separately targetable multiple warheads on its missiles. The United States is currently MIRVing missiles on 31 of the United States' missile-submarines and on all 550 of the Minuteman land-based missiles. The effect of the U.S. MIRV program on the relative balance of deliverable warheads is shown below:

Warhead levels

In 1972:	
United States	4,300
Soviet Union	2,090
In 1977:	
United States	7,700
Soviet Union	2,420

Also not included in the Interim Agreement are long-range strategic bombers, another area where the United States possesses a significant margin of superiority. The United States bomber fleet of B-52's and FB-111's numbers over 450 aircraft. The Soviet Union possesses approximately 150 long-range bomber aircraft, which are generally older and slower than their U.S. counterparts. The U.S. bomber force is also capable of carrying substantially larger weapons loads than the Soviet Union, and as the chart below indicates, this capacity will grow as the United States begins to deploy the SRAM (short-range attack missile) on its bomber force:

Bomber weapons [1]

In 1972:	
United States	2,000
Soviet Union	420
In 1977:	
United States	7,500
Soviet Union	420

[1] Based on current weapons size and aircraft payload capacity.

Another index of strategic power is megatonnage, or the total explosive power that both powers can hurl at each other. The majority of Soviet missiles carry larger payloads than U.S. missiles, while, as indicated above, American bombers carry heavier payloads than their Soviet counterparts. The total nuclear megatonnage capable of being delivered by missiles and bombers combined is roughly the same for both powers:

Total megatonnage

	U.S.	*U.S.S.R.*
Missiles	2,400	11,400
Bombers	16,500	3,600
Total	18,900	15,000

It must be emphasized that megatonnage is a crude indicator of power because it does not take into account such factors as missile accuracy and reliability, which in many respects are more important than megatonnage in determining the damage capability of strategic forces.

Other factors must also be considered. The United States, for instance, possesses hundreds of fighter aircraft based in Europe and aboard carriers capable of delivering nuclear weapons on the Soviet Union. Also, although the Interim Agreement allows the Soviet Union more ballistic missile submarines than the United States. a lack of foreign bases means the Soviets are unable to keep as high a proportion of their submarine force within missile range as the United States.

In conclusion, none of the indices discussed give a fully complete description of the strategic balance. Numbers of missiles, bombers or submarines alone cannot provide a sufficient basis for deciding whether or not the United States gained or lost in SALT I. But taken together, the indices do suggest that the United States and the Soviet Union currently possess roughly equal strategic nuclear capabilities—capabilities that make it impossible for either side to disarm the other.

Simple numerical formulas will not suffice for SALT II, for what one side lacks in one area of weaponry, it tends to make up for in another. Recognition of this fact seems essential in approaching future arms control agreements.

THE ISSUES THAT DEFINE SALT II

While the SALT I accords were trailblazing achievements in laying the foundation for President Nixon's "Structure for Peace", the methods and mechanisms for reaching agreements during SALT I should not necessarily be totally relied upon to produce results at SALT II. The "Bargaining Chip" strategy, for instance, of building new weapons in order to force the Soviets into agreeing to their limitation seemed a plausible strategy at a time when the Soviets were engaging in a massive arms buildup. But now that temporary limits have been placed on missile force levels, future agreements should attempt to build on the confidence created by SALT I instead of relying too heavily on the fear created by the threat of new arms deployments.

Because the issues under discussion at SALT II tend to be more complex than those discussed in the first round of the talks, innovative approaches must be considered if substantial agreements are to be reached. At the same time, it is necessary to be realistic when discussing possible achievements of SALT II. Potential areas of agreement should most certainly be analyzed in terms of what the Arms Control and Disarmament Agency calls "negotiability" and "verifiability"—the ability to make an agreement and to enforce it. Possible areas of agreement at SALT II and problems associated with these areas include:

(A) Ceilings on Strategic Weapons—The SALT I Interim Agreement runs out in 1977 and unless the ceilings set on land-based and sea-based missiles are set by a permanent treaty, both sides will thereafter be free to add to their missile forces. It would certainly be in the interest of both countries to negotiate a permanent treaty limiting strategic weapons, particularly if more equal numeri-

cal terms could be worked out. The United States would also probably support the idea of cutting back on the mutual levels for ICBM's prescribed by the Interim Agreement and replacing them with the more invulnerable submarine-launched missiles. (It is generally believed that U.S. ICBM's would be vulnerable to MIRVed Soviet SS-9 rockets.) The Soviets, on the other hand, are not as interested as the United States in reducing the ceilings for ICBM's because they possess a generally newer force of missiles.

One way around this problem would be to design a permanent ceiling on strategic weapons—in terms of launcher numbers, warhead numbers or payload capacity—that would allow each side the freedom to determine what weapons it wished to emphasize within its respective forces. Under such a system, a general ceiling would be agreed to, and then each power could determine what proportion of its force would be made up of ICBM's and SLBM's—within the limits set by the ceiling. The Soviets perhaps would be unlikely to agree to a mutual ceiling with the United States, because under the present terms of the Interim Agreement they are allowed greater numbers of ICBM's and SLBM's. This problem could perhaps be solved by including long-range bombers in a mutual ceiling—where the American advantage in bombers would cancel out the Soviet advantage in numbers of ICBM's and SLBM's. Thus, both powers could agree to a similar ceiling and then would unilaterally decide what proportion of their forces would be made up of bombers, missiles and submarines.

(B) Ceiling on Bombers—Whether or not bombers could be included in a general ceiling on strategic weapons, the attempt to include long-range bombers in a SALT II agreement should be made. The United States superiority in bombers could be used as an inducement for the Soviets to accept a more equitable balance in numbers of missiles, or if the Soviets insist on maintaining superior levels of missiles, the American numerical superiority in bombers could be ratified by treaty.

(C) Forward Based System Controls—While the United States does not consider its forward-based land and carrier-based fighter aircraft to be strategic systems, the Soviets do. And while the Soviet ICBM and SLBM advantage may be a prime U.S. concern at SALT II, the Soviets are said to be most concerned about U.S. fighters stationed abroad that have the capability of striking their homeland with nuclear weapons. Up until now, the United States has not wanted to discuss these weapons in the context of SALT, and for good reasons. Bilateral U.S.—Soviet discussions over the future of European-based aircraft would upset the NATO allies and an agreement to limit U.S. aircraft in Europe might weaken the conventional capability of NATO. But some judicious concessions by the United States on this issue—which included advance consultation with U.S. allies—could bring about greater Soviet acquiescence in other areas of importance to the United States.

(D) Controls on Warhead Modernization—This is an area of strategic weaponry totally neglected during the SALT I that could threaten, as feared earlier with the ABM, to upset the arms race. Recent United States efforts in the area of multiple warheads and improved missile accuracy tend to be destabilizing because they could ultimately give U.S. missiles the capability of destroying Soviet missiles on the ground. While the United States currently enjoys a lead in warhead technology (the Soviets have not tested a MIRV warhead yet), larger Soviet missile payloads mean that once the Soviets do perfect a MIRV system they too will possess a significant kill capability against U.S. missiles.

Controlling warhead modernization is difficult, owing to the difficulty of verifying compliance. One plausible means of controlling improvements in warhead technology is to focus on limiting U.S. and Soviet development programs—primarily testing. While it is impossible, without on-site inspection, to determine the kinds of warheads each side is deploying, a limit on how many missile tests each side could hold would serve nearly the same purpose. A ceiling on missile tests would prevent both sides from developing sufficient confidence in new warhead devices to warrant wide-scale deployment. And a limit on numbers of missile tests would also have the advantage of being verifiable by satellite surveillance.

(E) Antisubmarine Warfare Controls—The oceans have become the newest arms race arena and submarine-launched missiles are increasingly becoming the primary instruments of strategic deterrence. Both the United States and the Soviet Union are, however, attempting to counteract each other's submarine forces by working on projects of submarine detection, tracking and destruction. Like accurate warheads, antisubmarine warfare (ASW) is destabilizing because a breakthrough in submarine detection and destruction could give one power the capability of destroying the ballistic missile submarine force of the other. There are a number of ways ASW could be controlled at SALT II. Suggestions have been to limit the number of hunter-killer submarines possessed by each side as well as banning certain kinds of underwater listening devices used to detect missile-carrying submarines. Another approach would be to create ocean "sanctuaries" for submarines of both sides to operate, free from attempts to locate and destroy them. While there are certain difficulties with all of these proposals, particularly the problem of distinguishing between ASW designed for conventional naval warfare from that designed to combat ballistic missile submarines, controls on ASW should be pursued at SALT II.

GENERAL BARGAINING PRESCRIPTIONS

Although there are a number of political and technical problems attached to the possibilities presented by SALT II, the benefits stemming from potential agreements listed above provide powerful arguments for approaching the negotiations with as great flexibility as security interest permit. While specific agreements and bargaining formulas can only be determined by Administration officials close to the talks, several guidelines can be suggested to maximize the possibilities for success at SALT II. They embody a whole range of national security concerns—weapons system procurement, arms control leadership, and defense budget appropriations by Congress.

I. Technological restraint

While "negotiating from strength" is a sensible guide to bargaining, too much strength tends to introduce fear and uncertainty into arms control talks. The Soviets, for instance, were unwilling to seriously discuss strategic arms limitation until they possessed a weapons arsenal similar to that of the United States. The tendency of the United States to exploit every technological advance—multiple warheads, improved missile accuracy, ASW devices—to force agreements with the Soviets cannot always be depended upon to produce agreements. The decision to begin the Safeguard ABM program might have contributed to a successful ABM Treaty, but the Soviets had earlier deployed an ABM system of their own. In areas of U.S. technical advantage the decision to MIRV U.S. missiles has made a MIRV agreement difficult to achieve at SALT because the Soviets are unlikely to accept any agreement that permanently places them in a technologically inferior position. This is not to suggest that the United States should not go forward with new research and development programs. Instead, careful consideration should be given to new weapons programs before procurement decisions are made. Deployment decisions over such weapons as the B-1 bomber, the Trident submarine, super-accurate missile warheads and advanced underwater listening devices should be carefully evaluated and in some cases postponement of deployment should be considered pending the outcome of the talks.

An active R&D program is probably as good a bargaining chip as actual force deployments. Maintaining a strong R&D program would not only act as an effective bargaining ploy, but could also result in material savings in defense expenditures.

II. Strategic numbers

In view of the complexity of determining the significance of relative strategic force levels, no attempt should be made to tie the hands of U.S. negotiators by insisting on strict formulas of strategic parity. As suggested earlier, a number of factors go into the determination of the United States-Soviet strategic balance. The United States should be willing to accept a numerical disadvantage in certain areas, if a U.S. advantage in other areas is recognized. Better yet, formulas that tie different weapons into overall package ceilings should be discussed at SALT II. Each power would then be able to select the weapons it favored without reference to ceilings on specific weapons categories. In constructing and negotiating such a general ceiling, an attempt should also be made to provide for the gradual reduction of strategic forces possessed by each side.

III. Arms control leadership

The SALT I accords were not only a result of hard-headed bargaining, but disciplined and efficient organization—within the Arms Control and Disarmament Agency, the Pentagon, the State Department, the CIA and the White House. A similar management effort should be directed towards SALT II. The Arms Control and Disarmament Agency should again be put in charge of the day-by-day direction of the talks, and the agency should have a budget commensurate with this task. The Administration's FY 1974 budget cuts the ACDA budget by more than one-third and the agency's director, yet to be named, no longer heads the SALT negotiating team.

Possibly more important in the long run, promises of new weapons made by the White House to the services to gain military support for arms control agreements should be restricted. When the Administration earlier linked the continuation of the B-1 and Trident programs with support for the SALT I accords, future arms control possibilities could have been placed in jeopardy.

IV. Other areas of arms control

While the SALT II talks now dominate arms control thinking, there are other areas where initiatives should be attempted. A verifiable Comprehensive Test Ban would, for example, constitute a significant achievement, A total ban on nuclear testing would not only eliminate certain environmental dangers, but would act as a check on new weapons development. Efforts to curb nuclear proliferation—a growing problem that has generally been ignored—is also an area where initiatives are necessary. An agreement by both the United States and the Soviet Union on conventional force reductions in Europe (MBFR) is another arms control goal that should be vigorously pursued.

V. Congressional initiatives

Congress has traditionally supported arms control and disarmament objectives. Congressional hearings in the late 1950's were partly responsible for the establishment of the Arms Control and Disarmament Agency and Congress has supported, with few reservations, the Limited Test Ban Treaty and

the Nonproliferation Treaty, as well as the SALT I accords. Congress could play a larger role in this crucial area by both fostering a wider discussion of arms control issues and more closely examining the political and technological components of the arms race, thus honoring its responsibility to educate the public in this difficult area. Arms control, however, does not take place in a vacuum—to a great extent it is dependent upon the President's conduct of foreign policy and even more importantly, upon defense spending. Congress, then, must make a determined effort to link arms control issues to the defense budget. Congressional committees concerned with defense spending should not only focus on fiscal and military issues, but these groups should also examine the implications of new programs for the prospects of future agreement at SALT II.

SALT II has become a complex arena for discussion, where the political, strategic and technological factors involved demand a high degree of specialized talent. While recognizing that the Executive possesses the bulk of expertise in this area, Congress does possess analytical capabilities—in the form of committee staffs, the Congressional Research Service, the General Accounting Office and the newly organized Office of Technology Assessment. Each of these groups can provide some of the expertise necessary to deal wisely and carefully with the complexities of strategic arms limitation.

In view of the constructive role Congress can and should play in examination of arms control issues, the following recommendations are made:

(A) Joint panels of the House Armed Services and Foreign Affairs Committees and the Senate Armed Services and Foreign Relations Committees should be convened to examine the implications of the fiscal 1974–1979 defense program for future arms control agreements.

(B) The House Science and Astronautics Committee, the Senate Aeronautical and Space Sciences Committee and the Joint Atomic Energy Committee should hold hearings on the effect of new technologies on the arms race and the prospects of negotiating and verifying agreements limiting strategic force modernization. A report by the Office of Technology Assessment could be used as the focal point of these investigations.

(C) The General Accounting Office should provide Congress with a study of possible savings accruing from potential SALT II agreements. Such a report could be used in Defense Appropriations Subcommittee hearings in both houses on the impact of SALT II savings on defense spending.

(D) Proposals to enhance congressional cognizance of the long-term implications of the defense budget, such as basing congressional authorization and appropriations on the five year defense program, should be considered by the Armed Services committee and the Defense Appropriation Subcommittees.

BYELORUSSIA INDEPENDENCE DAY

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BELL. Mr. Speaker, March 25 marks the 55th anniversary of the day that the Byelorussian people proclaimed their national independence. This day symbolizes the strong aspirations of Byelorussians throughout the world to regain an independence similar to that which existed 55 years ago.

This illustrious, yet often troubled country has a history that dates back to the ninth century. A sizable number of cultural and political achievements have been accomplished by the Byelorussian people. One can point to the many notable contributions made in the fields of printing and literature as examples of the significance of the Byelorussian State, the Grand Duchy of Litva.

I am saddened, Mr. Speaker, by the present conditions in the Byelorussian Soviet Social Republic. My desire, and surely that of my colleagues, is to see Byelorussia rise again to the heights that it reached during its most glorious period. This can only be realized by the complete independence of Byelorussia.

RECONFIRMATION OF JUDGES

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. PARRIS. Mr. Speaker, the following copy of a joint resolution passed recently by the Virginia General Assembly which requests Congress to adopt and offer to the States a constitutional amendment calling for the reconfirmation of all Federal judges.

As you know, I recently introduced House Joint Resolution 372 which also calls for the action requested by the gentleman of the Virginia General Assembly. I believe their passage of this resolution is further evidence of the need for congressional action in this matter.

The resolution follows:

SENATE JOINT RESOLUTION NO. 130

Memorializing the Congress of the United States to propose an amendment to the Constitution of the United States, relating to tenure of federal justices and judges

Whereas, the justices of the Supreme Court and judges of the inferior courts of the United States are appointed for life, and are removable only by impeachment; and

Whereas, in forty-seven of the fifty states, including this Commonwealth, the judiciary has fixed tenure; and

Whereas, the experience in this Commonwealth reveals that although the judges may be removed from office at the end of their terms, the judiciary has remained independent; and

Whereas, the Congress of the United States should be granted the power parallel to that which this General Assembly now has, that is, to review the records of its federal justices and judges of inferior courts; now, therefore, be it

Resolved by the Senate of Virginia, the House of Delegates concurring, That the Congress of the United States is hereby memorialized to adopt and offer to the States for ratification or rejection the following amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Notwithstanding the provisions of the second sentence of Section 1 of Article III of the Constitution, each justice of the Supreme Court and each judge of an inferior court established by Congress under Section 1 of Article III shall hold his office during good behavior for terms of eight years. During the eighth year of each term of office of any such justice or judge, his nomination for an additional term of office for the judgeship which he holds shall be placed before the Senate in the manner provided by the law, for the advice and consent of the Senate to such additional term, unless that justice or judge requests that his nomination not be so placed. Any justice or judge whose nomination for an additional term of office is so placed before the Senate may remain in office until the Senate gives its advice and consent to, or rejects, such nomination. If the Senate gives its advice and consent to an additional term of office, that term shall commence from the date of such advice and consent, or the day immediately following the last day of his prior term of office, whichever is later.

"SEC. 2. The terms of office established by Section 1 of this article shall apply to any individual whose nomination for a judgeship is submitted after the ratification of this article to the Senate for its advice and consent."

Resolved further, That the Clerk of the Senate is hereby instructed to send copies of this Joint Resolution to the members of the Virginia delegation in the Congress of the United States and to the President and Vice President of the United States, and the Clerks of the Senate and the House of Representatives.

CWA OFFICIAL TESTIFIES ON TAX REFORM

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. KARTH. Mr. Speaker, on March 8 the Communications Workers of America's Secretary-Treasurer, Glenn E. Watts, testified before the House Committee on Ways and Means. His statement included a number of substantial and cogent comments on our tax structure which deserve the attention of Congress. With that in mind I place in the RECORD Mr. Watts' statement and other material he submitted to the committee on this important subject:

My name is Glenn E. Watts, and I am the Secretary-Treasurer of the Communications Workers of America, a union which represents more than 550,000 communications and other workers.

On behalf of those workers, President Joseph A. Beirne, and my fellow officers, we appreciate this opportunity to bring you our views on making the national tax burden more equitable.

We believe that a great many members of both houses would agree with us that workers carry too big a share of the tax burden, and the business segment of the economy—along with the very wealthy—carry too small a share.

But—at this point in the 93rd Congress—we do not sense a Congressional awareness of what we see as a strong need in this nation—and that is—real tax burden adjustments.

Our assessment of the Congressional attitude is that Congress seems to be headed once again down the road of token tax reform—that often travelled, old familiar road, lined with wreckage of good intentions.

I do not want to imply that any maliciousness generates the Congressional attitude, and I am not one of those who believes that Congress is out of touch with constituents.

There are other reasons.

All of us who have a vital interest in tax legislation know the multiple pressures that come into play. We know that you are tugged

this way . . . pulled that way . . . where this organization sees economic justice, that organization sees a loophole.

We know that there are monumental questions without consensus answers.

How many jobs do accelerated depreciation and investment credit actually create . . . or destroy?

How do you shift some of the tax burden to corporations without letting them shift it right back to the workers, through higher prices . . . and still maintain a relatively free economy?

I believe it is these factors, plus the still submerged status of the seething resentment against the tax system among your constituents and my members, which create the Congressional attitude existing today.

But I also believe that the resentment is going to erupt—that it will not stay submerged . . . and I am here to urge you to prepare now, by writing true equalization of the tax burden.

You have access to the work of the tax legislation technicians and the tax statisticians, and the Committee knows the dollar value of each exemption, so it would be redundant to repeat this for you. I would like to give you some general views, and ask the Committee to include CWA's tax legislative policy and a CWA Fact Sheet on taxation with my testimony, in the hearing record.

CWA believes that the Mills-Mansfield bill of the 92d Congress, which would have reviewed each of the 54 exemptions over a three-year period, and dropped, modified or reenacted them, is an idea Congress ought to give a lot of thought and study to.

The legislative policy CWA has adopted on taxes—calls for Congress to study the Mills-Mansfield method as the ideal vehicle for equalizing the tax burden.

I know there isn't universal agreement among tax reformers—and there certainly isn't in the labor movement—on the Mills-Mansfield idea, but *we* like it.

We may be a bit bolder than our brothers, or just a little ahead of time.

Perhaps our attitude comes from the historic policy of the Communications Workers, which requires us to expend every possible effort we can to protect our members—and all workers—from unfair taxation.

The logic in that is simple—what we win at the bargaining table we can lose in the city halls, the court houses, the state houses, and in the Capitol.

We remember especially well 1969, when we found that despite great effort and devotion to the fight for tax reform, we ended up with only token corrections in the law.

There was a slim reduction in mineral depletion allowances, a minimum tax on the very wealthy which is so minimal that I understand it could be called microscopic, a little jump in personal exemptions, and taking tax burdens off the very poor.

We have been told what we consider tokenism should be considered a victory—that without great effort and devotion not even this much would have been accomplished.

That is consoling for the ego, but not the pocketbook, because we see the suffering that severe inequities have caused our people—and all workers.

So far as tax reform in the 92nd Congress is concerned, I don't see how anyone can claim a victory for workers.

It is just not right that workers' paychecks should have to take the kind of beating they are getting because the social insurance part of the total federal tax burden has gone from 21 percent to 29 percent between 1969 and now. Corporate profits and income of the very wealthy should have carried some of this.

It is just not right for any giant corporation with large profits and dividends not to pay any federal taxes at all, or taxes many percentages below what their workers pay.

It is just not right for individuals to earn hundreds of thousands of dollars, and have their entire income tax free.

It is just not right for the multi-national oil companies to convert their royalty payments overseas into foreign tax payments, and then deduct them from the taxes they owe the United States.

It is just not right for eight percent of the families in America, with 25 percent of the income, to be the beneficiaries of almost 50 percent of the tax subsidies.

It is right to make the graduated income tax really graduated and equitably graduated.

It is right for the Congress to require full and accurate disclosure of country-by-country costs, earnings, profits, and taxes, of multi-national corporations.

It is right to eliminate the investment tax credit accelerated depreciation, mineral depletion allowances and foreign tax credits.

It is right to tax capital gains and large inherited fortunes on a basis of equality with taxes on workers' incomes, and it is right to revise the personal exemption so that workers have a realistic deduction.

In Congress after Congress, legislation is introduced to accomplish some of all of these goals, and you have legislation pending now in this Committee which would bring equity to the tax structure.

We urge you to act boldly, because from what we see and hear around the country, bold and decisive action is what the people . . . the workers . . . want, need and deserve.

Our members read the business pages of the newspapers and magazines, and they see those familiar advertisements selling real estate, oil well drilling and farming tax shelters.

They resent this, because they feel they are being robbed . . . and they are.

We agree with Chairman Mills' descriptive labeling of these shelters—he called them travesties.

When the worker comes across these travesties of economic favoritism, it only confirms to him what political demagogues preach—the system is rigged.

So he becomes a little more susceptible to the demagogue's preaching, and he becomes a little less faithful to the system.

Let's show them that this way of administering government, which has been nurtured and developed over the past couple of hundred years can work equitably . . . without favoritism. Let's show him the game doesn't have to be rigged.

Thank you very much for the opportunity to appear before the Committee.

Tax Burden Equalization

The Communications Workers of America believes that Congress should consider passing legislation which contains a method for review of each tax exemption now in the law, and would also require that unless each exemption was reenacted, it would be dropped. Legislation which would have done this was introduced in the 92nd Congress as the Mills-Mansfield Bill. It would have required Congress to re-examine each one of the 54 tax exemptions now in the law, and then decide whether to retain or terminate each one. This would be done over a three-year period, with 18 exemptions coming up for review, and ratification or termination, in each year. In effect, if the Congress did not re-enact each of these exemptions, they would be terminated, on an exemption-by-exemption basis. Additionally, each could be modified, instead of maintained as now written, or terminated.

The ultimate objective would be to make the national tax burden as equitable as possible.

CWA's endorsement of this method of equalizing the tax burden should not be taken to mean that we oppose continuation of all exemptions in the law. We have fought for those which benefit great numbers of people, such as the child care deduction, and we have fought against retention of such special privilege exemptions as percentage depletion for minerals. CWA has definite views on those exemptions which are major loopholes allowing corporations and wealthy individuals to evade their share of the burden, and we would work to see them diminished or eliminated.

A major objective would be to see a reversal in the relationship between the percent of the tax load paid by corporations and by individuals. In 1960 corporate income taxes were 23 percent of receipts by the federal government, and individual income taxes were 44 percent. In 1973 corporate income taxes are projected to represent 16 percent of revenues to the federal government, and individuals will pay 43 percent. Also between 1960 and 1973 individuals increased their share of federal budget receipts for social security taxes from 16 percent to 29 percent, showing the immense burden shift to individuals.

To alleviate this we make several recommendations.

INVESTMENT TAX CREDIT

Eliminate the investment tax credit, which was reinstated in 1971, with the claim that it would generate jobs for unemployed workers. This is a seven percent credit for businesses who invest in new equipment, and, in effect, is a cut in corporate taxes estimated to reach $3 billion a year. Studies show that while sales of large corporations increased in 1971, their employment decreased. The investment tax credit does not stimulate anything approximating what the revenue would be worth to the Treasury. If the average worker were to be given an equivalent tax break, the spending that would result would stimulate the economy more than the investment tax credit.

ACCELERATED DEPRECIATION

Accelerated depreciation is another major revenue loss for the Treasury, and, in effect, a tax cut for business. By 1975, when fully effective, it will be costing the Treasury an estimated $3.5 billion a year. Under this loophole, a business can speed its building and equipment depreciation deductions up by varying percents, going as high as 20 percent, and this gives businesses a bigger deduction than it would normally get for depreciating its equipment.

DEPLETION ALLOWANCES

The oil and other mineral depletion allowances are historic tax breaks. This was written into the tax law supposedly to give mineral companies the right to exclude part of their income from taxes, because their well or mine was being used up, and they needed to develop new resources.

But, it has become a device which allows oil companies to avoid paying taxes on their entire income instead of being an allowance for oil companies to use to develop new resources.

For petroleum, a Treasury study shows that the average well cost is recovered 19 times through this depletion allowance subsidy to the industry. This mineral depletion allowance is worth an estimated $1.4 billion a year.

FOREIGN TAX CREDITS

Oil companies have another very big loophole, concerning taxes they pay to foreign countries. The big multi-national oil companies are allowed to deduct taxes paid to foreign countries from the tax bill they owe to the United States. So, companies have worked out arrangements to hide some of

their oil royalty payments to foreign countries as taxes to these countries, and then deduct the payment from the amount that should be going to the U.S. Treasury.

CAPITAL GAINS

The average working American has almost no opportunity to benefit from the capital gains loophole. This loophole allows individuals who make a profit on the sale of stock or property after it has been held for a certain period to avoid paying tax on half of that profit.

It means that if the same benefit were given to a worker who made $12,000 in a year, he would only have to pay taxes on $6,000. The loophole, estimated to be worth between $5.5 and $8.5 billion should be eliminated.

INHERITANCE TAXES

Large, inherited fortunes also benefit from a capital gain feature. Now, if an individual inherits a large block of stock which may have been purchased years ago at a much lower price than it would bring, the person receiving the inheritance does not pay on the present value of the stock. Inherited estates over some minimal amount, possibly $50,000, should not have this benefit, and the estate should be valued and taxed to include the increased price the stock or other property would bring.

The 1971 tax legislation allowed American companies which export their products to set up separate firms, called Domestic International Sales Corporations. They avoid paying U.S. income taxes on the profits from their export operations, so long as the money was kept in the foreign country. However, the law also allowed the export company to loan money to its parent company, which is a legal way of transferring profits back to parent company without paying taxes on them. This loophole, worth $170 million in 1973, should be repealed.

The features of the tax law which are emphasized above are not intended to be all of those which we feel should be eliminated. They are among the major offenders against the principle that the income tax burden should be progressive, and no group of Americans, individually or business, should have an advantage which allows shelter from the tax burden others face.

A major reform that would mean as much to a great many workers as a reduction in their own tax burden would be the assurance that every firm which makes a profit, and every wealthy individual who has income, pays a certain minimum percent in taxes, regardless of exemptions, shelters and loopholes.

THE ECONOMY

TAX BURDEN EQUALIZATION

CWA believes the Congress should give intensive study to legislation which would provide a mechanism for review of each tax exemption now in the law, and would require that each exemption be dropped if it is not reenacted. The legislation should provide an orderly method of doing this, such as consideration of the specific number of exemptions in each year, over a three-year period. CWA realizes that some of these exemptions are considered to benefit consumers, such as the interest rate on home loans, but we also believe that if the public can be informed accurately on the tax structure, many hidden and unfair tax burdens which the average worker carries will be uncovered.

We would hope that some of the major changes would be:

1. Make the graduated income tax really graduated for individuals with very high incomes, so that no person evades all taxes or pays only a few percent, while the average worker's tax is sometimes more than 20 percent.

2. Move some of the burden from the individual worker to corporations. Corporations paid 23 percent of federal budget receipts in 1960, but only 19 percent in 1969, and the projection for 1973 is 16 percent. The 19 largest oil companies paid only 8.7 percent in corporate income tax in 1971, and five large companies paid nothing on their profits in 1971.

3. Move a large part of social security taxes off the worker's paycheck, and provide the funding through general revenues, out of effective corporate taxation. In 1960, social security taxes equaled 16 percent of the federal budget. But social security taxes went to 21 percent of federal budget receipts in 1969, and will be 29 percent of federal budget receipts in 1973.

4. Require full and accurate disclosure of country-by-country costs, earnings, profits, and taxes, of multi-national conglomerates, so they can be taxed effectively.

5. Eliminate the investment tax credit. Sold to the public as a means of generating new jobs, it deprives the Treasury of revenue which workers must make up, and its job creating ability is more public relations than actual.

6. Eliminate the accelerated depreciation allowance, an obvious loophole which creates additional burdens for workers without producing economic benefits.

7. Eliminate depletion allowances. They were first written in the law so that corporations could evade taxes on part of the income from the sale of mineral resources, with the savings going into development of new resources. But no new resources have been discovered to match anything like the amount of money which has been retained by the companies, and the allowance is a burden workers carry.

8. Remove the foreign tax credit for oil companies. Oil companies can deduct the amount of taxes they pay foreign countries from their American tax bill, so many companies have worked arrangements with foreign countries to make royalty payments appear as tax payments. In that way, the American taxpayer has to bear the load for the oil companies' royalty payments.

9. Remove the capital gains loophole, so that profits from sales of stock are taxed equally with worker's income.

10. Require effective taxation of large inherited fortunes.

11. Revise the personal exemption to make it more equitable, perhaps with a tax credit alternative.

12. Eliminate the loophole which allows American corporations to set up separate corporations for export business, in order to avoid taxes on products which are exported.

13. Ban the importation of the regressive value added tax, which exemplifies inequitable taxation.

LYNDON BAINES JOHNSON

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. WYDLER. Mr. Speaker, President Johnson, in my opinion, will go down in history as a great and good man and as an outstanding President of our Nation. History, I believe, will treat him most kindly and he deserves that treatment. I first met him as a freshman Member of Congress, when he, as Vice President, invited me and my wife to his home. It was an indication of the type of hospitality he was always famous for, and that first party was the best one I ever attended in Washington. During his years in the White House I disagreed with him on many occasions, but found him a strong man and one who made no secret of his direction or intentions. His relationship with the Congress was magnificent, for he was of the Congress himself and understood it and its membership well. I will always be glad that some of the years I spent as a Member of Congress were spent while he was the President of our Nation.

OUR NATION SALUTES REV. JERRY D. VAN DER VEEN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ROE. Mr. Speaker. We are truly blessed by the inspiration of the invocation prayer offered each day here in the Congress. Our State of New Jersey, and particularly the people of our Eighth Congressional District of New Jersey, are privileged and honored to commend to you today's visiting host chaplain for the House, the Reverend Jerry D Van Der Veen, M.A., B.D., S.T.M., Th.D., D.D., minister of the Church of the Covenant, Reformed Church of America, Paterson, N.J., located in my congressional district, for his eloquent and inspirational contribution to our deliberations this day on behalf of the people of our Nation.

His prayer of thanksgiving and inspiration which was received with deep reverence and appreciation by the Members of the House of Representatives today is as follows:

Isaiah 40: 31. *"They that wait upon the Lord shall renew their strength; they shall walk and not faint."*

Almighty, Eternal God, we humbly bow before Thee and with thankful hearts acknowledge that Thou art the Source of all our blessings, even life itself.

We thank Thee for our health and strength.

May we realize that Thou art always with us, every moment of the day.

We pray for Thy blessing upon our country, the land that we love.

Bless the President, and the Vice President. Be with the Speaker of the House. Give him wisdom, guidance and strength to fulfill his calling.

We ask for every Congressman here present today that Thou wilt direct their decisions for the benefit of all our people.

We commend our nation with all its problems and difficulties unto Thy Sovereign Care.

Through Jesus Christ our Lord. Amen.

The quality and richness of Dr. Van Der Veen's presentation today is gratefully acknowledged. He has inspired us by his prayer as well as his good example. We want to share with him, his wife Grace, and all of his family the great pride we have in his distinguished and dedicated lifetime of outstanding service and contribution to the religious, cultural and spiritual enrichment of our community, State, and Nation. His long list of exemplary achievements in service to God and his congregation span the needs and concerns of all of our people—young and adults alike—having attained the

highest regard and esteem of all of us who have the good fortune to know him through all of his good works as a leading citizen and respected member of the clergy in the cities of Paterson and Hawthorne and the State of New Jersey. He has served in the vanguard of our community as adviser and counselor in the fields of education, senior citizens programing, community planning and development, health, youth recreation and character building, and many other charitable and civic endeavors.

Mr. Speaker, we do indeed salute Rev. Dr. Jerry D. Van Der Veen for his dynamic and energetic career in the cause of goodwill and understanding among all men, and I know that you and our colleagues will join with me now in expressing our deep appreciation to him for leading us in prayer here today.

1973 FAMILY PLANNING SERVICE LEGISLATION

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. DU PONT. Mr. Speaker, during the second session of the 92d Congress, the task force on population growth and ecology of the Republican Research Committee conducted hearings to assess the Federal programs in population research and family planning services. The task force was activated in the spring of 1972 in response to a growing need for an assessment of the Federal Government's role in the delivery of family planning services and in the field of population research. In his 1969 message to Congress on population, President Nixon declared the provision of subsidized family planning services and accelerated research in population a national priority.

That same year, an earlier task force on population headed by the Honorable George Bush, issued a report of its findings and called for increased leadership at the Federal level in the support and development of universally available family planning services and increased contraceptive research. The Congress responded by passing the Family Planning Services and Population Research Act of 1970. The programs created by this legislation were well underway, and the task force believed that an evaluation of the programs' progress was vital. Thus, I was particularly honored to serve as chairman of this new inquiry. Also serving were my distinguished colleagues MARVIN L. ESCH, of Michigan, HAMILTON FISH, JR., of New York, RICHARD W. MALLARY, of Vermont, and PAUL N. MCCLOSKEY, of California.

Our investigations of Federal support of this most important field were both enlightening and, I believe, definitive. The task force conducted 4 days of hearings in Washington, where we heard valuable testimony from outstanding experts in the fields of demography, reproductive biology, social science, medicine, and family planning services delivery. We heard extensive testimony from members of the administration concerning the organization of and support for the national program. In order to assess how Federal efforts could be strengthened to make the job of services delivery most effective at the local level, the task force also had field hearings in Wilmington, Del.

The report of the task force was issued in August, and a summary of the report was published in the CONGRESSIONAL RECORD, volume 118, part 25, pages 3381–13, with our 14 recommendations for improving the program. The evidence presented by the witnesses led to three major conclusions. First, while the President had pledged to provide family planning services by 1974 to all women desiring such services but who for economic reasons do not have access to them, we are a long way from achieving that objective. Second, scientific knowledge concerning human reproduction and our present contraceptive technology are not sufficient to enable all people to adequately plan their families. Third, there is very little understanding of population dynamics or knowledge of the motivational factors relating to childbearing.

The Federal Government has taken important steps toward the solution of these problems; but at the same time, continuing increases in our population have intensified the whole spectrum of health, environmental, economic and social problems in our country. The slowing of population growth rates will not be a panacea for all of these problems. However, we must conclude that the reduction or elimination of excess, unwanted fertility—through improved research efforts, the development of new technology, and increased availability of family planning services—would contribute significantly to the solution of some of our problems and to the alleviation of others. I firmly believe that all people, given the knowledge and the means to exercise freedom of choice with respect to their own fertility, will choose to act in a manner benefiting their own health and well-being and that of their families.

The legislation I am introducing today implements the primary recommendations of the task force—renewal of the funding and program authorities of the Family Planning Services and Population Research Act of 1970, which expires June 30 of this year; expansion of biomedical and social research in human reproduction; and improvement in the overall administration of both these programs.

Mr. Speaker, by 1975, approximately 46.9 million women will be of childbearing age. These women, and as many men, will want and need better methods to control their fertility. We know that involuntary childbearing is damaging to both families and children in terms of health and socioeconomic conditions. The incidence of prematurity, infant and maternal deaths, birth defects, and mental retardation can be significantly reduced by the use of effective methods of family planning. Unwanted births can cause a family to cease to be self-supporting, and the continued incidence of unwanted fertility can trap a family in poverty and dependency.

Families of all income levels have expressed a desire to avoid unwanted fertility. This is evidenced by national studies and by the known rate of 1 million legal and illegal abortions performed annually. Our society has created, through education and technology, a desire for smaller families. Yet we have failed to produce the birth planning agent by which such aspirations may be satisfied, and American women must continue to bear the burden of making amends for contraceptive failures. Similarly, we have not developed the means by which American men and women may overcome infertility problems. Our Nation has failed to mobilize the resources necessary to help people exercise one of their most basic human rights—the right to bear and beget truly wanted children.

The Federal Government has been supporting population research and family planning services for only a short period of time. One of the major accomplishments of President Nixon's administration has been the launching of a national program to provide family services to women who for economic reasons do not have access to such services.

President Nixon was the first President to address the Nation specifically on these issues in his July 18, 1969, message to the Congress. He proposed that in addition to the creation of the Commission on Population Growth and the American Future, the Department of Health, Education, and Welfare be given the means to carry out increased research in contraceptive development and the sociology of population growth. He called for increased training of people to work in the population research and family planning services fields. He also stated that the federally aided family planning services efforts should be greatly expanded and directed to the 6.6 million medically indigent women who are estimated by HEW to be in need of subsidized family planning services.

The following year, the Congress passed the Family Planning Services and Population Research Act of 1970—Public Law 91–572—to implement the President's proposed program. This act provided $382 million for fiscal years 1971–73 to expand the population-related activities of the Federal Government. To strengthen the direction and administration of the program, the HEW Deputy Assistant Secretary for Population Affairs was given line authority, through the HEW Office of Population Affairs, for both the Health Services and Mental Health Administration—HSMHA—family planning services program, the National Institutes of Health—NIH—population research program, the HEW population education program, and the Food and Drug Administration—FDA—contraceptive testing program.

The administrators of the services and research programs, therefore, have dual line responsibilities—one to the Deputy Assistant Secretary and one either to the NIH Director or to the HSMHA Director. This new authority was to be exercised through the appointments of an Assistant Administrator of HSMHA for Family Planning Services and an As-

sistant Director of NIH for Population Research, both of whom would serve as special assistants to the Deputy Assistant Secretary. However, to date neither of these appointments has been made nor has adequate staff for the Office of Population Affairs been hired to enable the Deputy Assistant Secretary to carry out the duties mandated by the legislation. This creates a less than clear administrative organization, poor program stability, and inadequate coordination and liaison.

The act passed by the Congress authorized special project grants for family planning services. This program is administered by the National Center for Family Planning Services of HSMHA. The latest HEW reports indicate that by 1973, when this act expires, approximately one-half of the 6.6 million women in need of subsidized family planning services will be receiving services.

Although I commend HEW on the progress that has been made, I must point out that funding levels have not kept up with projections and service levels have lagged accordingly. I believe, therefore, that this program must be renewed and that the special project grant authority must be continued in order to reach the President's goal of services to all women in need of them. Without renewal and expansion of the project grant program, the rest of the women in need of services may never be reached and those presently receiving services through this program will no longer have access to family planning health care. We cannot condemn these women to the suffering and poverty associated with unwanted fertility.

Although funds continue to be necessary to support the effort to reach the millions of women who are still in need of subsidized services, the development of a range of inexpensive, easily administered, medically safe contraceptives would greatly increase the effectiveness and efficiency of family planning services programs. The Family Planning and Population Research Act of 1970 authorized funds for an expanded Federal population research program. This program is administered by the National Institute of Child Health and Human Development—NICHD—through its Center for Population Research—CPR—and encompasses both biological and social science research regarding human reproduction.

Population research in the biological sciences is focused on the basic processes of human reproduction and ongoing evaluation of present methods of fertility regulation. Its goal is the development of new and improved methods of dealing with problems of birth planning and infertility. It has been 16 years since the last major contraceptive development occurred. Even if there were a new major development today, there would probably be considerable lagtime before the method could be made generally available to the public. In the meantime, by 1982 the population of the world will have increased from 3.6 billion to an estimated 4.6 billion.

Until very recently, all of the research and developments in this field were supported by private foundations and drug companies. The private philanthropic foundations are unable to increase their present level of support, which is currently estimated at $25 million annually. The efforts of the pharmaceutical companies, estimated at a cost of $15 million annually, are not being greatly expanded. There are a high number of risks for industry compared to the magnitude of investments and possible profits involved. The incentive for proprietary companies to invest in new contraceptive research is lacking especially when the ultimate goal is the development of an inexpensive, long-lasting method. I believe that the Federal Government must provide the major portion of the funds and resources necessary for the development of a breakthrough in technology and for expanding scientific knowledge concerning population dynamics.

The creation of the Center for Population Research in 1968 was an important beginning in the Government's work in this field; however, it is increasingly apparent that the demands of the field have outgrown the institutional framework to the point that the structure has become ineffective and inefficient.

My major proposals for improving and strengthening these programs are the creation of a new and separate Population Sciences Research Institute and the establishment of a new agency within HEW that would combine both population sciences research and family planning services. Both of these national programs would be under the direct administrative supervision of an Assistant Secretary for Population Affairs, who would also be responsible for all family planning services and population research programs of the Department of Health, Education, and Welfare.

While I believe that administrative reorganization is not a panacea, it is clear that some measures must be instituted to insure adequate growth and development of these programs if we are to meet our national health goals. We are now well on our way toward meeting the goal of provision of services to all women in need. It is imperative that this demonstrably successful and cost-effective program be continued.

The funding authorizations contained in this bill are based primarily on HEW's 5-year plan for carrying out the mandate of the law. I have found the estimates contained in the HEW plan to be both realistic and responsible. I believe that all of my colleagues on both sides of the aisle are deeply concerned about fiscal controls and the enormity of Government expenditures. Yet, I wish to call the attention of this body to the fact that the total cost of delivering comprehensive family planning services to those in need is approximately $60 to $66 per patient per year. This cost includes basic gynecological examinations, pap tests, VD screening, and other related preventive health care.

It is evident that such a program produces enormous cost savings for individuals and for Government, due to births averted as a result of provision of services. And because such programs must continue to be both comprehensive and voluntary, I believe it to be essential that the development, financing, and monitoring of these programs come from the Federal Government in order to insure preservation of present national standards for quality of care.

The Congress must continue to support and encourage Federal leadership in this vital field while encouraging private organizations and industry to continue and further their work in a strengthened partnership effort with the Federal Government.

The legislation I introduce today represents a pledge to the people of the United States to continue together our joint congressional effort on their behalf to see that they have the opportunity to freely determine their own family size. We must promise to carry the campaign for services and research until we believe that job is done.

PRISONERS OF WAR

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. CARTER. Mr. Speaker, it is my pleasure to share with my colleagues an article by Ms. Lucy Albright, which appeared in the "Lucy's Letter" column of the Glasgow, Ky., Republican for February 22, 1973.

Upon the recent release of our prisoners of war, surely every American experienced a great sense of relief and a feeling of overwhelming joy for those families, who, after being torn asunder by tragic events of the past, were reunited to function normally again.

I believe that Ms. Albright has captured the inner thoughts of each American who watched as those first returning prisoners set foot upon native soil. Rarely does one find so eloquent an expression of such intense emotion.

The Lucy's letter follows:

LUCY'S LETTER

(By Lucy Albright)

Real life drama holds one with an intensity of emotions that no drama of the theater can even begin to touch. And as television brought us the return of Prisoners of War back to their homeland, and into the tearful, joyful warm embrace of their families, we were deeply stirred and I cried with joy for them, as I am confident teeming thousands of others did. Though we cannot begin to realize the emotions involved among those connected with the homecomings, still it seemed our inward feelings were all tied up with love, compassion, home, family, thankfulness, country, hallelujahs and above all, God.

The month of February, the shortest of the twelve, now adds its greatest event into its annals of historical prominence, for it was in February '73 after many long months and years, even to more than seven when these American soldiers had been held in captivity as Prisoners of War, were at long last being brought home. And will Valentines Day, ever have a greater significance for which to be remembered than the day when the first POWs touched the good earth of their homeland again, and when the hearts of the people overturned with jubilation? A Red-Letter Day in the history of this country. Who said American hearts had grown cold and selfish? This proved to be a fallacy, in

consideration of the all-out manifestations of good will and offers of help from all over to give these returning courageous native sons a wonderful homecoming.

During the years of captivity, there may have been those who endeavored to give the impression to the public that American soldiers in Indo-China had turned against America and its way of life. But as we watched these fine looking soldiers step from the planes, and as spokesmen gave greetings to the American people, this supposition faded into thin air, as words of thankfulness and praise to God and their country was uppermost in their words. And patriotism was at its finest as they said they were glad they could serve their country. Their attitudes, their courage, their faith, which as some remarked was kept alive by their thoughts on Jesus reflect an enduring integrity which was found in the early settlers and pioneer fathers of this great country and should be as a shining example to others.

After the traumatic experiences of all the soldiers who were in combat, and the added experiences of some, who were POWs, they may never be exactly the same, and probably America will never be the same. And in spite of the pain and anguish of war, many may have greater appreciation and deeper regard for our country which was born in travail and endured through sacrifice. And if any on the homefront have stooped so low as to berate and bemean America and its way of life, surely they will be catapulted from out of this attitude of disdain by the words of Col. Risner, who was a prisoner of war, who said, "I want to tell you something folks. To us, this is truly the land of milk and honey, the land of the free, and the home of the brave." It seems the Lord put a flaming torch of Hope in each of us, which helps to dispel fear, and gives us courage, and patience and faith and endurance in times of great stress, which helps to sustain us, and for which we may praise His great name.

DECALOGUE SOCIETY AWARD OF MERIT CONFERRED ON CONGRESSMAN SIDNEY YATES

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues an address delivered by Hon. Carl B. Sussman, U.S. magistrate of the U.S. District Court of the Northern District of Illinois, when he conferred the annual award of merit of the Decalogue Society of Lawyers on my distinguished colleague from Illinois, the Honorable SIDNEY R. YATES.

Congressman YATES, who is a member of the House Appropriations Committee, has been one of the strong leaders in the Congress, having successfully led the fight on many occasions for reestablishment of priorities in our budgetmaking process.

The 38th annual merit award dinner was held at the Palmer House on March 10, and Judge Sussman made the presentation not only in his capacity as a magistrate of the U.S. district court, but also as a past president of the Decalogue Society.

The program for the award dinner and the remarks of Judge Sussman, follow:

AWARD DINNER

The Decalogue Society of Lawyers presents its annual Merit Award to Honorable Sidney R. Yates, Member of Congress, the Palmer House, Saturday, March tenth, nineteen hundred seventy-three.

Thirty-eighth Annual Award Dinner of the Decalogue Society of Lawyers, program: Oscar A. Jordan, Presiding, and Stephen P. Patt, General Chairman.

Posting of Colors, U.S. Marine Air Corps Color Guard.

National Anthem, led by Theodore P. Fields.

Invocation, Rabbi William B. Gold, and Congregation Beth Sholom of Rogers Park.

DINNER

Introductions, Stephen P. Patt.

Welcome, Oscar A. Jordan, President, the Decalogue Society of Lawyers.

Presentation of Award of Merit, Judge Carl B. Sussman, United States Magistrate, United States District Court.

Response, Honorable Sidney R. Yates.

Benediction.

ADDRESS DELIVERED BY CARL B. SUSSMAN

Congressman Yates, Distinguished Guests, Mr. Chairman, Reverend Clergy, Friends of the Decalogue Society: The growth of this Society throughout its more than 38 years of service to the community and to the Bench and Bar in particular, should be attributed to many factors. Among these are our unceasing efforts for the perseverance of the dignity of the lofty traditions of the legal profession, responsiveness to the needs of minorities and active participation in pressing communal problems.

Our steadily increasing numerical strength and the widespread recognition of the Decalogue Society as an important member in the family of American Bar Associations, attest to the soundness of principles that have guided and inspired us.

The stature that our society has attained, the prestige which it enjoys, has been made possible throughout our history by the stand that we take on important issues facing the community, and is again expressed in the choice that we make in the man or woman that we select for our award.

Each year, our Society, the third largest bar association in the State of Illinois, and the fourteenth in the Nation, recognize and applaud such outstanding contribution by an individual to the American or World community by conferring upon that person our Annual Award of Merit. By this action we again this year, as in former years, rededicate ourselves to a reiteration of our principles and our credo, by paying tribute to the achievements of a beloved and a great American, for tonight we honor not only a man but a symbol.

Our formula for selecting the recipient for this award is self evident. To qualify, one must have made a significant contribution to American life and to humanity. He must be creative and affirmative in his dedication to the democratic process. He must have vision and courage and a strong sense of responsibility to society. He must be loyal to his own people in order to be a better American. He must be imbued with the ideal of the brotherhood of man and must use his talents and his energy in the service of all mankind. Above all, his life must be such as to inspire others to emulation.

Such men and women are not easy to find. But this year's choice was inevitable by any standard.

The son of Immigrant parents, Sidney R. Yates was born in Chicago and was educated in Chicago public schools.

He gave early evidence of his character by working at odd jobs to further his education. At the same time, he learned his Judaism and its Heritage, and the true meaning of democracy and social justice, from his parents and family. After graduation from Lakeview High School, he enrolled at the University of Chicago, played on the basketball team, and in 1931, was selected for the All Big Ten basketball honors. Here again he displayed the attributes of good sportsmanship and fair play toward both his team players and opponents, and received his law degree from the University of Chicago Law School.

Recognizing that mankind shares the shame for the unprecedented decade that saw incinerators reduce six million human beings to dust and ashes, and fearing the consequences for America of Nazi barbarism and evil people, Yates determined to serve his country in World War II, served in the Navy and was released from active duty with the rank of Lieutenant.

Imbued with his ambitious aim and philosophy to do much more with his life's work than most people, and recognizing his ability and talent, his party selected him for high public office, and in 1948, he was elected to Congress from the Ninth Congressional District of Illinois and was reelected ten times thereafter.

His fight for social justice and equality are indelibly written for all time in the permanent records of the House of Representatives. He has fought hard for solutions to our social ills, and was a champion of civil rights long before these words became fashionable.

Because of his respect for justice, he took on the fight single-handedly against great odds and vested interests, to restore Admiral Hyman Rickover to his rightful place in the United States Navy. He succeeded in this task to right this wrong and America applauded Yates for his courage and tenacity. Again in more recent years he has been heedless of personal consequences—witness the fact that he led the successful fight in the House against the S.S.T.

In 1963, the President of the United States recognized in Yates other great qualities—his ability to work in the diplomatic field—to help the world in its search for peace. He was appointed by President Kennedy as United States Representative to the Trusteeship Council of the United States Mission to the United Nations. There, his work won high praise from his countrymen, and in particular from his two dear friends and colleagues, Governor Adlai Stevenson, then the Ambassador to the United Nations and the former Senior Senator from Illinois, Senator Paul Douglas. Yes, tonight, Yates joins the roll of honor—a select group of men and women of world reknown, former recipients of the Decalogue Award—Great Americans who have toiled with Yates to make America an even better country—Governor Adlai Stevenson, Senator Paul Douglas, Prof. Albert Einstein, Dr. Percy L. Julian, Col. Jacob M. Arvey, Eleanor Roosevelt, Bishop Bernard Sheil, Rabbi Stephen Wise, President Harry Truman, and with us tonight Judge Abraham Lincoln Marovitz and Barnet Hodes. They and all other former recipients—catalogued and recorded in our program at your places—have appeared on this platform in prior years to receive our thanks and appreciation, for all of them with Yates have a common bond—for all of them—like Yates, exemplify the truth that character—is the prime essential of greatness.

As an active participant in many of the social programs enacted under Presidents Kennedy and Johnson, Yates has made it a special goal to aid the elderly (our senior citizens), and to hear the cries of the weak and the wronged and he has used his legislative talent to lift crushing burdens from the brows of those who cannot plead for themselves. For in the Congress, he is the people's advocate, and his contributions have been positive and numerous; there—he has waged war against the common enemy—hunger, disease and apathy. There he has helped relieve human suffering by devoting his energies for equal opportunity in employment, housing and education. There he has encouraged the immigrant and the oppressed from other lands to migrate to America, the land of the free, and make a new beginning. And, in recent months, he has used his in-

fluence to help Soviet Jewry in its quest for freedom so that they too may begin a new life in the land of Israel—and since his election in 1948, inspired by the bold and courageous leadership of President Harry Truman, Yates has labored mightily for the welfare and security of this small but great democracy in the middle east—the State of Israel.

A member of the Appropriations Committee for 22 years, he also serves on the Transportation and Interior subcommittees. In this capacity, Yates continues to exercise his special skills, talents and learnings to defend the weak and to enlighten the confused. He has played a major role in protecting and improving our environment and ecology.

He is the true liberal with his goals and sights high, but with his feet on the ground. He has vision and courage in abundance. He is modest and humble.

His every action in the Congress is positive proof that he is conscious of the universal truth—that the struggle for human liberty is ceaseless and exacting and that only in a just world will all peoples find justice for themselves.

So this day, as in former years, we bestow our coveted award upon a citizen for distinguished service to humanity, believing that our award serves as an inspiration for the common good. He is eminently qualified for our award. He has grown to full stature, but his growth continues. His work for humanity over the years stands out like a beautiful tree, that bends with the wind and time but does not snap. He is a man of compassion and concern. He is a man of peace and reconciliation. By honoring him, we honor ourselves. We are all grateful beneficiaries of his achievements, and we are his respectful admirers. He is dedicated to the pursuit of justice. We owe him much and we applaud him. I am indeed privileged to be the instrumentality through whom this award is conferred.

Sid, on behalf of the Decalogue Society of Lawyers, of which you, yourself are a distinguished member, I am proud to present to you the 1972 Annual Award of Merit.

AWARD AND PRESENTATION PRESENTED BY CARL B. SUSSMAN ON BEHALF OF THE DECALOGUE SOCIETY OF LAWYERS

Award of Merit for the year 1972 presented to the Honorable Sidney R. Yates, Member House of Representatives, United States Congress:

For his forthright, imaginative and dynamic leadership and courage within the government of the United States in the unceasing struggle for progress and betterment for all people;

For his staunch support of the security and well being of the State of Israel as a free and democratic nation;

For his devoted efforts to fair treatment and equal opportunity in education, housing and employment to all segments of our society;

For his roll in preserving, protecting and improving the ecology and environment in which we live.

Chicago, Illinois, March 19, 1973.

Take this, Congressman, with our deep gratitude and carry on the good fight.

DRUG LEGISLATION

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. KEATING. Mr. Speaker, I would like to associate myself with the legislation introduced today by the gentleman from Florida (Mr. FREY) who, at the request of the President, is presenting to the House the Heroin Trafficking Act of 1973.

As a cosponsor of this legislation, I firmly believe that tough, mandatory penalties for those who engage in the trafficking of hard drugs is a necessary component of any effective program aimed at curbing widespread drug abuse.

We have learned over the past few years that individuals who sell hard drugs have now moved into suburban neighborhoods, high schools and grade schools, and virtually any location where a potential "market" exists.

In my judgment, persons who make it a profession to sell these drugs are among society's most hardened criminals, and a strong, comprehensive policy to deal with them by appropriate legal means must represent a positive step forward in the effort to protect society from those who cannot obey the law.

The legislation being introduced today goes further than mandating the imposition of tough penalties. The legislation being placed before Congress today would also place new restrictions of the conditions which could permit a drug pusher to be freed on pretrial release. The need for speedy trials is acute in this area.

This action is being taken in response to information which shows that in a large number of cases, persons charged with narcotics violations are being set free before trial only to continue their criminal actions until once again apprehended by law enforcement officers.

Mr. Speaker, the Heroin Trafficking Act of 1973 represents a vital step in the development of a comprehensive national policy aimed at strengthening the laws to deal with those who sell hard drugs.

Its enactment by the Congress would signal our own commitment to correct the problem of drug abuse, and to correct the problem by assuring that heroin trafficking carries criminal penalties which are commensurate with the gravity of that crime.

I urge the House to give its early consideration to this bill, in order to bring the full force of the law upon those who violate the law with their cruel and inhumane actions.

CUBAN REFUGEES DENIED U.S. ASYLUM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. RARICK. Mr. Speaker, another cherished American freedom, the right of political asylum, may be destined to be discarded on the same trash heap as so many other rights and freedoms we Americans once cherished. Oppressed people throughout the world have for generations looked toward this country for sanctuary when tyranny threatened them in their native lands. Political refugees who seek to find in America their last hope for liberty have been sold out by the Department of State.

The most recent incident involves two Cuban fishermen who seized control of their fishing vessel March 8 in an effort to flee the Communist stranglehold on their country. Their taste of freedom was short lived, however, when the Immigration and Naturalization Service ordered them deported last week. The INS cited the "spirit" of the recent antihijacking agreement between the United States and Cuba. Apparently, three two young men are to be sacrificed as a "show of good faith" to Castro.

More than half a million of their anti-Communist countrymen have sought refuge in the United States since Castro came to power in 1959. Small boats and makeshift contrivances have been used by more than 14,000 Cubans to make the 90-mile voyage from the dictatorship. Not one Cuban political refugee has been refused entry into the United States or deported until now.

This dangerous trend toward closing the door to Cuban asylum actually began last year when a similar case involving the commandeering of another craft by three Cubans seeking escape from their island prison came to light. These men were ordered back to Cuba because of a legal technicality—they lacked the proper immigrant visa. When a person is fleeing for his life, he can hardly be expected to take time to make the necessary bureaucratic documentation.

No intelligent person would condone terrorists hijackings of aircraft or boats for political blackmail or other extortion. And it was hoped that the antihijacking agreement with Cuba would be a step toward preventing them. This agreement is clear in its protection of asylum rights for political refugees. It should be noted that this document is not a treaty, ratified in accordance with the constitution. Article IV of the February 15 accord states:

> The party into whose territory the perpetrators of the acts described in Article I (hijacking of air or maritime craft) arrive may take into consideration any attenuating or mitigating circumstances in cases where in the persons responsible for said acts find themselves persecuted for purely political reasons, or in actual or imminent danger of death and without any other viable means of abandoning their country, so long as no economic extortion or physical injury to the crews, passengers or other persons is involved in the abduction.

Fear that the agreement would endanger the haven Cuban refugees now find in the United States was expressed soon after the announcement of the signing by Dr. Manolo Reyes, well-known Cuban exile. Dr. Reyes' reservations were well founded. In the February 20, 1973 edition of Diario Las Amercas he writes:

> It is important that its (the anti-hijacking agreement) points be clarified, because the treaty is vague, ambiguous and contradictory, and represents a danger to Cuban refugees fleeing by boat across the Florida Straits. Furthermore, as we are dealing with a Cuban affair which Cuban exiles must consider odious, we must request Congressmen and Senators that respect Cuban interests to look into this matter.

The actions of the State Department are clear. In the name of normalizing relations with the Cuban Communist dictatorship and in abiding by the so-called spirit of the antihijacking agreement, the State Department is closing

the doors of political asylum to Cuban anti-Communists. And in doing so, our Government has signed the death notices for thousands of remaining Cubans unable to escape.

I insert the following related newsclippings.

[From the Houston Tribune, Feb. 8, 1973]

CUBANS FACE DEPORTATION

(By Jay Mallin)

MIAMI.—Three unlikely Cubans—a fisherman, an electrician and a math teacher—are the center of a controversy directly bearing on relations between the United States and Communist Cuba.

Since Premier Fidel Castro came to power in 1959, more than half a million anti-Communist Cubans have sought refuge in the United States. More than 14,000 have braved the Straits of Florida in small boats and on makeshift contrivances in order to flee the Castro dictatorship.

Not one Cuban had been refused entry into the United States. Not one had been ordered deported back to Cuba. But here in Miami an Immigration Department hearing was held in December for the fisherman, electrician and math teacher and the three were ordered "excluded and deported from the United States to Cuba."

Why was this action taken? Ostensibly, on a legal technicality. But one should keep in mind that the United States and Cuba, through the good offices of the Swiss Embassy in Havana, were in the process of negotiating a hijacking treaty. The United States wants Cuba to return hijackers who force planes to fly to that country. Castro, in turn, wants the United States to return refugees who commandeer planes or boats in order to escape Cuba.

The United States, in the past, has always refused to return Cubans whom it feels are political refugees entitled to a safe haven in the states.

Alan Becker, attorney for the three Cubans, states: "Never has this country refused asylum to those asking for it, particularly when they are faced with physical persecution if sent back. I hope and trust this will not be the first time."

And Becker adds, "I don't think the United States should succumb to Castro's morality."

The fisherman in the group, Isidoro Alfaro Alvarez, had hidden two friends under floorboards of the fishing boat on which he worked. Also on board were the father and son who owned the vessel, but they did not know there were two stowaways.

Once the vessel was at sea, the stowaways emerged from hiding and with Alfaro seized control of the boat. One of them was armed with a knife and a pistol that couldn't fire.

They sailed to Key West, where they were picked up by the Coast Guard. The father and son were released and permitted to sail their boat back to Cuba.

The other three men, however, instead of receiving the routine processing usually given to Cuban refugees, found themselves in jail in the town of Miami Springs. The United States had decided to make theirs a special case. The hearing was held—they had to stay in jail almost a fortnight—and they were ordered deported.

The reason for the deportation order was a flimsy one: the three were "not in possession of a valid, unexpired immigrant visa, reentry permit, border crossing identification card or other valid entry document." The special inquiry officer did not mention the fact that probably thousands of other Cubans have come to this country without any proper documentation.

Nor did the Immigration Department care to consider the men's assertion that if they are returned to Cuba they will face jail and possibly death. Said the inquiry officer, "There is no authority in exclusion provisions of the statute for consideration of a claim that an excluded alien will be subject to persecution if returned to the country from where he came."

The three men are now free on bond. Their case has been appealed to Washington. Will the United States persist in punishing three men for trying to flee tyranny?

Lawyer Becker says: "Hopefully the government will find its conscience. The government put itself on the spot. There was no treaty and there was no need to sacrifice these men to get one."

[From the Washington Star, Mar. 20, 1973]

U.S. CITES HIJACK PACT IN BARRING TWO

(By Bernard Gwertzman)

Citing the "spirit" of the recent Cuban-American antihijacking agreement, the United States has refused to grant safe haven to two Cuban fishermen who had briefly seized control at sea of their nine-man Cuban fishing boat.

The two defectors were expected to repeat their request for asylum today, however.

The fishermen, while being transported back to Cuba, jumped overboard Sunday night off Key West, Fla., and were reported by Cuban exile groups to be hiding in Florida.

A State Department spokesman said yesteday that although last month's agreement with Cuba on combating hijacking did not seem to fit this case exactly, the United States decided that the actions of the fishermen violated the "spirit" of the agreement and made it impossible for them to be granted asylum here.

As related by State Department officials, the two men, Orlidio Hernandez Perez and Heriberto Caridad Perez Martinez, both in their 20's, took control of the boat, the Gayo Largo, on March 8, and at pistolpoint locked the captain and the other crew members in the hold.

They tried to sail the boat to Mexico, but lost their bearings and released the crew. Then the boat ran out of gas and the Coast Guard pulled it into Key West.

There the two crewmen asked immigration authorities to be allowed to stay, but were refused. When the boat sailed for Cuba they jumped ship rather than face Cuban penalties for hijacking.

Yesterday the anti-Castro exile group Executive Committee for Liberation, headed by Tomas Cruz, said the group has picked up the two defectors and was hiding them until it was given assurances that they would not be returned to Cuba. (Cruz told newsmen last night that the two would voluntarily surrender to U.S. immigration authorities today and seek asylum, UPI reported.)

Under the antihijacking agreement signed in Washington and in Havana on Feb. 15, the two countries are obliged either to extradite or to seek "severe punishment" in their own courts of any hijackers who commit "acts of violence" on planes or boats from one country to the other.

The agreement allows either country to consider mitigating circumstances in cases where persons charged with political crimes are "in real and imminent danger of death without a viable alternative for leaving the country."

THE NAVY-GRUMMAN AIRCRAFT CO. CONTRACT

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ASPIN. Mr. Speaker, the Grumman Aircraft Co., already in deep trouble with the Navy over the F–14 jet fighter program, has also encountered at least $52 million and possibly much higher contract cost increases as part of its Hawkeye warning aircraft program. A comparison of the original contract price and current estimates appears to indicate a $161 million increase, but the Navy claims that it is not a real increase. These cost increases are related to the research and development of the plane and the purchase of the first 11 aircraft. Apparently, Grumman's bad performance on the F–14 is being repeated on the Hawkeye program.

The Navy's most recent report made available to Congress concerning the E–2C indicates that the cost of the development contract and the first procurement contract for 11 planes has increased a total of $161 million. While, apparently, the Navy does not dispute the $52 million increase in development costs, they claim that at least part of the $109 million in the procurement contract is the result of the addition of items of support and is not really a cost increase. As a result, I have asked the General Accounting Office to conduct a special investigation of the entire E–2C program to determine the exact cost of this contract.

At least $28.8 million of cost increases on the program have been the result of the Navy's decision to pay a larger part of Grumman's overhead as a result of the company's reduced business base. I am also asking the General Accounting Office to investigate whether Grumman was legitimately entitled to increased overhead payments.

Frankly, Mr. Speaker, I am suspicious that the Navy has given Grumman an unwarranted helping hand on a troublesome contract and concerned that this so-called increased overhead may be related to problems on the F–14. Specifically, I am asking the GAO to determine whether these increased overhead payments might really be used to help pay for the troubled F–14.

It is also important to remember that the Navy's estimate of the cost of this program has more than doubled since 1967 from $426 million to $873.8 million. According to the book entitled "Program Acquisition Costs by Weapons Systems," prepared by the Comptroller of the Defense Department, 19 Hawkeye planes were approved in fiscal years 1972 and 1973 and the Pentagon is requesting an additional nine planes in this year's budget. It is not clear whether additional planes will be requested or not.

According to the GAO the causes of this spectacular cost overrun have been Navy revisions of cost estimates, engineering changes, schedule delays, the Navy's assuming a larger share of the contractor's overhead, and inflation.

In addition, the Navy in its test of the new plane has also encountered 29 major technical deficiencies in the aircraft, but Grumman is reportedly working to correct all deficiencies.

These cost overruns are the first indication that Grumman's problems are not limited to the F–14 but rather that the company is having difficulty in its aircraft procurement programs. The GAO should completely review this program to make sure that all payments to Grum-

man have been in accordance with the contract and that the company is not using any extra money to pay for problems on the F-14.

A CRAM COURSE IN AMERICAN GOVERNMENT

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. CLANCY. Mr. Speaker, it is my distinct pleasure to announce the presence in Washington this week of 58 fine high school seniors from Cincinnati.

They are here, participating in the second annual congressional scholarship program sponsored by Congressman WILLIAM J. KEATING and myself through the cooperation of the Greater Cincinnati Chamber of Commerce. While they will spend a few hours looking at the many historical attractions of this Nation's Capital, they will be mainly occupied in listening to and talking with Government officials and persons vitally concerned with American Government.

Many of my colleagues and leaders in this House have taken a few minutes of their valuable time to meet these young people and I thank them for that because it is important that these future citizens learn face-to-face about the mechanics and personalities of their Federal Government. Additionally, these seniors have met with members of committee staffs, the executive and judicial branches of Government, and the special interests, or lobbyists, so that they might gain a more comprehensive education about Government operations.

These youths were not selected solely because of scholarship or popularity. Each high school selected a senior according to his or her scholarship, leadership, activities, citizenship, but most of all, because of his or her interest in government.

We feel that they are above average high school students who have the potential for being leading citizens in the future. They, their schools and their sponsors from the Second Congressional District are:

LIST OF SCHOOLS, STUDENTS, AND SPONSORS

Aiken High School—Becky Jones, Greg Rooks, Whiteway Manufacturing; Colerain High—Marla Jelen, Student Council; Elder High—Edward Huber, Gary Jeffcott, Elder Welfare Association and Amity Advertising; Finneytown High—Ellen Roberts, Parent Teachers Association; Greenhills High—Larry Evans, Keystone Savings and Loan Association.

William Henry Harrison High—Vince Dougoud, School and Clubs; Hughes High—Terrie Anna Smith, Anthony Bowden, Kroger Company and Cincinnati Retail Merchants Association; LaSalle High—Thomas Osterday, LaSalle High School; McAuley High—Jacki Russell, McAuley Mother and Dad Club; Mother of Mercy Academy—Karyn Schlueter, High School Parents Association.

Mount Notre Dame—Mary Breen Wood, School and Parent Teachers Association; Mount Healthy High—Holly Higgins, Daniel J. Schenke, Parent Teachers Association and American Legion; North College Hill High—Mark Discepoli, Junior-Senior Parent Teachers Association, North College Hill Women's Republican Club, North College Hill Republican Club and North College Hill Democrat Club; Oak Hills High—Gregory Reece, Jacqueline Eagan, Oak Hills Kiwanis and Parent Teachers Association.

Seton High—Jennifer Riegler, Mom and Dad Club; Taft Senior High—Jacki Billings, Greater Cincinnati Jaycees; Taylor High—Philip J. Siegel, Three Rivers Jaycees; Western Hills High—Elaine Perkins, Theresa Rusyn, Westwood Cheviot Kiwanis and Price Hill Kiwanis, and Wyoming High—Marcy Toney, Parent Teachers Association.

The chaperones are Jim Jurgens, Bob Wagner, Steve Baker, Joe and Sue Suhre, Major McNeil and John Morley.

ALLEN M. TROUT

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. CARTER. Mr. Speaker, the late Allen M. Trout was known as the knife-swapping, yarn-spinning, gourd-growing writer in residence at the Louisville, Ky., Courier-Journal for many years. Through his daily column "Greetings," he dispensed tales of life along the backroads of Kentucky which often served as lessons in human behavior.

At this time, I have the pleasure of sharing with my colleagues an article by that esteemed author, the late Mr. Trout, as it appeared in the "Taylor's Tales" column of the Glasgow, Ky., Republican for February 22, 1973.

The story of Miss Grace Butte's goose is one of many produced during Mr. Trout's tenure at the Courier. Its plot is simple, yet its lesson remains valuable to us all in our ceaseless effort to accommodate change.

The article follows:

TAYLOR TALES

(By Stanton Taylor)

Written for Wednesday morning, January 1, 1964: "The silver anniversary of greetings is at hand today. But I shall not invoke the privilege of the occasion and claim silver. Instead, I shall bide my time to March 12, 1971, when upon the propitious publication of my 10,000th column, this remarkable newspaper has promised me a gold cadillac. Oh, I have the silver at hand. But, human like, I prefer to reach for the gold in the bush.

"Yes, it was 25 years ago this day—January 1, 1939—when I started this fearful forum in an unguarded moment of unwarranted optimism. Few, indeed, are newspapermen who can look back across 8,000 daily columns and nearly 4,000,000 words in a continuous stream of what is euphemistically called consciousness.

But I can, and it numbs me. Things have run together in my mind. What I think is 10 years ago turns out to be 15. I will think of something as yesterday and it is yesteryear. The only two things I know for sure are that I am 25 years older, but I am not 25 years smarter. I seem to have dropped more than I picked up. When baffling things enter my mind and come out on paper the essence of simplicity, it is only because I have lost the power to take the problem through all the correct but complicated processes of solution.

"A remarkable goose at Science Hill in Pulaski county was hatched out in the spring of 1939. This goose, owned by Miss Grace Butte, is as old as this column. Mrs. Sarah Jasper, Science Hill, knowing my peculiar interest in the aged fowl, kindly keeps me abreast of the bird's slow waddle toward the sunset. In her last report Mrs. Jasper wrote:

" 'Back in October Miss Grace had a big light installed in her back yard, making night as bright as day. For the first few nights the old goose walked the yard, fretting and talking to herself. But she finally had to accept new things as new. So she gave up and started going to bed at night as usual.'

Just so with your valiant columnist, I was born in the horse and buggy era, and learned to read by a coal-oil lamp. In 1939, I could look back across more progress than had occured in a thousand years. But from 1939 to 1964 have occurred the miracles of electronic computation, television, human exploration of outer space, the atomic and hydrogen bombs, travel faster than sound, and telstar."

"Since 1939 have occurred World War II, the Korean Conflict, the ascendancy of colored races, the cohesion of Russia and the United States in enlightened self-interest, and the assassination of a president of this republic in his own country at high noon in a crowded city.

"It is simply too much for an ordinary man to assimilate. Like my ancient feathered contemporary in Pulaski county, I have learned to accept new things as new and then go on to bed and sleep."

REMARKS OF DR. LOWELL BENNION ON PROBLEMS WITH THE PRESIDENT'S PROPOSED BUDGET

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. OWENS. Mr. Speaker, since becoming a Member of this body 10 weeks ago, I have undertaken the practice of holding regular town meetings in my district to which I have invited local community members to express their feelings and to pose questions to me as their Congressman.

Over the last 2 months these meetings have dealt largely with the implications of the President's fund impoundments and his budget projections for 1974.

In addition, I have received many letters—mounting into the hundreds—protesting the abrupt, insensitive manner in which programs which Congress has passed to redress economic and social wrongs and inequities, have been summarily killed by presidential directive.

A letter which I received from Dr. Lowell L. Bennion, executive director of the community services council, Salt Lake area, shows particular understanding of the situation confronting us. The questions he asks are very basic and must be answered before Congress endorses the President's proposals.

Dr. Bennion has a distinguished background in both religious and secular education and is one of the most respected social service leaders in the State of Utah. I am inserting Dr. Bennion's letter in the RECORD to make it available for all Members to read:

COMMUNITY SERVICES COUNCIL,
SALT LAKE AREA,

Salt Lake City, Utah, February 20, 1973.

Hon. WAYNE OWENS,
Cannon House Office Building,
Washington, D.C.

DEAR WAYNE: Congratulations on your meeting at the City Chambers. You were candid, sincere, good-humored, well orga-

nized, respectful, even patient. I was pleased to be there and to sense the accumulated effect as well as hear individual pleas.

May I just add my own input very briefly—points I would have made had the audience remained.

(1) What is the alternative to the programs the President has cut, e.g. housing, head-start, unemployment, manpower training, mental health? (We have held the naive assumption in this country that if we leave the economic system alone, all other problems will be solved. "Hold down inflation and all else will be ok." The truth is that our economic system has created or contributed largely to social problems such as unemployment and urban slums.) I am for free enterprise, having lived in Europe, but the 20 per cent who cannot compete successfully in our system, need alternatives to give them dignity and a meaningful role.

(2) Revenue sharing has limitations:

(a) It is not nearly enough to compensate for cutbacks in *human* areas.

(b) A transition period is needed.

(c) Local politicians, like the President, can and will channel this money into tax reduction, police force and are not likely to remove the causes of crime, poverty, mental illness.

(3) If we don't become generous in trying to prevent social ills, we shall never get the upper hand. The more we cut back on social programming, the more we are prone to deal only with symptoms.

(4) In America, we glorify material values on T.V., in movies, in advertising—and unconsciously children, youth, and adults are inculcated with materialistic goals and values. At the same time, the uneducated, impoverished, lower socio-economic class is denied the *means* of reaching these goals. No wonder they turn to drugs and crime and sex to compensate.

In my new job in the Community Services Council, I shall be looking at social problems with some intensity and specificity. If we get any insights into the local situation, I'll pass them on for what they may be worth.

Be assured of my interest and support of your efforts. Let me know, where we can assist.

Sincerely,

LOWELL L. BENNION,
Executive Director.

A GREAT DAY, WITH TEARS

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ROSTENKOWSKI. Mr. Speaker, this month, the city of Chicago lost one of its biggest boosters. It was forced to say goodby to a man who had given more of himself just to his city, than most of us are capable of giving at all. Yes, when John McNulty passed away, Chicago lost one of her greatest citizens. I lost a very dear friend.

Most of the stories of this man and his good works will probably go untold. But then, that is the way he would have liked it.

David Condon, award-winning sportswriter for the Chicago Tribune, has, in my opinion, captured the true spirit of John McNulty in a recent column. Because I feel that it accurately embodies both the warmth and the strength of the man, I would like to insert the article in the RECORD at this point for my colleagues' attention:

A GREAT DAY, WITH TEARS

(By David Condon)

LOS ANGELES, March 16.—The bad luck of the draw will have me spending St. Patrick's Day out here, where an Irishman is in uniform on March 17 if he wears a green chili on his leather motorcycle jacket. It's just as well. Tomorrow really isn't going to seem like St. Patrick's Day in the County of Cook.

No, it won't seem a real St. Patrick's Day in Chicago. Not with a trio of the regulars moved on to that great big patch of Ireland "way up there among the angels".

Smiling Irish eyes will be tinged with dew when Ed Moran and Pat O'Malley and Joe Meegan and the other laddies convene in Lattner's and Tommy O'Leary's tomorrow to warm up for the wearin' o' the green down State Street.

There will be tears aplenty between toasts to the good saint. The tears will fall as the laddies whisper their aves for Gabby Hartnett, Steve Lamb, and John McNulty, who will be marked absent this St. Pat's Day and forever more.

Maybe someday there'll be another Gabby Hartnett. Somewhere, if a rare mold is rediscovered, there could be another Steve Lamb. There isn't ever going to be another John McNulty. Not in Bridgeport, Beverly, or anywhere.

I have many pleasant memories of Gabby Hartnett and Steve Lamb. I cherish a treasure house of memories about John McNulty, head of the Board of Local Improvements. When it came to charity, John's big heart and big pocketbook always were open.

John always was the first to call and ask what could be done to help the Special Olympics for the Mentally Retarded. But no publicity, please.

Weeks before his death only a few days ago, John renewed an annual ultimatum to me: "Put me down for 50 top-priced tickets to the All-Star football game."

Then as always, John McNulty added: "You got any charitable projects that need some help?" Once John asked that when I was lunching with Gabby Hartnett, and Gabby mentioned his pet project—Father John Smyth's Maryville Orphange for lads and lassies. John's check was forthcoming, pronto.

A while back I asked John McNulty what he did with his stack of All-Star tickets. "Oh, I can use 'em in business," said John, "tho often I forget about 'em and they turn up in some suit coat about two months after the game."

John McNulty was generous. He was loyal, to his friends, neighborhood, and city. Tho John McNulty must have learned in geography class that there were other cities besides Chicago, he never really believed it.

Most of all, John McNulty was proud. We were cutting up touches in one of his downtown offices—either the Shangri-la or Fritzel's or the Celtic Bar, because John was a man about town as well as a man about the old neighborhood—and I said: "John, you must be awfully proud of all the money you've made."

"Kid," said John McNulty, "I'm more proud of the money I've turned down."

In a time that now seems too long ago, The Tribune's late golf editor, Charlie Bartlett, told me: "I just talked to John McNulty. He's with his brother, Ed, and Jimmy Hart and Marty Hogan and Joe Wosik, and none of 'em are about to let Chicago lose that golf tournament that George May is quitting at Tam O'Shanter.

"If they can clear the dates, the McNultys are going to put on the same tournament at their Gleneagles club."

So that's how it happened that for two years the fabulous Chicago Open, won both times by Ken Venturi, was played at Gleneagles, summer home of the Upside Down Club and the Hamburgs.

Promoting a major golf tournament is no easy job. Certainly not when you start from scratch a few weeks before post time. But no one ever received more help from their friends than did the Bros. McNulty, Wosik, et al.

Every policeman in Chicago must have volunteered to assist with parking and ushering. Every badge wearer along the fairways and greens seemed to be a fireman. John Carmichael, Jim Mullen, Tom Kouzmanoff, Jim Kearns, almost every writer in town churned out stories on the McNulty Gleneagles tournament.

Marty Hogan and Tom Haviland and Bill Lee kept the WCFL airways flooded with publicity. Bud Rodi, now gone, commandeered the official scorers.

I hate to feel sad on a St. Patrick's Day. But John McNulty would want me to drop a tear. Not for him, because John disliked personal emotion. But John McNulty would want us Irish to cry for the now gone Celtic Bar, Fritzel's and Shangri-la, where so many of us had so many good times. Will the Shannon Rovers play a dirge while the banshees shriek?

DANIELSON SAYS BIG CARS CAUSE MANY PROBLEMS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ANDERSON of California. Mr. Speaker, one of our colleagues from the Los Angeles area, Congressman GEORGE E. DANIELSON, appeared before the Transportation Subcommittee of the Committee on Public Works today to propose a unique addition to the 1973 Highway Act, which is now under study. As a member of that subcommittee, I felt that this proposal to study the relationship of car size to many of our current transportation, pollution, and fuel resource problems deserves to be brought to the attention of all of the Members.

Therefore, I insert Mr. DANIELSON's testimony in the RECORD at this point:

STATEMENT OF HON. GEORGE E. DANIELSON, 29TH CONGRESSIONAL DISTRICT, CALIFORNIA, BEFORE THE TRANSPORTATION SUBCOMMITTEE, COMMITTEE ON PUBLIC WORKS, U.S. HOUSE OF REPRESENTATIVES

My purpose in testifying here today is to urge the Committee to make provision in the Federal-Aid Highway Act of 1973 for a study of the relationship of car size to many of our current transportation, pollution, and fuel resource problems. I am proposing that language be included in the Highway bill similar to that embodied in H.J. Res. 301 which I have introduced.

GERMANENESS

First, I would like to point out that this proposed study would not be out of place in the Federal-Aid Highway Act of 1973. Clearly, it relates to the purposes for which Federal Highway funds are used. Also, I note, that the Senate version of this legislation, S. 502, makes provision for several studies, including a "Highway Litter Study," a "Study of Toll Bridge Authority," and a number of other studies under the heading of "Feasibility Studies."

The study I propose would describe and define the relationship between automobile size, on the one hand and, on the other, the need for additional highway construction, the frequency of highway repairs, the lack

of adequate parking in urban areas, motor fuel consumption, which is directly related to our critical fuel shortage, and, of course, the pollution of the air. The need for such a study is urgent, and I do not use the term "urgent" lightly.

There is a significant and growing body of evidence that our big American cars, because of their size, weight and power, consume more of our irreplaceable petroleum and mineral resources than is necessary, take up more space than is necessary, and are more likely to get into an accident than a smaller car, and even cause more pollution than is necessary. We need more evidence on this subject. As we continue to allocate federally-collected revenues to highway uses we should have enough hard facts on the subject so that we can make sound judgments as to whether we are using our resources as wisely as possible, or whether we should make changes in our policies with respect to the size of motor vehicles.

THE FUEL SHORTAGE

The fuel shortage has passed the stage of being worrisome—it is critical. America's need for fuel has outstripped her available resources so far that we have been a fuel-importing nation since 1963. America is literally, "running out of gas." We no longer can afford automobiles that consume gasoline at the rate of 8 or 9 miles to the gallon, when it is reasonable and possible, and is well within the state of the art, to have automobiles which will give us 20 or 25 miles to the gallon.

For example, I have been informed that, based upon actual data as to gasoline consumption during 1969, 1970, and 1971, and the first 6 months of 1972, southern Californians will consume an estimated average of 400,000 barrels of automobile fuel per day during 1973. This does not include fuel consumed for other non-automotive purposes such as diesel engines in trucks and buses, aircraft, locomotives, the generation of electricity, industrial uses, propane or anything else. There are an estimated 11 million people in this region of California. With 42 gallons of fuel per barrel, this means that we are consuming 1½ gallons of automotive fuel every day for every man, woman and child in Southern California; that is, for EVERYONE, including infants and centenarians.

Assuming that the average automobile in that area consumes 1 gallon gasoline for every 12.5 miles traveled, which is the national average, then we can figure that all of the cars of Southern California will travel a total of 210 million miles every day, and most of this is on the freeways and city streets.

On the other hand, it is within our present engineering capability to produce and use smaller autos which can get as much as 25 miles to the gallon. With no reduction in total miles traveled, this would result, under the figures I have mentioned, in a savings of 8,4400,000 gallons, or 200,000 barrels of motor fuel per day, a most substantial savings of our irreplaceable natural resources.

The Environmental Protection Agency has stated that an increase of only 500 pounds in car weight can decrease an auto's miles-per gallon by 14 percent, and that a 5,000 pound automobile consumes 100 percent more gas than its 2,500 pound counterpart. EPA has also estimated that if the weight of automobiles were limited to a maximum of 2,500 pounds, the total projected gasoline consumption for the year 1985 would be reduced to the level which is now estimated for 1975. This in turn would reduce crude oil imports by 2.1 million barrels per day in 1985 and would reduce our projected balance-of-payments deficit by more than $2.3 billion annually at current prices.

The automobile industry has blamed the decrease in fuel economy of our cars on emission controls. The Environmental Protection Agency, in a study entitled "Fuel Economy and Emission Control" has refuted this charge in part and has shown that loss of fuel economy attributable to emission controls is only about 7 percent. The major cause of the increased fuel consumption, according to EPA, is increased weight. For example, the 1958 Chevrolet Impala weighed 4,000 pounds and got 12.1 miles to the gallon. A comparable 1973 Chevrolet Impala weighs 5,500 pounds, and gets only 8.5 miles to the gallon.

When I inquired on this subject to the Department of Transportation nearly a year ago, Secretary Volpe responded that—

"If it can be assumed that small cars have the same travel patterns as the standard American car, then the difference in air pollution becomes a function of the difference in fuel consumption. The small car consumes considerably less fuel because of its much lower weight. There is probably an added advantage in that fewer of them have automatic transmissions, power brakes, power steering and air conditioning. I am not sure to what extent this applies to the American made subcompacts."

AIR POLLUTION

This brings me to the subject of air pollution. As you well know, Southern California is the first region of the nation to be confronted with the grim prospect of transportation controls being imposed in order to bring the level of air pollution in line with Federal standards.

EPA Administrator Ruckelshaus has stated that ". . . if all available measures are taken to reduce reactive hydrocarbon emissions from individual motor vehicles are stationary sources, the ambient air quality standard for photochemical oxidants will still be exceeded in the (South Coast Air) basin approximately 90 days per year in 1977 . . . between the months of May and October . . ." and that a reduction of over 80 percent in vehicle miles travelled will be required to achieve compliance with 1977 air quality standards. Right now this is Southern California's problem, but it will not be too long before other regions of the nation are confronted with this disaster.

It has been estimated that up to 75 percent of vehicle miles travelled in southern California are work-related; obviously vehicle miles travelled cannot be reduced by 80 percent in order to achieve air quality standards. The solution is unacceptable; it would destroy the economy of Southern California; it would create a national disaster. Even a superb system of mass transportation in southern California, if there were one, or if one could be constructed before 1977, would be unlikely to reduce automobile traffic by the required 80 percent. It would help, but it would not meet the need.

Car size enters this picture. Our current emission regulations specify the maximum amount of pollutants a motor vehicle will be allowed to emit per mile; it establishes a ceiling. If Detroit succeeds in developing emission controls adequate for the 1975 standards, chances are that the cars will pollute at a rate very close to the maximum allowable. If emissions are to be further reduced below the ceiling, then engine size will probably have to be reduced.

It is more than coincidence that the engines which now meet the 1975 standards are small car engines. These are the Honda CVCC, the Mazda rotary, and the Mercedes-Benz diesel engines. Honda Motors, for one, claims that their engine can also be equipped with external pollution control devices, such as the catalytic mufflers which Detroit is working on. An engine such as this, which already meets 1975 emission control standards, would be even cleaner with the addition of a catalytic muffler.

The American automobile industry has made some amazing progress in developing catalytic mufflers. They have accomplished what many said was impossible, even though they are still far from success. But, in addition to our fuel consumption problems, it seems that engine size also bears significantly on our pollution problems. It may be that we will have to retreat from our air quality standards to a certain extent, but how much we retreat may very well depend upon the size of our automobiles.

HIGHWAY SAFETY

I also note that car size is a significant factor in highway safety, and safety concerns us all. Small cars have less accidents, as evidenced by statistics and also by the fact that insurance companies have lower rates for small cars. For example, a 1969 study of accidents on the Garden State Parkway in New Jersey showed that, while small cars comprised 35 percent of the total number of cars using the parkway, they were involved in only 24 percent of the accidents. When small cars are involved in accidents, the injuries to the occupants are usually more serious, but I suspect that this is because the odds are two-to-one that when a smaller car collides with another vehicle, it will collide with a larger vehicle, if only because there are twice as many large vehicles. A collision between two small cars would not result in as serious an injury as would a collision between a small car and a larger car. Additionally, in a collision with a fixed object, it appears that occupants of small cars fare no worse than the occupants of big cars.

URBAN PARKING

In addition to considerations of pollution, fuel consumption, foreign trade deficits, and highway safety, the size of cars is also a factor in the overcrowding of city streets, and the lack of adequate parking in our urban areas. Right now, because of the size of cars, the average parking stall is 18 feet in length, while a suitable stall for small cars is 15 feet.

Thus, designing for small cars would give us about a 15 percent increase in available parking spaces. We also know that vehicle weight is a factor in the severity of damage to road surfaces and how often our highways must be repaired or resurfaced.

CONCLUSION

I am convinced that we need a study in order to bring together all these facts and bring out a few facts we don't now have. We need to look at the problem from every possible angle, and to balance the competing interests and considerations, so that we can take the action which best serves the public interest. The language I am proposing requires that the needs of motor vehicle users be considered, as well as the problems of the automobile manufacturing industry, motor vehicle insurers, and the various supporting industries.

My proposal calls for funding the study at $2 million, which the Committee may, in its wisdom, see fit to change. I am not wedded to the details of this proposal. I am however, convinced of the need for a study such as this because we cannot make sound judgments without sound information, and nothing even close to it exists. This is a task which demands the immediate attention of the Federal government. I strongly urge you to include provision for such a study in the Federal-Aid Highway Act of 1973.

U.S. GRAIN SALES TO THE SOVIET UNION AND THE GREAT UKRAINIAN FAMINE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. RARICK. Mr. Speaker, it is ironic that the historic U.S. grain sales to the

Soviet Union fall on the 40th anniversary in Ukraine. History records that it was in 1932 and 1933 when Soviet leaders forced the Ukrainian farmers into collective farming. When the Ukrainian farmers protested, the Soviets retaliated by confiscating most of the farmers' grain and imposed a famine which took the lives of 7 million Ukrainians, mostly women, children, and the aged.

The oppressed plight of the Ukrainian people continues to this day, including the refusal of the Soviets to grant the Ukrainian people self-determination and self-government, anti-Christian religious persecution, suppression of Ukrainian free speech, free press and intellectual incarceration.

Coinciding with the U.S.-Soviet grain sales, the 40th Anniversary of the Ukrainian famine and the 50th anniversary of the Bolshevik revolution Americans of Ukrainian ancestry have presented a petition to the International Court of Justice in the matter of violations of the universal declaration of human rights of the U.N. and the persecution and imprisonment of innocent people of Ukraine.

I insert the petition of the Women's Association for the Defense of Four Freedoms for Ukraine, Inc.:

INTERNATIONAL COURT OF JUSTICE; PEACE PALACE: THE HAGUE, NETHERLANDS

In the Matter of Violations of the Universal Declaration of Human Rights of the United Nations and the Persecution and Imprisonment of Innocent People in Ukraine

Because the nation of Ukraine is imprisoned and those who purport to represent Ukraine in the United Nations, in international, external and internal affairs and who wear its badges of civil authority are enemies of the people of Ukraine and cannot possibly represent their welfare or best interests, and,

Because the people of Ukraine have no one clothed with the external symbols of authority to speak for them, and,

Because of the long standing, continuous and present intolerable violations of the United Nation's Declaration of Human Rights, including the current increased persecution and imprisonment by agents of the government of the USSR of innocent people, and,

Because of the eloquent silence of the leaders of all other nations effectively to speak in behalf of the people of Ukraine,

Now therefore, comes Uiana Celewych, supported by the signatures of 5,000 Americans of Ukrainian background, and as president of Women's Association for the Defense of Four Freedoms for Ukraine, Inc., and also in behalf of American Citizens of Ukrainian descent and petitions the above Court as follows:

1. Women's Association for the Defense of Four Freedoms for Ukraine, Inc., is a duly authorized non-profit corporation in the State of New York with more than 3,000 members in 30 branches in major cities of the United States. There are more than two million citizens of the United States of Ukrainian descent with strong ties of family and blood with the people of Ukraine.

2. Ukraine is the largest of the non-Russian nations of the USSR with a population of forty-eight million. Historically, Ukraine was a free state and played an important role in the life of Eastern Europe as early as the Ninth Century. Russia's desire for expansion and the invasion of Ukraine by the tzar's armed forces was the cause of Ukraine's downfall.

The Ukrainian people now, as in the past, are determined to be free, to guide their own destiny in their sovereign state.

In this spirit, in the year 1917, when the revolution broke out in Russia, Ukrainian leaders called a Ukrainian National Congress in March, 1917 in Kiev, the capitol of Ukraine, which elected a Ukrainian National Council (Ukrainian National Rada). The Ukrainian National Council was recognized as the Ukrainian government by a majority of the people of Ukraine (by the Congress of Ukrainian Armed Forces, by the Congress of the Ukrainian Peasant Party, and by the Congress of the Ukrainian Labor Party). On January 22, 1918, the Ukrainian National Council proclaimed Ukraine as an Independent State.

Russia immediately thereupon sent her armies into Ukraine and the Ukrainian government faced a bloody war with Russia, completely unarmed and unprepared. At this time, the Ukrainian government was recognized by approximately thirty-five foreign powers, England and France being the first to grant recognition.

On February 9, 1918, a Peace Treaty of Brest Litovsk was signed between the Ukrainian government and the Central Powers. On September 10, 1918 in Kiev, the Russian government under Lenin's leadership recognized Ukraine as a Sovereign State and signed an Armistice. Under this document, Russia agreed to withdraw her armies from Ukrainian territory and further agreed to respect the right of Ukrainian sovereignty. As in the past, Russia did not respect the Kiev agreement. The war continued. After three years of fighting and subversive activities, Russia conquered the Ukrainian Armies and occupied the territory of Ukrainian State.

Against the will of the overwhelming majority of its people Ukraine was forcibly incorporated into the USSR as the Ukrainian Soviet Socialistic Republic with a Soviet-type government and parliament. The Soviet Constitution gave Ukraine the right to withdraw from the "Federation" upon its own volition. During the past fifty years the people of Ukraine have repeatedly made heroic efforts to be free and independent of the government of the USSR. These efforts were ruthlessly crushed by the USSR despite Article XVII of Chapter II of the Constitution of the USSR which gives the right "freely to secede" to any nation of the Soviet Union.

3. During the past fifty years millions of innocent people in Ukraine, for the "offense" of not accepting the Communist way of life, have been persecuted and imprisoned by the agents of the government of the USSR Ukraine, a nation which accepted Christianity in the year 988 and with 1,000 years of a deep Christian tradition, opposed the forcible imposition of Atheism. Russia retaliated with mass arrests of Ukrainian Orthodox church hierarchy (28 archbishops and bishops) in the years 1926–1929. In the years 1945–46 the Ukrainian Catholic Church was liquidated and its hierarchy arrested (10 Archbishops and Bishops). Churches, monasteries, theological seminaries were closed and religious life suppressed.

In 1932–33, the Ukrainian farmers faced forced Collective Farming. When they protested, Russia retaliated confiscating most of the grain and imposing a famine which took the lives of seven million Ukrainians.

In 1937–38, Ukrainian intellectuals rejected the Russification of Ukraine and because of this thousands were arrested, persecuted and brutally murdered. Many were imprisoned for expressing their objections to injustice and to the ruthless destruction of human rights in Ukraine by the USSR despite the Soviet Constitution (Chapter X, Article 125) which guarantees every citizen "freedom of speech" and "of the press" and also Article 127 of the same Chapter which states, "citizens of the USSR are guaranteed inviolability of their person."

The Ukrainian Insurgent Army and Organization of Ukrainian Nationalists opposing Russian domination, fought Russia during World War II and for five years thereafter. Here again, over three million Ukrainians were committed to concentration camps, murdered or deported to Siberia.

4. Although from 1963 to the present, alarming numbers of arrests were made, new waves of arrests in Ukraine by agents of the government of the USSR have been increasing in this current year of 1972. Arrests of Ukrainian intellectuals, writers, literary critics, professors, students, scientists and representatives of every strata of society were made for "anti-soviet agitation and propaganda." In reality this "propaganda" consisted on petitions, appeals and letters submitted from concentration camps by prominent political prisoners and prominent Ukrainians at home to the Communist party and government officials of Ukraine and USSR bringing to their attention the questions of terror, Russification, and violations of constitutional and human rights. Since there is no free press in Ukraine, the above mentioned arrests and persecutions were published in the self-sponsored (samvydav) magazine, the Ukrainian Herald. The Ukrainian Herald can be compared with the Chronicle of Current Events published in Russia.

Among the victims of this new wave of arrests on January 11, 1972, who have tried to live under Soviet Law are *Vyacheslav Chornovil*, writer and author who protested to the Presidium of the Supreme Soviet of UKR, SSR against the barbarous desecration of cemeteries in Ukraine and in the City of Lviv (Western Ukraine) the demolition of military graves with a bulldozer; *Ivan Dziuba*, author *Internationalism or Russification; Ivan Switlychnyj*, literary critic; *Wasyl Stus*, poet; *Ihor Kalynec*, poet; *Irene Stasiv-Kalynec*, poetess; *Stephany Shabatura*, artist and designer; *Stephanie Hulyk*, mother of an eight month old infant and member of the association to preserve historical monuments; *Raisa Moroz*, wife of Valentyn Moroz, whose fate is unkown; *Nina A. Strokata-Karavanskyj, Mrs.*, arrested December 8, 1971 in Odessa for refusing to divorce her husband, Sviatoslav Karavanskyj, and for supporting him and refusing to condemn him; *Yuriy Shukhevych*, the son of the former commander-in-chief of the Ukrainian Insurgent Army (APA); *Roman Shukhevych-Taras Khuprynka*, for not condemning his father in 1948, he was sentenced to 20 years of imprisonment at the age of 15. He was released and arrested again on January 11, 1972 and received a sentence on September 12, 1972 to serve ten years at hard labor by the Soviet Court.

Among the practices of the agents of the USSR against innocent people in these various categories are the following:

(a) Soviet authorities are using torture and psychiatric methods of inhuman[1] treatment to people of Ukraine who have been unjustly imprisoned such as poisoning their food and using other methods so that they will not survive the period of their sentence.

(b) Secret trials[2] are conducted of such innocent persons and not even members of the family are allowed to be present and the accused may not have the attorney of his choice;

(c) Many such innocent persons are convicted of actions[3] which are specifically permitted by the provisions of the Constitution of the USSR;

(d) After the sentences of such innocent persons who have been imprisoned have

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Footnotes at end of article.

been served and completed they are not permitted to return to their homes to work. They are given no protection of the laws and they are rearrested for not working;[4]

(e) Not only are such persons prosecuted and persecuted but members of their family, and in many instances the whole family of such persecuted persons and also their relatives are prosecuted and imprisoned. When such innocent people are imprisoned, although prison rules allow one letter per month, they are actually permitted only one or two letters per year;[5]

(f) There have been many instances of completely normal persons who have been arrested by Soviet authorities and thereafter such Soviet authorities have contrived to produce a psychiatric evaluation of such normal persons as being "insane" and thereafter such normal and innocent person is incarcerated in an insane asylum and no trial of him is permitted.[6]

5. This petitioner avers that such wholesale denial by the government of the USSR of human rights of innocent people in Ukraine controverts the principles of the *Universal Declaration of Human Rights* of the United Nations, which reads in part:

"Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

"Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of the law."

6. From the facts set forth above it is clear that the present government of the so-called Ukrainian Soviet Socialist Republic does not truly represent the people of Ukraine but said government would in fact prevent them from appealing to the above Court in behalf of their fundamental human rights.

It is essential to the dignity of the human race that an oppressed nation of forty-eight million people such as Ukraine should have a voice in the above Court.

Wherefore your petitioner as president of the Women's Association for the Defense of Four Freedoms for Ukraine, Inc., and in behalf of the more than two million American citizens of Ukrainian descent prays that the above Court take jurisdiction of the matter herein set forth and take such steps and measures which will bring the above facts to the attention of world opinion and to the United Nations and do such other things and make such orders as it deems equitable and just to aid in the release of political prisoners from concentration camps, psychiatric institutions, mental wards and prisons.

ULANA CELEWYCH,
President of the Women's Association for the Defense of Four Freedoms for Ukraine, Inc.

FOOTNOTES

[1] *Revolutionary Voices* (pp. 168, 169–70) Press Bureau ABN, Munich, 1971.

[2] *The Trial of Valentyn Moroz*, idem, pp. 1–21. Idem, (pp. 148–150) Dr. Volodymyr Horbovyi. Idem, Karavansky, pp. 186–195.

[3] As Lev Lukianenko, Ivan Kandyba, Stepan Virun, Oleksander Libovych, Vasyl Lutskiv, Yosyp Borovnytskyj, Ivan Kypysh, idem pp. 151–170; *Ferment in the Ukraine*, pp. 56–93.

[4] Case of Yuriy Shukhevych, idem pp. 236–39, 250.

[5] Idem pp. 188–190.

[6] Cases of Gen. Hrehorenko and Wasyl Stus—pp. 127 *Uncensored* Russia by Peter Reddaway, American Heritage Press (1972).

PRESSURING FOOD PRICES IS A RISKY BUSINESS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ZWACH. Mr. Speaker, one of the big problems facing our food producers is the misleading information that is being spread, mainly in the metropolitan media, in regard to high food prices.

While the producer, in general, is not responsible for high food prices, he is responsible for the production of our food and the whole world would be in a terrible fix if he ever decided that farming was not a paying proposition.

Roe C. Black, editor of Top Operator, a Farm Journal publication, recently wrote a very discerning editorial on this matter which I would like to share with my colleagues by inserting it in the RECORD.

I would like to particularly point out to my colleagues, the closing paragraph of Mr. Black's editorial. It holds a warning we dare not ignore.

PRESSURING FOOD PRICES IS A RISKY BUSINESS

(By Roe C. Black)

When the city newspaper reporters find the news a little stale, they can always drop in at their nearest neighborhood supermarket and interview some "irate customer" standing in front of the meat counter howling about "skyrocketing" or "soaring" food prices. It has become so common that I think "skyrocketingfoodprices" really should be a single word.

Food prices did go up by 4.8% last year. Meat led the way, of course, yet many other foods held below the average national rate of inflation. How that percentage can be considered "skyrocketing" when "compensation to employees" in all business rose over 10% and social security recipients got a 20% raise in one jump last year boggles the mind. Even more ironic, consumers are reaping the benefits of a vicious price war among chainstores which has put about one out of four in the red as they battle for consumer business. Part of their problem is the fact that the wages they have to pay labor in retail food stores has almost doubled in the past 10 years.

Even if it is unjust to single out food prices, it is happening. And almost every day high-ranking government officials are apologizing for them and assuring consumers and businessmen that the government will do something to lower them.

"A member of the President's Council of Economic Advisors, Dr. Marina Whitman, says soaring food prices will soon be stabilized," writes a reporter in an Eastern daily.

"Several moves announced by the Administration," she said, "would eventually stem the pace of inflation in the agricultural sector." These moves includes the lowering of barriers on meat imports putting idle farmland back in production, and reducing farm subsidies. "Sooner or later this will increase the food supply and lower prices," she said.

Perhaps so, but something seems a bit illogical here. Current prices for most farm foods are certainly high enough to encourage rapid expansion of food supplies by this fall and next winter, even before the current year's larger crops come out of the field. USDA acknowledges that "a very rapid expansion of beef cattle is now underway." In fact, total red meat production in 1972 only missed by 2% its seventh straight year of record increase. Actually, it looks as if we're seeing an attempt to increase grain supplies for export in the name of lowering food prices (see page 21).

In any event, the main question is whether government officials are prepared with a contingency plan that will keep farmers and stockmen in business *if officials guessed wrong* and come up with an over-heated, over-produced agriculture? They better have.

A government that assumes the responsibility to lower food prices and keep them "reasonable" is also assuming the responsibility to keep food in ample supply. Overproduction that puts farmers and stockman out of business will in the long run hurt the government and consumers far more than a temporary period of higher prices.

We are proud that the American farmer and stockman can feed himself and 45 to 50 other people. But when you think of it, with a ratio like that, tampering and manipulating programs to depress prices he receives is risky. He can't stay in business without making a profit—with prices that are reasonable for *him*. And if he doesn't stay in business, where do government and consumers go next for food abundance and variety?

THE EXPIRATION OF THE DRAFT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, I applaud Secretary Richardson's declaration that the administration will not seek an extension of the selective service induction authority. Coupled with former Secretary Laird's earlier announcement that the armed forces would henceforth be placed on a volunteer status, this statement fulfill's President Nixon's pledge to end the draft.

I should like to pay particular tribute to Roger T. Kelley, Assistant Secretary of Defense—Manpower and Reserve Affairs. Secretary Kelley, and his able staff, performed magnificently in the difficult task of reversing policies based on 30 years of the draft, and managing the return to our historic tradition of voluntarism.

I am also pleased by Mr. Richardson's strong endorsement of the Special Pay Act, modeled after legislation which passed the House last year. Two distinguished members of the Armed Services Committee, Mr. BENNETT and Mr. BOB WILSON, my good friend from Hawaii (Mr. MATSUNAGA), and I have been joined by 120 Members of the House in introducing a similar bill during this session. The Special Pay Act is a cost effective proposal, which will lead to great savings in training costs, and preclude the need for a return to conscription during peacetime. I am confident that this body will give its overwhelming endorsement to this measure, and I am hopeful that the Senate will also act expeditiously.

I include Secretary Richardson's statement at this point in the RECORD:

MARCH 21, 1973.

Secretary of Defense Elliot L. Richardson issued the following statement today during his visit to the Air Force Academy where he

is participating in an Interservice Officers' Conference which is discussing the all-volunteer force concept:

"I am delighted to be able to announce here at the Air Force Academy, where so many fine, volunteer young men are training to serve our country, that a major new milestone has been reached in our program to fulfill President Nixon's goal of an all-volunteer armed force.

"The Department of Defense, on behalf of the Nixon Administration, has today informed the Chairmen of the Armed Services Committees of the Senate and the House of Representatives that it will *not* be necessary to extend the draft induction authority beyond its expiration date of July 1. Not only have we not had to use the draft since January 1, but our recruiting and retention progress toward an all-volunteer force now convinces us that there is no reason to ask Congress to extend the induction authority, even on a standby basis.

"The four military services have made truly remarkable progress in eliminating the draft without weakening our military forces.

"We have not solved our problem, however, and I have asked Congress to expedite passage of some additional special legislation which will help us solve some special manning problems including provision of adequate incentives to attract and retain qualified medical personnel. Basic Selective Service legislation will remain on the books, even though the specific induction authority will expire.

"I have asked the Assistant Secretary of Defense for Manpower and Reserve Affairs, Roger T. Kelley, to provide a special news briefing at the Pentagon Friday morning to describe in more detail the progress we are making toward an all-volunteer force and some of the problems remaining on which we need the continued understanding, help and support of the Congress and the American people.

"I count it as among my most compelling tasks as Secretary of Defense to make the all-volunteer force a working reality. And, that is why I am so pleased to announce today that we are confident we can make it—confident enough to tell Congress that the legal induction authority can become a thing of the past just as draft calls already have become a thing of the past."

ASBESTOS, THE SAVER OF LIVES, HAS A DEADLY SIDE

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, the wide recognition of industrial hazards by workers and management is a relatively new development. We have only recently passed comprehensive legislation to control the work environment in the hope of preventing on-the-job accidents and illnesses. Our recognition of occupational diseases is even more recent, and the discovery of the extent of a particular disease caused by a common material—asbestos—is one of the most frightening.

Last year many health and union officials urged the Secretary of Labor to promulgate an emergency temporary standard for airborne asbestos in accordance with his powers under section 6(c) of the Occupational Safety and Health Act. An advisory committee was set up, but the final standard did not reflect their recommendation of two asbestos fibers per cubic centimeter. The standard was set at a tolerance of five fibers even though there is no known exposure to asbestos that is small enough not to produce either lung-scarring asbestosis, lung cancer, or mesothelioma, a rare cancer of the chest or abdominal lining.

The following article on the subject by Robert Sherrill, is of great importance to understanding the dangers facing all of those who breathe asbestos dust. The article has been edited to two RECORD pages. The full text appears in the New York Times magazine of January 21, 1973:

ASBESTOS, THE SAVER OF LIVES, HAS A DEADLY SIDE

(By Robert Sherrill)

Shipyard work attracted about 4.5-million Americans into its ranks at one time or another during World War II, and an estimated 3.25-million of those people are still alive. If they think about the experience at all these days it is probably to again remind themselves with satisfaction that things could have been worse. Whether they went into the work simply for a paycheck, or as a kind of emancipation (at some shipyards nearly one-third of the workers were women), or an alternative to the military draft, those who built and repaired America's ships took comfort in supposing that however dirty and boring the work sometimes became, at least it was safer than being in the front lines.

Now it appears they may have been wrong to think so. The fatality statistics are still too scattered and iffy to yield a solid conclusion, but there are some disquieting hypotheses to be drawn from such cases as that of the New York tire company executive we shall call Charles Armin because his family prefers to keep his real name out of this. Armin had never had a serious illness in his life. He was a 200-pound, robust, hearty fellow who looked much younger than his age, 60. He enjoyed sailing in his spare time and ran a taut ship on the job, too.

Then in December, 1971, he began getting sharp pains in his chest, enough to worry about, enough to send him to the doctor. Tests showed his heart was in fine shape, and the lung X-rays showed nothing wrong. Still, the pains persisted and grew worse, and in April the doctors decided to go in for a look.

They found that Mr. Armin was suffering from mesothelioma, a kind of cancer that has only come into the medical fraternity's conversation in recent years. Mesothelioma, which has been so rare that it is not separately categorized in international medical classifications, is cancer of the chest lining or of the abdominal lining. Everyone who gets it is going to die from it within a year because it covers the whole lung area from apex to base, or infuses the whole abdomen, and no surgeon can take out so much and leave a survivable patient. It is a painful disease and progressively so. The cavity lining fills with fluid, which must be drawn off periodically; when the disease strikes the chest area the patient slowly suffocates. None of the usual cancer palliatives do much good, and there is no known cure. Mr. Armin's mesothelioma was discovered in April. He was dead 14 weeks later.

The thing that makes his case—among a number of others—seem so ominous to some occupational health experts is that they know what caused it, and they know that the same cause has touched the lives of millions of other Americans. The cause was asbestos.

* * * * *

Occupationally, probably five million or so Americans—insulation workers, construction workers, oil-refinery workers, etc.—breathe a significant amount of asbestos dust every day they go to work. The hazard also crops up in distinctly nonoccupational places, such as the Northside Elementary School in Lander, Wyo., which recently was closed by the state health department because asbestos which had been sprayed as an insulation on the ceiling was beginning to come loose and mix with the air in dangerous amounts. But wherever encountered, the hazard is especially insidious because it is like a long-term time bomb: For reasons doctors don't fully understand, the diseases related to asbestos do not explode for many years after the patient breathed it in.

Mr. Armin, for example had had nothing to do with asbestos since World War II, when, from 1941 to 1943, he was a tinsmith in the Brooklyn Navy Yard. He helped install fiber glass in destroyers' refrigeration holds, and he also secured asbestos-covered pipes with hangers and straps. After 1943, he got a white-collar job away from the shipyard and never again worked with asbestos. His 29-year lag between contact and illness was not surprising; indeed, for asbestos disease, 25 to 30 years is the normal period between exposure and development of symptoms, which is why medical scientists who have specialized in the occurrence of asbestos-related industrial diseases believe that the first big wave of cancers from World War II shipyard exposure may be at hand.

Among those who think so are Drs. Irving J. Selikoff and E. Cuyler Hammond. Dr. Selikoff of Mount Sinai School of Medicine, City University of New York, is at least among the three or four top authorities on asbestos disease. Dr. Hammond is vice president of the American Cancer Society in charge of epidemiology and statistics, who already has gained a slice of immortality as the fellow most responsible for statistically demonstrating the relationship between smoking and cancer. To some high officials at the U.S. Department of Labor and to many high officials in the asbestos industry, these two doctors and their colleagues represent a kind of reform plague.

* * * * *

The thing that is so alarming to Selikoff's group is that some risk applies not only to asbestos workers (only one-five-hundredth of the shipyard payroll), but to everybody who worked downwind or in the general vicinity of the asbestos jobs. In shipbuilding, this means anybody who has worked within the confines of the ship's structure: welders, shipfitters, machinists, pipefitters, electricians, carpenters, boilermakers—the whole gang.

"You don't have to work with asbestos for 30 years to develop mesothelioma or some other cancer or asbestosis from it," Selikoff explains. "Absolutely not. Because once you get it in your lungs, it stays there forever, and as the years go by your lung continues to be exposed even though you may be out in the Rockies. The nice air in the Grand Canyon won't protect you because you've already got it in your lungs."

* * * * *

The response of the industry and especially of the Federal bureaucracy has been strangely indifferent. The random breather may not care, even though asbestos can harm him too—if, for example, he inhales asbestos thrown into the air by the demolition of buildings. But the asbestos worker feels very lonely with his special demon. William G. Bernard, secretary-treasurer of the Asbestos Workers Union and himself a victim of lung-scarring, complains, "You know, we have damn near as many, or more, people who work with asbestos as there are coal miners in the country. But nobody cares about us, because we don't have any disasters. The miners have a disaster and their pictures show up on the front pages with dirty faces, and everybody feels sorry. So

they put a black lung bill through Congress. We have a higher percentage of people dying of respiratory trouble, but nobody gives a damn about it."

On Jan. 1, 1943, Locals 12 and 32 of the Asbestos Workers Union in New York and Newark, N.J. had 632 members. Dr. Selikoff and his colleagues have traced the 625 who matter here (seven died early, mostly of accidental causes). Given their age, 203 of these men would normally have been expected to die by the end of 1962. Instead, 255 had died—an excess over the normal death rate of more than 20 per cent. About seven should have died from lung cancer, but 45 died of it. Instead of the normal nine or 10 deaths from cancer of the stomach, colon or rectum, there were 29—"not so unexpected," as Selikoff points out, for "anybody who inhales dust also ingests it. Any worker is always spitting out the stuff you think he's only inhaling." And whereas *nobody* in the general population dies of asbestosis—scarred lungs—12 men in this study group died of it during the first 20 years, and 4 died of mesothelioma.

That left 370 of the group still alive on Jan. 1, 1963. Between then and the end of 1971, 78 of them should have died if they followed the pattern of the general population. Instead, 168 died. "And why? The same thing," says Selikoff. "There should have been four or five lung-cancer deaths in this group. There were 43. There should have been no deaths of mesothelioma—that doesn't occur in the general population. There were 23. There should have been three deaths of cancer of the stomach or rectum. There were 12. And of course there should have been no deaths from scarred lungs. There were 20.

"If we total up this one small group of workers from Jan. 1, 1943, to Dec. 31, 1971, almost 20 per cent died of lung cancer. Out of the 430 men who died, one out of every five asbestos workers died of lung cancer. Almost seven per cent died of mesothelioma. Almost 10 per cent died of cancer of the stomach, colon and rectum. Over seven per cent died of asbestosis."

Nor are these figures peculiar to the locals in question. Selikoff goes on to cite more extensive studies confirming that similar increased deaths "occur in every single group of asbestos workers that's been examined." And he concludes. "This is simply an occupational disaster without parallel in American history."

* * * * *

The asbestos industry and the U.S. Department of Labor have not seemed exactly overjoyed to receive all this new data; indeed, their basic response has been a combination of defensiveness and hostility and furtiveness. In 1964, when Selikoff was organizing an international symposium, he received a letter from the law firm representing abestos textile companies, informing him that the industry was aware of what he was up to and implying that if any derogatory remarks about asbestos that might harm its sales should emanate from the conference, he could expect to see them in court. The U.S. Public Health Service conducted air samplings in a couple of dozen asbestos plants in 1964, but it refused to disclose its findings to Selikoff, or, as he puts it, "apparently the key to the file cabinet was lost." Though workers in shipyards today are subjected to much the same asbestos hazards as in World War II, Navy medical officers generally refuse to talk about the problem or to discuss what they are doing, if anything, to protect workers in the yards under their command.

* * * * *

The most impressive case of bureaucracy/industry indifference occurred at the Union Asbestos and Rubber Company factory in Tyler, Tex. This is the same outfit that had operated the factory in Paterson, N.J., before closing it in 1954. Union Asbestos later sold out to Pittsburgh Corning Corp. But under any name, the Tyler plant was still a foul place to work. Reputedly, in some areas of the plant the asbestos dust was so thick workers couldn't see across the room. Medical facilities consisted of two first-aid cabinets, one with a broken glass door admitting asbestos dust.

Beyond the factory itself, asbestos waste was dumped in nearby fields, sometimes to a depth of three feet, that children sometimes used as a playground. Bags in which asbestos had been shipped to the plant and which were still coated with asbestos dust were sold to local nurserymen who do a tremendous business in roses.

It is futile to guess at the number of nurserymen and customers who breathed an injurious amount of asbestos dust from the sacks, but the factory workers can be counted. Personnel records microfilmed by the Public Health Service show that between 1954 and 1972 at least 895 persons were employed there. They were working under deadly conditions and the U.S. Department of Labor and the Public Health Service were aware of these conditions at least as early as 1967. But they kept quiet.

* * * * *

That's the way things stood until 1970, when Congress passed the Occupational Safety and Health Act. With that act, BOSH was phased out and replaced by NIOSH—the National Institute of Safety and Health. With the change of initials came a change of bureaucrats and attitude, too. Among them were Dr. Joseph K. Wagoner, who became director of the Division of Field Studies and Clinical Investigations, and Dr. William M. Johnson, a recent product of the Harvard School of Public Health, who became Wagoner's assistant. They inherited a medical chaos, a burial ground of old statistical bones hastily covered by their predecessors.

"We even inherited about 2,000 air samples that hadn't been counted," Johnson recalls, "because the previous inspectors had been out collecting data without ever coming to grips with what they were doing. They would just keep rescheduling surveys, sometimes a second or third time around at a plant without really giving any thought to what it was really showing from a health standpoint."

Buried deep in the files he found Tyler, Tex. Why had Public Health Service and Labor Department officials covered it up? "I could say they were stupid, or that it was criminal negligence, or bureaucracy, or I could say they were afraid that if they did start getting concerned about this that their right of entry would have been cut off," says Johnson, "but the fact is, I don't know." All he did know immediately from the records he uncovered was that "the plant had no business operating."

But still the higher bureaucracy balked. "We transmitted our sampling results to the Labor Department," says Johnson, "and also followed up with a comprehensive report." The report showed that of a sampling of 17 men who had worked in the plant 10 years, eight had asbestosis. "The Department of Labor would not honor our samples. They wanted to take their own for compliance. They went in—I don't remember the exact date; I believe it was November, 1971—and they took some samples and came up with citations. But they didn't mention asbestos in the citations and the citations only added up to $210 in nonserious violations."

So much public ridicule and bad publicity greeted that punishment that Labor felt obliged to reinspect the factory and levy a $6,990 fine. Two weeks later, claiming the fines were too great a burden to bear, Pittsburgh Corning decided to close the plant. Left behind were many Tyler residents who will eventually die of asbestos disease.

* * * * *

As for the enforcement of health sandards established under the Occupational Safety and Health Act, Federal officials have conceded in testimony before Congress that if they were going to enforce health standards properly, they would need about one hygienist per 35,000 workers.

So far as can be determined, the Labor Department at present has 60 hygienists—or about 1 per 1.2 million workers—to enforce *all* health standards, not just those relating to asbestos hazards.

Since there seems to be no great rush to enforce any asbestos health standards, it hardly matters whether the standards are the proper ones. But the manner in which they were decided may give some further indication of what the laboring man can expect in the way of protection from the Federal agencies and the industry.

At issue was whether to set the standards at a maximum permissible air content of two asbestos fibers (each longer than 5 microns) per cubic centimeter of five asbestos fibers. In either case, that's quite a bit of dust. A cubic centimeter is about the size of a small thimble of air, and a workman will inhale about six to eight million of them in a typical day. So the issue was whether to require the companies to maintain conditions which would prevent a worker from having to inhale more than 12 million to 16 million fibers of a certain length, or 30 million to 40 million fibers. With a substance that the Labor Department concedes "is casually related to asbestosis and cancers," the multimillion differences were obviously no trivial matter.

With what appeared to be an effort to get the best answer, Labor Secretary James Hodgson early in 1972 appointed an outside Advisory Committee on Asbestos Dust made up of scientists and engineers and labor officials. He also had the assistance of an inside advisory group of medical men and scientists put together especially for this problem by NIOSH.

Also from the outside he hired Arthur D. Little, Inc., a consulting firm, to come up with some advice on the economic feasibility of requiring industry to get rid of its asbestos dust. Arthur D. Little's panel of experts was made up of 13 executives from the shipbuilding industry, 12 executives from the asbestos industry, and a health group of 11 doctors and technicians, all but two or three of whom reputedly have been "consultants" to the asbestos industry at some time in their careers.

The Advisory Committee on Asbestos Dust told Hodgson he should drop the standard to two fibers. NIOSH's panel agreed that two fibers was none too low. But Arthur D. Little concluded that five fibers was perfectly safe and that dropping the standard to two fibers would cost industry far too much money. In addition, four days of hearings were held at the Labor Department offices in Washington, with industry contending that Selikoff is right up to a point, but that he goes too far and interprets his findings too wildly. Matt Swetonic, Secretary of the Asbestos Information Service, a New York health data distribution center funded by the industry, says, "There has been considerable controversy with Selikoff not so much on the effects of asbestos, but on the best means to control it and what sort of levels are necessary to control various asbestos diseases." Industry people, says Swetonic, believe that the perils of the insulation workers—who face periodic massive doses of asbestos-laden air—are too often confused with what industry contends are the manageable low-level exposures of the asbestos manufacturing factories.

In the end, Hodgson, insisting that he had arrived at his decision by an independent appraisal of all evidence, rebuffed his own advisory group and said that a five-fiber standard would be in effect for the next four years. (Coincidentally, Johns-Manville Corporation the same day notified its stockholders that

the ruling would not hurt their sales and earnings.)

Selikoff points out that this ruling was designed to set a safety level for asbestosis, not for cancer, and that in any case, qualified scientists simply cannot be sure enough about the nature of asbestos related disease to say where the level should be fixed. In this light, he argues, Hodgson's ruling was at best incautious. "There's a lot of published evidence that in two fibers per c.c. mesothelioma occurs, lung cancer occurs, asbestosis occurs. An industrial hygiene practice in our country has been that when there is a serious risk, you build in a big safety factor. But what the Labor Department has done is say, 'We don't know for sure what level will certainly cause cancer and without this knowledge there is no requirement for extra caution,' instead of saying, 'These are the lives of hundreds of thousands of American workers that we are responsible for and therefore let's set the most prudent level.'"

By continuing the five-fiber standard for another four years a period that will probably see 100,000 or so new men enter asbestos-related industries—Selikoff predicts the Labor Department has doomed 20,000 to unnecessary lung-cancer deaths, 7,000 to unnecessary mesothelioma deaths, 7,000 to unnecessary asbestosis deaths as well as deaths of other cancers. And that's not counting combination effects—asbestos plus tobacco smoke, asbestos plus the coal-tar pitch workers like roofers must handle. All in all, Selikoff predicts that "by a stroke of the pen, 50,000 more lives were thrown down the drain."

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INDEPENDENCE FOR LITHUANIA

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. O'NEILL. Mr. Speaker, the Lithuanian Americans of this Nation have a proud heritage. For more than 20 years in this century, the Lithuanian nation enjoyed independence as a free democratic republic, thereby exercising the right of self-determination.

Then by a secret protocol, subsequent to the Ribbentrop-Molotov Agreement in 1939, between the two totalitarian regimes of Hitler and Stalin, the Lithuanian nation was included in the Soviet sphere of interest.

Less than a year later, Lithuania was given an ultimatum: Accept incorporation into the Soviet Union or invite a Russian invasion. Since 1940, the proud Lithuanian nation has been governed as a colony of the Soviet Union and denied freedom and the right to determine its own form of government.

The Lithuanian Americans of Boston commemorated the 55th anniversary of Lithuanian Independence Day, February 18, 1973, in South Boston. These and thousands of other Lithuanian Americans will continue to importune our Government to demand that the Soviets withdraw their administration and forces from Lithuania and allow that nation with a long history of freedom and self-rule to restore its rightful independence.

Mr. Speaker, I insert the resolution adopted by the Lithuanian Council of Boston in the RECORD at this point.

RESOLUTION

We, Lithuanian Americans of Boston, assembled this 18th day of February, 1973, at South Boston to commemorate the 55th anniversary of Lithuanian Independence Day, do have unanimously adopted and passed the following resolutions:

Whereas on February 16, 1918, the Lithuanian nation proclaimed its independence as a free democratic republic which act was ratified by its duly elected Constituent Assembly, thereby exercising the right of self-determination to be free and independent for all times; and

Whereas Lithuania was forcibly incorporated into the Soviet Union in June 1940 and since that time Lithuanian people have fought and died for their national independence; and

Whereas so many countries under colonial domination have been given the opportunity to establish their own independent states; on the other hand, the Baltic nations having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial Russian oppression; and

Whereas we express our sincerest gratitude to the Administration and Congress of the United States of America for the continued nonrecognition of the incorporation of the Baltic States into the Soviet Union, but

Whereas the mere denial to recognize the Soviet claims to Lithuania does not and will not bear the slightest effect on the leaders of the Soviet Union; *Now, therefore, be it*

Resolved, That leaders of the free world must never be maneuvered into a position where they will become accessories to the crime of Russian enslavement of Lithuania and the other Baltic countries;

Resolved, That we ask our Government to continue, whenever and wherever possible, to demand that the Soviets end their colonialism, withdraw their administration and forces from Lithuania and the other two Baltic States and allow them to restore their freedom and independence and self-rule;

Resolved, That the copies of these resolutions be forwarded to the President of the United States, to the Secretary of State to the United States Senators and Congressmen from our State and to the press.

CHILD CARE CENTERS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. STARK. Mr. Speaker, the proposed new regulations for social service programs have received constant and intelligent criticism since they were introduced on February 16. One area especially open to criticism has been the effect of these regulations on the Nation's child care centers. If these regulations were enacted as they now read they will have a disastrous effect on the lives of working mothers and their children.

Ms. Barbara Garson wrote of the effect of the regulations on one child care center in New York in the March 15 edition of The New York Times. I believe she expressed her situation, and the situation of thousands of others, in an excellent literary display. Therefore, I would like to share Ms. Garson's article with my colleagues and insert her story in the CONGRESSIONAL RECORD.

The article follows:

OEO, FIRST ON THE ONE HAND, THEN ON THE OTHER

(By Barbara Garson)

When my daughter was 3 years old, I wanted to start writing again. I didn't have the money for professional child care so I got involved in a string of collapsing parent-controlled co-ops. After a few months Juliet was getting ragged around the edges. So I decided to put off my literary comeback.

Then I was lucky enough to get into Greenwich House, a first-rate daycare center with a long, long waiting list. Greenwich House is 75 per cent Federally supported. We parents pay zero to $25.25 a week, depending on income. Greenwich House is professional, loving, unexperimental and above all, stable.

Now I could start writing full time with a clear conscience and a good hope of supporting myself. As a matter of fact, I've finished another play which I have dedicated to my school.

Among the mothers at Greenwich House are nurses, receptionists, messengers, and a couple of welfare women going to school. Most of them are divorced, or separated like me.

Many of us single parents have somewhat unstable lives. It must be the times. We always seem to be losing a job or an apartment or a husband. That makes childhood a little different for my daughter than it was for me.

My parents have been married for 34 years. They still live in our old home with the same good neighbors on the block. When I visit my folks I feel like I'm on an anthropological field trip. "Look Juliet," I say, "This is a home. This is how people once lived."

Greenwich House helps me give my child a little of that world I grew up in.

After nursery school Greenwich House sees our children through the years with the after-school program, summer camp and even music lessons.

Many of the day-care mothers have worked out exchanges so that Billy's mother picks Jerry up after school and Jerry's mother takes them both to the movies on Saturday. These are more than free baby-sitting arrangements. This is how our children can make friends that don't disappear. Making friends in the neighborhood seems so simple and ordinary. Yet without Greenwich House it would be difficult for us modern Manhattan working mothers to arrange.

The Department of Health, Education and Welfare has decided that the Federal Government will no longer subsidize child care for working mothers. The new H.E.W. regulations don't close the centers. They simply transfer the subsidy from working mothers to welfare mothers. Now surely welfare mothers need a Greenwich House, too. If working eight hours a day is a hard way to be a mother, staying home alone in a room all day with your kids is even worse. A welfare child needs the continuity of day care at least as much as my child does.

But this is not what the new regulations provide. Under the proposed rules the Federal Government subsidizes day care only to make welfare mothers find jobs (or work off their checks for below the minimum wage on the work-fare program). After three months it is assumed they have "stabilized" their incomes. Then they too are kicked out. From a school Greenwich House becomes a temporary holding hall for little kids, while their mothers seek work. Then those mothers, like me, must find some other makeshift arrangement.

What can those politicians, those motherhood lovers have in mind? I guess they figure they'll use day care to clear the welfare rolls. The mothers will manage somewhow. And the kids—oh, they'll turn out all right. After all, didn't Mr. Nixon grow up in adversity?

Private day care costs at least $45 a week per child. For most of us at Greenwich House that's about one-half of our salaries. Under the new regulations our only real options are to go on welfare, or to find some woman with two kids of her own who takes in three children at $25 a week and sits them in front of the television all day. That's the kind of

arrangements most low-paid working mothers make right now. Frankly I'm too middle class for that. I'd rather do the responsible thing for my child, stop working, and go on welfare.

DAY CARE PROGRAMS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. BOLAND. Mr. Speaker, the new regulations proposed by the Department of Health, Education, and Welfare to govern federally assisted programs in the areas of day care, aid to the elderly, mental retardation, juvenile delinquency and other social services are cause for great concern here in the Congress. If implemented, these regulations will cripple thousands of vital human service programs across the Nation. Just a cursory review of the proposed regulations reveals many serious weaknesses.

First, these regulations seek to prohibit the use of private and donated funds to make up the required State or local match in cooperative Federal-State programs. They would also prohibit the use of "in kind" contributions for the non-Federal match. These two restrictions would undermine the existing private-public partnership approach to solving human problems. They threaten the continuation of many existing programs.

Third, the regulations redefine eligibility for assistance under title IV-A programs. Under the new definitions, former welfare recipients appear to be denied eligibility for day care, for instance, just after that day care service has permitted them to secure employment and leave the welfare rolls. Deprived of day care, they will have to leave work, and return to their homes and children—and the welfare rolls. The regulations are self-defeating.

Fourth, the proposed regulations are not clear with respect to Federal standards for day care services to be provided. For the past 5 years, Federal interagency standards have been applied to all federally assisted day care services. The proposed regulations raise serious questions in this area.

These regulations also limit the type of services to be funded. The list published omits such worthwhile programs as alcohol and drug abuse treatment. Services for the mentally retarded and elderly may be cut by as much as 50 percent in some cases. Steven Minter, commissioner of public welfare in the Commonwealth of Massachusetts estimates that 70,000 in Massachusetts would be affected if these regulations go into effect. Fully 80 percent of the children in foster homes in Massachusetts would be ineligible. Elimination of supportive services for the elderly would mean that thousands of our senior citizens could be forced to abandon their independence and would have to be placed in rest homes.

I supported the $2.5 billion ceiling placed on social service spending by the Congress last year. However, these regulations go far beyond this limitation. They constitute a backward step in the delivery of social services to the elderly, handicapped, and disadvantaged. They are also a backward step in unnecessary bureaucracy and confusion.

Mr. Speaker, I call your attention to letters I have received from experts in the field of social services in my congressional district. These letters describe the devasting effect the proposed regulations would have if implemented.

The letters follow:

METROPOLITAN SPRINGFIELD YOUNG MEN'S CHRISTIAN ASSOCIATION,
Springfield, Mass., March 9, 1973.

Representative EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.

DEAR MR. BOLAND: From the enclosed letter you will note that I have concern about the proposed new regulations with regard to among other things, Title IVa and b of the Social Security Act.

While new regulations are probably needed, it is my opinion that these proposed regulations go too far in being restrictive rather than enabling. I would trust that we ought to be about the business of encouraging collaborative effort of both the private and public sector in meeting the needs of our people. I would urge any action you might be able to take in revising these proposed regulations to eliminate some of the restrictive measures.

I believe in particular the prohibition against the use of private funds and "in kind" contributions (Section 221.62) is particularly restrictive and does in fact, negate opportunities for a voluntary association such as the YMCA which I represent, and the Government, to work cooperatively together. The amount of paper work also to be required with these regulations would also discourage any voluntary and/or private organizations from cooperative efforts. It would push the administrative overhead cost farther than we are able to justify to local United Funds and Board members on our agency boards. Frankly, I also believe it would be again directing the dollars into the hands of bureaucrats rather than getting them directly to the programs and services.

Any help and attention to these particular regulations which you might give would be appreciated and I respectfully urge your immediate attention.

Sincerely yours,
EDWARD F. SANDOW, JR.,
General Executive.

SPRINGFIELD DAY NURSERY,
Springfield, Mass., March 7, 1973.

Congressman EDWARD BOLAND,
Springfield, Mass.

DEAR SIR: As a concerned citizen and as the President of the Springfield Day Nursery Corporation of Springfield, Massachusetts, a private agency which operates 5 quality Day Care Centers in metropolitan Springfield and serves 156 children and their parents, from all walks of life, I am writing to you concerning the recent releases (February 15th to be exact) from the Department of Health, Education and Welfare, pertaining to the future of Day Care in Massachusetts and actually in *all* of our 50 states.

We are an agency which is funded by the United Way of Pioneer Valley, interest from private endowment monies, fees from clients who can afford to pay, and welfare funds. We presently have 50 welfare slots in use, and have recently signed a contract (February 15th) with the State Welfare Department for $36,000. in Title IV A donated funds to expand and operate one of our schools which presently is running at a deficit. The Title IV A contract, though formally signed, has not been funded yet, and is in great jeopardy as are all of our welfare monies.

As I am sure you well know, quality Day Care is an absolute necessity in this day and age. We must all do everything in our power to help those less fortunate than we to attain and maintain the position in Life which is the absolute right of all human beings. Offering Day Care to these families is one of the ways of accomplishing this goal.

We have been offering expert Day Care services in the Springfield area for (89) eighty-nine years and expect to continue to do so for at least (89) eighty-nine more! We need your help! If we are not allowed to use private donated funds to match with Federal monies for the Title IV A program, we shall have to close one on-going program. If the guidelines of "past, present, and potential" welfare recipients are drastically changed, we will have to seriously curtail *all* of our other services. If the Federal Inter-Agency Requirements are removed, quality Day Care will become a thing of the past.

As President of the Springfield Day Nursery Corporation, I respectfully request your immediate attention to this very urgent matter! I am anxiously awaiting a reply from you! Until then, I remain,

Most Sincerely,
(Mrs.) EUGENE B. BERMAN,
President, Springfield Day Nursery Corp.

A POLISH PRIEST WHO OFFERED PROOF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. WOLFF. Mr. Speaker, I would like to present an article by Patrick Owens commemorating the great Polish priest-scientist, Nicolaus Copernicus, who discovered that the Earth revolves around the Sun. The article appeared originally in the March 11, 1973, edition of Newsday.

The article follows:

A POLISH PRIEST WHO OFFERED PROOF

(By Patrick Owens)

Nicolaus Copernicus was born 500 years ago last Feb. 19 so this commemoration is tardy. I doubt Copernicus would have minded; he was so non-passionate about his discovery that he had to be badgered into publishing it, and then wound up with an introduction by a skeptical, or at least timid, Lutheran who suggested that Copernicus's theory had at least the virtue of novelty and should provide amusement for the mind.

Copernicus was Polish and his discovery was the greatest Polish joke of his or any other day: He asserted, in defiance of the Pope and all knowledgeable men, that the earth revolved around the sun. This heresy was taken up by people more persuasive than Copernicus himself and is believed to this day by most so-called intellectuals and all astronauts.

Copernicus proves the virtue of clean living. His big brother, Andreas, took Nicolaus to Italy to study but fell in with fast company, debauched himself with loose women and went home to Poland stricken with either leprosy or syphilis.

The priests of the cathedral of Frombork, where both Andreas and Nicolaus were canons, found him physically repulsive and paid him to get out of town. He became an early remittance man. Copernicus devoted his early years to study and remained virtuous, or at least discreet. He did not involve himself in scandal until much later, when he was an old man by medieval standards. The neighbors raised a fuss about a serving wench who seemed to them to compromise the canon's respectability. Doubtless it was stubbornness and regard for the principle of the thing that caused Copernicus to resist

for some time his bishop's instructions to get-that-woman-out-of-there.

Copernicus proves that pluck and a strong heart conquer all. His father died when he was 10 but Copernicus soldiered on.

Strange as it may seem, Copernicus also proves that it ain't what you know, it's who you know. His father was a rich copper merchant and one of the movers and shakers of the town of Torun. When the father died, the family was taken over by an uncle who was then himself a canon of the cathedral and who became bishop and prince of Warmia.

The family connections made possible a good education, including eight years in Italy, and a good job at the cathedral.

Copernicus was not the first theorist to contend that the earth moved around the sun. This had been contended by the men of science of ancient Greece. But the idea had died out and the alternative theory, that the earth was the center of the universe and everything moved around *it*, had been enshrined in the dogma of the church. This was good theology, because it confirmed man's role as the most important of God's creatures, but it was hard to explain mathematically.

Copernicus *proved* his theory, and that is why he is one of the half-dozen greatest names in science. Writing in Smithsonian magazine, Donald Gould reports what little is known about Copernicus's life and sums up his contributions to astronomy this way: "They included the real secret of the release of the mind of Man from the concept of an earth-centered universe, which was an appreciation of the fact that the apparent movement of the firmation around the earth could equally well be due to the earth's spinning on its own axis . . . the facts that the earth is not the center of the universe, but only of the orbit of the moon, and that the sun is the center of the planetary system, and that the distance from the earth to the stars was far greater than anyone had supposed. There were certain other concepts, which together amounted to a nearly faultless statement of the broad geography of the universe as we now understand it."

Copernicus, who *talked* in Latin, wrote up his theory briefly, without offering his proofs. He spent up to 20 years backing up this first effort in a long dissertation. Then he locked up this book for nine years, until a mathematician from Wittenberg dropped by. This fellow, Rheticus, persuaded Copernicus to go ahead and publish. Rheticus copied the entire manuscript by hand—this was in 1542, before Xerox—and took it to a printer in Nuremberg. When Rheticus got a better job and moved, a Lutheran named Osiander took over the publishing project. He wrote the skeptical preface. Copernicus suffered a stroke while all this was going on. He got a copy of the book before he died, but no one knows whether he knew what it was. He may have been brooding over the injustice of expelling the serving wench.

Perhaps because of the preface, the church did not ban the book (which was called *De Revolutionibus Orbium Caelestium*) for another 80 years. It stayed banned for two centuries.

Copernicus might not have minded so much. He seems to have been more interested in finding things out than in telling people about them.

AMERICAN INDUSTRY REPLACED BY CHINESE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. RARICK. Mr. Speaker, the American tung oil program, encouraged on American farmers as a patriotic investment to help make our country self-sufficient, is now scheduled to be discontinued. Tung oil, it seems, can be imported from foreign countries at a much cheaper cost. In fact, last month a shipment of about 1,900 metric tons—4.2 million pounds—were imported from Communist China.

It is true that the tung nut industry in the United States involved about 100 farmers in three Southern States, at a programed cost of $500,000 to $750,000. But this may just be the start. If we are now to export jobs and dependence on Red China in one field, what will be next—peanuts, tobacco, or rice? For that matter, what American industry can compete with the mainland Chinese on labor costs?

THE HISC APPROPRIATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. ASHBROOK. Mr. Speaker, some idea of the work of the House Internal Security Committee can be gleaned from a review of its annual reports during the past several years. The chairman of HISC, Congressman RICHARD ICHORD, commented extensively on the outside opposition to HISC in the CONGRESSIONAL RECORD of January 9, starting on page 537, and he emphasized the uniqueness of this opposition from a source over 12 years in existence, well financed, and employing a full-time lobbyist—all for the purpose of crippling or eliminating the House Internal Security Committee. To supplement his remarks, I believe it would be useful, especially to new Members, to briefly review the vital areas in which HISC has been involved during the last several years.

During 1969, 1970, and 1971, HISC via legislative, investigative, and oversight hearings looked into such organizations as the SDS; Black Panther Party; the Young Workers Liberation League which is the youth arm of the Communist Party; the National Peace Action Coalition and the Peoples Coalition for Peace and Justice, both captured by radicals of various orientations; the Socialist Workers Party and the Young Socialist Alliance, both dominated by a dissident Communist element, the Trotskyites; and, of course, the Communist Party USA.

Unlike most standing committees in the House, HISC is both an investigative and legislative committee. In the past few years many of its hearings have been of an investigative nature. However, extensive hearings were held on the Emergency Detention Act, on legislation covering industrial, vessel and port security, on legislation dealing with the obstruction of the Armed Forces and legislative and oversight hearings relating to the Subversive Activities Control Act and the Federal civilian employee loyalty-security program.

In addition, HISC reviewed subversive influences in the Armed Forces and heard witnesses from Red China, the Soviet Union, Cuba, Czechoslovakia, Latvia, and East Germany concerning Communist tyranny in these countries. These witnesses testified during the committee's continuing series of hearings on the theory and practice of communism. Their experiences refute the claims of one 1972 Presidential candidate, Gus Hall, a leading Communist Party official in the United States, when he seeks to entrap American citizens into granting him and his followers respectability via the ballot.

While the 1972 annual report of HISC is not yet available, I believe the reports for 1969, 1970 and 1971 as summarized in the table of contents, will give a birds-eye view of the committee's operations in recent years and help afford an objective basis for evaluation of the work of the House Internal Security Committee.

I insert at this point excerpts from the tables of contents as they appear in the above-mentioned annual reports:

CONTENTS

Foreword.

SECTION A: HEARINGS ON BILLS

Chapter I.—Hearings relating to H.R. 12699 (reported with amendments as H.R. 14864): Industrial, vessel, and port security. (Hearings held September 9, 10, and 24, 1969.)

Chapter II.—Hearings relating to H.R. 959: Obstruction of Armed Forces. (Hearings held September 15 and 16, 1969.)

SECTION B: INVESTIGATIVE HEARINGS

Chapter III.—National SDS data and local chapter activities at Georgetown University in Washington, D.C. (Hearings held June 3–5 and 17, 1969.)

Chapter IV.—SDS activities at Kent State University, Kent, Ohio. (Hearings held June 24 and 25, 1969.)

Chapter V.—SDS activities at George Washington University in Washington, D.C. (Hearings held July 22–24, 1969.)

Chapter VI.—SDS activities at American University, Washington, D.C. (Hearings held July 24, 1969.)

Chapter VII.—Communist Party and SDS activities in Chicago, Ill., including the University of Chicago, and aspects of the SDS 1969 Convention. (Hearings held August 6 and 7, 1969.)

Chapter VIII.—SDS activities related to high school students and other teenagers in the summer of 1969 in Columbus and Akron, Ohio; Detroit, Mich.; and Pittsburgh, Pa.; plus involvement in labor-management dispute in Washington, D.C. (Hearings held October 20–22, 28–30, and December 17, 1969.)

Chapter IX.—SDS and "Newsreel" involvement in the release of American prisoners of war in North Vietnam. (Hearings held December 9–11, 1969.)

Chapter X.—Hearings on links between SDS and Newsreel film propaganda company; SDS activity at Fort Dix, N.J., Army Base; SDS National Action activity in Chicago, Ill., October 8–11. (Hearings held December 16–18, 1969.)

SECTION C: REFERENCE SERVICE AND COMMITTEE PUBLICATIONS

Chapter XI.—Report of Committee's Files and Reference Section.

Chapter XII.—Committee Publications.

CONTENTS

Foreword.

SECTION A: LEGISLATIVE HEARINGS

Chapter I—Hearings on various bills to repeal the Emergency Detention Act, Title II of the Internal Security Act of 1950. (Hear-

ings held March 16, 17, 19, 23, 24, 26; April 20–22; May 21; and September 10, 1970.)

Chapter II—Hearings with respect to the administration of the Subversive Activities Control Act and the Federal Civilian Employee Loyalty-Security Program. (Hearings held September 23, 30, 1970.)

SECTION B: INVESTIGATIVE HEARINGS

Chapter III—Black Panther Party activities in Kansas City, Mo. (Hearings held March 4–6, 10, 1970.)

Chapter IV—Black Panther Party activities in Seattle, Wash. (Hearings held May 12–14, 20, 1970.)

Chapter V—Black Panther Party activities in Detroit, Mich., Indianapolis, Ind., and Philadelphia, Pa. (Hearings held July 21–24, 1970.)

Chapter VI—Black Panther Party National Office operations and investigation of activities in Des Moines, Iowa, and Omaha, Nebr. (Hearings held October 6–8, 13–15, and November 17, 1970.)

Chapter VII—Hearings on the extent of subversive influences in leadership of New Mobilization Committee to End the War in Vietnam. (Hearings held April 7–9, 15, and June 9–11, 1970.)

Chapter VIII—Hearings on aspects of life in Communist-run countries as described by refugees from the Soviet Union, Cuba, Czechoslovakia, together with information on Communist theory and practice from an American academician, expert in Communist affairs. (Hearings held June 23–25, 1970.)

SECTION C: REFERENCE SERVICE AND COMMITTEE PUBLICATIONS

Chapter IX—Report of Committee's Files and Reference Section.

Chapter X—Committee Publications (including commentary on special reports on Students for a Democratic Society; Black Panther Party paper; New Mobilization Committee to End the War in Vietnam; Committee action on Emergency Detention Act; Committee action on H.R. 959—Obstruction of Armed Forces; and Inquiry Concerning Speakers' Honoraria at Colleges and Universities).

CONTENTS

Foreword.

Chapter I. Theory and Practice of Communism: testimony of escapees from communist tyranny in Red China, Latvia, and Germany. (Summary of hearings held March 23–25, 1971.)

Chapter II. Theory and Practice of Communism: testimony of two leading American academicians, one an expert on Eastern Europe and the other expert on the Far East, plus testimony of an informant who was a member of the Young Workers Liberation League (a CPUSA "front" organization) in New York and of an informant who was a high-ranking member of CPUSA in New York City. (Summary of hearings held March 29–30, April 1, and May 10–12, 1971.)

Chapter III. Theory and Practice of Communism: testimony of witnesses expert in the subject of communism in Cuba, together with a leading American academician expert in the subject of communism in Latin America generally. (Summary of hearings held October 5–7 and 14, 1971.)

Chapter IV. Origins, Organization, and Activities of the Progressive Labor Party. (Summary of hearings held April 13, 14, and November 18, 1971.)

Chapter V. The Administration of the Subversive Activities Control Act of 1950 and the Federal Civilian Employee Loyalty-Security Program, involving testimony from executive departments and agencies. (Summary of hearings held April 21, 22, 27–29; June 2, 3, 8–10; July 27–29; August 3; and November 4, 1971.)

Chapter VI. Summary of Committee and House Floor Action on Bills to Repeal or Amend the Emergency Detention Act of 1950.

Chapter VII. Origins, Organization, and Leadership of the National Peace Action Coalition and the Peoples Coalition for Peace & Justice. (Summary of hearings held May 18–20, June 16–17, and July 21–22, 1971.)

Chapter VIII. Origins, Organization, and Leadership of the National Peace Action Coalition and the Peoples Coalition for Peace & Justice. (Summary of hearings held May 21, June 15, and July 13–15, 20, and 21, 1971.) (Committee minority witnesses.)

Chapter IX. Subversive Influences Affecting the Military Forces of the United States. (Summary of hearings held October 20–22, 27, 28, and November 9, 10, and 16–18, 1971.)

Chapter X. Summary Report on the Termination of Suit Instituted Against Publication of Committee Study of Amounts of Honoraria Paid Campus Speakers Associated with Revolutionary or "Front" Group.

Chapter XI. Report of Committee's Files and Reference Section.

Chapter XII. Summary Report on Committee Publications (Including commentary on a special report on the Black Panthers, a committee print regarding the origins and objectives of the Socialist Workers Party and Young Socialist Alliance, and a report on the Emergency Detention Act of 1950 Amendments.)

HOUSE OF REPRESENTATIVES—*Thursday, March 22, 1973*

The House met at 12 o'clock noon.

Rev. Sviatoslau Kous, Byelorussian Orthodox Church, New York, N.Y., offered the following prayer:

Our Lord, and God Jesus Christ, receive from us, Your humble servants, our most sincere prayers and in forgiving our sins bless all our enemies and those who would do harm unto us. Rather, show our enemies the true goodness of man. Those of us who believe in Your righteousness ask that we may never be led astray. Keep in Your grace the people of these United States of America and give guidance to our democratic principles.

Hear the lament of my Byelorussian people crying day and night for freedom. Give unto these people, through Your sacrifice, peace, and tranquillity. Do not forsake those who have forsaken You but rather make Your truth appear to all mankind. 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

REVEREND KOUS DELIVERS OPENING PRAYER

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

Mr. ADDABBO. Mr. Speaker, the opening prayer in the House of Representatives was delivered today by the Reverend Sviatoslau Kous, rector of the American-Byelorussian St. Cyril of Turov Independent Greek Orthodox Church in Richmond Hill, N.Y. It is an honor for all the residents of the Seventh Congressional District in Queens, N.Y., to have Reverend Kous here today and I am proud that he was invited to deliver the opening prayer.

The Greek Orthodox church in Richmond Hill where Reverend Kous serves as rector is newly built and was consecrated on October 29, 1972. Reverend Kous was born in Wilno, Byelorussia, and graduated from the Stephen Batory University in Wilno.

He came to the United States in 1949 and was ordained to be a priest by the Metropolitan Germanos of the Greek Orthodox Church on February 9, 1969. Reverend Kous, in addition to his duties as rector of the church, teaches at the high school in South River, N.J., where he lives.

It is particularly appropriate for Reverend Kous to lead us in prayer this week because March 25 will mark the 55th anniversary of the proclamation of independence of the Byelorussian Democratic Republic.

On behalf of my constituents and my colleagues in the House of Representatives, I thank Reverend Kous for being with us today to deliver the opening prayer.

ITT—$1 MILLION DONATION CONTAMINATES THE PURPOSE OF CIA

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

Mr. VANIK. Mr. Speaker, yesterday's disclosures of an offer by the International Telephone & Telegraph Corp. to contribute up to $1 million in support of any Government plan for the purpose of bringing about a coalition of opposition to President Allende of Chile suggests the likelihood of precedence and pattern of private and corporate contributions to the Central Intelligence Agency to fund activities and operations of special interest to such contributors.

It is shocking if such contributions are legal or have been made in the past. If an agency of the Federal Government can receive private contributions for specific activities of a public agency or department, the commingling of private resources with the Federal funds of a Government agency contaminates the public purpose of the agency. If an agency or department of the Federal Government can receive such funds to provide direction or support of a specific goal or purpose, it opens up a form of bureaucratic bribery which should be prohibited.

I am currently preparing legislation